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ART. I.—*Annual Report of the Board of Missions of the General Assembly of the Presbyterian Church, in the United States of America. Presented to the General Assembly, May, 1849.*

As a fruit of the Spirit of Christ in the church, and of the motions of that Spirit towards its proper manifestation, the Annual Reports of our Board of Missions are signs of the times. These yearly statements of the aims and results of our activity in the natural and legitimate direction of true Christianity, indicate a method and a scale of operations, honorable to the zeal and wisdom of the Board and its agents, and gratifying to the church; and while these operations are far behind the ability of the church and perhaps behind our advancement in some other things, they come from the spirit of the gospel, and are destined, as the gospel prospers, to a vast enlargement. While the same is true of the other Boards of our church, we would here offer a few hints concerning the ground of our system of Domestic Missions, for the sake of the bearing of our remarks on the nature and extent of our work.

tions to superintend the operations in the various sections of our great field. Means must be had to support distant and efficient missions on a scale of expenditure equal to that of some of our most expensive foreign missions. And means must be at hand to give the labourer a suitable reward; for no American Christian, worthy of the name, can ask or allow his brother to forego the ordinary comforts of life, in order to serve the church in the Christian ministry.

The last report of our Board, like its predecessors, gives us a view of the gratifying progress of our missions, of the vastness of the field which the Board consider it their duty to occupy, and the energy and faithfulness with which they apply to the work all that is given them by the churches for that purpose. We see the greatness of the work which we have committed to the hands of our Board of Missions; let us promptly supply the means of doing it well.

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- ART. II.—1. *An Inquiry into the alleged Tendency of the Separation of Convicts, one from the other, to produce Disease and Derangement.* By a citizen of Pennsylvania. Philadelphia: E. C. & J. Biddle. 1849.
2. *Prisons and Prisoners.* By Joseph Adshead. London: Longman, Brown, Green, & Longman. 1845.
3. *The Twentieth Annual Report of the Inspectors of the Eastern State Penitentiary of Pennsylvania.* Transmitted to the Senate and House of Representatives, March, 1849. Philadelphia: Printed by Edmund Barrington & George D. Haswell. 1849.
4. *Report on the Condition of the New Jersey State Prison; embracing the Reports of the Joint Committee, Inspectors, Keeper, Moral Instructor, and Physician.* Read January 16, 1849, and ordered to be printed. Trenton: Printed by Sherman & Harron. 1849.
5. *Annual Report of the Inspectors of State Prisons of the State of New York.* Made to the Legislature, January 19, 1849. Albany: Weed, Parsons & Co., Public Printers.

THE reform in the methods of imprisonment and the treat-

ment of prisoners is far less known and appreciated among us, than its remarkable character deserves. It has long been among our general purposes to give our readers some account of the subject; and the materials for the purpose had accumulated upon our hands till it would have been impossible for us to have remained silent much longer. At this juncture, the pamphlet, whose title we have given above, by a citizen of Pennsylvania, came into our hands. So far as the leading controversy in regard to the rival systems of prison discipline is concerned, it seems to us to cover the entire ground with singular ability, and to leave us little else to do than to give a brief account of the nature and progress of the reform, and then refer our readers to the masterly, and as we think, conclusive reasoning of the pamphlet in question.

There is one point of view in which the history of this subject strikes us as important and highly interesting, viz: as an exponent of the ameliorating tendency of that form of civilization which is moulded upon the scriptures, and whose vital element is the religion of the New Testament.

When Howard was appointed Sheriff of the county of Bedford, in England, in 1773, his Christian sensibilities were shocked by the abuses and wretchedness and corruption among the prisoners of all classes, with whom his official duties threw him in contact. Such was the horrible condition of the prisons of that day in England, that the effluvia so affected his own apparel that he assures us that in a post-chaise he could not bear the windows drawn up; and was therefore obliged to travel commonly on horse-back. The leaves of his memorandum-book were often so tainted, that he could not use it till after spreading it an hour or two before the fire; and even the vial of vinegar which he was accustomed to smell as an antidote while he was in these dens of malaria and death, after using it in a few prisons became intolerably disagreeable.*

He also cites cases where the infection from prisoners at the bar proved so malignant, that "the lord chief baron, the sergeant, the sheriff, and some hundreds beside, died of the gaol-distemper."

In these fearful holes were confined all classes of prisoners

* Howard's *State of Prisons.* p. 7.

indiscriminately, some of whom were declared by the verdict of a jury, *not guilty*, some, on whom the grand jury did not find such an appearance of guilt, as subjected them to a trial, and some whose prosecutors did not appear against them, who after being confined a few months were dragged back "to rot in gaol," because they were unable to pay sundry prison fees.

Such moreover was the moral corruption bred in the association of these haunts of crime, that in the language of Sir John Fielding, "a criminal discharged generally by the next sessions, after the execution of his comrades, becomes the head of a gang of his own raising." It was this state of things which originated the immortal labours of Howard. And this was the beginning of the noble Christian work of prison reform. The only objects originally contemplated by Howard, were to rescue those prisoners who were held by no crime except inability to discharge prison debts, to classify those who were to be permanent prisoners, so as to check the contaminating effect of unrestricted intercourse, and to improve the sanitary condition of the goals, and furnish better accommodations and better food to the prisoners.

The existence of precisely the same evils and abuses in our own land, led, simultaneously with the philanthropic labours of Howard in England, to the formation of a society in Philadelphia, "for the alleviation of the miseries of public prisons." After years of untiring effort on the part of the members of this society, to mitigate these miseries, they were driven to the conclusion that any material reform or at least any that offered the least hope of reforming the prisoners themselves, was out of the question, so long as the convicts were allowed to associate at all. No classification could prevent the propagation of depravity among prisoners; for such is the nature of depravity that it grows and spreads with certain and fearful rapidity, by the mere power of self-development and self-propagation, independently of the corrupting tendency of more consummate villainy.

