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BULFINCH ON PENITENTIARIES.

REPORT

OF

CHARLES BULFINCH,

ON THE

SUBJECT OF PENITENTIARIES.

FEBRUARY 13, 1827.

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To the President of the United States:

SIR: In compliance with directions received from you, on the 29th of May last, to visit the Penitentiary establishments of Auburn and West Chester, in the State of New York, and, also, that of Philadelphia, and to collect and report all such information, as upon inspection of those establishments may be obtained, and as may be usefully applied in the erection of the Penitentiary, authorized by the act of Congress, of the 20th May, 1826. I have the honor to present an account of such of those establishments, as circumstances permitted me to visit. I have taken the liberty to commence the report with a sketch of the origin of such institutions, and an abstract of their history, in this country, compiled from authentic reports of the Managers and Inspectors. These observations are chiefly confined to the construction of the buildings: the subject of regulation and discipline will depend in future on the alterations of the Penal Code of the District, which Congress may direct, and the system of management which may be adopted.

I am, most respectfully,

Your obedient servant,

CHARLES BULFINCH.

July 8, 1826.

In the year 1773, the celebrated Howard commenced his examination of the state of the prisons and houses of correction in England; and afterwards extended his researches through the principal cities of the Continent of Europe. His observations have been embodied in two quarto volumes, one on Prisons, and the other on Lazarettoes, which comprise a mass of information highly valuable to the philanthropist, and indispensable to the architect, who may be employed in erecting buildings for such purposes. Previous to this, the Marquis of Beccaria had published his *Treatise on Crimes and Punishments*, and suggested the expediency of alterations in the Penal Code, and of substituting solitary confinement and labor for the former ignominious and capital punishments. Mr. Howard viewed all the prisons, which he visited, with a design to urge upon Governments, and to introduce, an improved treatment of prisoners, and milder punishments. He found the prisons of England, in general, squalid and offensive: no discrimination or classification of offenders was attempted in any of them, and no useful labor or employment was required, "from an opinion, as he states, prevailing, that, to compel prisoners to work, was inconsistent with English liberty; at the same time, the taking away the lives of numbers by executions, seems to make but little impression upon us." He mentions with commen-

dition many prisons of the cities of the Continent, and particularly those of Ghent, Milan, and Rome, for the provision made in them for secluding prisoners in small cells. The publications of Mr. Howard called the attention of the British Government and People to the consideration of the subject, and great improvements have since been made in the construction and management of prisons in that country.

In 1776, a society was formed in Philadelphia, for assisting distressed prisoners, and by their efforts an improvement of the Penal Code of Pennsylvania was accomplished, by an act of Assembly, passed on the 10th of September, 1786, when many crimes, that had been considered capital, were made punishable with servitude, at hard labor, instead of death. On the 8th May, 1787, the Philadelphia Society for alleviating the Miseries of Public Prisons, was formed, and the published accounts of their proceedings exhibit, what they call, an appalling representation of the condition of the jail, and of those confined in it. By the unremitting exertions of this Society, and their representations to the Legislature in 1792, a thorough revision was made of the Penal Laws, and "such alterations were made as were consonant with the public sentiment; by that time fully prepared for a more humane system of criminal jurisprudence, than had before been adopted in any age or country." To carry this system into effect, a Board of Inspectors was appointed, and the county jail of Philadelphia was used as a penitentiary, with the addition of a building in the yard containing solitary cells for punishment. Such was the effect of the assiduity of the Inspectors, that the prison was no longer a scene of debauchery, idleness, and profanity, but became a school of reformation and a place of public labor. During a few years after its establishment, it was provided with sufficient room, and proper accommodations for separating the convicts from each other. By the vigilance of the keepers all intercourse and communication was prevented by day; and at night, the prisoners were lodged in separate cells. During this period, the establishment produced the happy effects above described.

In 1796, the New York law was passed, making alterations in the Criminal Code of that State, and ordering the erection of State Prisons. Convicts had, for several years, been employed at labor, in Massachusetts, at Castle Island, in the harbor of Boston; and upon that Island being ceded to the United States, in 1804, the Legislature directed a State Prison, for penitentiary discipline, to be built in Charlestown. The plan of this prison was adopted, after viewing those of Philadelphia and New York, and was at first intended to consist wholly of solitary cells of 7 by 9 feet; but from mistaken principles of humanity, alterations were made in the design, and the third and fourth stories were formed with larger rooms. Since this date, similar establishments have been made in Vermont, Connecticut, New Jersey, Maryland, Virginia, and some of the Western States. For some time after their commencement, these establishments appear to have answered every purpose which their promoters had in view. But as from various causes a relaxation of discipline took place, and as from the rapid increase of population in every

part of the United States, a great influx of prisoners was occasioned, the buildings became inadequate to their reception, or at least to afford that secluded accommodation, which is indispensable to their utility.

