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AN ACCOUNT
OF THE MANNER IN WHICH
SENTENCES
OF
PENAL SERVITUDE
ARE CARRIED OUT IN ENGLAND.

BY
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P R E F A C E .

THIS "Account of the manner in which Sentences of Penal Servitude are carried out in England" was originally prepared for the First International Prison Congress, which assembled in London in 1872.

As the supply then printed has been exhausted, this fresh edition has been prepared because information on the subject is frequently sought, both by persons who, for their own reasons, desire to study it, and by those whose official duties require that they should become acquainted with the general system, and in some measure with its details. In this edition the statistics have been brought up to the latest date, and I am glad to say that they fully bear out all the observations on the success of the system which I felt justified in making in 1872. Any important changes of practice which have been made since 1872 have also been noticed; and though this little book does not profess to describe any part of our prison system but that which deals with Penal Servitude Prisons, yet, as the short sentence prisons were slightly referred to in the original work, notice has been taken of the great change made by the "Prison Act 1877," which placed them under control of the State from 1st April, 1878, and linked the administration to that which manages the Penal Servitude Prisons, has been also noticed.

In describing our system of Penal Servitude, I have desired, for the sake of clearness, that the general description of the system pursued shall be as little as possible interrupted by entering into details. But all the details necessary to understand the mode of its working are contained in the Appendices, of which there is an index at page 103, and those who desire to inform themselves fully on the subject will find there, it is believed, much to interest them.

In the opening paragraphs of this work I have referred to the experiences during the transportation period, on which our present system is founded; any one who wishes to pursue that subject further, will find a fuller account of it, written by myself, in the number for November, 1879, of the "Nineteenth Century." The subject of prisons, and other subjects of a kindred nature, are also dealt with in an address I prepared, as Chairman of the "Repression of Crime Section" of the Social Science Congress, 1874, which is printed in the proceedings of the Association.

E. F. DU CANE.

November, 1882.

AN ACCOUNT

OF THE MANNER IN WHICH SENTENCES OF

PENAL SERVITUDE

ARE CARRIED OUT IN ENGLAND.

THE principles which should govern the treatment of criminals under sentence of the law, and the details of prison management by which effect should be given to those principles, have been topics of earnest discussion in England for upwards of one hundred years.

Long and extensive experience of England on this subject.

During that period a great variety of views have been expressed, several systems have been suggested, and many of them have been either temporarily or permanently adopted; in fact, it is difficult to propose any system now on which *some* light may not be thrown by our experience in England or in the Colonies. The history of the development of our Penal System in the Colonies, during the long period when the principal secondary punishment con-

Variety of systems tried.

sisted of transportation, affords an especially valuable source of knowledge and experience, and so much is our present system the result of, and founded on, the transportation system (which ceased, so far as the transfer of the convicts is concerned, in 1867, and is now only represented by the small convict establishment which remains in Western Australia), that those who wish to acquire a full and connected acquaintance with our views and practice should not fail to study the history and phases of that system.

Experience
from our Penal
Colonies, and
system finally
established.

An article, by the writer of this pamphlet, published in the "Nineteenth Century," in November, 1879, affords the means of acquiring some insight into this history, and will show that we have tried, at various times, as portions of our Penal System in the Colonies, simple deportation or banishment;—we have tried assigning convicts to live as servants in families of free people;—we have tried retaining them under charge of the Government, but hiring out their labour to free people for the benefit of Government;—we have tried planting them out in bodies in a condition of semi-freedom, to work with pay for Government until employers hired them;—and we have tried, in England, the exact reverse of this, viz.,—keeping them in isolation for lengthened periods in cells.

Finally, we now carry out a system involving a moderate period of isolation, followed by a period, during which prisoners live in absolute separation, but work in association. The considerable success which our efforts have met with, figures will easily show.

The more recent history of our Penal System is as follows:—Until about 1843 our convicts were all sent, firstly, either to Millbank or to the Hulks, and thence a large number were transported to the Colonies.

Recent history
of our systems.

In 1842, Pentonville Prison was opened, and the course of punishment a convict was to go through was reduced for the first time to a definite system. Then was commenced the plan of subjecting selected prisoners on their first reception to a term of strict separation, during which, influences, both penal and reformatory, were brought to bear on them. Those who were thought to have profited by this discipline were then transported to a Penal Colony to undergo the remainder of their sentences, under conditions which varied in their character, according to the disposition the prisoner had manifested during his probation in Pentonville Prison. Soon after this, another stage was introduced into the course, and the system henceforward applied to all prisoners,

Course of
punishment
first reduced
to a system
in 1842.

Three stages. instead of only to a selected number. Every convict passed first through the stage of absolute separation; he was then removed to a prison in which each prisoner had his separate cell, but performed regulated labour in association; and from among the convicts in this stage were selected the men who were sent to perform the rest of their sentences in the Penal Colonies, passing through stages which led progressively to freedom, the last stage being under conditions which resemble that to which the name of the "Intermediate Stage" has been given in Ireland; and concluding their sentences in a state of conditional freedom, such as is known in England by the name of "Conditional Release." The scheme, as originally developed, will be found in the reports, correspondence, &c., printed in Appendix I.

Existing
phase of our
system dates
from 1863.

In 1863, a Royal Commission, composed of men of the largest experience and authority, was appointed, to consider the whole subject of transportation and penal servitude. While approving generally the system then in force, they recommended, nevertheless, certain important modifications. The number of prisoners actually transported had, by this time, become reduced to very small proportions, owing to the disinclination of the Eastern Australian Colonies to receive them, and the disability of

Western Australia, the only remaining receptacle for our convicts, to absorb more than a small number,—and shortly after, viz., 1867, transportation entirely ceased. As this had previously formed so important a part of our system of disposing of our criminals, it may be said that the penal system now in force in England dates its present phase from that period.

The statistical tables of crime must be studied by those who wish to appreciate the effects of the changes we have made at various times; it will be sufficient if I here give the figures, which shew the remarkable decrease of serious crime of late years. When this pamphlet was first issued, in 1872, the year 1870 was distinguished as shewing a smaller number of sentences to penal servitude, in England and Wales, than had ever before been known, viz., 1788 (this number was ten per cent. less than in the previous year, 1869, viz., 2006); the year 1871 had again fallen as much below its predecessor, viz., 1627, nearly one-fifth fewer than in 1869; and the numbers have continued to fall, so that in 1881 they were only 1525 (or rather more than half the number on the average of five years ending 1859), though the population has in that period increased from 19,686,701 to about 25,968,286.

Progressive decrease in crime which has resulted.

Smaller number of sentences to Penal Servitude,

Average number of Sentences in Five Years		Estimated average population of England and Wales
Average in 5 years ending 1859	2589	19,257,184
Average in 5 years ending 1864	2800	20,369,938
Average in 5 years ending 1869 ...	1978	21,680,874
Average in 5 years ending 1874	1622	23,087,947
Average in 5 years ending 1879	1633	24,700,326
Actual number in 1881	1525	25,968,286

and of sentences to imprisonment for indictable offences.

The sentences of imprisonment for short periods for indictable offences have also decreased very considerably, at the same time that the increase of population would have well accounted even for an increase. It will be seen, on looking at the preceding table, that the average number of sentences of penal servitude decreased by about 800 during the period 1864-1869, which is probably partly due to the Act of 1864, which made five years instead of three years the minimum term of penal servitude. The natural effect of this would be to increase the number of sentences of imprisonment, and this it apparently did at first, but only by 652; it afterwards fell, however, by a much larger number, so that the steady flow of diminution in serious crime prevailed, on the whole, in these years as in all the others.

