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Actual State of Prison Reform , 1878

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THE ACTUAL STATE

OF

PRISON REFORM

TROUGHOUT THE CIVILIZED WORLD.

A DISCOURSE

PRONOUNCED AT THE OPENING OF THE INTERNATIONAL PRISON

CONGRESS OF STOCKHOLM, AUGUST 20, 1878

BY

nocht
E. C. WINES, D. D., LL. D.,

HONORARY PRESIDENT OF THE CONGRESS.

STOCKHOLM
CENTRAL-TRYCKERIET
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OPENING ADDRESS.

The second international penitentiary congress meets under circumstances the most auspicious as regards time, place, preparatives, and representation.

As regards time, because the peace of Europe, so long threatened by the angry cloud of war, has, by the wisdom of her representative statesmen, recently assembled in Congress at Berlin, been assured; so that the nations may now lay aside the instruments of destruction, and give themselves to the use of those only which are employed in multiplying and intensifying the forces of civilization; in creating, upbuilding, and perfecting the arts of life and of social progress:

As regards the place, because we meet in a country, where successive sovereigns have given to the penitentiary question a generous and an earnest study, one of whom, Oscar I, of happy memory (father of the Illustrious Monarch, who now fills the throne, and who is, therefore, by inheritance as well as by conviction, the friend of prison reform), having, nearly a half century ago, published a book on Prisons and Punishments, which has contributed not a little to the progress of such reform; a country where the interest of the sovereigns has been warmly responded to by the people; so that, now, Sweden is able to offer to the congress establishments, both penal and preventive, worthy of its careful examination and study:

As regards preparatives, because, as is believed, no international reunion of any kind has ever taken place, for whose labors more thorough preparations have been made, since these preparations have covered a period of four years, and been conducted under the guidance of representative men from the larger part of the countries, which took part in the congress of London, in 1872:

As regards representation, because the delegates, official and non-official, now assembled in this oecumenical penitentiary council of Stockholm, and the reports from governments not so represented here, come from regions as broad and points as distant, if not indeed broader and more distant, than

the members of any œcumenical ecclesiastical council ever summoned by papal authority. It is no exaggeration to say that the immense stretches of island and continent, from Japan, New-Zealand, and Australia, in the East, to the Hawaiian or Sandwich Islands, in the West, and from Nova-Scotia and Iceland, in the North, to Cape Horn and the Cape of Good-Hope, in the South, are, today, by living delegates, or by official reports, or by both, in Stockholm, fitly named the Venice of the North.

By request of my colleagues of the permanent international penitentiary commission, it has been made my duty to offer to the congress, in this opening discourse, a comprehensive review of the progress of prison reform throughout the civilized world, since the congress of London, six years ago.

It may not, however, be improper, before entering on that duty, to make a preliminary reference to the congress of London.

It was clear, that if genuine prison reform was ever to be realized, resort must, in the end, be had to governments for the necessary legislation, and, consequently, it would be desirable to enlist their sympathy and coöperation in advance; hence means were taken to secure official representation in the congress on their part. But it seemed equally clear that a congress, composed wholly of representatives of governments, would have a character too exclusively official, and therefore it was determined to combine a non-official with the official element, so as to give greater freedom to the discussions.

The union of these two elements in the same body stamped a character of originality on the congress of London. There had been international congresses of governments and international congresses of private citizens, the one wholly official, the other wholly non-official; but the London congress was unique, in that it combined both these elements. It was an illustrious body. Lord CARNARVON was its president. The Prince of Wales honored it with his presence. The British Secretary of State for the Home Department gave official welcome to the foreign delegates in a speech at once cordial and eloquent. Nearly a hundred official delegates took their seat in the congress. Eminent jurists from the United States and other countries assisted. Directors of the penitentiary administration and inspectors of prisons in many European states lent their aid. Heads of prisons and reformatories were present from all quarters to impart the light of their experience, and of that practical wisdom, which experience alone can give. Life-long students of penitentiary science, distinguished alike by their talents and their writings, made the pilgrimage to London on that occasion to give dignity and depth to discussions, on which they poured the light of their knowledge and wisdom. Juridical associations and criminal-law departments of universities took part in its deliberations. The Institute of France sent one of its members to impart a portion of the stores of thought and knowledge, which it had accumulated by a study of the penitentiary question, prolonged through half a century. The discussions of the congress continued ten days. The questions considered were many and weighty; the discussions able and earnest. The official report of the proceedings, a volume of eight hundred pages, is everywhere recognized as one of the most precious contributions to the literature of penology, which the world has ever seen.

Now, what fruit has this congress borne? What results may it claim to have achieved? Certainly, it constituted a new departure for the penitentiary question. But six years are a mere point in the life of Humanity.

Such a space of time -- what is it even for the purpose of starting a world-wide social reform? much more, for giving to it a certain degree of development and of actual progress? Yet the influence of the congress of London has touched every region of the globe. Even the antipodes have felt its benign pressure. It must, however be confessed -- and the concession is gladly made -- that such wide results could have been realized only on a soil, largely and generously prepared by previous workers, and that, without such prior preparation, the labors of the congress would have proved comparatively barren. To begin with what lies upon the surface. As a source of information, as a collector and promulgator of facts, the congress of London may be pronounced unequalled in the value of its labors. Whatever other merit may be denied to that body, the press throughout the world has been unanimous in awarding to it this special meed of praise.

It is further conceded, everywhere, that the congress has done a good work in quickening and educating public opinion on this question; in bringing together and making acquainted with each other the thinkers and workers in this field; in leading to valuable interchanges of friendly feeling and precious information by correspondence; in promoting, to a large extent, the international visitation of prisons; and in stimulating all to increased zeal, devotion, and activity in duty.

To this extent, the utility of the London congress is acknowledged without contradiction. But other results of the highest value are noted in many countries. A day might be devoted to the recital, and I have but an hour. Obviously, a glance is all that can be given to any one country.

Let me take France first, as being among the countries, in which the congress of London has borne fruit most abundantly. And let it be said, in passing, that France is one of those countries, where the soil had been well prepared, in advance, by the labors of such men as the M.M. BÉRENGER (*de la Drôme*) -- father and son -- M.M. DE METZ, GASPARDIN, CHARLES LUCAS, BONNEVILLE DE MARSANGY, FAUSTIN-HÉLIE, JAILLANT, and many others, no less eminent, their compeers in this work.

Contemporaneously with the gathering of the London congress in 1872, France entered upon a fresh study of the penitentiary question. Under the lead of a young but able statesman, the Vicount D'HAUSSONVILLE, a parliamentary commission was created, consisting originally of fifteen but subsequently increased to nineteen deputies, with an equal number of associate members from outside, chosen from among the most distinguished specialists in the republic. No such investigation, for breadth and thoroughness, has ever been undertaken, I think, by that or any other nation, on that or any other subject. The commission continued its labors, with a diligence and an intelligence worthy of all praise, for several years. It not only summoned, for examination, all the experts of France, whose knowledge and experience entitled them to such a distinction, but it invited the testimony of foreigners as well. It interrogated all the higher courts of France, from whom it obtained opinions of the greatest value. It prepared elaborate papers on all the different aspects of the penitentiary question, whose least merit is their literary excellence, for they are, for the most part, marked, as well, by sound judgment, keen analysis, profound thought, and a broad humanity. It drafted bills (*projets de loi*) for the reorganization of the departmental prisons and of the establishments for correctional education, the first of which has been enacted into a law, and the second still awaits the action of the

legislature, which it is sure to receive sooner or later. It further recommended — and the French parliament has acted thereon favorably — the creation of an official board, or department of government, called the Superior Council of Prisons. This council replaces the commission, and forms a permanent institution of state, charged with the perpetual study of the penitentiary question, and with the initiation, as occasion may require, of reforms in the penitentiary régime. The commission has published its minutes, the evidence taken by it, the opinions elicited from the French courts, the papers prepared by its members, and its projects of law, or bills, in a series of quarto volumes, which, of themselves, form a library of penitentiary literature.