According to the last returns, the following number of convicts were confined at night in the same rooms :

In New Hampshire and Vermont,	2 to 6	in each room.
Massachusetts,	- - 4	in the small rooms.
	and 16	in the larger.
Connecticut,	- - - 15 to 32.	
New York city,	- - - 12	
Pennsylvania,	- - - 29 to 31	in rooms 18 f. square.
Maryland,	- - - 7 to 10.	
Virginia,	- - - 2 to 4.	

It is an extraordinary circumstance, that, although the Penitentiary prisons of this country had been constructed and managed, on the principles so ably enforced by Howard, yet in none of them was the provision made for keeping convicts separate at night, which he repeatedly insists on, in his work, as an indispensable part of his system. Even the small rooms of the Massachusetts' prison have been perverted from their original design, and four persons crowded into a space intended for one. The effects of this promiscuous intercourse have been very injurious to the persons confined together, and almost fatal to the reformatory system. The various reports of the Managers of these institutions describe, in the most forcible terms, the bad effects of associating, in night rooms, such numbers of depraved and unprincipled men. The attention of the Legislature of Pennsylvania was called to this subject, and in 1818 it was determined to build a prison at Pittsburgh, upon the principle of absolute seclusion, by day and night, to contain about 200 prisoners; and in 1821, another was commenced, for 250, in the city of Philadelphia. In 1819, the Legislature of New York ordered one wing of the prison establishment at Auburn, in the interior of that State, to be prepared for dormitories for convicts, adopting the principle of seclusion at night, and when unemployed; but uniting the prisoners at labor in workshops, at various branches of employment, during the day. Congress having determined, that a Penitentiary prison should be erected in the District of Columbia, and an appropriation having been made for that object, founded on general estimates, the President of the United States directed the Architect of the Capitol, who had furnished those estimates, to visit the Penitentiaries of New York and Philadelphia, to examine their construction in detail, and to report :

The subscriber accordingly proceeded to New York, and visited the prison now building at Sing Sing, about 30 miles from that city. The place chosen for the site of this prison lies immediately on Hudson river. It is a tract of 80 acres, of limestone rock, of the most compact quality, suitable for building. The prison is intended to hold 800 persons. A part only of the first story is built; it is formed of two rows of cells or dormitories, with a partition between

them. These cells are 7 feet long, 7 feet high, and $3\frac{1}{2}$ feet wide, built of blocks of stone roughly squared, each secured by an iron door, with a strong latch and lock. The upper portion of the door is grated, for the admission of air, and a pipe of 4 inches diameter is conveyed from each cell, through the back partition to the roof, to promote ventilation, and answers this purpose effectually. There are to be four stories of these cells, which will be entered from galleries surrounding each story, and from stairs at the ends. This whole mass of cells is to be enclosed by the walls of an outside building, leaving a space of 10 feet all round the cells, and open from the ground to the top, with a suitable number of windows for light and air: the whole to be covered with a roof, which at this prison is intended to be also of slabs of stone. This arrangement of cells is the same as that adopted at Auburn. The advantages attending it are, the perfect retirement and privacy of the prisoners; the ease of inspection; for one watchman on each side can notice every movement, and hear every word uttered by each prisoner; the full command of light and air from the surrounding windows, and the ease with which the whole may be warmed in Winter, by stoves placed on the ground floor. The security against combination or escape is complete, for if one should even break from his cell, he would be still enclosed in the surrounding passage.

Mr. Elam Lynds, who has had charge of the Auburn prison, and who introduced the admirable discipline observed there, superintends the erection of this prison, in which he is adopting every improvement which his experience can suggest to be useful, and which he very obligingly communicated. The opportunity of conferring with this gentleman lessened my regret at being prevented from visiting Auburn, by the lamented death of Mr. Blagden, at the Capitol; which made it necessary to return earlier than was intended, to execute duties which had been confided to him in my absence.

This prison is erecting by the labor of convicts alone, under a suitable number of superintendents. They blast the rocks, quarry the stone, shape it into square blocks and slabs, and build the walls. Some burn the irregular and broken pieces into lime, and others are employed in making the iron doors and locks, and gratings to the windows. The whole is conducted with the most perfect method, receiving their orders from the keepers and superintendents, and not speaking a word, but upon the business in which they are engaged.

Returning to the city, I visited the *City Penitentiary*, forming part of the great establishment on the East river. One wing of this prison has been lately altered on the Auburn plan, with five stories of cells, and shows the system under operation. These cells are of the same dimensions with those already described 7 by $3\frac{1}{2}$, and are built of wood and plastered; for the inspection and division of prisoners are so complete, that no effectual attempts at escape are to be apprehended. On viewing the other divisions of this prison, the advantages of the new arrangement were most strikingly exhibited, when compared with several large rooms, inhabited by numbers of prisoners, of different ages and habits, associating together, and, if not

qurelling and contaminating each other, at least, preventing all opportunity for quiet reflection.