RETURN OF IMPRISONMENT FOR INDICTABLE OFFENCES.

Average number of sentences of imprisonment in England and Wales during 5 years ending			
	1859	....	12,536
"	"	"	1864 11,406
"	"	"	1869 12,058
"	"	"	1874 9,848
"	"	"	1879 9,950
Actual number in	.....1881	....	9,266

The following remarks in the Report of the Directors of Convict Prisons for 1880-81 point out in a striking manner the magnitude and the effect of the continuous diminution in serious crime, as regards the United Kingdom :—

Magnitude and effect of this diminution in serious crime.

“The steady decrease in the number of sentences of penal servitude, as compared with former years, is very remarkable, and may fairly be taken to indicate a diminution in serious crime.

“If the number sentenced in 1880 had been the same in proportion to population as in the years 1865-69, there would have been 2,585, instead of 1,654, a difference of 931, and taking the average time penal servitude prisoners pass in prison at six years, the number of the convict prison population, according to the ratio of the former period, would be 15,510, instead of its actual number, 10,297. A con-

sideration of the importance of this large difference from various points of view (among others, the expense which it would have been necessary to incur in housing and maintaining 5,000 more prisoners than we actually have); may well make this proof of the efficiency of the various agencies for the repression of crime a matter of much congratulation; and we hope we may fairly claim that our prison system has been framed and administered in such a manner as to have done its full share in effecting this result."

Re-convictions.

The number of prisoners sentenced on re-conviction to penal servitude has been as follows:—

The average number of re-convictions

during the 5 years ending....	1859	was	357
„	„	....	1864 „ 668
„	„	....	1869 „ 523
„	„	....	1874 „ 363
„	„	....	1879 „ 398
Actual number in	1881	„	487

Statistics as to reconvictions a fallacious test of efficiency of a prison system.

The part of the statistics which deals with re-convictions is very often alleged to be the test of the efficiency of a prison system, under the supposition that the greater the proportion of re-convictions the less effective the system of punishment. To my mind there can be no greater fallacy.

The number of re-convictions recorded must largely depend on the efficiency of the arrangements provided for old offenders being recognized as such when convicted for fresh offences, and this depends on the facilities given by the law (which have been much increased of late years), as well as on the activity and intelligence of the police, and the completeness or otherwise of their means of intercommunication.

Nor can our tables of re-convictions be considered complete unless we bring into the account the discharges and re-convictions of convicts still in Australia, or those who have emigrated to other countries, for this would largely affect the proportion.

from imperfection of the statistics;

Moreover, the re-convicted man may have been discharged several years ago, and if the prison system grows and improves as it ought, or receives important modifications, as sometimes happens, the result of the treatment a prisoner underwent years back can be no test of the efficiency of the system carried out later on; and besides, the effect on his mind of his treatment in prison must get weaker as time goes on.

from modifications in systems;

and because
the object is to
deter *possible*
criminals.

Punishment is inflicted much more for the purpose of deterring from crime the enormous number of *possible* criminals, than for any effect on the actual criminal himself; and if a certain number of crimes must be committed every year, I think it much more to be desired that those crimes should be committed by one set of people than that fresh recruits should be brought into the criminal ranks.

Prison systems
have less
effect than
some other
causes in
checking
crime,

I do not think that either an increase or a decrease in crime is due so exclusively to prison systems as it has been asserted that it is. The prosperity of the country—the facilities for getting a living honestly—the condition of education, moral and literary—the efficiency of the police—and most of all, perhaps, the checking at its source the development of a criminal class, by taking proper measures with young persons who are likely to join it,—all contribute to affect the statistics of crime.

though they
do affect these
results.

But certainly the penal system must, in an important degree, affect this result, and I will now endeavour to give briefly a view of the system to which, in part, at all events, it is fair to attribute the remarkable decrease of crime shewn by the foregoing figures.

I will begin by a short statement of the course adopted in bringing an offender to punishment, and this is the more desirable because success in the repression of crime depends at least as much on the way in which these preliminary stages are carried out, as on the subsequent treatment of the criminal under punishment; and the statistics of crime are obviously dependent as much on the police organization by which crime is detected, and the efficiency of the law and of the legal practice by which it is brought to justice, as on the rules or system by which punishment is carried out; and also because there are points in connection with the treatment of persons accused, but not yet convicted of crime, to which attention may be usefully directed.

Steps by which an offender is brought to punishment.

The first step taken by a person who has suffered from a crime committed against him or his property, is, of course, to apply to the police, and give them all information which may enable them to trace out the offender.

Information to police.

As it is obvious that no system for the treatment or punishment of offenders after they are caught can be of much avail in repressing crime, unless the means of detecting and apprehending the offenders are effective, it follows that the first and most important object to be attained in

Certainty of detection the first necessity.

Qualifications
essential in
the Police.

endeavouring to repress crime by punishment is to approach as nearly as possible to *certainty of detection*. The police must therefore be effectively organized; they must be intelligent, and, above all, honest; and they must have a good knowledge of the ways and practices of criminals, and, as far as can be attained, some personal knowledge of them.

Apprehension

Supposing that the person who has committed the offence can now be identified, or that suspicion is strongly directed on somebody, the next step taken is to swear an information to that effect before a magistrate, who may issue a summons to him to appear to answer the charge, or, if necessary, a warrant for his apprehension. The effective execution of this step again depends on the vigilance, intelligence, and knowledge of the police.

Procedure
before the
magistrates.

If the offender is apprehended, he is lodged in cells under charge of the police, until he can be brought before the magistrates in Petty Sessions, who will hear and determine, on sworn evidence, the charge against the prisoner, and any defence he may set up; and if they consider that the case is *primâ facie* made out against him, they may either remand the case for further evidence, or may, if they are satisfied with what they have heard, either inflict such punishment

as is in their power, or, if the law requires or allows it, can commit him to prison for trial at Quarter Sessions or Assizes.

When first this paper was drawn up I pointed out what seemed to me to be an important defect in our law and criminal arrangements. For a century or more we had been endeavouring to improve our prison buildings: we provided that every *convicted* prisoner should be lodged in a separate cell where he should eat and sleep alone, unable to contaminate others or be contaminated himself; we enacted that his cell should be properly warmed and ventilated, that he should be provided with means for communicating with the warder in case of sickness or for any other reason. We provided him with books, with medical attendance, with means of cleanliness, and, in fact, with every requirement of health and decency, but the prisoner awaiting trial, either in prison or police cells, we entirely neglected to provide for by law, and consequently, though sense of right in many cases led to proper provision being made, there were places where all these things were absolutely wanting, and where a decent man who got into trouble might find himself crowded in with the vilest set of criminals, or passing the night with a noisy crew of drunkards in a room or cell without the means of light, warmth, or ventila-

Defects in some of the provisions for the custody of untried offenders

tion. This state of things obviously needed to be remedied, for no unconvicted prisoner should suffer more inconvenience than is necessary in order to ensure his safe custody; and it is satisfactory to find that the condition of unconvicted prisoners after committal to prison is very well provided for by rules made by the Secretary of State under the "Prison Act 1877." The accommodation and proper treatment of untried prisoners in police cells is not so well secured, but much improvement is going on in this matter in many parts of the country.

Trial of
offender,

at Sessions,

or Assizes.