But it is not alone what has been done by her parliamentary commission, vast as its labors have been, that exhausts the activity of France in the penitentiary domain, since the congress of London. Far from it. The work of patronage has, within that period, received an immense impulse and a corresponding development. Thanks to the indomitable zeal of M. JULES DE LAMARQUE, a national patronage society for liberated prisoners has been organized in Paris, which already numbers many branches in the departments; an expansion favored by the old commissions of surveillance, which had become almost extinct, but are now reviving, and having the warm breath of life breathed into them anew, under the form of prisoners' aid societies; so that the work of patronage, which had scarcely an existence in France when the London congress met, is now almost as widely organized as in England itself.

Another voluntary movement, of great interest and significance, has been set on foot in France within the last eighteen months. It is *la société générale des prisons* (the national prison association), which, like Minerva from the brain of Jove, has sprung into life full-formed, and in all the vigor and activity of mature age. It already numbers a large membership, of the very best material of France, and particularly of Paris, where its seat is. It collects information from all countries, by means of circular letters, addressed to the specialists of those countries, on all points embraced in the penitentiary question. It holds monthly meetings, at which papers are read, either prepared by members at home or communicated by correspondents abroad, which are ably and exhaustively discussed. It publishes a monthly journal, in which these papers and discussions appear, together with other articles, and especially the freshest intelligence from all parts of the world on the penitentiary question. This society is free from all political and sectarian bias. Catholic and protestant, imperialist, monarchist, and republican, here sit side by side at the same council board. An illustration of the total obliteration of party lines is seen in the fact, that the late and present prime ministers, the DUKE DE BROGLIE and M. DUFAURE, however widely they may differ on the floor of the senate, work harmoniously together, in *la société générale des prisons*, for the good of humanity and the progress of French civilization.

One statement further: A strong impulse has been given to the work of child-saving in France, though this was, previously, well advanced in that country. A protestant society has been, within the past year, formed in Paris, having this end in view. Its president is M. DURAND-DASSIER, a gentleman of large purse and larger heart; and he has many associates, who belong to the same category in both these respects. The society has

started on its career, full of life and hope, and it promises valuable results in the way of transferring the neglected waifs of society from the ranks of crime and spoliation to those of honest and productive industry.

The actual penal code of Russia dates from 1845. By that code, the *knout*, so famous in history, was abolished; and, in 1863, nearly all other corporal punishments shared the same fate. No important changes have taken place in the penal code of Russia since the congress of London, but the ministry of justice has been engaged in an earnest study of the subject, and, in 1877, a special commission was created to examine the draft of a new scale of punishments, prepared by that ministry. The commission has completed its labors, and the new scale of penalties will serve as the basis of a new penal code. In this scale the death penalty is retained only in the case of crimes against the safety of the state and the person of the Emperor. Properly speaking, therefore, banishment to Siberia, coupled with hard labor (*travaux forcés*), occupies the first place among Russian penalties. By the existing code, this penalty is for life or a maximum term of 20 years; by the draft (*projet*) of the commission, it is for life or a maximum term of 15 years. The commission has in view other ameliorations of the present code. It favors a great diminution of the number of crimes, against which this sentence must now by law be pronounced, and would have the sentence affixed only to crimes of the gravest character. Moreover, the commission is in favor of the absolute abolishment of simple banishment to Siberia, that is, without the addition of hard labor; it would have this species of banishment replaced by imprisonment in some form. Indeed, the tendencies of its labors and propositions is towards the absolute destruction of Siberia as a place of punishment.

The same commission is charged with the duty of framing a new penitentiary system. It proposes three species of privation of liberty: 1. For a term of 18 months to 6 years, with labor, exercise, school, and church in association, under certain restrictions, and all the rest of the time in cell; nevertheless, the first four weeks of the imprisonment must, in all cases, be passed in cellular separation, day and night. 2. For a term of two weeks to a year, to be passed wholly in cellular confinement. 3. In houses of arrest for a term not exceeding three months — cellular separation.

While awaiting a complete reform of her penitentiary system, the Russian government has, during these later years, limited its action to partial ameliorations, and principally in the construction of prisons. In 1875, the first essay was made at St. Petersburg, in the creation of a large cellular prison for 700 inmates — 600 men and 100 women. There are, however, in this prison, only 317 cells, and the rest of the edifice is designed for the system of association.

Russia has not, as yet, any institution for the professional training of prison officers. However, the government, during the current year, sent three commissioners to the different countries of Europe, to study the construction, administration, and management of penitentiary establishments, and hopes to profit by the knowledge which they may bring back, in continuing and hastening the work of prison reform in its own dominions. Since the year 1874, one of the professors in the university of St. Petersburg is charged with the duty of giving annual courses of lectures on penitentiary science. All this points, not dubiously, to the ultimate establishment of special schools for the professional education of prison keepers.

Russia is, evidently, waking up to the importance of preventive and reformatory institutions for the young. The first agricultural penitentiary colony for juvenile delinquents, under fourteen years of age, was organized in 1870, near St. Petersburg, by a voluntary society; but the government furnished the site, and grants an annual subsidy. Since that date, there have been organized seven or eight similar colonies, in different provinces of the empire, for the most part without aid from the government. In general, these institutions find much sympathy and support from the public; but, from the shortness of the time during which they have been in operation, the authorities consider it too soon to pronounce definitively as to results.

There are, at St. Petersburg, at Moscow, and in some of the provincial cities, reformatory and industrial schools, which begin to show a certain degree of success, and give promise of larger fruits. There exist, likewise, chiefly in the large cities, numerous asylums for children, vagrants, orphans, and mendicants. After the age of ten to twelve years, effort is made to apprentice these children to some trade, or to continue their education and instruction in other schools. All these institutions move on prosperously, especially as regards their pecuniary resources, since benevolence is largely characteristic of the Russian people, and contributors are readily found.

Two patronage societies for discharged prisoners have been recently organized at St. Petersburg, one for males, the other for females; but the results obtained, thus far, are moderate. Nevertheless, public attention begins to turn towards this side of the penitentiary system. The journals speak of it favorably; and a short time ago there appeared in a Russian Review — *The Bulletin of Europe* — an elaborate article on this subject, which gives an historical résumé of what has been done in this regard by other countries, and points out the manner in which the work of patronage may be organized in Russia. By the initiative of a generous-minded Russian lady, there is about to be formed at St. Petersburg a society for the patronage of liberated juveniles of both sexes, whose activity will probably commence in the autumn of the current year (1878).

Finland being a grand duchy of Russia, though with a largely automatic government, it is fit to review the progress and condition of things in that country, before passing to others. The movement in Finland for a new penal code and an improved penitentiary system has been considerable since the congress of London; and the interest and activity of both the people and the government are constantly increasing. In the year 1875, there was published the draft of a new penal code of law, accompanied by the draft of a new law relating to the execution of punishments, that is, a new penitentiary law. These drafts are made the constant object of discussion, and it is expected that the government and parliament will soon act definitively upon them. The ameliorations already effected in the penitentiary régime, as regards discipline, work, and instruction, all tend to the introduction of the progressive or Irish system of convict treatment, which will, without doubt, be, in the end, definitively adopted.

A school for the professional education of prison keepers was, some time ago, proposed to the government, and it is confidently expected that this proposition will soon be carried into effect. All men, in Finland, competent to form an opinion on this subject, are of accord as to the necessity of an establishment of the sort. A prison union (patronage society) was formed at Helsingfors in 1869, and has already branch-unions in sev-

THE PRISON CONGRESS.

Preparations for the Gathering in Stockholm—How Various Countries will be Represented—South American Interest in the Work of Reform.