This put the Philadelphia Society upon devising a plan for effecting the entire separation of prisoners from each other. It should be observed that this idea resulted from a regard for the moral welfare of the prisoner. It deserves therefore to mark a new era in the history of prison discipline. Heretofore the

whole object had been to punish crime with a view of protecting society. We now find the introduction of a new idea, viz: that of caring for the moral well-being, and if possible, achieving the moral reformation, of the convict. This is essentially a Christian idea; and the effect of its introduction was a complete and radical change in the whole system of discipline, to which criminals were to be subjected. This, therefore, we regard as the true germ of the whole modern reform. It was the insertion of a new life; and the result has been the development of a new organization, in the entire method of treating criminals. It takes off the ban of utter and hopeless condemnation and restores them to the privileges of humanity and makes them in common with all their race the prisoners of hope. All that has been since done, and all that yet remains to be done is but the legitimate carrying out of this idea. It is the wide, and everlasting interests involved in this Christian idea, which explains the deep and engrossing, and when mingled with human passions, in some quarters even fanatical interest, which the discussion of this subject, as we shall see, has aroused.

The form first and most naturally assumed by this idea, was that of solitary confinement without labour. This form, however, was never reduced to trial, and was soon abandoned, on the ground of its undue severity as a punishment. After years of unwearied and philanthropic effort by the Society of Philadelphia and its friends, in developing and advocating their idea of a penitentiary or reformation-prison, the Legislature of Pennsylvania passed an act in 1821, authorizing the erection of the Eastern State Prison or Penitentiary near Philadelphia. The principles to be observed in its construction were these two: 1. That the prisoners were to be kept entirely separate from each other, so that their very persons should be mutually unknown; and 2. that they should be furnished with suitable and sufficient employment. The object of the legislature in adopting this plan, was to repudiate, on the one hand, all attempts to prevent the evils of association either by classifying the prisoners, as in the European gaols, or by allowing them to associate for work during the day, while all intercourse should be prevented by enforcing absolute silence, as in the Auburn Prison; and on the other hand to repudiate equally the plan of entire solitude, by

allowing the requisite amount of intercourse with other persons besides their fellow criminals, and that of shutting up their thoughts to prey not only upon their crimes but upon themselves, by allowing them sufficient daily employment to relieve the tedium of confinement, and furnish agreeable mental occupation. Such were the principles originally laid at the foundation of what is now well known all over the world, as the Pennsylvania system of prison discipline.

In June, 1825, four years after the passage of this act in Pennsylvania, and while the Eastern Penitentiary was in process of erection, a society was formed in Boston "for the improvement of public prisons." The organization of the Boston Society, though long subsequent to that at Philadelphia, was an independent movement, suggested by the very same evils existing in the State Prison at Charlestown. The executive represented the state of things to the Legislature of Massachusetts in a light so revolting, that in 1826, a law was passed, ordering the erection of a new building in Charlestown; the main object of which was to secure the separate confinement of the convicts, and to prevent that association of prisoners to which the fearful evils referred to were justly ascribed. Under the joint recommendation of the executive of the State and the Boston Society the plan adopted for the new prison was that previously in use at Auburn, in New York;—which provided for the separation of the prisoners at night, and allowed their association during the day, while it sought to prevent the corrupting evils of convict-association, by enforcing the most rigid silence.

The true ground upon which this plan was originally adopted at Boston, no doubt, was that it seemed to answer the desired purpose of preventing the contaminating influence of convict society. This was the great root of all the apparent evils which produced the movement towards reform. There was no reason apparent, therefore, for adopting the more cumbrous and expensive and difficult method of providing for the complete separation of the convicts. Having adopted the system known as the Auburn, congregate, or silent system, on the ground just mentioned, the gentlemen at Boston were naturally committed to its defence. It soon became apparent that there were other evils besides the single one of corrupting criminal association, and which this system did not provide for;—as for

example, the fact of being a recognized convict, so discouraging in any attempt to regain public confidence and esteem, and so dangerous in the hands of designing villains, after the term of imprisonment had expired. And moreover it became very questionable, whether the great Christian idea from which the whole reform received its true life,—that, namely, of attempting the moral reformation of the prisoner, could be adequately carried out, upon the congregate plan. It was the view of these considerations rendered perfectly familiar by their longer experience, and their humble but laborious and often disappointed Christian efforts, which had induced the projectors of the Pennsylvania system, to aim at a more complete separation of the prisoners, so as not only to prevent every corrupting association, but all personal knowledge of each other. When these considerations began to urge themselves upon the attention of the gentlemen at Boston, they naturally felt themselves called upon to defend the system to which they were committed. To do this successfully, it was very evident they must be able to produce some valid objection to the Pennsylvania plan of separation, which bore upon its very face the presumption of superiority; on the ground that it not only accomplished more perfectly the great object which all parties had in view, but a great deal besides, to which the congregate plan could make no pretension. It is easy to see how in this state of the case, the reports of the Boston Society came to be filled with strictures and criminations of the Eastern State Penitentiary at Philadelphia. The only possible method of carrying the verdict of society in their favour, was to show that the provisions of the Pennsylvania system were either unnecessary, inoperative or cruel. It so happened that the management of the controversy fell into the hands of parties who were so deeply implicated in the matter, as to render them unscrupulous; and without observing that these several grounds of argument were incompatible, they undertook to establish them all. It was obvious, however, that the most available method for carrying public sentiment was to plant the main battery upon the last mentioned ground. Hence the most extraordinary statements, and the most fanciful, as well as exaggerated pictures of the cruel effects of what was falsely stigmatized as “solitary confinement,” in producing bodily disease and mental fatuity, were annually sent forth in the

Reports of the Society. The more they felt the pressure of the difficulties at home, the more violent became their assaults upon the rival system, in order to bolster up their own confidence and that of the community at large. In this course they were encouraged by two accidental circumstances. In the first place the friends of the Pennsylvania system, relying with calmness and confidence upon the ultimate triumph of truth, and with that modesty which belongs to those who feel that they have the truth on their side, took no measures to counteract the statements of their adversaries, or trumpet the achievements of their favourite measures. And in the second place, the vital statistics of the Philadelphia Prison, for reasons which we shall explain hereafter, furnished some show of foundation for the representations of the Boston Reports.