The next step taken in arriving at the conviction of an offender not summarily dealt with is his trial, which takes place either at sessions held four times in the year, except in Middlesex and in parts of the adjoining counties included in the Central Criminal Court District, where, in both cases, monthly sessions take place, or at assizes, which were held only twice a year, in the spring and summer, until the passing of the "Winter Assizes Act 1876," the "Winter Assizes Amendment Act 1877," and the "Spring Assizes Act 1879," under which additional assizes may be held in spring and winter. No prisoner, therefore, can remain untried more than a quarter of a year, while it may be a much less time if the offence is committed in Middlesex, or within

the jurisdiction of the Central Criminal Court, which holds its sittings twelve times a year.

It is clear that the first necessity for promoting the ends of justice is that the evidence in the case should be fully and fairly laid before the court. The prisoner and his friends have, of course, every interest to establish the facts which seem to support his defence, and means of doing so are not usually wanting; but the law by which the person who has already suffered the wrong has further to take on himself the burthen and expense of carrying on a prosecution in which he has no more interest than any other member of society, is both a grievous wrong to him, and may give an undue advantage to the criminal. Probably many cases occur in which a man prefers to suffer in silence the first loss caused by the crime, rather than add to it the trouble and loss he will suffer if he has to prosecute. The Act 42 and 43 Vict., cap. 22, passed since the original writing of these remarks, providing, *inter alia*, for a Public Prosecutor, is a first tentative step toward remedying this.

Prosecution by the aggrieved person instead of at the public instance, a grievance needing remedy.

I have referred to "certainty of detection" as the first point to be aimed at in endeavouring to promote the repression of crime. "Certainty of conviction" is an equally important point in connection with the subject, and for which proper means should be provided.

Certainty of conviction of offenders the second necessity.

Procedure
before and at
trial.

The charge against the prisoner, framed on the depositions taken before the Committing Magistrates, is now taken before the Grand Jury, who consider whether there is a case on which to indict the prisoner; and if they find a true bill, he is put on his trial. The counsel for the prosecution states to the jury the case against the prisoner, and brings evidence; the counsel for the prisoner states the prisoner's defence, and brings his evidence; either counsel cross-examines the witnesses of the other; the counsel for the prosecution replies to the defence, the Judge sums up the evidence impartially, for the assistance of the Jury, directing them on points of law, and impressing on them that if they have any reasonable doubt, they are to give the prisoner the benefit of it.

Where the
sentence is
carried out.

If the prisoner is found guilty, he is then sentenced. If the sentence is to penal servitude, the male prisoner finds his way, in due course of time, either to the Convict Prison at Pentonville or Wormwood Scrubs, and the female prisoner to Millbank, in one of which prisons the first part of the sentence is carried out. If the sentence is to a short term of imprisonment, he or she is sent to a Local Prison—formerly known as the County or Borough Gaol. The latter establishments were, till 1878, managed entirely by the local magistracy, subject, of course,

The Convict
Prisons.

The Local,
formerly
County and
Borough
Prisons.

to Acts of Parliament, the due execution of which was, however, but very imperfectly provided for by a very limited control on the part of the Government. By the "Prison Act 1877" the entire control of them was vested in the Secretary of State.

I may here mention that a sentence of penal servitude is, in its main features, and so far as concerns the punishment, applied on exactly the same system to every person subjected to it. The previous career and character of the prisoner makes no difference in the punishment he is subjected to, because it is considered, and rightly, I think, that it is for the Courts of Law, who have, or should have, a full knowledge on these points, to consider them in awarding the sentence; and if any prisoner were subjected to harsher or milder treatment in consequence of any knowledge the prison authorities might have of his previous character, it might be that he would practically be punished twice over on the same account, and on information much less complete and less impartial than the Court of Law would have at its command. The Government would also always be liable to charges of shewing favour to or prejudice against certain particular prisoners; and any feeling of this kind would be fraught with danger and inconvenience.

All Convicts subjected to the same system of punishment.

Various reasons why this should be the case.

The Judge should be able to know the exact effect of his sentence.

It is also considered, and justly, that the Judge or Court who passes the sentence should know, or should be able to know, precisely the exact effect of the sentence, and this would be impossible if any discretion rested with the executive officers as to the mode of carrying out the punishments. At the same time it is open to consideration whether more than one mode of carrying out the punishment might not be *laid down by authority*, as applicable to certain defined cases, and whether a discretion might not be given to the Judges as to the system to which each prisoner should be subjected. Whether or not this alteration should be made, depends on the importance attached to the effect of punishment as an example to deter others from the commission of crime; or to its effect in deterring or reforming the individual himself.

Leading principles of our system.

Our convict system is devised with a view to combine the principles of deterring from the commission of crime and reforming the offender. The latter is an object which, for every reason, we are bound to follow strenuously, but it must not be effected in such a manner as to interfere with the former, because punishment is primarily to prevent crime by the warning held

up to those who might, but for such influences, fall into it.

A sentence of penal servitude is divided into three principal stages: the first stage is passed at one of the prisons which have been already named; it endures for nine months in all cases, and for that period the prisoner passes his whole time—excepting the period allotted to prayers and exercise—in his cell, apart from all other prisoners, working at some employment of an industrial or remunerative character. The second is passed in a prison in which he sleeps and has his meals in a separate cell, but works in association under a close and strict supervision, at employment suited to him. The third period is that during which he is conditionally released from prison, but kept under the supervision of the Police, and liable, for any infraction of the conditions of his release, to be returned to prison, there to fulfil the portion of his sentence which remained unexpired at the time of his release. A stage, intermediate between the Public Works and the Conditional Release, is applied to women, who may be sent to “Refuges” for nine months before their release on licence,—establishments managed by private persons, who interest themselves in preparing the women for discharge, and in procuring suitable situations for them.—[*See Appendix II.*]

Three stages of a sentence of Penal Servitude, viz.,

separate confinement;

associated labour on public works

conditional release.

“Refuges” for women.

Objects of the
three stages.

It is not necessary for me to state in detail here the rules laid down for the treatment of prisoners in the three stages, but I will give an outline of the objects which are aimed at. Further information will be found in the Appendices.

Object of the
first stage, in
isolation.

The first is, that every convict shall be subjected to a period of strictly separate confinement, which not only is a severe penal discipline, but during which his mind is thrown in upon itself, and he cannot fail to feel that, however agreeable may have been his previous life, probably one of idleness and excitement, he pays dearly for it by the dull monotony, hard work, a diet which is sufficient, but no more than sufficient, and deprivation of every luxury he has been accustomed to indulge in; and, above all, by the absence of freedom, and the constant supervision which is his present condition, and which form his prospects for some years to come.

Religious
influences.

During this time he becomes open to lessons of admonition and warning; religious influences have full opportunity of obtaining access to him; he is put in that condition when he is likely to feel sorrow for the past and to welcome the words of those who shew him how to avoid evil for the future.

I have said that this stage of a prisoner's sentence endures for nine months, and it may naturally occur to any one to ask, if its effects are both penal and reformatory, such as I have described and believe them to be, why the same treatment should not be followed throughout the whole of the sentence? The reason is, that it has always been held that we must bear in mind that the prisoner should not only be punished and *taught* what is right, but should be returned to society fitted both morally and physically to fulfil his proper duties in the battle of life.

Why first stage is not prolonged.

Perpetual seclusion in a cell for years, with no communication with his fellows, is an artificial state of existence so absolutely opposed to that which nature points out as the condition of mental, moral, and physical health, and so entirely unlike that which he is to be prepared to follow on his discharge from prison, that it cannot be expected to fulfil the required object.

Perpetual seclusion in a cell opposed to natural conditions.