To the Editors of the Evening Post:

Excellent progress is making in the preparations for the approaching International Prison Congress of Stockholm. As president of the Permanent International Penitentiary Commission I last autumn addressed a circular letter to all the governments of the civilized world, to the number of nearly two hundred, including the states of the German Empire, the cantons of Switzerland, the colonies of Great Britain and the states of the American Union, inviting them to take part in the Congress, and especially to send forward full information touching the actual state of the prison question in their several countries in reply to a series of questions contained in the circular. Answers have been received, not, indeed, as yet, from all the governments addressed, but from very many of them, and those in every part of the world: the distant Orient and the far-off islands of the Pacific; the high latitudes of the British North American possessions, and the extreme southern portions of South America, as well as from the nearer countries of America, Europe and Africa. Lord Carnarvon, Secretary of State for the Colonies in the British Cabinet, has entered warmly into the project. Through his secretary he writes me under date of March 10th: "I am directed by the Earl of Carnarvon to acquaint you that he has officially communicated to the Governors of her Majesty's several colonial possessions your circular letter

1876—Circular letter to various heads

of the congress of London, in the penal or penitentiary system of the Austrian empire. Nevertheless, Austria has not been idle in this field, and progress may be reported here as elsewhere. The penal code actually in force in that country was adopted in 1852; but a proposition is now pending before the legislative body to essentially modify its provisions, and another to introduce a new system of detention. But despite these proposed measures for radical reforms, Austria has none the less labored to develop her penitentiary system upon its present bases, especially in the direction of a more extended application of cellular imprisonment. The first prison of this sort was opened the same year with the London congress (1872). Three others have followed, the latest having been inaugurated last month. Together, they contain 1,050 cells for day and night occupancy. As far as tried, the cellular prisons are reported as having yielded satisfactory results. Cellular separation in Austria, however, is not absolute. The prisoners are together, and can see each other, during divine service, in school, and at exercise; and association to that

7. It is liberated female prisoners, who most respects to these associations. In like manner, it is the warmest interest in prisoners, both during their release.

ments for the education of deserted and vagrant arm schools for young delinquents, all recognize Schools of the first class here named have been ten or twelve, in different parts of the country, gives vicious children in preference to others. As situated in the country, their inmates become and country occupations. The parliament of Finland the present year, determined to found a special ment of juvenile transgressors, and voted the requirement of construction.

arity is to be noted in the treatment of prisoners number of criminals, who have suffered incarceration time in the prisons of Finland, and have been conduct as prisoners, have themselves asked — recorded by the government — to be transported such permissions have been found to exert a salutary discipline of the prisons, at the same time that the removed them from the circle of their former (into which they would, otherwise, have been almost r liberation. This permission has, besides, afforded engaging in agriculture or some other industry, to honest work. This recital suggests the inquiry y not be usefully employed, as a reward instead penitentiary system? If punishment ought to be is, in the country, where the crime has been ay not be subjected to a hazardous uncertainty, ntrary, that a transportation, tied to the soil by ily of the liberated prisoner, would offer little, if n this case, justice would be exposed to no risks; a the problem, would be excluded; and the social penal, without being confounded with it.

fundamental character, have taken place, since the undamental character, have taken place, since the

extent is found to have a favorable effect on the sanitary, moral, mental, and physical condition of the prisoners, particularly those whose intellectual and moral culture is a little elevated. Of this class, a considerable number is found among the prisoners in the many different countries, that compose the Austrian empire. Observations, carefully made and recorded, show the following comparative influence of cellular and associated imprisonment in producing insanity and suicide. The former gives one case of insanity to every 186 prisoners, while the latter shows only one such case to every 279 prisoners. Cellular separation shows one suicide to every 484, and associated imprisonment one to every 2,142. For this reason the Austrian legislation has softened the application of the cellular system in the way mentioned already, and has, moreover, taken account of the intellectual culture and nationality of the prisoners subjected to that régime. These mitigations are not found to render less efficacious the application of cellular reclusion, or less probable the moral regeneration of the prisoner.

The system of progressive classification has been introduced into all the prisons of Austria, both cellular and associated, and its influence has been conspicuous in promoting industry, education, and good discipline among the prisoners.

Few countries have felt the influence of the London congress more strongly or more beneficially than Switzerland. Since the date of that gathering, Switzerland, has become, on this subject, like a beehive in summer, where all is life and activity, and the hum never ceases. The progress realized has been remarkable. New penal codes have been enacted; new and improved prisons have been built; new preventive and reformatory institutions have sprung into being; the progressive system of convict treatment has taken firm root; provisional liberation has been decreed and is in operation in a number of cantons; the work of patronage has been largely developed; the Swiss prison society has displayed an extraordinary fertility of initiative and an equally extraordinary activity in pushing its measures through to their consummation, whether they related to penal legislation, prison discipline, or preventive and reformatory agencies: Such is the short history of six years' work in the little republic, which forms the centre of Europe.

If I should stop here, enough would have been said. But let me add a fact or two, to make good these statements.

It has been said that the work of patronage has been much quickened and extended. One fact in support of that assertion: The canton of Neuchâtel has a population of 100,000 souls. It had a patronage society before the congress of London; but the organization was small in numbers, and feeble in action. Now it has an effective membership of 1,500 persons. The chaplain of the penitentiary went from house to house throughout the canton, soliciting sympathy, names, and money; the result is what I have stated.

It has been said that preventive and reformatory institutions have been multiplied in Switzerland. Now see the proof: Some years ago, a citizen of Neuchâtel, a M. BOREL, dying, bequeathed to the state 800,000 francs — now become a million — to be devoted to such benevolent object as the legislative council of the canton might direct. The council named a commission to determine the object to which the bequest should be given. Divers institutions sought the generous gift, but failed to obtain it. However,

after the London congress, the commission, informed of its doings and its views, decided, by a unanimous vote, that the bequest should be devoted to the founding of an institution for saving destitute, neglected, and exposed boys from the plunge into crime. The London congress obtained that money for this work as really as if it had gone to Neuchâtel in a body, and made application for it. The buildings for the institution, which is to be on the family system, are well advanced towards completion. Some years later, a rich citizen of the canton of Neuchâtel, M. LAMBELET, also enlightened as to what the congress of London had done and thought, and inspired by the example of the legislative council of Neuchâtel, in making his will, bequeathed his whole fortune, nearly equal to that of M. BOREL, to found a similar institution for girls. He has died since, and the school, also on the family plan, is already in operation, there being no need in this case to wait for the erection of buildings, as his own dwelling was, by the terms of the will, to serve that purpose. The London congress got that money also, as it did the bequest of M. BOREL, to be used for the prevention of crime.

A number of institutions, organized on the family idea, like the Boys' Home at Farmington, England, and the Princess Mary's Village at Addlestone, near London, have been opened in Switzerland since the congress of London. Still further, as a large majority of child-saving institutions in Switzerland, owing their existence to private charity, do not receive children beyond a certain age, and as, consequently, the young offenders from fifteen to twenty years of age are either abandoned to their fate or sent to adult prisons, therefore the several cantons, with a view to fill this lacune, are, at the present moment, occupied with the problem of creating a reform school on the plan of Redhill, near London, for juvenile delinquents of the class just named, which shall serve for the use of the whole confederation.

One more fact I mention — not, unhappily, because it is characteristic of the general state of things in Switzerland, any more than in other parts of the world, but — because it may prove at once an example and an inspiration. A pastor in the canton of Neuchâtel, dying, bequeathed all his little fortune — some 30,000 francs — to endow, for all future time, the chaplaincy of the penitentiary of that canton. The income from that endowment, added to the salary accorded by the state, furnishes, and will ever furnish, a liberal support to the incumbent of the chaplaincy. May it not be at least hinted to the generous among the rich, that they go and do likewise, for there are few men, who are so useful and worthy, and withal who work so hard, that are so poorly recompensed for their services as the chaplains of prisons.

