

8

MEMORANDUM OF A LATE VISIT

TO THE

AUBURN PENITENTIARY;

PREPARED

45563

FOR THE

PHILADELPHIA SOCIETY FOR THE ALLEVIATION OF THE MISERIES OF
PUBLIC PRISONS.

Fred A. Packard

Printed by order of the Philadelphia Society for Alleviating the Miseries of Public Prisons.

PHILADELPHIA,
J. HARDING, PRINTER.

1842.

MEMORANDUM OF A FACTS

OF THE

PROCEEDINGS OF THE

COMMISSION

OF THE

PROCEEDINGS OF THE COMMISSION OF THE

COMMISSION

OF THE

OF THE

MEMORANDUM, &c.

To the Philadelphia Society for Alleviating the Miseries of Public Prisons.

GENTLEMEN:—A few weeks since, I spent two or three days at Auburn, in the State of New York; and by the kindness of one of the inspectors, and the courtesy of the officers, I was permitted to visit the Penitentiary established there, and to examine its various departments, though with much less care and minuteness than it deserves.

The immediate supervision of the prison is entrusted to two general officers, viz. the *agent*, who has the sole management of the business operations, (such as providing food and fuel, making contracts for convict labour and the raw materials for manufacturing) or, in a word, the *economy* of the prison; and the *keeper*, whose special province it is to have the custody of the convicts, and to supervise the *police* of the prison. These gentlemen have separate apartments and clerks, and are able to keep their respective functions entirely distinct.

There are no females in this prison; much better provision being made for them in a separate building, appropriately constructed and governed, at Sing Sing, on the Hudson.

The food of the prisoners at Auburn, is evidently of good quality, well cooked, and abundantly sufficient, if it is furnished at the rate and of the quality that I saw and tasted.

In the interior of the prison a very decided improvement is in progress. It consists of an entirely new range of workshops. Indeed the plan, which has been adopted and partially executed, embraces nearly seven hundred feet in length and thirty-six in breadth of new shop-room. Those who are familiar with the arrangement of the buildings, will remember an old range of shops at the base of the south wall, quite dark and inconvenient. Being at the foot of a wall thirty or forty feet high, the circulation of air is obstructed, as well as the admission of light. Their leaky and decayed condition, and "the quantity of filth accumulated during the period of more than twenty years, under the floors and elsewhere," are supposed to have been very injurious to the health of the inmates. This misplaced and offensive range is to be removed as soon as the new shops are completed, and this the agent believes will not be later than January, 1844. The new shop, (208 feet by 36) fin-

ished last year, is occupied by the coach-lace weavers, harness makers, shoemakers, and tailors. This shop, which is of brick, and two stories high, cost but little more than \$6000, including the labour of 33 convicts and a master builder.

The introduction of the manufacture of silk, constitutes quite an era in the history of the Auburn prison. The success which has attended the experiment thus far is very encouraging. Looms are now in the process of construction, and there is every reason to believe that the whole operation of spinning, weaving and dying, will be completely successful. The importance of this business to the prison is greatly enhanced by local circumstances. The Legislature has restricted the employment of convict labour to those arts, trades, and manufactures, the products of which come to us chiefly by importation. This measure was forced upon the Legislature by the popular cry, against suffering involuntary punitive labour to come in competition with the common labour of the vicinity. It is obvious that the class of pursuits in which convict labour may be profitably employed is greatly reduced by this restriction; and that the introduction of the silk manufacture, in these circumstances, is a most happy measure. The weaving was not commenced at the time of my visit, but a specimen of the thread silk, which I have the pleasure to send with this memorandum, will show to what perfection the spinning and dying have been advanced.

Perhaps the most important changes in the management of the prison respect its discipline. It is freely admitted that very cruel and excessive severity has been practised in past years; and instances are minutely given, by those who were personally acquainted with the facts, fully justifying the worst apprehensions that were ever entertained of the existence of such abuses; and proving conclusively that the power to inflict corporal suffering upon convicts can never be conferred without imminent hazard. Perhaps it may be safe to affirm, that the infliction of stripes is a species of punishment which cannot well fail, of itself, to lead to cruelty. It is in its very nature an incentive to cruelty, especially where the party subjected to it is equal in age and strength to the party inflicting it. I need not say that I was made happy by the assurance, repeatedly given to me by the officers and by one of the inspectors, that this mode of punishment is wholly laid aside in the Auburn prison, and that not a blow has been struck, for any cause, for several months. In lieu of this, (and I know not but of all other punishments) they have adopted the *cold shower bath*, and find it, thus far, fully adequate to all punitive purposes. Perhaps you are familiar with the process, as it is not confined, I believe, to this prison.