When the system of separate confinement was first established in the model prison at Pentonville, in 1842, the duration of the period of separate confinement was fixed at eighteen months. It was carried out with considerable rigour, and results shewed themselves which

Effects of too long separate confinement.

could not be neglected. It was shewn incontrovertibly, as the Reports of the Commissioners demonstrated, that the minds of the prisoners became enfeebled by long-continued isolation; and, after various trials, the present term of nine months was fixed on as the longest to which prisoners could, with advantage, be subjected to this stage of the discipline. It is, however, a matter well worthy of consideration, whether some modified system of separate confinement suitable to longer periods might not be introduced, to be applied to sentences which might then be legalized between the two years which is the maximum sentence of "imprisonment," and the five years which is the minimum sentence of "penal servitude." The real object to aim at is, that the treatment of prisoners should be adapted to the length of their sentences.

Advantage of modified system of separate confinement.

The distinction made by the use of the term "imprisonment," to denote sentences of two years and under, and "penal servitude," to denote sentences of five years and upwards, no longer has any significance, now that they are both carried out in the United Kingdom, and it is misleading, for both classes of prisoners are undergoing "imprisonment," and are equally in a condition of "penal servitude."

No reason now for distinction in the terms "imprisonment" and "penal servitude."

The use of the term "hard labour," in imposing the sentence of imprisonment, which is not used in passing one of penal servitude, might also well be omitted, for any prisoner sentenced to imprisonment should be, and is by law, required to labour, under specified conditions, suitable to his health and his capacity; and, in fact, excepting the specific kind of labour called "1st Class Hard Labour," defined in the "Prison Act 1865" as "crank, tread-wheel, &c., and other like kind of labour," the term "hard" has no particular meaning, and its employment in the sentence makes no practical difference.

Use of the term "hard labour."

Keeping in view the principle that during his imprisonment the convict is to be prepared and enabled to lead a reformed life when he is discharged, attention is paid, more especially during the first period, both to his moral, mental, and literary education.

Moral and mental instruction, while in separation.

Every prison has its staff of Ministers of Religion, who, in prisons which contain large numbers, are not permitted to have any other duties, and who, therefore, can devote their whole time to the improvement and advantage of the prisoners placed under their spiritual care.

Ministers of Religion.

Advantages of
religious
influences.

The advantage of thus inculcating religious feelings will not be contested by any one; and, notwithstanding the doubts which have arisen from injudicious exaggerations of the results of these influences, and by misconception of the true position of and functions fulfilled by the Chaplains of prisons, it is certain that these advantages are much appreciated by prisoners, and that the exertion of the Ministers of Religion bear perhaps as much fruit as in the world outside.

Educational
arrangements.

The Prison Library and Educational Departments are in charge of the Chaplain. Books are supplied to the prisoners, both of a purely religious and of an instructive character; and those who are uneducated are taught by a staff of schoolmasters, at least the elements of reading and writing; those who have already some knowledge have opportunities and encouragement to improve themselves. As a knowledge of reading and writing affords so much opportunity for mental and moral improvement, and may have so important an effect on a prisoner's well-being in after-life, inducements are offered to prisoners to exert themselves to attain it, by rendering some of the subsequent privileges a prisoner may gain conditional on his being able to read and write. For example, no convict can be promoted to the first class unless he can read

and write; and after he has been under instruction a sufficient time, he is obliged, if he wishes to enjoy the privilege of communicating by letter with his friends, to do it himself, and without assistance. Of course, exceptions to these rules are made in the cases of men who, from age or mental incapacity, cannot be expected to acquire even the elements of knowledge.

Half-yearly examinations are held, to show the progress each prisoner makes, the result of which may be seen in the Yearly Reports of the Directors of Convict Prisons.—[*See Appendix III.*]

Half-yearly
examinations.

Taking the Prisons at Chatham, Portland, and Portsmouth, it is found that of 775 prisoners discharged during 1871 and 689 in 1881-2, there were 158 in the former year and 121 in the latter who, not having been able either to read or write when convicted, had learned to do both while in prison; and most of the remainder had made advances in the knowledge which they previously possessed.

Educational
results.

After passing the allotted time in close confinement, the convict is removed to a prison where he is employed at labour in restricted

Public Works'
stage.

association, in the majority of cases labour on public works, or farming, clearing or reclaiming land and so on; but as there are some men who are not adapted for this kind of employment, bootmaking, tailoring, and other indoor employments are also carried on.

Convicts
always live in
separation,
though they
work in asso-
ciation.

In whatever stage of his sentence a convict may be, he is always provided with a separate cell which he occupies at all times when not at work, at prayers, or at exercise. The sick or invalids are necessarily more associated, but as the infirmaries recently constructed place the great majority in separation, the chances of contamination therein are reduced to a minimum. There were, when this book was first issued, in 1872, still a few prisoners at Dartmoor in association, but this defect did not exist more than a few months after that time.

Pains taken to
prevent con-
tamination;

Great pains are taken, however, during the stage of a sentence of penal servitude during which prisoners labour in association, to prevent evil effect from contamination, by the hardened offenders, of those less versed in crime.

by separating
worst crimi-
nals from rest;

With this object, arrangements were adopted, in 1877-8, for separating the worst criminals from the rest—[*See Appendix IV*];—and more-

over, as it was considered that the conversation which passed between prisoners during the times of exercise was a great medium of evil communication, steps were taken to prevent this bad effect. We have every reason to believe that these measures have had good results.

by enforcing
silence at
exercise;

In 1879-80, another important measure was adopted, with the same object, viz.,—the formation of a class in which prisoners not versed in crime should be collected, so that their contamination by old offenders might be impossible.

and by for-
mation of
special class
of prisoners
not versed in
crime.

In Appendix V will be found an extract from the Report of the Directors of Convict Prisons, 1879-80, which shews the steps taken to carry this measure into effect. In Appendix VI is given a copy of the inquiries made in order to ensure proper selection of prisoners for this class; and in Appendix VII are the instructions to the Governor of the prison at which they are collected, for their treatment.

Steps taken to
effect last
object;

The reports which have been received of the good conduct and industry of these prisoners [see "*Report of the Directors of Convict Prisons, 1879 et seq.*"] give reason to hope that this measure will be entirely successful.

result.

Classification
of prisoners.

Every convict may, during his sentence, pass through four classes, called the probation, the 3rd, the 2nd, and the 1st class, and certain selected prisoners are also placed, during the last year of their sentences, in a special class.—[*See Appendix VIII.*]

Probation
class.

The probation class must last for one year; nine months of it are passed in a close prison, as already stated, the other three months on Public Works.

Third, second,
first, and
special class.

The 3rd and 2nd classes must each last for one year at least, and the remainder of the sentence may be passed in the 1st class, unless a prisoner is promoted during his last year into the special class.

Each class has
its privileges;

Promotion into each of these classes is followed by certain privileges, and each class wears its own distinctive badge.

though
limited.

These privileges are necessarily very limited, but still they offer inducements which are much sought after.

No privileges
of diet.

All privileges of increased diet have been abolished since 1864, as it was justly thought that to hold out prospects of food as an inducement to good behaviour was to appeal to the

baser feelings, such as a good moral education should endeavour to suppress; and, secondly, because it was found that unfavourable impressions were produced outside by comparing the diet of the prisoner who enjoyed these slight improvements in the quantity or quality of the food with that of the honest hard-working free man, whose scanty means were hardly sufficient to keep himself and family in health.