Denmark has shown an extreme activity in the domain of penal and penitentiary reform since the congress of London. The very first act of the Danish government, after the return of its delegate from the congress, was to issue a decree that the prisons of the kingdom should be, thenceforth, administered on the progressive principle, agreeably to the doctrine promulgated by that body; and that act has been followed by a series of measures, pushed with vigor, in the line of reform.

First of all, the penal code of Denmark has undergone important modifications of a general as well as local character, particularly in respect to the labor of children in factories, the propagation of venereal diseases, and the preservation of order and peace during the festivals of the established

church. Besides which, the years between 1872 and 1878 have been fertile in conventions with foreign countries on the mutual extradition of criminals. Many penal ordinances have, since 1872, been promulgated in relation to Iceland, a country which is connected, by a personal as well as a civil union, with the kingdom of Denmark, so that the penal code of that Island has attained the same degree of development as that of Denmark. At the capital of Iceland a new penitentiary has been erected, and, at the same time, there have been built, in the country, cellular prisons for persons awaiting trial, and for criminals sentenced to short terms of imprisonment.

By a law, enacted by the Danish parliament in February, 1873, the progressive system was, by statute, introduced into the penitentiaries where hard-labor sentences are served out in association, consisting of four stages: a preparatory stage in cellular separation; a penal and reformatory stage; an intermediate stage; and a stage of conditional liberation (*ticket-of-leave*). The system has been in operation for too short a time to enable the authorities to state exact results; nevertheless, they affirm, without hesitation, that its influence has been found beneficial in maintaining order and discipline; in securing from the prisoners a hearty cooperation in their own reformation; and in awakening in them the hope of obtaining, at each successive stage of their punishment, diminished restraint and increased liberty, and even of securing, by uninterrupted diligence and good conduct, their restoration to liberty before the expiration of the term to which they had been sentenced.

In 1875, one of the penitentiaries of Denmark was abolished, the principal reason being that the number of prisoners in the kingdom had diminished a full half since the promulgation, in 1866, of the new penal code, adopted that year, which greatly reduced the severity of the penalties previously in vogue. It is an interesting fact, that to this softening of the punishments affixed to crime, and the substitution of moral forces for physical force, in the treatment of criminals, is attributed the remarkable decline, within the space of twelve years, of the average number of prisoners sentenced to hard labor (*travaux forcés*) from 1,800 to 900, or thereabout.

The system of isolation is applied, in the 93 local prisons, to prisoners awaiting trial and to those undergoing the sentence of simple imprisonment. Since 1872, not less than nine of these prisons have been entirely rebuilt, and others have been modified and improved.

Since 1877, Mr Stuckenberg has published a journal, whose aim is to discuss all questions appertaining to penal and penitentiary science, and to serve as an organ for all the northern countries — Denmark, Sweden, Norway, and Finland. The press of these countries has greeted the enterprise of M. Stuckenberg in the warmest manner, and predicted for it a prosperous future.

The interest of the public in all that relates to the penitentiary question is ever on the increase; but it is especially in regard to patronage societies, of which there is one to each of the three central or convict prisons, that this interest manifests itself in a manner the most unmistakable. These societies, which have long existed in Denmark, have, since 1872, steadily pursued and constantly enlarged their activity. From that date, the government has granted them an annual subvention, as have also the greater part of the communes, or towns; and private benevolence abundantly supplies all that is lacking after these resources are exhausted.

As regards child-saving institutions, Denmark has made large progress

since the congress of London. For more than fifty years, associations and establishments have been found there, which have offered asylums for destitute, deserted, and orphan children, where they are treated on the family idea, and where an education is given, suited to fit them for agricultural labor. During the period that has elapsed from 1872 to 1878, it is young girls and children of the female sex, who have, in a special manner, drawn to themselves the attention and care of the public. A society, having this end in view, was organized in 1872, and an asylum was opened by it last year to receive young girls who have been discharged from prison, where it is sought, as in Holland, by giving them suitable instruction, to furnish them with the means of earning an honest living.

It remains, under this head, only to mention an institution, unique of its kind, and special to Denmark. It is an establishment which offers an asylum to deserted female children, who are admitted from the age of two to four years, to remain to the age of sixteen. The girls receive there an education proper to fit them for the highest positions as servants. This establishment, which dates from 1874, owes its existence to the generosity of the deceased Countess of Danner. To found it, the Countess gave her chateau of Jægerspris, with all its dependencies, a gift representing a value of nearly 10,000,000 francs, equal to doll. 2,000,000, or £ 400,000 sterling. It is designed for 600 children; but, till now, it has received only 250.

The director general of prisons for Denmark publishes, every five years, reports which are continually enlarging their range of subjects, and which offer, at the same time, statistical information of the highest value.

The congress of London has not been without its influence in Norway, though that influence has been less considerable there than in Denmark. Since 1872, the penal code of Norway, which dated from 1842, has undergone a revision, which has changed many provisions formerly in force, and especially as regards the mitigation of penalties. Thus, a number of crimes, which were formerly punished with death, are now punished by hard labor for life or a term of years; and as regards crimes still subject to the death penalty, it is now, in almost all cases, optional with the courts to pronounce that penalty, or, instead, to sentence the criminal to hard labor for life or for a term. Again, to restrict the application of the penalty of hard labor for life, it has been made possible by the new code to substitute for such sentence that of hard labor for a time; but the longest duration of this sentence, heretofore limited to fifteen years, has been extended to eighteen.

Many other mitigations of punishment have been assured by the revised code, but the recital would occupy too much time.

Although no material modifications of the penitentiary system of Norway have been introduced within the last six years, yet the question of an improved system has been made the object of a serious study. The public opinion of the country has been occupied, more than formerly, with the penitentiary question, and, in like manner, the government and the national assembly have given to it increased attention. These latter have gone so far as to establish (this was done in July 1875) a new bureau in the department of justice, under the administration of an officer designated, in the language of the country, »Expeditionschef», and corresponding, essentially, to the officers known in other countries as »directors-general of prisons». Mr C. C. Smith fills that position, and he is charged with the duty of preparing the draft of a comprehensive reform of the penitentiary system.

Although, as before stated, no essential changes have taken place in the prisons of Norway, yet sundry ameliorations have been introduced, which are by no means of an unimportant character. For example, effort has been made, not without success, to develop and improve scholastic instruction in the prisons; to enlarge the prison libraries; and to organize the labor in such manner that the prisoners may, as far as possible, during their imprisonment, be occupied in such kinds of work as will best enable them, on their liberation, to honestly and honorably provide for the wants of life.

Progress has also been made in another direction, and that of much importance. Formerly there existed but one prisoners' aid society in Norway, but within the last two years several such have been organized. A warm interest is given to these associations, and some of them are aided by the state. The number of liberated prisoners who apply to them for help increases.

Not much has heretofore been done in Norway in the way of child-saving work. But the »dry bones» begin to move even in that field. Mr Petersen, official delegate from Norway to the London congress, in his report to his government, said: »*Toftes gave* (the gift of Tofte), a little agricultural colony for vagrant and neglected children, is a foundation on which it may be possible to build, and it may be that a future reform will first cast its eye on that establishment.» These words have proved to be prophetic. The little establishment for the education and reformation of vicious children, founded many years ago by the generosity of Mr Tofte, has just been considerably enlarged; and it was the national parliament that furnished the funds for such enlargement. This may be regarded as an entering wedge; and Norway, within a few years, is likely to be well provided with a system of preventive and reformatory institutions.