Under these circumstances it was not strange that the one-sided controversy should gradually run into extreme exaggeration; and as in all other cases that exaggeration gradually worked its own cure. It was as plain as any axiom in mathematics, that gentlemen who had proved their intelligent, untiring and elevated benevolence, by half a century of self-denying devotion to the social and moral welfare of the neglected criminal, could never tolerate, much less become parties in the administration of abuses and cruelties, so inhuman and horrifying as those attributed to the discipline of the Eastern Penitentiary. The inevitable effect of this overdone extravagance, was first to awaken suspicion as to its truth, and next to stimulate the desire to know what the real facts of the case were. Such was the result, as we shall see, not only in Boston, but among the members of the very society from which these statements were annually sent forth; until the work of misrepresentation was at length arrested, four years ago, and a new era in the controversy was opened.

Meantime, however, the Boston Reports had been disseminated with the most commendable diligence and zeal, not only in our own country, but also in Europe. The governments of the old world had been aroused by the labours of Howard and his noble coadjutors and successors, to the enormities practised upon prisoners, to the scandal of every Christian nation on the continent. The earnest discussions waged upon this subject in the United States, found, therefore, not only a philanthropic, but also a national sentiment awakening to its importance; and the

comparative merits of the rival American systems soon became familiar topics of debate, in nearly every country in Europe. The effect of the Boston Reports was precisely what we have described. The statesmen and philanthropists to whom the matter belonged, were soon convinced that those reports were not to be relied upon as impartial sources of knowledge; and having no other means of information accessible to them at home, they wisely determined to send commissioners to America, to investigate the whole matter upon the ground. These commissioners were in all cases men of distinguished abilities, and accomplished education, as well as deeply interested, both as philanthropists and statesmen, in the right settlement of the disputed points. Arbiters better qualified to adjudicate upon the question in debate, could not have been found in Christendom. And so far as any prepossessions could be supposed to exist, the friends of the Auburn system should be the last to complain; for up to the period of their respective visits to America, they had exclusive possession of the ear of the commissioners. And although the manifest unfairness of their special pleading had awakened doubts as to the candour of the argument, or the full truth of their statements, yet it was true in point of fact, as any one might naturally suppose, that most of the commissioners were pre-occupied with some degree of prejudice, against the Pennsylvania system. They came among us, and explored personally and in the fullest manner, both the principles and the working of the respective plans, scrutinizing their results even to the minutest particulars, and studying their bearings in every direction. Now it is a curious fact, considering the liability to prejudice from previous representations, as well as the liability to the adoption of different opinions, in the most unbiassed and candid view of the same facts, that in every case, without a single exception, they reported in favour of the Pennsylvania system; and on the strength of their reports, that system has been introduced by governmental authority, into most of the countries of Europe. It would, we think, be difficult to procure a more fair and conclusive adjudication of any great moral or social question: and if the verdict be not accepted as final by all parties, surely it must be admitted as conclusive against the cry of cruelty and inhumanity, so long and pertinaciously urged by its foes against the plan of separation, and

so commonly admitted by many, who on other grounds would be its fast and unhesitating friends.

In this series of embassies, the first was that deputed by France, and was composed of M. De Beaumont, and M. De Tocqueville. Of the intelligence, ability, and thoroughness of this commission, it is needless to say a word; and the result of their inquiries is well known to have been a decided recommendation of the *séparation*-system. Not perfectly satisfied with this report, as there had been so general and deep a prejudice against the principles it advocated, a second deputation consisting of Messrs. De Metz, Blouet, Davaux and Verel came over; some, if not all of whom, avowed a strong anterior prejudice against the Pennsylvania system. In their report they declare that "since they have seen the system in operation, their opinion has undergone a total change; and it is that very system, which they feel in conscience bound to propose and advocate."* At a still later period M. Ardit, of the department of the Minister of the Interior, M. Paul Guillot, Avocat de Paris, and M. Epreu were sent by the government to England, to inspect the Model Prison at Pentonville near London, constructed on the Pennsylvania or separate plan. After this mature and enlightened consideration, a *projet de loi* was laid before the French Chambers in 1844, by M. Duchatel, Minister of the Interior, and M. Passy, Under Secretary of State, under the authority of the Crown, providing for the national adoption of the separate plan of confinement. The speech of M. Duchatel, introducing this bill, is one of the most comprehensive and powerful arguments, in brief compass, we have ever seen; passing in review every material question in both systems, and giving his final and decided judgment in favour of the plan of separation. The bill was, after full discussion, adopted by the Chambers; and thirty different prisons have been since erected in accordance with its provisions.