The diet, in fact, is fixed at the minimum Diet scales. necessary to enable a man to execute the work required of him, but if he should be idle and not execute the work, then the amount of his food is reduced.—[*See Appendix IX.*]

The advantages offered, therefore, by the Privileges of the various classes; higher classes, consist in the more frequent communications by visit or letter with their friends, in more freedom for exercise on Sundays, and in the earning of a higher gratuity of money to be paid on the prisoner's discharge.—[*See Appendix VIII.*]

The period which a prisoner passes in each earned by marks. class is measured, not simply by time, but by days of hard work, on a plan which I will explain when I come to the system of marks.

Remission of sentence.

In addition to the immediate privileges which a prisoner can gain by promotion to a higher class, he is offered the still greater, though more distant advantage, of slightly diminishing the duration of his sentence by obtaining "Conditional Release."

Maximum amount earned by industry only,

The amount of remission which any prisoner may gain is one fourth of the whole period he passes on Public Works, and this remission is gained by industry alone, and not by "good conduct," which, in a prison, can be little more than passive, or abstaining from acts of indiscipline, or irregularity—certainly he is not allowed to profit by any lip professions of piety or reformation.

forfeited by misconduct.

On the other hand, acts of misconduct may be followed by forfeiture of remission, degradation to a lower class, and the consequent loss of privileges gained by industry, as well as by close confinement, reduction in diet, corporal punishment, and so on, and if by repeated misbehaviour, a prisoner shews that his treatment in the close prison has not had its due effect upon him, and that he is not fit for associated employment on Public Works, he may be ordered to undergo the discipline of the penal class or of second probation for such period as may be thought necessary; or if during the

Other punishments for ill-conduct.

course of his whole sentence he conducts himself badly, he may be ordered to pass the last six months in separate confinement, so that the deterrent effect of that discipline may be impressed on his mind when he is set free.—[*See Appendices X and XI.*]

The power of punishing a prisoner is vested only in the Governor and in the Director. Power of punishment ;

The limits of punishment in both cases are laid down by the Secretary of State, and no punishment can be awarded without full investigation of the charge, conducted in the presence of the prisoner. The Governor has powers sufficient to deal with minor offences, and every punishment he orders is reported to the Director with a statement of the prisoner's offence. laid down by Secretary of State

The Director, whose functions are by statute those of a Visiting Justice, awards punishments for offences of a graver character. Only the Director has power to award corporal punishment, and he only for certain offences defined by the Secretary of State, and after full inquiry on oath conducted in the most formal manner. No unusual punishments may be inflicted.—[*See Appendix XII.*] The Director acts as a Visiting Justice.

Restraint.

Chains, handcuffs, or means of special restraint may not be made use of except under certain defined circumstances, and under strict regulations, and the use of them is always reported and recorded in a formal manner.—
[*See Appendix XIII.*]

No officer allowed to illtreat a prisoner.

It can hardly be necessary to add that no officer is allowed to strike or abuse a prisoner. Should he find it necessary, on account of the violence of any prisoner, to make use of his weapons, he is always called upon to show that he confined himself strictly to the necessities of the occasion, or failing to do so he must bear the consequences.

Effect of the systems of prison rewards and punishments in 1871,

The effect of the system of rewards and punishments, by which we are enabled to maintain order and discipline in the prisons, is shewn by the following statement of the number of prisoners punished. During the year 1871, of 13,582 males who were in the prisons, 6796 did not break the rules in any way, and 6347 were actually punished. Of 2184 females who were during the year in the prisons, 1414 did not break the rules, and 689 were actually punished.

and in 1881.

Ten years later—1880-1—with 14,418 male prisoners in the prisons, 9109 did not commit

any breach of the rules, and 5309 only were actually punished. Similarly, with 1713 females, 1161 kept free of punishment, but 552 being punished. The comparison of these figures shews very satisfactory advance in good conduct among the prisoners: for, while in the ten years there was a difference of but 836 more male prisoners, the number not infringing the rules was greater by 2313, and the actual number punished was less by 1038; and, in the case of the females, their number being 471 less, 253 more were free of offence, and 137 less were punished.

The return of prison offences also proves that the great bulk of them are committed by a small number of habitual offenders against the rules. In 1871, among an average population of 9980 prisoners, or an aggregate population of 15,766, only 7036 prisoners were punished, and these committed 24,071 offences; in 1880-1, with an average population of 10,297, or an aggregate population of 16,131, only 5861 prisoners were punished, and these committed 18,003 offences.

Habitual prison offenders, 1871 and 1881.

Out of 19,458 prisoners discharged from convict prisons between 1871 and 1881, only about 900 failed to earn some remission from their

Very large majority of prisoners incur few or no punishments.

sentences. Many had never misconducted themselves at all, and a large proportion had gone through their imprisonment of many years with only some trifling breach of regulations recorded against them.

Good order maintained in prisons without constant recourse to punishment.

It seems to me these facts are very important. The result is not due to an easy and slack system, under which offences are passed over without report and without punishment; on the contrary, it will be apparent, even to a casual visitor, and is well known to those who are more intimately acquainted with the interior of the prisons, that order is strictly maintained in them, and that the discipline is exact without being severe.

Intended result is produced.

The result shews, in fact, that in this respect, at all events, our system produces the result it is intended to do, but more especially it shews that the organization of the department is effective, and that the staff of officers perform their duties with resolution and with judgment.

Prisoners must feel they are treated justly.

In order to maintain a strict and exact discipline, without exciting constant resistance, it is above all things necessary that the prisoners should feel that the rules are carried out justly and fairly, that the officers are simply adminis-

tering the law, and that in case of any abuse of power on the part of an officer, he will be held answerable for it.

To this end every prisoner has unrestricted right of appeal against the act of those above him, he may lay his complaint in the first instance before the Governor, who is bound to investigate it, and to place the appeal on record, or he may appeal, either by written or personal application, to the higher authority of the Director, who can, if he sees fit, reverse or modify the decision of the Governor. The Director not coming in daily contact with the officers and prisoners, but only visiting the prison magisterially at uncertain intervals, it is of course felt that he can give a fresh and an impartial consideration to any question or complaint.

Appeals by
prisoners

to the Go-
vernors,

to the
Directors,

Besides this, the prisoners have the power of petitioning the Secretary of State.

to Secretary
of State, by
petition;

Prisoners may also appeal to the independent Visitors, who can, at any time they consider expedient, visit the prisons and inquire into the state of the prisoners and the discipline and condition of the prisons; but they have no power to give any order, or to interfere in any way with the administration of the prison.

to indepen-
dent Visitors.

—[See Appendix XIV.]

They exercise freely all these rights of appeal and petition.

Effect of these provisions on prisoners and officers.

The effect of these provisions is, not only that prisoners feel that they cannot be unfairly dealt with, but the officers are constantly reminded that they are liable to have to answer for any abuse of their power.

The Mark System.

The plan by which we endeavour to bring before the prisoner, in a form easily intelligible to him, is that, as in ordinary life, the advantages held out to him as an encouragement to industry are directly proportioned to his industry; that he cannot be idle for a day without a corresponding loss; that good conduct is necessary as well as industry, because ill-conduct will deprive him of the advantages he would gain by his industry;—and is carried out by a system of recording the industry by marks. I will not here enter into the details of the system—[see *Appendix XV*],—but will state the principle on which it is framed, viz. :—

Its objects.

The principles on which it is framed.

To every man is assigned the duty of earning a number of marks proportioned to the length of his sentence. These marks are awarded to each prisoner according to the degree of his industry: if the prisoner earns them at the lowest rate, he will serve out the whole of his sentence; should he earn the highest rate, he will get off

about one-fourth; if at any intermediate rate, he then will earn proportionate remission.