If I should say all that is in my heart in regard to the country in which the international penitentiary congress is now assembled, I fear that my only chance of escaping the imputation of flattery would be the fact, that you are in the country yourselves, and the evidence of its truth would be before your own eyes. Instead of attempting to trace, with my own hand, a picture of the progress and condition of the penitentiary question in Sweden, during the past few years, let me cite a few passages on this subject from a paper, furnished by the distinguished Director General of the Penitentiary Administration of Sweden, to a prison congress in America: »The international penitentiary congress of London», says M. Almquist, »has had the effect of drawing the attention of the legislature, and the public in general, to the necessity of further measures for improvement in the treatment of prisoners. *** That the congress has exercised an important influence in Sweden, is attested by a variety of proofs.» After a statement that parliament, in 1873, had passed a certain act, M. Almquist adds: »This was a step in the direction of the progressive system, which was immediately carried into effect.» Further on he says: »The complete adoption of the progressive system was proposed in last year's parliament.» After referring to a certain difficulty which the introduction of that system would encounter in Sweden, he adds: »However, in proportion as the superior value of the progressive system becomes known, the necessary changes ought to be, and no doubt will be, adopted by the legislature.»

Mr. Almquist goes on to recite the following extremely interesting history: »Meanwhile, other measures have been taken to secure an improved

penitentiary treatment. There has been established, in connection with the central penitentiary near Stockholm, an institution for the education of prison keepers in their special duties. The course of study and training here is divided into two parts, viz.: a lower course for the under officers, and a higher one for the superior; each continuing for six months — with much more, equally interesting, on the same subject.

Proceeding to another point, Mr. Almquist says: »It is proposed that translations be made into the Swedish language of popular treatises on prisons and prison discipline; that reports of the progress made in other countries be drawn up from time to time; and that short essays be written and published on the subject. It is hoped that, by the free circulation of such publications, the interest of the *personnel* of the prisons will be awakened, their judgment enlightened, and their ability for useful service enlarged.»

In another publication, made in 1877, Mr. Almquist, states: »For the assistance of liberated prisoners there have been organized, in these latter times, a number of patronage societies, viz. one central society and several others in the provinces. A moderate annual assessment is imposed on the members, besides which these societies receive a subvention from the general prison administration.»

Recurring to the paper sent to the prison congress of St. Louis, I find in it the following statement, at once interesting in itself and honorable, in the highest degree, to the late Illustrions Queen Mother, the Royal Family, and the people of Sweden: »An association was formed last year [the reference is to 1873], under the patronage of Her Majesty the Queen Dowager Josephine, who gave 37,500 dollars towards its foundation. The association has received other large subscriptions from the Royal Family and from all classes of society, so that it will soon be in a position to found a reformatory colony, after the model of Mettray in France.»

M. Almquist closes his communication to the American prison congress in the following words: »From the above statements, it will be readily seen that, of late, there has been a greatly increased activity in regard to penal and reformatory institutions, an activity beyond anything previously known among us; and such activity may, without exaggeration, be attributed to the information and inspiration, which the Swedish delegates brought back with them from the congress of London. The great results flowing from that reunion have thus been already recognized in Sweden; and its influence will be even greater, in the future, on criminal legislation and criminal treatment.»

I learn, by a letter from M. Almquist, that the local committee of Stockholm has struck out an admirable idea, which will be carried into effect during the meeting of the present congress. It is to this effect: An exhibition will be made of the products of labor in the prisons of the three Scandinavian countries — Sweden, Norway, and Denmark. Such an exhibition cannot fail to be at once interesting, instructive, and inspiring. Why should it not lead, in future congresses, to industrial exhibitions of the results of skilled labor in prisons, gathered from all countries? It seems to me that it may have that effect, and that it ought to have it? But for reasons that will then appear, I will recur to this point in connection with what I shall have to say touching the progress made by Italy within the last six years.

The Belgian prison system, since 1844, has been simply that of absolute and complete separation of prisoners, with a few slight exceptions, during their entire sentence, save that those sentenced for life, after ten years of cellular confinement, are removed to the prison of Ghent, where they work and take their meals in association, though they still have separate sleeping cells. This system was commenced, to a limited extent, in 1835, under the illustrious Ducpetiaux, but even after its definitive adoption in 1844, it was far from having attained a complete organization throughout the whole kingdom. Indeed, it is not till within the very latest years, that the work has received its last touches, and may be said to be absolutely accomplished. Belgium is now furnished with a completed penitentiary system, on the cellular plan, with day and night cells to the number of 4,702. This great work has been achieved at a cost, spread over 40 years, of less than 20,000,000 francs = doll. 4,000,000 = £ 800,000 sterling. Not only is the system of administration and discipline one and the same in the central or convict prisons, but the régime of the secondary prisons (houses of safety and of arrest), throughout the whole country, is organized on a uniform footing: the divisions of the day, the furniture of the cells, the beds, the clothing, the visits, the sanitary arrangements, the classification, the scholastic instruction, the moral lessons, the keeping of the books — all is uniform, all the same everywhere.

Much pains is taken in recruiting the staffs of the several prisons. The employes begin, so to speak, on the lowest round of the ladder, and, step by step, if the requisite qualities are developed, they may reach the position of director of a penitentiary. It is this sort of organization, which constitutes the force of the administration, and gives to it that strong *esprit de corps*, by which it is distinguished. But I must be permitted to say, in passing, that, in my judgment, too much prominence is given to the military element in the composition of the prison staffs. If military men have more precision in their methods, civilians are less rigorous and more sympathetic, without any necessary diminution of the vigor and efficiency of their discipline.

Schools exist in all the prisons of Belgium, even the secondary ones, in which instruction is given in reading, writing, arithmetic, elementary notions of geography, history, grammar, the elements of linear drawing and geometry, more particularly in their application to trades and the useful arts. Moral lectures, of a familiar and thoroughly practical character, are constantly given to the prisoners.

The tedium of the cell is sought to be alleviated by a variety of distractions. During his hours of toil, the prisoner receives many calls. All the employes must visit him, and so, in their several degrees, seek to become agents of his reformation. Each keeper has charge of twenty-five prisoners. It is his duty to be constantly in the cells, going from one to the other, so that every inmate is, by the regulations, to have one twenty-fifth part of the day of his keeper. Besides this, the prisoner receives the visits of the director, the sub-director, the three chaplains, the schoolmaster, and the two physicians. There is a rule fixing the number of visits which each functionary is bound to make daily. The director and sub-director must each visit twenty-five prisoners; the chaplains must spend five hours in the cells; and the medical officers, besides the care of the sick, must each see twelve prisoners in their cells.

In Holland, the cellular system seems to be steadily gaining ground though the progressive principle, according to the Crofton plan, has found adherents. At the annual meeting of the Juridical Association, held after the congress of London, an entire day was given to a discussion of the best prison system for a state, in which frequent reference was made to the debates and proceedings at London. A resolution, declaring that the progressive system ought not to be recommended in the case of sentences of a long duration, was carried by only a small majority; while an other resolution, affirming that, in such cases, after the maximum of cellular imprisonment allowed by law — three years — had been undergone, the prisoner ought to be admitted to associated imprisonment, based on a sound classification, was adopted by a nearly unanimous vote. There would seem a slight inconsistency between these two votes; but let that pass. They show that cellular separation, for long terms at least, has not yet won that complete victory in Holland, which it has in Belgium; while, on the contrary, the principle of progressive classification has found there many adherents; whence it is further manifest that the »Low Countries« have not yet attained to a definite and fixed prison system. But the question is vigorously studied there, and a conclusion must be reached at no distant day, which is more likely than otherwise to be in favor of the Belgian system.

There can be no doubt that Holland is one of the countries which have most strongly felt the influence recently given to penal and penitentiary reform, and she has shown herself to be among the most earnest in pushing the work forward. This is especially the case with respect to her penal code, which embraces as well the penitentiary system. A royal commission of five eminent jurists had been appointed as early as 1870, to prepare the draft of a new penal and penitentiary code, but it appears not to have made much progress in the work till the London congress had closed its labors, after which its activity commenced, and early in 1875 the commission presented its report, accompanied by the draft of a penal and penitentiary code, with an exposition of reasons for its adoption. It would occupy too much time to explain even the more important provisions of these codes; it is enough to say that their adoption, which is not likely to be long delayed, will constitute a marked advance on the old order of things.