After many unsuccessful attempts to mitigate, and if possible remove the crying evils and enormities of the public prisons in England, on the old plan, the Government sent a commissioner to the United States in 1832, to investigate the workings of our Prisons. The commissioner, Wm. Crawford, Esq., fulfilled his

* See the original letter of M. De Metz addressed to the government.

duty faithfully, and in 1834 presented an elaborate Report, addressed to the Secretary of State for the Home Department. The valuable information embodied in that report, together with the views of the Commissioner, and other evidence on the subject, led to the determination of the government to erect what is termed a Model Prison at Pentonville near London, which was modelled even to its very architecture after the Philadelphia penitentiary, with only some modifications in its details in no way affecting the fundamental principles of the Pennsylvania system.* In this prison which went into operation in 1842, these principles have again undergone a most thorough and scrutinizing inquiry. Among the Commissioners to whom its supervision was entrusted by the government, we find the names of Lord Wharncliffe, the Duke of Richmond, the Earl of Devon, Lord John Russell, Hon. Charles Shaw Lefevre, Speaker of the House of Commons, and Sir Benjamin Brodie, one of the most distinguished surgeons in England. The Annual Reports of these distinguished individuals to Parliament, furnish a body of the most conclusive testimony, on all the topics brought into the debate. The effect of the confinement upon the health and the mind of the prisoners, as well as upon their moral feelings and character, has been closely observed by the highest medical authority in the kingdom; and the reports before us contain the result. That of 1845, the last we have seen, states that "the health of the prison had been excellent." "During the past year, and up to the present time no case of insanity, hallucination or mental disease of any kind has occurred." "There have been three cases of mortality for seven hundred and forty-one prisoners, or at the ratio of one in two hundred per annum." An inquest was held upon the bodies in each case. The Coroner examined a number of the prisoners, taking the precaution first to remove all the officers of the prison. The jury returned a verdict of natural death; and volunteered a written statement to this effect—"we cannot separate without expressing our satisfaction at the general treatment of the prisoners at this prison." And the value of this unsolicited testimony is the greater, as the Coroner, Mr. Wakley, declared that he had previously been prejudiced against the prison.

* See *Prisons and Prisoners*, by Jos. Adshhead, London, 1845.

The result of the scrutiny which this model institution has undergone has been to settle the question of its humanity, and in its place to raise another, viz.: Is the discipline sufficiently punitive? This question, however, is abundantly answered by the mere statistics of prison offences and punishments. At Pentonville the cases of prison delinquency were eleven and a half per cent. per annum; while at Coldbath Fields Prison, one of the best conducted prisons upon the silent and congregated system, they numbered within a fraction of one hundred and sixty-two per cent., showing the remarkable difference of one hundred and fifty per cent. in this significant item in the moral effect of imprisonment.

The effect of the experiment tried at London, has been decisive for England. In 1845 there were in process of erection prisons on the Pentonville model at not less than fifteen or twenty different places with an aggregate of twelve thousand cells; one of which, that at Liverpool, comprising no less than eleven hundred cells, is the largest in the United Kingdom.

In Prussia the controversy was waged about the same time and with perhaps still greater zeal in high quarters. Doctor Julius, who ranks high among the philanthropists of our age, was deputed by the King of Prussia to visit the United States, and spent three years among us studying our institutions and collecting information on the subject. The effect was, as in all the other cases, to convert him into a staunch, able, and leading advocate of the separate system. The King himself, while in England visited the Model Prison at Pentonville and minutely inspected its construction, arrangement, discipline, and effects both moral and sanitary. Such was the impression made upon his mind and feelings, that he declared upon the spot, "*My determination is now fixed:*" and it is hardly necessary to add that he has carried out that determination with intelligence, wisdom and perseverance. Five prisons of large size, were immediately erected by his order, in various parts of the kingdom.

Frederick William is not the only crowned head in Europe who has entered the controversial arena upon this interesting subject. The King of Sweden has studied and written largely and ably on the subject, and exerted his personal and official influence with great zeal in promoting the cause of prison discipline. Eight prisons, on the separate plan, have been built

under the joint auspices of the King and Diet of Sweden : and the Pennsylvania system may now be considered as completely nationalized in Sweden.

In Poland the reform began in 1829, and in 1835 a large separation-prison was opened at Warsaw, and since that period at least two others have been added. In Denmark there are eleven either finished or in course of erection. In Norway the principle has also been introduced and a large penitentiary has been constructed at Christiana, the capital of the country. In Belgium the same principle has prevailed. The celebrated *Maison de Force* at Ghent has been remodelled and a large prison at Liege erected on the separate plan: and a *projet de loi* was submitted to the House of Representatives by the Minister of Justice three years ago, which, if we remember rightly, was adopted, for introducing the separate system in the case of all the male adult convicts in the kingdom. In Switzerland, Holland, Hamburgh and several of the German Dutchies, the discussion has likewise terminated in the adoption of the Pennsylvania or separate system.

For the purpose of harmonizing, maturing, and propagating the views which had thus sprung up independently in different parts of Europe, a general Congress of those friends of humanity who were especially interested in the welfare of prisoners, assembled at Frankfort-on-the-Maine in September 1846. "It embraced seventy-five members, viz.: Germans, forty-six; Englishmen, six; Frenchmen, six; Swedes and Norwegians, six; Dutchmen, six; Swiss, two; and one each from Belgium, Denmark, Poland and the United States. Of professions, there were from Germany alone eight Judges or Presidents of tribunals; seven Professors of law at the Universities; six Governors or superintendents of prisons; five prison Chaplains; six Physicians; five advocates; four members of legislative bodies; and from other countries there were several chiefs of the administration and inspectors-general of prisons; Presidents and Secretaries of prison societies; prison Architects, and Editors of prison journals."

The great principles of the prevailing penitentiary systems were thoroughly discussed for three successive days, and the results of wide observation and mature experience over the civilized world were well considered, and carefully compared,

and at the close of their sessions a series of resolutions was passed, fully recognizing the *separation of all prisoners*, accused and convicted, on long or short sentences, as an *essential feature of the discipline.*"* And this decision was fully approved and confirmed by a second Congress called for the same purpose, which was held at Brussels, in the following year, and composed of representatives of sixteen different nations. With such a response rolling back upon them from Europe like the voice of many waters, it was no wonder that the doubts raised by their own common sense about the fairness and truth of the monstrous enormities charged against the Pennsylvania prison in the Boston Reports, should have grown into settled unbelief, on the part of many of the friends and even some of the members of the Boston Society itself. When the Report for the year 1845 was presented to the society, these doubts were boldly avowed and enforced by considerations which arrested its adoption, and procured the appointment of a committee to inquire into the matter, and if need be, inspect the Pennsylvania prisons in person, and incorporate the result of their inquiries with the forthcoming Report. This committee were constrained to adopt views so incompatible with the prevailing tenor of the Report, that the Board of Managers refused to publish the result. In 1846 a similar fate awaited the annual Report. "It was suspended by the side of its fellow;" and a second committee was appointed to take the whole matter in hand.