The house of refuge for juvenile delinquents also demanded my attention; and on a visit to this place, on the outskirts of the city, I was gratified to find the good effects of the Auburn plan in full operation. The building, for this purpose, contains workshops on the ground-floor and three rows of dormitories above, for 132 male subjects. Another house of the same dimensions is now building for females. The outer walls are of stone; and all the dormitories of wood 6 feet by 3. The young prisoners are taught various trades in the workshops, and are schooled at regular hours of each day, in the Lancaster method, and religious observances are attended to on Sundays.

The advantages of prisons of this construction have been fully proved. The reports of the various Boards of Directors speak most favorably of the effects produced by the order and discipline observed there. A publication of the Prison Discipline Society of Boston, closes a particular account of the construction and management, by observing, that, "with this plan of building, and the system of discipline and instruction introduced at Auburn, the great evils of the penitentiary system are remedied. Here, then, is exhibited, what Europe and America have been long waiting to see, a prison which may be made a model for imitation."

The new Penitentiary of Philadelphia is of very different construction. A lofty wall, 30 feet high, encloses a space 600 feet square, including ten acres, and the cells for 252 convicts are spread over a large space, in ranges of buildings, one story high. An observatory, or watch-tower, is placed in the centre, and seven ranges of cells branch from it, in radiating lines, in an octangular direction. Each mass of building contains 36 cells, 12 by 8 feet, with a yard to each, of the same size; these cells are in two rows, with an arched passage between them, 10 feet wide, for the inspector. Every attention is paid in the construction, to the strength of the cells, to ensure ventilation and warmth; and an imposing air of security and dignity appears in the lofty wall, with its noble entrance and angle towers, of correct Gothic architecture. The principle adopted in this edifice is that of compelling absolute seclusion of the prisoners by day as well as by night; each man is to occupy a cell by himself, with an adjoining yard, surrounded by a high wall, for exercise; and no work will be carried on but such as can be performed by each man in his own cell or yard.

The prison at Pittsburgh, the plan of which I have been favored with, is on the same principle, with a different arrangement of cells, round the interior periphery of an octagon enclosure, and is calculated for 192 prisoners. The experiment is yet to be tried, whether the health of the prisoners can be preserved in this continued state of secluded retirement; whether any advantage can be derived from their labor, to defray the expense of the necessary number of keepers; and whether the absence of social worship and public religious in-

struction can be compensated by private admonition from a chaplain to each man in his cell.

Having viewed these Penitentiary Establishments, the most distinguished in our country, which have been constructed under the direction of men of the most philanthropic views, we find, that though very different in their plans and arrangement, they agree in one respect, to appropriate a cell or dormitory to each prisoner. in the night. Observing this principle, and knowing it is the expectation of the Committee of the District of Columbia, and by them communicated to Congress, that the prisoners should be compelled to work, to defray a part of the expense of their maintenance, I give a preference to the Auburn plan for its economy, and for its simplicity of inspection: even the smallness of the cells is an advantage. as it will not be possible to put more than one prisoner in each. The plan, which I have the honor to present, is drawn on this principle. It consists of four stories of dormitories, of 7 feet by $3\frac{1}{2}$. Forty on each floor, making the number of 160, as directed by an act of Congress. This body of cells will be enclosed by walls and a roof 120 feet long, and 50 wide, which will allow a wider area than in the New York prisons, in consideration of the greater heat of this climate. A house, 25 by 38 feet, will be attached to each of the innermost angles of the principal building; containing in one, the keepers' apartments and offices; and in the other, the public kitchen, wash-house, apothecaries room and infirmary. The whole area, 300 feet square, to be surrounded by a wall 20 feet high, with an attendant's lodge and cleansing rooms within the gate. A portion of the ground in front, within the wall, to be cultivated for vegetables for the house, and the remainder and larger part to be reserved for workshops, to be erected in future.

The alterations, I shall have the honor to propose in the jail of the city of Washington, and the plan of the jail for the city and county of Alexandria, alike directed by the late law of Congress, will be on the same principle as that described above; and, when complete, will give this District a decided advantage over every other place, for carrying the secluded system into effect. Persons taken up on suspicion, or confined before trial, are generally placed in county jails, in rooms occupied indiscriminately by offenders of every description. They are in danger of utter contamination before the examination of their cases by the Grand Jury, or before the day of trial; and the less guilty are in danger of receiving from their fellows such lessons of depravity, as no after discipline in a Penitentiary can counteract. But in the new county prisons now proposed, solitude will encourage reflection, and may produce such a degree of contrition, that they will submit to the punishment which the law may direct, with an assurance that it is not inflicted on them in revenge for their misdeeds, but with the hope of effecting their reformation.

Respectfully presented,

CHARLES BULFINCH.