The record by marks applies not only to the amount of remission the prisoner can gain from his sentence, but also to every step in the classes he passes through during his imprisonment: for instance, he is required to pass at least a year in each of the classes; but during that time he must earn a definite number of marks, or else his promotion is delayed; and, further, the gratuity which he earns in each class is calculated according to the number of marks he earns.

Marks apply to remission and classification.

To ensure a fair value in marks being assigned to each man's industry, not only is a rigid supervision and check maintained on the working parties by the Principal Warders, the Chief Warder, Deputy Governor, and Governor, who pay particular and especial attention to this point—[see *Appendix XVI*],—but the prisoners' work is measured by a staff of professional officers, employed for the purpose, who act quite independently of the regular discipline staff, and whose measurements are priced out in money, and afford a check and test of the correctness of the assignment of the marks of industry.

Checks to ensure fair award

by officers;

by measurement of work;

by cards
supplied to
prisoners :

Every prisoner is furnished with a card—
[see *Appendix XVII*], on which, periodically, his
earnings in marks are recorded, and if he feels
himself unfairly dealt with, he has free right
to complain, and his grievances are investigated.

furnishing
record of pro-
gress towards
higher class
and liberation.

In this manner, day by day, week by week,
and year by year, he can count and record the
progress he is making towards an advance in
class, in accumulation of money, and towards
conditional release; and he is made perfectly
to see and feel that his fate is in his own
hands, and that he has a some thing to work
and to hope for, more than the mere avoidance
of punishment.

Female con-
victs treated
in the main
on the same
principles.

The course followed with regard to the
female convicts is in the main the same as I
have described with more particular reference
to the men. They may earn, however, a larger
proportion of remission, viz., one third of
their whole sentences; and to those whose good
conduct and character justifies the hope of com-
plete amendment, a further advantage is held out
by their being allowed to pass the nine months im-
mediately preceding the term of their release in
the "Refuges"—[see *Appendix II*—]—established
and managed by private effort, assisted by con-
tributions from the Government, which have
been already referred to. These "Refuges"

"Refuges"
for female
convicts.

are not prisons either in appearance or in discipline—they are *homes*, and are intended to afford the advantages of a treatment approaching in its characteristics to that of home influence. In 1872 there were three “Refuges” for female convicts authorized by the Secretary of State:—the Carlisle Memorial Refuge at Winchester; the Westminster Memorial Refuge at Streatham, for Protestants; and the Eagle House Refuge at Hammersmith (now at East End House, Finchley), for Roman Catholics. There are now only two, the first-named having been closed in October, 1881. 158 women passed through these “Refuges” in 1881, out of a total of 291 who were discharged from sentences of penal servitude.

It is at the conclusion of all this course of discipline, punishment, and reformation, when the prisoner is again to be thrown on his own resources, and left to his own guidance to face the trials and meet the temptations to which he has before, once or oftener, succumbed, that the greatest difficulty confronts those who hope that they have caused a prisoner, either by fear or reformation, at least to wish to do well on his release.

Great difficulty in disposing of liberated prisoners.

In Great Britain there are two influences brought to bear on a discharged prisoner

Influences bearing on them.

Police
Supervision.

Firstly, he is placed for a limited time under the Supervision of the Police, to such an extent as to satisfy them that he is not falling again into a career of crime, or, in case he should do so, to ensure his being speedily remitted to undergo further discipline in prison.

resulting
from condi-
tions of release

The supervision referred to may result from the conditions under which he is licensed to be at large—[*see Appendix XVIII*]
—or from the provisions of the “Prevention of Crimes Act 1871,” which permits the judicial authorities to impose certain restrictions and liabilities on persons twice convicted, as specified in Sec. 8 of that Act.—[*See Appendix XIX*].

or from sen-
tence of court.

Personal
record of
criminals.

It is obvious, that to enable supervision to be effectually carried out, and to ensure, so far as possible, that an old offender should, on re-conviction, be recognized as such, it is necessary to have a good and complete personal record of the members of the criminal classes, accessible to all police forces and courts of justice.

“Register of
Criminals;”

With this view, the “Habitual Criminals Act 1869” directed the formation of a register of criminals. The number of persons registered accumulated so rapidly, when all cases were entered in it, that the register was becoming almost useless from its bulk, and it

was, moreover, not generally so accessible as desirable, as it remained only in London. In 1876, therefore, it was determined to confine the Register to prisoners of the class described in Sections 7 and 8 of the "Prevention of Crimes Act 1871."

commenced
in 1876.

The Register (which is printed by convict prisoners) is now circulated to all police forces and prisons all over the kingdom. The first volume, published in 1876, embraces the period from 11th December, 1869, to 31st March, 1876, and contains the names of 12,164 persons, with 21,194 convictions recorded against them, and the detailed personal description of each one of them. Similar volumes, in continuation, have been published annually.

How printed,
circulated,
and

published.

By means of the annual volumes the police authorities have at their command, in a most convenient and useful form, all information necessary to establish a *primâ facie* identification of any person suspected of being an habitual criminal, and are thereby able at once to procure direct from the locality or the prison where he is known, any further information, evidence, means of identification, photographs, &c., required.

Volumes
annually
issued afford
all necessary
information.

It is believed that a list of this character is the first attempt of its kind to furnish generally,

First list of
its kind.

to all police bodies and others, information, complete and readily accessible, respecting the class of prisoners against whom they are carrying on their operations.

“Distinctive
Marks
Register.”

In addition to the foregoing, there has been issued a “Distinctive Marks Register,” by which the police, when in doubt of, or unable to ascertain the name of, a person in custody, are enabled to trace his antecedents, from the fact that, in a vast proportion of cases, the habitual criminal carries on his person marks which afford a certain clue to his identity.

Two distinct
means of
identification.

These two books give, in the fullest manner, and by two entirely distinct means of identification, the particulars necessary to assist the police in their attempts to check the habitual criminal in his career.

Examples.

In Appendices XX and XXI will be found examples of both these books, and in Appendix XXII the instructions issued to ensure the accuracy of description are shewn.

Discharged
Prisoners’
Aid Societies.

Secondly, he is offered the assistance of private Societies, established expressly for the purpose of aiding discharged prisoners in their efforts to maintain themselves by honest labour.

High import-
ance of these
societies.

The assistance of discharged prisoners is a work of charity which, for every reason, it is

desirable to encourage and develop, for nothing can be imagined more hopeless than the condition of a man, cast out on the world with a ruined character and without friends to help him, surrounded by temptations from which he has been long removed, or open to the influences of former evil associates.

The Government, feeling that a work of this nature is one which ought to be carried out by private efforts, look with great favour on these societies; and, in fact, in every reasonable way, so far as they judiciously can, encourage prisoners to take advantage of their aid.

Government encourages these societies.

For centuries Great Britain has taken advantage of various waste lands of the globe to deport to them her criminal population, effecting thus the double object of developing countries which, but for such aid, might never have been the seats of such thriving communities as now exist there, and at the same time achieving the object of preventing the formation of a criminal class in this country; whilst as regards the criminal himself, who, so long as he remained in England, would have found it difficult to be anything but a criminal, he found himself placed in such a position that by industry and honesty he would surely gain an ample reward, and where crime offered less inducements than a steady and respectable life.

Preventing the formation of a criminal class, especially since transportation has been abolished.

This resource has, since 1867, been lost to us, and the formation of Prisoners' Aid Societies is one of the means by which we may avert such consequences as are referred to in the evidence given before the Committee on Prisons and Punishments in 1847.

Number of convicts assisted by Discharged Prisoners' Aid Societies in 1871 and 1881.