It so happened that just at this crisis a new city prison was to be built in Boston; and the new party in the Society, were bold enough to propose that it should be on the separate plan.

A very intelligent and highly respected citizen of Boston, George Sumner, Esq., who had been residing in Paris long enough to become possessed of the enlightened views, which the governments in common with the philanthropists of Europe had so unanimously adopted, addressed a letter to the Mayor of the city, putting him in possession of the views thus ascertained and settled, and expressing his surprise that any doubt should be entertained upon the subject at home. This letter contributed greatly to strengthen the hands of those who were striving to set right the public opinion formed by more than twenty years of

* See *An Inquiry*, &c. pp. 151, 152.

uncontradicted misrepresentation. It was not to be expected, however, that an entire change could be effected so easily in a community which had grown up in its present belief, and which was committed to its opinions by heavy pecuniary forfeits, in addition to the mortification of recanting not only argument but abuse; and every one of whose public presses was under the dominant faith. That an opposing belief should have sprung up at all under these circumstances, was itself a powerful testimony to the truth. To clear that truth of the accumulated and hardened concretions of years of prejudice, and enthrone it in the convictions even of intelligent and candid men, must be the work of time. Accordingly when the society met in 1847, the suspended Annual Reports of the two preceding years, together with the reports of the select committees thereon, and the draft of the Annual Report for the year just closed, all came up for consideration. The discussion was very warm and was prolonged into a series of evening meetings, which attracted great attention, and finally terminated by the adoption of the last of the three Annual Reports;—that, namely, for 1847. Alarmed at the danger impending over their long cherished institutions, the surrounding organs lifted up one simultaneous howl, upon the same old key-note, against the cruelties of “solitary imprisonment.” The truth however has been lodged in the bosom of the intelligent and inquiring; and its fruits may already be clearly seen in the structure now rearing for that very prison, the determination of whose plan, precipitated the discussion we have described.

We have been thus minute and circumstantial in giving the history of this controversy, because we believe, with the old rhetoricians, that a clear and true narration is often the most conclusive argument. Such we think is the case in the present instance. If any one has had the patience to follow us through this brief, and yet we fear somewhat tedious, history of the discussions and proceedings relating to the subject of prison discipline, we can hardly conceive it possible that he should fail to be convinced in regard to the main point in the controversy. If this is a matter to be determined by adjudication at all, and if there is any such thing as conclusiveness in experience or human testimony, how can it be more conclusively settled than it has been?

The whole reformation in the treatment of prisoners, let it be

remembered, sprang from the conviction that something was due to the convicts, not merely on the score of common humanity, which was outraged before, but likewise with a view to their moral well-being. This latter object sub-divided itself into two distinct ends or stages:—first that which aimed to prevent the monstrous moral evils incident to the association of prisoners of all shades of character, and criminality. And secondly that which was instinct by the higher Christian idea, of attempting the moral reformation of convicts, and restoring them to society as better citizens, because educated into a knowledge and belief of the Christian law of morality, with its inward sense of obligation, and its outward and everlasting sanctions.

The adjudication between the congregate and separate systems can be made intelligently and justly, only in the view of both these objects. In applying the first as a test of their comparative merit, there can be no question that the presumption of superiority lies on the side of the Pennsylvania prisons. There is no possibility of corrupting association, because the separation is complete and constant. The inmates neither know each other's names, nor see each other's face, nor hear each other's voice. Their isolation is perfect.

On the other hand, the friends of the Auburn system argue, 1. That the same object is attained in the congregate prisons, by the rigid enforcement of silence, without resorting to the needless rigour of preventing all personal association. 2. They contend that to prevent all communication among prisoners, is impossible, and therefore it is useless to try. 3. They appeal to the *argumentum ad crumenam*; and cypher out a small balance against society, amounting at the Philadelphia Penitentiary to ten or fifteen dollars a year, for each prisoner. 4. Lastly and chiefly, they declaim against the cruelty and inhumanity of dooming men to solitude; and insist upon it that it is destructive to the body and the mind of the prisoner.

To all this the friends of the convict separation system reply substantially as follows:—1. In regard to the forced silence of congregate convicts they argue, in the first place, that it is far more tyrannical and grinding to the spirits to bring human beings together, and yet forbid them to speak, or exchange signals of recognition, under penalty of the lash, than to prevent communication by keeping them entirely and personally separate. Let any one

ask himself which would be the most tantalizing and tyrannical, and which would most stir his sullen anger, or provoke his efforts at resistance. The number and proportion of the punishments inflicted at all the congregate prisons abundantly show the truth and force of this consideration. It appears from the comparison of statistics on a large scale, that five times as many punishments have been inflicted in the congregate prisons for this single violation of the rules, as were found necessary among the same number of separate prisoners, for all offences whatsoever.

2. This stern regimen is not only galling but inoperative. The prisoners will manage to elude the closest vigilance. Congregated human beings cannot be prevented from communicating with each other.* This is abundantly clear from the vast number of cases that are detected and punished. And of course these bear but a trifling proportion to the cases which are undetected. Desperate as the propensity to communicate with a fellow being at one's side must be, yet the poor convict would hardly venture the risk of the *cat*, or that more terrific instrument *the douche*, unless the numerical chances were greatly in favour of his escaping detection.