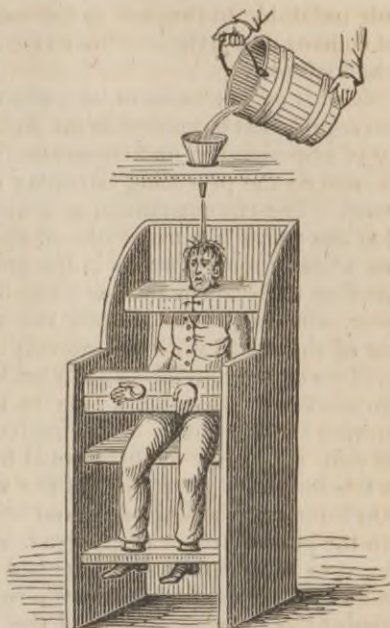
There is a box, formed somewhat like an easy chair, in which the patient (so to call him) is seated, unclothed. His ankles and wrists are securely confined; and the two halves of a board, cut out to fit the neck, are brought together under the chin, and thus confine the head, or at least allow it only a rotary motion. A tin tunnel, with a large or small tube, as may be expedient, is held at a proper distance above the head; and water, of the ordinary temperature, is poured through it in a steady

stream directly on the top of the head. The quantity of water is regulated by its effect on the convict. As I feel much interested in any expedient which may avoid the necessity of resorting to violence in the discipline of a prison. I have described the process of the *cold head-bath*, as well as I can from recollection; and with the help of an artist, who relies on my description, I have succeeded perhaps in giving a tolerably correct idea of it. When the expedient was first employed, it was regarded by the convicts as a very trifling affair, but it was soon found to be a most effective method of correction. Cases occurred in which considerable fortitude was displayed through the use of a gallon or two of water; but not an instance has been known in which it was not, after a few minutes, utterly subduing to the most stubborn. One man, whose incorrigible temper had occasioned much trouble, resisted twelve pailfull, but the thirteenth constrained him to cry out like a blubbering boy, that "he would be good, if they would let him go." In the case of a very obstinate youth, on whom many severe methods of correction had been employed without effect, two pails of water were completely victorious.

I inquired particularly of the physician of the institution (Dr. Joseph T. Pitney) if no danger was to be apprehended from this process. He seems to be immovably settled in the opinion that it is perfectly innocent, and perhaps conducive to the health of the subject. It will be admitted on all hands, that if the physician's views are sound, and the effects not exaggerated, the substitution of such a mode of discipline for the cruel, degrading, and exasperating use of the cat-o'-nine tails, is a most happy improvement.

I was present in the hospital when the physician was in attendance. About thirty persons were on the sick list, and his examination of them, so far as I could judge, was sufficiently minute, while his manner was entirely patient, humane, and judicious. The opportunity for the convicts to converse while they were seated side by side, on the benches in the hospital, was as favourable as they could wish.

It was gratifying to observe the regard that was paid to the comfort of the convicts, in matters not essential to the course of discipline. Those whose occupation was entirely within doors, and to whom thick leather shoes would be a painful incumbrance, were provided with cloth shoes, or socks. The food was, as I have remarked, well cooked, and



made palatable to the most fastidious, and was also served in a cleanly and comfortable style, and their cells were well white-washed, ventilated and swept.

There is no concealment, or palliation of the defect which has ever been regarded as prominent in the Auburn system—I mean the opportunity of acquaintance and communication. I was at the prison on Monday, and on the preceding Saturday night two convicts had made their escape. The circumstances, as stated to me, were briefly these: several of the convicts were employed upon the range of shops which have been already mentioned as in the process of erection within the walls. A sudden and violent shower drove the men to a place of shelter. The officer, who was stationed upon the wall, hastened to his box, and his view of the south wall was intercepted by the walls of the new building. Two of the convicts seized a ladder, at the moment the gang turned from work, and fastening a rope to the end of it, ran to the wall, and throwing the rope over, let themselves down upon the outside. It was said that not three minutes could have elapsed after they left their work before they were clear of the wall.

On Sunday, a horse, saddle and bridle were stolen, at some distance from the prison, as it was supposed, by the fugitives; inasmuch as there seemed to be no doubt that they had gone into Canada, and would naturally pass through the place where the theft was committed. I was curious to know what rendered the keeper so confident of the route they had taken, and he stated that one of the convicts had told him that day, "that he overheard their conversation some time before, and that was their plan." In reply to my inquiry, whether there was not considerable undetected intercourse between the convicts, he replied, "How can it be otherwise? See them scattered upon this new building, or engaged in the kitchen, or passing from place to place. How is it possible to prevent intercourse?" In an interview which I had a day or two afterwards with a highly respectable citizen of Syracuse, N. Y., he stated to me that he was well acquainted with a man, then residing near him, who was confined five years in the Auburn prison for forgery, and that he was entirely satisfied from his account, that the prisoners very generally knew each other's names, residence, crimes, sentences, and even the courts by which they were sentenced. I could not but contrast this statement with a fact which I had from the late Warden of our Penitentiary (S. R. Wood) that he once saw three men, occupied in different parts of the square formed by Market and Arch streets on two sides, and Second and Front streets on the other two. They were all in the Eastern Penitentiary at one and the same time—each of them recognised him as he passed them; and yet neither of them knew the other, and could not have had the remotest suspicion that they had ever been so closely associated!