In the Reports of the Directors of Convict Prisons will be found, for some years past, the number of prisoners whom the Discharged Prisoners' Aid Societies have assisted to obtain employment. During the year 1871, nearly, and in 1881, more than, half the male prisoners who were discharged, and, at the same periods, more than two-thirds of the females, were assisted in this manner.

Returns on subject.

At pages 45 and 46 will be found returns of the number of male and female convicts, liberated during the year ended 31st March, 1881, shewing those who went to the various Discharged Prisoners' Aid Societies and Refuges throughout Great Britain.

RETURN OF THE NUMBER OF MALE CONVICTS LIBERATED DURING THE YEAR ENDED THE 31ST MARCH, 1881,
shewing those who went to Discharged Prisoners' Aid Societies.

Prisons.	Discharged Prisoners' Aid Societies.															Of the Total Number assisted		Of the Total number liberated						
	Aberdeen	Birmingham	Bristol	Cheshire	Derby	Devizes	Dundee	Edinburgh	Glasgow	Gloucester	Kirkdale	Leeds	Liverpool	London (Royal Society for the Assistance of Discharged Prisoners)	Manchester	Newcastle-on-Tyne	North and South Stafford	Warwick	Wolverhampton	Total number assisted by Aid Societies	Total Number liberated during the year	had previously been to an Aid Society	had not previously been to an Aid Society	
Borstal	8	4	2	1	1	1	1	1	1	1	1	1	1	35	4	—	2	2	2	71	2	69	2	161.
Brixton	1	—	1	—	—	—	—	—	—	—	3	—	—	11	1	—	—	—	18	2	16	5	19	
Chatham	6	1	—	—	—	—	2	3	5	—	8	—	—	46	11	—	—	—	82	12	70	20	129	
Dartmoor	1	8	4	—	—	—	3	1	—	—	11	—	—	70	22	—	1	—	124	14	110	27	185	
Milbank	—	—	—	—	—	—	—	—	—	—	—	—	—	19	—	—	—	—	19	1	18	8	46	
Parkhurst	4	4	1	—	—	1	1	2	1	2	10	—	—	39	19	—	3	—	87	8	79	15	113	
Pentonville	1	3	1	—	—	—	—	—	3	—	3	—	—	44	3	—	—	2	60	10	50	27	90	
Portland	12	14	4	—	—	—	2	2	16	1	17	—	—	89	14	—	2	—	181	25	156	33	244	
Portsmouth	7	3	5	—	—	—	5	1	12	—	17	—	—	100	17	—	6	—	173	16	157	32	240	
Woking	3	2	1	—	—	—	1	1	4	—	5	—	—	43	7	—	—	—	72	8	64	12	73	
Wormwood Scrubs	2	1	1	—	—	—	2	—	—	—	1	—	—	27	2	—	2	—	38	2	36	4	74	
Totals	3	54	32	20	—	1	16	13	42	5	82	—	—	528	100	—	16	2	11	925	100	825	185	1374

RETURN OF THE NUMBER OF FEMALE CONVICTS LIBERATED FROM CONVICT PRISONS DURING THE YEAR ENDED THE 31st MARCH, 1881, SHOWING THOSE WHO WENT TO DISCHARGED PRISONERS' AID SOCIETIES AND REFUGES.

PRISONS	Discharged Prisoners' Aid Societies.							Of the Total Number assisted		Of the Total Number liberated		Refuges			Total Number to Refuges
	Royal Society for the Assistance of Discharged Prisoners, 39, Charing Cross	Mrs. Kerewick's Home, Vauxhall	Manchester & Salford	Birmingham	Mine Elms	Mission to Women discharged from Prison	Total Number assisted by Aid Societies	had previously been to an Aid Society	had not previously been to an Aid Society	had previously been to an Aid Society	had not previously been to an Aid Society	Battery House	Russell House	East End House	
Fullham ..	10	2	1	1	—	—	14	—	14	88	24	22	8	64	
Millbank..	—	—	—	—	2	—	2	—	2	10	2	2	—	4	
Woking ..	1	—	—	1	—	10	18	1	17	193	25	19	56	100	
Totals ..	11	2	1	2	2	16	34	1	33	291	51	43	64	158	

A report, furnished in 1872, by Mr. W. Bayne Ranken, Honorary Secretary of the Royal Society for the Assistance of Discharged Prisoners, will serve to elucidate the principles and results of the work these societies perform.

Report of Mr. W. Bayne Ranken.

“Of the men assisted we continue to receive, not only until the expiration of their licence, but in many instances long afterwards, most satisfactory reports.

Prisoners assisted, with satisfactory results ;

“It cannot be denied that, among the large number of discharged prisoners aided by us, certain cases have proved unsatisfactory ; but as far as we know, the vast majority of persons we have assisted have entered on, and been established in, a respectable course of living.

“With regard to women, we are particularly fortunate, and not only have many women obtained respectable situations through the instrumentality of our Society, but have evinced their thankfulness by writing most grateful letters, and calling from time to time at our office to express their obligation to the Society, bringing, in more than one instance, contributions from their scanty wages, to ‘help some other poor thing.’

particularly with the women.

Course of proceeding with the Society.

“With regard to the men we help;—on their arriving at our office they are questioned as to their prospects and wishes for the future; are furnished (from the gratuities they have earned in prison, which are paid at their own request into the hands of the Society) with pocket-money, and provided with suitable clothing; they are placed, if remaining in London, in respectable lodging-houses known to the Society’s agents, and then every effort is used to get them respectable and suitable employment; many are sent to join their relatives and friends, when they have any who are respectable, and who are ready and willing to assist them. Some obtain berths on board ship, and many get work of various kinds in the Metropolitan District.

“It is, in my opinion, most undesirable to dwell too much or enter too fully into the description of work such men obtain, or give publicity to the names of the large employers of labour who are kind enough to aid these unfortunate persons. Any such knowledge can always be obtained by an inspection of the Society’s books, which are always to be seen at the office, 39, Charing Cross.

Prisoners aided and visited periodically by the Society.

“The men employed in the Metropolitan District are visited periodically, by agents of

the Society, and a daily report is made by these agents, of the cases they have visited the previous day. These reports are verified by the Secretary. A correspondence is also kept up with the Chief Constable of any place to which a man is sent beyond the Metropolitan District, and communications respecting him opened with any Magistrate or Clergyman likely to interest himself on his behalf.

“ The diminution of crime, in my opinion, is owing in a considerable degree to the efforts of this Society, and still more to the strict discipline now maintained in convict prisons, which renders men who have once been convicted to penal servitude most unwilling again to run the same risk.

Causes which have led to diminution in crime.

“ At our office our clerk and agents are constantly told by discharged prisoners that they will do *anything* to avoid going back to prison ; nine-tenths of them say so now, whereas a few years ago they made comparatively light of the prospect of future imprisonment. The two deterrent causes work admirably together :— the dread of re-conviction, the assistance to avoid it and to enable the men to become honest if they really wish to do so. They have now every reason to avoid crime, every

Evidence of prisoners of the deterrent effect of the punishment.

inducement to try and earn a respectable livelihood.”

Having thus given a general view of the course a prisoner goes through in fulfilling a sentence of penal servitude, I will enter more fully into the manner in which some parts of it are carried out.

Reformatory influences of industrial training.

It has for many years been an established principle in English Convict Prisons to endeavour to instil into the convicts habits of industry, to develop their intelligence by employing them on industrial labour, and to facilitate their entering the ranks of honest industry on their discharge, by giving them facilities for acquiring a knowledge of trades. These objects are fortunately conducive to another very desirable result, viz.,—that of making the prisons self-supporting in various degrees.