And besides, suppose the iron silence to reign unbroken under terror of the lash, and no word to be uttered during the live-long day, yet who is so ignorant of human nature as to suppose that men have no language for communicating character, feeling, or thought, but the conventional language of words. Nor do we refer merely to such obvious signs as may be prohibited equally with words. Who does not know that there are incessantly streaming from the mere presence of a human being, influences, sentiments and feelings, which are perfectly intelligible and perfectly efficient for moral purposes, without the intervention of any conventional language whatever. Who has not seen and felt this power in congregated masses of men, where not a word has been uttered. It really seems almost incredible, that wise men should build an argument even in an extremity, and much less a great scheme involving the moral and material well-being of countless thousands, upon so flimsy a foundation as this. Who would feel that the moral interests of his child

* "Experience has shown the impossibility of keeping silence in society, and the certain effect of the law of silence is to encourage hypocrisy and teach fraud."
—Third Report of the New York Prison Association, Second Part, p. 94.

were safe, especially if he had disclosed already a proclivity to vice, if he were shut up to labour day after day, surrounded and pressed upon by a gang of corrupt and hardened criminals, even admitting, what is impossible, that no word or look were interchanged. The supposition is absurd. Vice is too infectious to be kept from spreading by any such precaution. And finally, the mere knowledge of each other's person, acquired in the Auburn prison is itself decisive against the plan; because it enables the designing and unscrupulous villain to seduce into crime, or failing in that, to levy black mail without mercy, upon his well disposed prison acquaintances, when he happens to find them striving to re-establish among strangers, a character for virtue and integrity. The history of prisons and prisoners contains some recitals of this sort, that might move the pity of a fiend. In the Philadelphia Prison, and we presume in the separate prisons generally, the convicts are designated by their numbers and not their names, so that there may remain no trace of their criminal history to identify them in after life, in case they should be disposed to cover over that period of guilt and shame, by an honest and reputable career. 3. The most conclusive test of the comparative merit of the two systems, arises from their respective adaptations to the higher end of penitentiary discipline;—that, namely, which aims not merely to arrest, but to counteract the workings and transform the leaven of corruption. Which system furnishes the best facilities and holds out the strongest hope of sound and thorough reformation, based on true Christian principles? The answer to this question seems to be determined by these three considerations. In the first place the hope of repentance and reformation is conditioned upon the removal of every cause tending to support the guilty individual while bearing the burden of his punishment, or to blind his eyes to the enormity of his crime. Now every one must see at a glance how completely this condition is broken, by placing the culprit in a society composed exclusively of other criminals. No one can fail to observe the supporting power of mere companionship in guilt. We all know how easily the early kindlings of repentance can be quenched in the heart, by a cold unsympathising look, and how the first purposes of amendment can be scattered to the winds, by the leer of sarcasm or contempt, or by the sullen aspect of defiance, or hatred, or scorn.

These are influences which no rigours of silence can check, and from which nothing less than complete personal isolation can deliver the convict. It is like the virus of malignant contagion, propagated by mere contact, not only without the intervention of any verbal communication, but without even the necessity of any distinct intention. It is this consideration which satisfies us of the inexpediency of the device introduced in the Model Prison at Pentonville, for bringing the convicts together in the chapel of the institution for religious worship; notwithstanding the arrangements are such as to prevent the prisoners from seeing each other. The power of sympathy is undoubtedly a most potent instrument for the propagation of sentiment as well as feeling. In seeking to avail themselves of this instrument, so efficient in the worship of ordinary Christian congregations, the projectors of that institution seem to have forgotten that the sort of influence which it propagates depends upon the dominant sentiments of the assembly. So far, therefore, as it is of any effect at all,—and without some effect it would of course, not have been resorted to,—the effect cannot fail to be unfriendly to the end sought, just because an assembly of prisoners is always to be presumed to be predominantly vicious in character, if not in feeling. In accordance with these views, grounded on the obvious principles of human nature, we have been informed by the excellent Warden and Moral Instructor at the Philadelphia prison, that they constantly find individuals affected by the truths which penetrate their separate cells, in a way and to a degree, that would be obviously improbable, if not impossible, if the convicts were brought together even on the restricted plan of the Pentonville prison.

A second condition necessary to any reasonable hope of reforming prisoners, is that their instruction and treatment should be adapted to the peculiar circumstances and mental state of each individual. On the importance of this condition, it is needless to enlarge. Obvious as its application is, in the case of several hundreds of criminals, of all shades of character and training, it is equally obvious that its whole force falls into the scale of the separate system.

The third condition necessary to any complete and lasting reformation, and which seems decisive in the view before us, is that the incipient convictions and resolutions of the unhappy

convict should be fostered and encouraged most sacredly, by every possible means; and above all, that every hindrance should be taken out of his way, and that the hope of perfect recovery, and ultimate restoration to the confidence and respect of society, should be allowed to shine upon his darkness, and sweeten the bitter cup of his penal sorrows. How all this can be done, when he is daily mingling not only in the companionship of acknowledged and mostly hardened criminals, but exposed as a criminal himself, to the curious gaze of unthinking and unsympathising crowds,—branded publicly, and by name, as a convict, and liable any where and at any time to be recognized as such;—how such a discipline as this is compatible with any reasonable hope of regaining virtue and respectability, passes all our comprehension. To suppose it favourable to such a result, is too absurd to admit of argument.

2. In regard to the comparative expense of the two classes of prisons, we have but a word to say. The proceeds of labour in the Philadelphia Prison have always fallen short of the expenses of the establishment, by about twelve or fifteen dollars a year, for each prisoner. Some of the New York congregate prisons, we notice, have failed equally the last year to meet their expenses. On the other hand the State Prison at Trenton, New Jersey,—on the separate plan—has paid all its expenses, including some extraordinary outlays; and has a surplus to the credit of the state, amounting to upwards of four thousand dollars. Surely this should satisfy the most scrupulous economist, even if the moral interests of society are to be weighed against dollars and cents. We are not meaning, however, to deny, that the congregate system may be made the most lucrative to the state. But has it come to this, that the character of our great penal institutions, involving the temporal and eternal welfare of thousands of guilty human beings, and the security and peace of society, is to be determined by the amount of revenue, which can be wrung from the labours of the convicts?