Prison reform has made conspicuous progress in Italy since the congress of London. This is to be noted particularly in two things, viz the establishment of agricultural penitentiary colonies and of a normal school for the professional education of prison keepers.

Three colonies of the sort referred to have been established in as many islands of the Tuscan Archipelago, to which prisoners, who shall have served out one-half of their terms of sentence, are eligible to be removed from any and all of the other prisons of the kingdom, as a reward for industry and good conduct. These colonies constitute, to all intents and purposes, the intermediate prison of the Crofton system in its best form. The labor, beyond that pertaining to the establishments, is wholly agricultural, being devoted to the culture of the vine, the olive, and the cereal grains. Agriculture is taught to the prisoners scientifically as well as practically. The transfer from the other penitentiary establishments is on the ground of merit and by way of reward. It is intended as a stimulus to order, industry, and obedience, an end which it is found to promoty very effectively. The in-

fluence upon the discipline of the prisons from which the prisoners are drafted to the agricultural colonies is excellent; nor is that of the useful and healthful labors on which they are employed in the colonies less so upon the prisoners themselves. Thus occupied, their minds are turned largely from evil thoughts, and from those wicked machinations, which idleness so often prompts. They are brought, day by day, to look forward to a better future, and, through habit and the stimulus of gain (for they are allowed a liberal share in the product of their toil), they naturally acquire a love of labor. Physically they cannot but improve, for they have constant exercise in the open air. Selected from the mass of convicts for their good conduct and diligence in work, and having undergone at least one-half of their appointed punishment; they are so uniformly well behaved, that it is seldom any case of disorder occurs, and the discipline is reported as truly admirable.

The penal administration of Italy has, since the congress of London, founded, at Rome, an establishment of the greatest interest, and promising the best results to the cause of penitentiary reform. It is an institution — a normal college one might call it — designed for the professional training of prison officers. It has accommodations for between 200 and 300 inmates. The majority of these, though not all, are selected from the Italian army. They are young men, taken from the *élite* of that body. The greater part of them are skilled as agriculturists, shoemakers, tailors, carpenters, or other handicraft workers. These are carefully instructed in all matters needful to render them efficient officers in the various establishments for criminals and vagrants; but they are especially trained with reference to the wants of the agricultural penitentiary colonies before mentioned. Two thousand of these young men have already gone out from this institution, and their influence has made itself felt as a beneficent and elevating power in the administration of the prisons of the Italian peninsula. It was with unspeakable delight that I recently paid a visit to this establishment, which may be pronounced, in all respects, a model institution of its class. It is a subject of gratulation that the next prison congress is, on the invitation of the Italian government, to be held at Rome, for the agricultural colonies and the normal school for prison officers are worth a pilgrimage to the Eternal City from the most distant regions of the globe. But Italy not only wishes the next congress to meet in her capital; she desires also that its date be made contemporaneous with the *Exposition Universelle*, to which she proposes to invite all nations in 1880. It is to be hoped that her desire in that regard will be respected, too; for an actual inspection by the congress of the remarkable agency which she has established for supplying herself with a body of skilled prison officers could not fail to give the strongest possible impulse to reform in that direction throughout the world. An incidental advantage, superadded to the direct and designed benefit, would result from such institutions in this, viz. that their tendency would be to give a character of stability to the penitentiary administration in countries where it is now wanting.

I suspended my remarks on the policy of exhibiting the products of prison labor in connection with prison congresses, when speaking of Sweden, but promised to resume the subject in what I should have to say concerning Italy. The reason for such postponement must now be apparent to all. The Italian government invites the congress to meet at Rome in 1880 precisely because she then expects a pilgrimage of the whole civilized world

towards her capital, drawn thither by the *Exposition Universelle*, which she proposes to organize that year. That would be the occasion, of all others, on which to organize the first exhibition of prison labor, in connection with prison congresses. The principal benefits to be hoped from such exhibitions would be:

1. They would be an agency for increasing the number of prison industries in the countries taking part in these congresses. For example: Prison officers would come to Rome from all parts of the world in 1880, and would there see some scores, if not hundreds of classes of manufactured articles, never before known to them as the product of prison work. Doubtless the greater part of these articles would be so foreign to the ideas, the habits, and, above all, the wants of the countries represented in the congress, that it would be impossible to transplant them; yet there would always be a certain number, the manufacture of which would bear the transfer, and would readily take root in the new soil.

2. They would be an agency for improving the quality of prison work. There could not fail to spring from such exhibitions a generous, honorable, and friendly rivalry between different countries, as to which should show the best prison work; a rivalry in which the victors and the vanquished would equally rejoice. A competition like this would stimulate effort to improve, which is always sure to be followed by actual improvement.

3. They would be an agency to increase the quantity of prison work. This latter effect would naturally follow the former, for whatever stimulates improvement must equally stimulate production, and so the quantity of the work would advance, *pari passu*, with its quality.

4. The best method of organizing prison labor would finally emerge, and be gradually, everywhere, established, for men always prefer the better to the worse, when it is made clear to their conviction. Thus, in the end, would be reached a solution, satisfactory to all and acted on by all, of the vexed question whether the system of letting the labor of prisoners to contractors or managing it by the administration is the wisest and best.

5. The resultant of all would be a gradually increasing number of self-supporting prisons in all countries, nor would it be strange if self-support should become the rule and failure to reach that point the exception; especially, if the cost of administration, which seems the just and fair view, should be counted out of the expenses to be met by the labor of the prisoners. I think the result just named would follow, for the reason that whatever increases the number of prison industries, whatever improves the quality and therefore raises the price of prison work, whatever augments the quantity of prison production and secures the best methods of prison labor, must, for the same reason and in the same degree, enlarge the capacity and the actuality of prison self-support. And, while making convicts support themselves is not the chief end of convict treatment, it is, nevertheless, an end to be neither ignored nor overlooked. For the rest, there can be no doubt that, other things being equal, prisoners who maintain themselves by their labor during their incarceration, are more susceptible to reformatory influences and, to some degree, more likely to reform, than those who come short of that result, for this, among other reasons, that they have constantly before their eyes a visible demonstration of their ability to maintain themselves by the labor of their own hands. The thought cannot escape

them: »if I can do this *in* prison, why not *out?*» It is a thought that will sink into their hearts, and must produce its effect.

I beg pardon for this digression, and will now return to the current of my discourse.

Germany has adopted a new penal code since the congress of London, which is now undergoing a fresh revision in the parliament of the empire. The question of prison reform is made the object of an earnest study throughout the whole German Union, but its solution encounters special difficulties, owing to the new political relations which have sprung up within the last few years. Uniformity in German prison discipline is regarded, with reason, as the logical sequence of the unification of the German penal code. To bring about such uniformity in twenty or more different states, each of which, until recently, had its own prison system, and practised it quite independently of all the others, is a matter of serious difficulty, and one which requires much thought and wisdom. The state governments and the national parliament are agreed as to the necessity of revising and consolidating the rules, to which prison discipline still remains subject in the several parts of the empire. In anticipation, however, of the completion, or rather the supplementing, of the criminal code, by a uniform penitentiary law for the whole empire, it is natural that the state governments should not be, and in point of fact they are not, willing to make hasty alterations in existing arrangements. Prison organization and prison discipline might feel the bad effects of sudden changes and doubtful experiments. But the logic of events is as inexorable as the logic of thought; and the attainment of the end sought will be hastened by the ferment of thought and investigation concerning this whole question, of which Germany has become the theatre.