I conversed with several intelligent gentlemen, who, either from their official relation to the prison, or their local interest in it, have been led to compare the two systems of solitary and social labour with more or less attention, but all with evident prejudice in favour of the latter. The only objections they urged to the Pennsylvania system are reduci-

ble to two classes, with which you are perfectly familiar, the *inhumanity of solitary confinement*, and the *effects of it upon the mind*. One of the officers of the Auburn prison, who lately visited our Eastern Penitentiary, candidly declared that he could perceive no difference in the appearance of the inmates of the two prisons, as it respects health and cheerfulness; and he moreover admitted that our keepers have a great advantage from the circumstance that they can converse freely and alone with the prisoners, without being seen or overheard by others. Any interview of this kind is quite impracticable at Auburn.

It is observable that both the objections that have been specified are entirely abstract and theoretical. Not a particle of evidence has yet been furnished that would influence the mind of an impartial and well-informed inquirer on either of the points; while reason and analogy combine to establish this one great principle, viz. *that the first step in the process of reformation must be to separate the offender from the sight and intercourse, and, if possible, from the remembrance, of his evil associates*. And as to the assumption that solitude is unfavourable to health, (I mean the modified form of solitude which obtains at our Penitentiary) it is not incumbent on us to meet it, until some valuable testimony is offered to make it at least a plausible assumption. As to the general merit of the Auburn system, it is worthy of remark that the discrimination in the shades of discipline which must be so important in the punitive treatment of 700 or 800 men, embracing such a variety of physical and moral constitution, education and habits, can have no place where the convicts are associated all the day. The Pennsylvania system allows unlimited scope to this essential principle.

In respect to the extent of religious influence in the prison, I was considerably disappointed. So much superiority has been uniformly claimed for this system over the other, in this point especially, that I anticipated a very obvious peculiarity. To my surprise, I learned that only one service is observed on Sunday. The Sunday school commences immediately after breakfast, and is usually attended by about half the convicts—two keepers being present. At 9 o'clock the public service is held, and the keepers (to whom Sunday is the only leisure day of the week) are impatient to have it over, while the prisoners, who dread to spend the live-long day in their cells, are anxious to have it protracted. During the Sabbath, the chaplain may visit the convicts, but as he is not admitted to the interior of the cell, and can only converse with them at their cell-doors, it is difficult to make a visit, under such circumstances, either pleasant or useful. The prisoner on each side can overhear what is said, and this, of itself, would greatly embarrass the interview. The hour for locking up at night is six, and after that time the chaplain may visit the cells daily, but the men are weary, the hour is inconvenient to the chaplain, (who does not reside in the prison) so that after all, the Sabbath, slighted as it is, is the principal opportunity for official service in this department.

The New York prisons labour under very great disadvantage from the political influences that are continually interfering with their supervision, discipline, economy, &c. The fluctuation which must pre-

vail in the policy and management of public institutions, where each political or party revolution gives them a new supply of officers or a new set of regulations, must be clearly injurious to the interests of all concerned.

The effect of the undue exercise of the pardoning power is also felt in the New York as well as in the Pennsylvania prisons. There is nothing, I am persuaded, that contributes more to the discontent, irritation, and indocility of a convict than the constant anticipation of a pardon, and of course almost constant disappointment. The hope of pardon is embraced with sufficient eagerness even when it comes to only one in a thousand, or even one in a hundred; but when it is afforded to *one in twenty*, as it was last year at Auburn, no one can fail to see that the effect must be altogether mischievous.

In concluding this hasty memorandum, I may be excused for saying, that though my opinion of the Auburn prison is much more favourable than it was before my late visit, I am strengthened in the conviction that our own system is decidedly, and in the most important respects, superior;* while I am greatly surprised to find how indefinite and unfounded are the objections which prevail in some sections of the country against it.

Very respectfully,

Your friend and fellow citizen,

FRED. A. PACKARD.

Philadelphia, September 24th, 1842.

P. S. I enclose a copy of the Rules, &c. of the Auburn prison, and also an abstract of the last Annual Report; for it appears that the Legislature declined publishing any larger number of copies than were needed for their own use, though it was suggested that courtesy and utility would be promoted by putting a few copies at the disposal of the prison, to be exchanged with similar institutions.

* Since writing this letter, the report of the Inspectors of the New Jersey Penitentiary, at Trenton, has been published. The tenor of one or two of the reports of the medical officer of that institution may have led some to suppose that the system of solitary labour, which has been adopted there, as well as in Pennsylvania, was not so successful as with us. But the last report of the Board contains the following explicit and emphatic testimony to the contrary: "In our intercourse with the prisoners, we have seen no reason to recommend a change from the present system of solitary confinement—but are still better satisfied of its efficiency as a mode of punishment, and better calculated to produce reformation than one more social."