Thus far we have found plain sailing. The case is almost too plain for argument. Now comes the real tug of war. What avails the greater security, the greater efficiency, the greater moral and reformatory power of the separation principle, when the mind sinks into idiotic fatuity, and the body finally succumbs under the intolerable and crushing night-mare of abso-

lute unbroken solitude! Here, as all the world knows is the great point of the onset. To this point, therefore, we must, in concluding, address our defence.

And in the first place, the whole argument is emasculated at once, by the simple remark, that there is no *solitude* in the case. There never was a more perfect example of a fallacy lying hid in a word. There is, as we have seen, but one single principle, which is essentially characteristic of the Pennsylvania system; viz, the separation of the convicts from each other, for the objects and the reasons already specified. As the only feasible method of attaining that end, the plan was adopted of building a separate prison for each convict. It is simply as if one of our best conducted county prisons contained but a single prisoner. This is the whole mystery, about which such a storm of controversy has been raised. The phantom that has been conjured up, of a lone human being, confined in a damp, dark cell, whose solitude is unbroken day after day, by a single human voice, or uncheered by a single ray of sun-light, or unenlivened by any motion or sound emanating from the outward world of activity or life, is as purely imaginary, as the horrible stories with which nurses used to frighten naughty children. The inmate of a Pennsylvania prison has plenty of light, breathes the sweet air of heaven, has an open yard to his cell, sufficient employment to occupy his thoughts, as many books as he can profitably use,—at least, and by necessity four or five visits every day from officers of the prison, with a chance of twice as many from official or friendly visitors, with whom he converses freely, besides stated and frequent interviews of considerable length, with the Moral Instructor and the School Master; is taught a useful trade, if he has none, and to read, and write, and cypher, if he does not know before; and to crown all, enjoys regular religious instruction, and divine worship every Sabbath, while perfectly secluded from all hardening and corrupting influences, and shielded from the spirit-breaking reflection of being an exposed, known, and recognized convict. It is no wonder that when men who have received their impressions from Boston, come to see the real facts of the case, their views of the nature and tendency of the system should undergo a complete and radical change.

In regard to the health of the prisoners whether of body or

mind, the friends of the system join issue with their opponents, and offer to try the cause either on the ground of its intrinsic principles and necessary tendencies, or by the competent opinions of the highest medical authorities, or by an appeal to the facts of the case, as they are in evidence before the world.

As this is really the only point which can be seriously brought into controversy, it may be worth while merely to say, that if experience should ultimately show, contrary to all apparent evidence at present, that the amount of society actually enjoyed in the Penitentiary at Philadelphia, or any other particular prison on the separate plan, is insufficient to sustain the spirits and mental vigour of the convicts, that amount may be increased indefinitely, without the least infringement of the principle; provided only, that the association be derived from any other quarter than the other convicts. It seems impossible, therefore, that the system should break down at this point, because there is no necessary limit to the amount of association from virtuous quarters; unless the extraordinary ground should be assumed, that the silent presence of other convicts, is the only and sure specific against the dangers of imprisonment, both to the body and the mind.

In regard to this point it should be borne in mind that some degree of injury, from confinement, and friction of temper, is unavoidable, in any mode of prison life. It is a necessary condition of its punishment. The health of a company of convicts cannot, therefore, be fairly expected to equal that of the same number of persons in respectable out-door occupation. The tendencies to an undue proportion of disease, both bodily and mental, among convicts, arise from the following causes. 1. Vitiated hereditary constitutions, so frequently existing among that class of persons from whom prisoners are generally taken. 2. Bad habits, irregularity, intemperance and exposure, incident to habits of vice before commitment. 3. Hence germs of disease partially developed, are very often found in prisoners at the time of their commitment. Of twenty-two deaths in one year at the Philadelphia prison, no less than sixteen were registered as diseased at their admission. And this has been about the usual proportion. 4. Bad and inadequate nutrition. To this cause Dr. Woodward, Physician during six years to the Connecticut State (congregate) prison, attributes mainly, the large

proportion of dyspeptic and tubercular diseases, terminating in marasmus and consumption in that prison.* 5. Secret vice, which more than any other cause, tends to depress and exhaust the physical powers, and induce insanity and even fatuity of mind. 6. Change of life, from free exercise in the open air, to constant confinement in narrow limits, generally at sedentary, and sometimes dusty, employments. To see the effect of this item, it is only necessary to compare the sallow and unhealthy appearance of shoe-makers or weavers, in the close and dirty suburbs of a manufacturing town, with the full and ruddy form of butchers or drovers. 7. The depressing influence of moral causes, which invariably attend in crowds upon criminals, and especially when overtaken by the punishment of their transgressions.

It is obvious that all these causes of disease are entirely independent of any particular method of prison discipline. Accordingly the intelligent physician of the Auburn Prison, says, (Report for 1849, p. 128.) "From all the observation I have been able to make, I am satisfied that few men can bear imprisonment eight or ten years, without becoming both mentally and physically debilitated; and many middle aged men, when they leave the prison, appear to be broken down in mind and body." This is the testimony from a *congregate* prison; and confirms the conclusion to which we had come from an extensive and careful comparison of statistics, as well as from the very nature of the case, that the separate prisons, taken on a wide scale, are decidedly more favourable to the health of the prisoners, both mental and bodily, than the *congregate* prisons. In the case of the Eastern Penitentiary at Philadelphia, from which the unfavourable statistics have been invariably drawn, it should be remembered that its tables of disease, insanity and mortality, are fed by the most vitiated and wretched population any where to be found,—the miserable colored population of Southwark and Moyamensing. At the close of six years professional attendance, the first physician, Dr. Bache, says, "My reports clearly show that more than four-fifths of the mortality are to be charged to the presence of colored convicts:" although at no time did their numbers exceed one-third of the white prisoners.