In Prussia, largest of the states of the German empire, though no reforms have taken place since the London congress, that touch the fundamental principles of the penitentiary question, the interest in this question is constantly becoming more general. This is true as well among the common people as among the governing classes. Public opinion has shown itself highly favorable to the development of the penitentiary question. There are those who declaim against the alleged excessive comforts in the prisons, regarding the provision made for the prisoners as a sort of allurements to transgression, but the public, in general, appreciates more and more the importance of a good administration; and, for the rest, there are few amateur candidates for the penitentiary. In the Prussian parliament, there are found members who make the prison question the object of a profound study and a sincere devotion. These never fail to appear in the tribune, when it is a question of penitentiary reform; and the chamber of deputies rarely refuses the sums asked by the government for this object. There have been occasions when the chamber itself has taken the initiative; for example, once to increase the salaries of the prison schoolmasters, and again, in 1874, when the minister of the interior, on account of more urgent claims, hesitated to ask the sums necessary to improve the pecuniary condition of the employes in the prisons, the deputies admonished the government that the salaries of all the employes in the prison service ought to be increased in the estimates for 1876.

From 1835 to 1850, one of the most remarkable experiments ever made in prison discipline was carried on in Spain by Colonel Montesinos,

in the great prison of Valencia, where results were accomplished, that were equally surprising and gratifying. But this experiment seems to have been purely local in its character, and its influence does not appear to have spread beyond the spot where it originated. Spain has, therefore, remained behind most other European countries and even behind several of her American daughters, in her penitentiary organization and administration. But unmistakable evidences of a fresh interest and activity in penitentiary matters begin to show themselves in the Iberian peninsula. The municipality of Barcelona has named a commission to formulate a plan of a reform school for destitute, neglected, and vicious children in that city, and the lights of experience have been sought in all quarters to aid in this work. On the 20th of June, 1876, His Majesty the King laid the corner-stone of a penitentiary for juvenile delinquents and an asylum of paternal correction, in one of the suburbs of Madrid, after the model of Mettray, in France. On the 5th of February, 1877, in like manner, was laid at Madrid, with all due solemnity, the corner-stone of a cellular prison for men, which, though chargeable, by what I hear, with some grave offences against the laws of penitentiary science, particularly as regards the large number of prisoners for whom provision is made, is, nevertheless, a clear proof that the spirit of reform is awakened, and is willing to spend money as well as labor in the effort to advance. On the same day there appeared in the official Gazette a royal decree, bearing date the 31 st of January, which created a commission (*junta*) on prison reform, which, from the date of its creation, as stated in a recent work of M. Lastres, has been studying, with much activity, all the points which it was charged to investigate. On the fourth of October last, another royal decree was published, creating in each chief city of a judicial department, a *junta* charged with improving the prisons of its locality and constructing new ones, when necessary, on the cellular system. Doubtless some defects and excrescences may attach to these several measures, and some delay may have been noticeable in carrying them into effect, but they show a good spirit and a good desire on the part of the government, and it is for this congress to applaud and encourage them. Certainly, to borrow the language of the Apostle St. Paul, used on another occasion and to another purpose, Spain «has not yet attained», but she is reaching out towards something better in her penitentiary system; and let us help her in that endeavor, as far as in us lies. All is hopeful in a country, which has three such students and writers, as Donna Concepcion Arenal, Don Francesco Lastres, and Don Ar-mengol y Cornet, whose various works, published since the congress of London, would do honor to any country.

Though Hungary has not, within the past few years, realized so notable a progress as some other countries, she has not stood still in the penal and penitentiary domain. Like so many other peoples, the Hungarians have been revising their system of penal law. The new code is already before the parliament, and, when enacted into law, will effect a radical reform in the penitentiary system; a reform in accord with the ideas and exigencies of the times. Indeed, a progressive classification has already been introduced into several of the penitentiary establishments of the kingdom. Every prisoner, on his committal, is kept in entire isolation for at least six weeks, during which time he is made the object of an earnest study on the part of the officials. On emerging from the cell, the classi-

fiction begins: 1, a probationary class; 2, a reformatory class; 3, a class specially distinguished for good conduct; 4, an intermediate class (*libérés à moitié*).

Scholastic instruction has received a not inconsiderable development in the penitentiary establishments, where are taught not only reading, writing, arithmetic, moral science, the catechism, and biblical history, but also natural history, natural science, geography, rural economy, grammar, and the elements of the Hungarian constitution.

The laws of Hungary know nothing of imprisonment for life. This punishment is judicially pronounced only in those parts of the kingdom, where the Austrian penal code is provisionally enforced.

Only one patronage society for liberated prisoners exists in Hungary, and that has had a life of but four years. In spite of its restricted means and its restricted sphere (being confined to the capital), it has accomplished an excellent work. During the four years of its activity, it has aided 230 discharged prisoners, and with so satisfactory a result, that among all the persons so helped and protected, there has been but a single case of relapse — less than one half of one per cent.

The only item of information which I have from the United Kingdom of Slavonia, Croatia, and Dalmatia, is to the effect that the progressive principle of prison discipline has been fully adopted in that country, and that it is working there with the best effect.

The prison system of England having been matured and well established long prior to the congress of London, progress there has not and could not have been so marked as in some other countries. Yet evidence is not wanting that the interest, previously felt in that country on the penitentiary question, has been deepened and extended. Within a year after the meeting at London, a deputation from the social science association, headed by Lord Hampton and Mr. G. W. Hastings, waited on the Home Secretary, to ask that a Royal Commission might be appointed for a fresh study of this question. The commission was named last year, and is now engaged in the investigation with which it has been charged. A mass of facts and opinions will certainly be elicited, and some practical measures may be inaugurated as the issue. It will not do to give too much credit or attach too much importance to what ex-prisoners may say; but if there is any foundation for some recent statements of this sort, which have appeared in the English journals, the commission may well hasten to lay bare the sores thus partially uncovered, and to apply, with all speed, an effective remedy. If prisoners' reports are to be taken with many grains of salt, they are at least useful in opening up lines of inquiry. In the many investigations which it has fallen to my lot to make into prison management, I have found their statements useful for this purpose, and have seldom failed to discover an underlying basis of fact for what they have told me, however strongly it may have been colored. Sometimes aid of the highest value comes from that quarter.

The congress of 1872 appears to have given a strong impulse to the patronage of discharged prisoners, though that work was well organized and well advanced in England before. Twelve additional aid societies have been formed since that event, making the whole number at present about fifty, and the work is still pushed with vigor by Mr. Murray Browne, its great, friend and promoter.

Industrial schools for destitute and neglected children, that important agency

preventive of crime, have made much progress since the London congress. This is especially the case as regards what are called »day industrial feeding-schools«, where the children sleep at home, but spend the day and take their meals on the school premises.

But the most radical change in the penitentiary system of England has been effected by an act of parliament passed last year, by which the management of the local prisons has been taken out of the hands of the county and borough magistrates, and centralized in a government board. The new governing authority only commenced its activity on the first of April last. It is too soon to judge it by its fruits; but at least public opinion is divided as to what the final outcome will be. In some respects it will certainly be good, for instance in the closing of many small prisons and a consequent great reduction of expense. Let us hope that, in all others, the result may be no less beneficial.

Mutatis mutandis, the foregoing statement in regard to England will apply, equally well, to Scotland and Ireland.

Through the vigorous and effective coöperation of Lord Carnarvon, British Secretary of State for the Colonies, the congress is in possession of a rich mass of the most interesting and valuable information from the colonial possessions of the British empire; an empire which the ablest of our American statesmen, the late Daniel Webster eloquently described as one, »on which the sun never sets, and the morning drumbeat never ceases.« More than a moiety of »Her Majesty's Colonies,« which are found, to the number of fiftyodd, in all the latitudes and longitudes of the earth, have replied to the circular letter which I had the honor, in 1876, to send out to all the governments of the world. These replies come from the East Indian presidencies, the several colonies of Australia, New-Zealand, the Straits Settlement, Ceylon, Mauritius, the Cape of Good Hope, the West Indies, Nova Scotia, the Dominion of Canada, and others too numerous to even catalogue. And such reports as they embody! Such pictures as they offer of zeal, devotion, intelligent activity, and solid progress, in the penitentiary domain! The briefest digest would exhaust the patience of this body. I can, therefore, only refer you to the papers themselves, when they shall appear in our printed volume of transactions, for confirmation of this general statement, and for the inspiration which you cannot fail to draw from them.