* See an Inquiry, p. 58.

Besides this character of the population, we think we observe a tone of decided dissatisfaction pervading the report of the present physician, Dr. Given, in regard to the hygienic arrangements of the prison, and having no connexion with the principle of separation. If this be so, it should command the instant attention of the proper authorities; for this prison, from its peculiar relation to the controversy, has filled, and deserves to fill, a large space in the eye of all who are interested in the question. It is certain that its sanitary statistics make a much less favourable exhibit than those of many, perhaps most, other prisons both in this country and in Europe on the separate principle. And although we regard the noble cause, for which humanity owes so much to the projectors and managers of this institution, as already safely established, and destined ultimately to a complete triumph throughout the civilized world, yet these gentlemen owe it to themselves and to their cause, to make their own institution as perfect as it is possible, under the circumstances, for an institution to be.

But as the vital question of the influence of the separate system upon the health and the minds of the prisoners, is, after all, a simple matter of fact, to be established like any other fact by experience and testimony, we close our remarks by citing a few of the authorities, on which we may rest the conviction of its safety and superiority; merely saying again, that for a skillful elimination of the sources of error in estimating the value of the testimony on both sides, and for a heaping up of evidence, almost to superfluity, from every quarter under heaven, not even excepting Boston itself, we must once more refer our readers, to the "Inquiry, &c.," by a citizen of Pennsylvania.

Dr. Jas. B. Coleman physician to the New Jersey State Prison at Trenton, says, "You will find by them (the monthly health reports) that but one death has occurred—and that a suicide. It is not necessary to mention again, in detail, what you already know, that the management of the prisoners is such as to ensure as great an amount of health and comfort as can be found amongst an equal body of men, under any circumstances. From diseases contracted in the prison, where there are under discipline two hundred and sixty persons, the deaths do not average one a year."—*Report of the New Jersey State Prison, Jan. 1849.*

Dr. Darrach, Physician to the Eastern Penitentiary of Penn-

sylvania, says, "I have no hesitation in saying, that the white mortality in the Eastern State Penitentiary is nearly, if not quite, as small as in the community at large, and the excess of mortality among the colored convicts, is not to be attributed to anything peculiar in the discipline of the institution, but to the depraved and degraded condition of this class of prisoners, who constitute only about one-third of the whole prison population, while they give two-thirds of the mortality.—*Tenth Report of the Eastern State Penitentiary*, p. 22. Quoted by a citizen of Pennsylvania, p. 62.

Dr. Hartshorne, successor to Dr. Darrach, says: "The percentage of mortality in five State prisons on the Auburn or congregate plan, derived from the ratio between the aggregate number of deaths and that of the prisoners within the year is 2.41. That of three penitentiaries conducted on the separate or Pennsylvania plan, is 2.11; which shows a percentage of three-tenths in favour of the latter, notwithstanding the miserable character of the low black and wretched white vagrants that are crowded upon us from the dens and purlieus of the city."—*Fifteenth Report of the Eastern State Prison*, p. 32, cited in the *Inquiry* p. 69.

Dr. De Balzac, Professor of the Royal College of Versailles, speaking of the separate prison for the Department of the Seine in France, says, "The sanitary condition of the cellular prison is incomparably better than that of the prisons in common. Experience has shown that the system (of separation) is favourable to the health of the prisoners, and that it has no deleterious influence on their intellect."—*Field on Prison Discipline*, cited in the *Inquiry*, p. 153.

The Physician of the separate prison at Montpellier, in France, says, "Out of six hundred and fifty-eight men, and one hundred and sixty-six women, received in the prison, three men and one woman have been put under treatment for mental derangement, but each one of these had shown signs of insanity before coming to the prison, and experience shows that the system of isolation, with its attendant visits, instead of increasing, has a tendency to moderate and quiet the predisposition to insanity." *Inquiry* p. 153.

M. Ardet, Honorary Inspector of the prisons of France says, "The most perfect unanimity is found in the observations of

the medical attendants of the separate prisons in France, some of whom have feared the effects of the discipline upon the health of prisoners. All acknowledge that sickness is found less frequently, and of shorter duration. Epidemic disorders, and sickness occasioned by the change of the seasons, rarely penetrate the cells, whilst under the old system the inhabitants of the prison never escaped. They frequently see prisoners weak, emaciated, and languishing, gradually recover all the outward signs of good health. Thus several physicians formally declare that the cellular system ought to be accepted as a benefit on account of health,"—[M. Ardet, Honorary Inspector of the prisons of France, at the Frankfort Congress, 1846.—Cited by Field, vol. ii. p. 363.]

The only remaining testimony we shall cite is that of the Count Gasparin, equally eminent as a Christian and a Statesman. "Every Government," says he in his letter to Mr. Sumner, "which in the actual state of society, and of the progress of Social science, adopts any other than the separate system, will expose itself to the necessity of having before long to reconstruct its prisons."

ART. III.—*The Apostleship a Temporary Office.*

IN a former number* an attempt was made to prove that the highest permanent office in the church is that of Presbyter, by showing that the primitive Presbyters exercised the highest ministerial functions. In opposition to this doctrine, some allege the superiority and perpetuity of the Apostolic office. If this office was superior to that of Presbyter, and if it was designed to be perpetual, it follows of course that no church authority can rightfully be exercised, except by those who have succeeded the Apostles in the powers which belonged to them as such, and as distinguished from the Elders of the Church. Let it be observed, however, that in order to justify this conclusion, two things must be made out. If the Apostles were not an order of church officers, distinct from and superior to the Presbyters or Elders,

* See p. 116 of this volume.