Crossing now the broad Atlantic and the invisible line called the equator, let us see whether the London congress has done any thing for South America. Unfortunately, I am not in possession of exact data, and cannot make detailed statements of the results effected. I can say only, in a general way, that the vast empire of Brazil and the three most powerful republics of South America — Peru, Chili, and the Argentine Republic — have all introduced reforms in their penitentiary systems, and are all laboring to still further improve their criminal codes and their prison administration. Guatemala and others of the lesser states are following in the same direction; and it may be confidently predicted that another decade of years will not have passed, without seeing important ameliorations in the penal and penitentiary codes and administrations of the larger part, if not all, of the states on the great American Continent of the South.

The Hawaiian Islands, whose people, when I was a young man in college, were still savages of the lowest type, now form a christian nation, whose government has sent a valuable report to this congress, showing a re-

markable progress in the arts of civilized life generally, but especially in that department of civilization, which embraces the theory and practice of prison discipline.

The same thing may be said of the republic of Liberia, situated in the equatorial regions of western Africa. Since most of the members of this congress were born, those regions were still a vast hunting ground for slaves. The native tribes were engaged in perpetual wars with each other, the chief motive for which was the hope of capturing their enemies for the purpose of selling them into slavery. Now Liberia is a christian nation, and her secretary of state contributes to the studies of this body an interesting report on the progress which she has made in prison discipline and reform.

But perhaps the country of all others, which has most profited by the labors of the London congress, is the empire of Japan. The government of that empire has made the most elaborate, comprehensive, and exhaustive report, that has come to the congress from any quarter. I do not consider it any disparagement of the many other able and instructive reports, communicated by governments, to say that there are probably few if any of them, that will have an equal interest with that from Japan, either to the members of the congress itself or to the general public. Therefore, as the volume of transactions will appear very soon after the adjournment of the congress, there is the less need to offer an extended analysis of it. Suffice it to say, in a word, that Japan has entered, intelligently and earnestly, on the work of prison reform: That she has proposed as a leading object of her prison discipline to encourage and reform the prisoners, and therefore she holds out divers rewards to good behavior, and particularly the shortening of their terms of imprisonment to such prisoners as show a preëminently good record: That she regards religious instruction as important, and, while a priest of the native religion is invited to preach a sermon to the prisoners every Sunday, any christian missionary who wishes is allowed to do the same: That the cells are lighted at night, so that the inmates may pursue their reading or study: That the better educated prisoners are invited to teach the less instructed: That once every month the chief officers examine all the prisoners in regard to the progress made by them in their studies: That productive labor alone is practised in the Japanese prisons: That, after the first hundred days, ten percent. of their earnings is allotted to the prisoners; That Japan aims and hopes to arrive at the point of self-support of her prisons through the labor of the inmates, and is making good progress in that direction: That every effort is made to impart to the prisoner while in prison the ability and the desire to earn an honest living when he goes out from it: That there is no imprisonment for debt in Japan: That there is a special establishment or refuge provided, where prisoners, on their liberation, can have work, if they have no other resource: That public sentiment recognizes the importance of patronage societies, and a proposition has been made to organize a society of the sort, but as yet none has been brought into existence: That there is no reformatory institution for the young under that name, but there is one, kindred in character, under the name of house of correction, whose function is, on the desire of their family, to receive perverse children, to give them employment, and to impart to them an elementary education as a means of saving them from a criminal life: And that a revision of the

penal and penitentiary systems is now in hand, with a view to bring them into harmony with the spirit and civilization of the age.

I may not, in this hasty sketch, omit to make some reference to my own country, whose government originated the present international movement in favor of prison reform; a movement which, in seven years, has caused its influence to be felt so widely and so beneficently. The congress of London has reacted strongly upon the United States. Public opinion which, with us, is the most potent agent in reforms of all kinds, is undergoing a rapid and healthy education on this point. Four national prison congresses (including the select conference of last year in Rhode Island) have been held in the United States, since the international one at London, which have exerted a wide and potent influence. The states of Ohio, Pennsylvania, and New-Jersey are at this moment, through legislative commissions, engaged in a special study of the prison question, with a view to such reforms as may be found needful. A signal reform has recently been effected in New-York, whereby it is hoped that the administration of the state prisons, corresponding to the convict or central prisons of Europe, will be largely taken out of the arena of partizan politics, and made permanent in the hands of competent men. Two new state prisons for women have been erected — one in Indiana, which, in four years, has wrought marvels in the way of personal reformations; the other in Massachusetts, which, inaugurated last year, promises equally satisfactory results. The peculiarity of these prisons is, that their administration is wholly in the hands of women. Thus bravely does the cause of prison reform move on with us, as it does elsewhere.

I have now given the last turn to my kaleidoscope, and the work which my colleagues of the international penitentiary commission laid upon me for this hour, is done as well as I could do it. Others might easily have brought a greater ability to the task; none a more earnest spirit, or a warmer heart.

It is just ten years since the idea of the present international prison reform movement was born. How many who took an interest in it, how many who have borne a part in it, have already passed away! Lieber, Sumner, Chase, Pillsbury, Haines, Leavitt, Strong, and Hatch, in the United States; the Hills (Matthew Davenport and Edwin), Demetz, Corne, Visschers, Suringar, Vaucher-Crémieux, and Mary Carpenter, in Europe — what a bright constellation of names! It is thus that the soldier lays aside his armor, the mariner sinks beneath the wave, the workman drops the implement of his toil, the racer disappears from the course. There is an admonitory voice in this solemn rehearsal, and its quickening word is: »Work while the day lasts; for the night cometh, when no man can work.»

And have we not every encouragement to gird ourselves, and press into the thick of the battle? Never, since the earth was launched on its mighty revolutions, has it been pervaded, as it is today, with the leaven of penitentiary reform. And the hidden force is working, and spreading, and vivifying the whole mass. Tokens of life, activity, zeal, improvement, are visible on every side. Let us, then, »true yoke-followers», one and all, courageously, unfalteringly, put our shoulder to the burden, and, through a vigorous and persistent use of the weapons of faith, prayer, and work — the three supreme forces of civilization and of human progress — the conquest, by God's help, shall be the round world itself.

And now, having performed, in a manner, I am quite sensible, all too

imperfect and unworthy of this great occasion and this august assemblage, the last duty of my office, I gladly retire from the presidency of the commission and the congress, with heartfelt thanks for all the indulgence and all the kindness, which I have received during the six years covered by this review; the recollection of which will be the treasure of the little remnant of life that remains to me, a treasure ever precious and ever cherished with a joy as dear to my heart, as its source will be ineffaceable from my memory.

Post-scriptum.

In the reference to England, in the body of the discourse, a grave omission occurred through inadvertence, viz. as regards the progress made in the agencies employed in saving pauper children. Four systems have been successively adopted in England, which have had in view the cure of inherited pauperism: 1. Schools on the poor-house premises. 2. Farming out the children, that is, placing them in large boarding establishments, kept by persons who make a profit by the business. 3. Schools wholly apart from the premises of the poor-house, where the children are massed and the life is institutional. 4. Boarding-out, that is, placing the children in families, or cottage homes. The first two systems have proved absolute failures. The third is an immense advance in the right direction, but the child is still cramped by regulation and routine, and there is too little freedom and spontaneity of action for normal development. The fourth system has shown itself to be the most successful in accomplishing the end in view. Thanks to the persistent efforts, through the pen and otherwise, of Miss Florence and Miss Joanna Margaret Hill, with many other noble workers in the same cause, it has made rapid progress within the last few years. This is doubtless due to the fact that it follows nature, which always gives the best models. While institutional life is too apt to be made up of sameness, torpor, rigidity, and artificiality, family life offers endless variety, at the same time that it is simple, pliant, elastic, and affords the best opportunities for self-correction and self-improvement. An unbiassed judgment may be safely left to make its choice.

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