Three objects of industrial work in prisons.

The employment of prisoners may be made to conduce to any or all of three objects: firstly, to create a deterrent effect on the prisoner himself and on the criminal class; secondly, to produce a reformatory effect on the prisoner himself; and, thirdly, to recoup, as far as possible, the cost of maintaining the prison.

The following remarks, made by Lord Carnarvon, in his address to the Prison Congress of 1872, indicate clearly the relative importance of these objects :—

Views of high authority against prison earnings being made test of success of prisons.

“ But there is a school which holds—and I believe the opinion to be as dangerous as it is attractive—that all prison labour ought to be remunerative, and that the great, if not the primary, object of a prison is to make it self-supporting. But, as was stated by the House of Lords’ Committee in 1863, whatever may be the actual incomings from prison work, ‘ a profitable return from industrial employment ought not to be made the test of prison efficiency.’ If, indeed, it were so considered, it must lead to a relaxed discipline, and an injurious influence on the mind of the prisoner. Where, indeed, the sentence is of sufficient length, it may have the happiest effects upon the offender ; but it ought to follow upon the harder and more penal labour, and ought not to be made the equivalent for it. Whilst on this subject, I will only add that the actual profits of industrial work must necessarily vary with the circumstances of different prisons. The use of machinery, the state of the neighbouring markets, the class of prisoners, the particular employments, the number of men available, and the consequent power of sub-

dividing them for the purposes of work, are all-important conditions; and in proportion as they are wanting, the less productive and profitable will the returns be."

Prison labour
liable to dis-
advantages.

Prison labour, considered as a source of profit, is liable to certain considerable disadvantages, arising—from the individual peculiarities of the prisoner class—the absence of the ordinary stimulus which operates on men in a state of freedom, and—the inconvenience and prejudice against Government trading.

Large number
of prisoners
unable to earn
a livelihood.

A large number of prisoners are persons who are absolutely unable, or find it extremely difficult, through mental or physical incapacity, to earn their livelihood, even under favourable circumstances. In Appendix No. XXIII will be found the result of a Medical Census of the Convict Prisons on 4th April, 1881, giving an analysis of the mental and physical condition of the Convict Prison population, and with remarks by Dr. Gover thereon, shewing, among other things, their condition as to fitness for labour, and of mind and body. These returns shew the large proportion of prisoners who, on account of these conditions, would be, even if out of prison, in a greater or lesser degree, a charge on the public; it is hopeless, therefore, to expect them to repay by their labour any considerable portion of the cost of their custody

and maintenance in prison. On this subject some further useful information will be found in a pamphlet by Dr. Guy, entitled "Results of the Censuses of the Population of Convict Prisons in England, taken in 1862 and 1873."

Prison labour must always be carried on under the disadvantage of being without that stimulus to industry which is afforded by the prospect of *immediate* resulting benefit. The prisoner is, of necessity, housed, clothed, and preserved, at least, from suffering from want of food, and modern feelings of humanity have, in fact, led to his being, in these matters, placed in a better position than many who have not forfeited their liberty, and who are dependent for the daily supply of their necessities on their daily exertions.

The stimulus of *immediate* gain to the worker absent in prison.

In some foreign countries, where great importance is attached to the object of making the prisons pay, the prisoners are allowed to draw and to expend a certain portion of their earnings on various small luxuries, such as additional and better food, tobacco, etc.; a certain other portion is set aside for them on their discharge, and the Government takes the remainder. In Convict Prisons in England a prisoner was at one time allowed to profit, more or less immediately and directly, by his

Public opinion averse to the award of any such stimulus, as better food, &c.

industry, by obtaining more or better food in prison, and a larger sum of money on discharge. This gave rise to a great deal of hostile criticism. It was said that prisoners might enjoy luxuries, such as food, which many an honest poor man had to deny himself, and that this, with the fact of his being, on discharge, in possession of a sum of money which an honest hard-working labourer would be unable to accumulate, led to a comparison favourable to a dishonest instead of an honest career. Public opinion, therefore, demanded that prisoners throughout their sentence should have only the barest necessaries in the way of food, and just sufficient money on discharge to enable them to maintain themselves while seeking employment, purchasing tools, &c.; and this sound principle was adopted by a Royal Commission which, in 1863, inquired into the subject of prison management, and has been carried out by the direction of the Government.

Small advantages we can offer as incentives to industry.

The only stimulus, therefore, we can offer to a prisoner, is that of gaining by his industry a remission of some portion of his sentence, of improving his prison class, or that of punishing him if he is idle. Even with these means, however, we are able, by steady supervision, to obtain very good results, as I shall be able to show. But there are prisoners, chiefly the

habitual class, who sometimes prefer any punishment which involves a partial relief from labour to the steady industry required on the public works.

The Government is always subject to a great deal of pressure in opposition to its undertaking to manufacture for itself, and still more if it manufactures for the market; and when these manufactures are carried on by prison labour, a certain specious objection is made on the ground of their thereby competing with free labour, and lowering the wages of free workmen. Of course this is utterly unreasonable; but, nevertheless, it has a considerable effect. The particular trade which happens to suffer from the competition of prison labour is naturally loud in its outcries, and can always find active advocates; and, on the principle that everybody's business is nobody's business, this agitation is not counterbalanced by a corresponding agitation on behalf of the public, and in aid of those who act in the public interest. The customs of trade societies are also adverse to the action of Government in this way.

Competition with free labour alleged as a reason against industrial employment of prisoners.

It is so obvious as hardly to require stating, that, as persons who are earning a livelihood while free are competing with somebody or other, so it is perfectly reasonable that they

Fallacy of this argument.

Limit of
judicious em-
ployment of
prisoners in
manufacture.

should work, and therefore compete equally after being put in prison. There is, however, some limit to the degree in which prisons should be converted into manufacturing establishments for the public market. I doubt whether such employment should be carried on as requires the purchase, from public funds, of a large and expensive plant and machinery, the value of work done by which would bear a great proportion to the value of the prisoners labour, because in such a case it is not merely competition against prison labour, but against Government capital. Many of the disadvantages which attend the system of making prisons into manufactories are avoided by performing in them work required by the Government, either central or local; and certainly work of this kind should be preferred to any other.

How deterrent
and reforma-
tory objects
are combined.

The most practical way of achieving the three objects to be attained by the industrial employment of prisoners, viz., to deter them by its penal character—to reform them by its operation on their moral feelings—and to contribute towards the expenses of their maintenance, is to divide the period of punishment into different stages, during one of which the penal or deterrent object should be principally considered: during the other, the refor-

matory and pecuniary may prevail in various degrees.

The most effective continuous punishment (besides loss of liberty) which can be inflicted on a prisoner consists of strict isolation from the social enjoyment and companionship of his fellows, diet reduced to the barest necessities, deprivation of all the comforts and luxuries which men of the prisoner-class usually allow themselves, such as tobacco, drink, &c.,—and among these I may mention the comfort to many among them of being slovenly, for many of those who visit our prisons remark on the cells as being so “clean and comfortable,” whereas many prisoners, if they expressed their ideas on the subject, would call them “clean and uncomfortable.”

The most effective deterring punishment.

In addition to these is the punishment of hard, dull, useless, uninteresting, monotonous labour. It is necessary to resort to this for its penal effect. There is, nevertheless, a limit to the time during which a prisoner can be advantageously subjected to it, for it is decidedly brutalizing in its effects. To men of any intelligence it is irritating, depressing, and debasing to the mental faculties; to those already of a low type of intelligence, it is too conformable to the state of mind out of which it is most desirable that they should be raised.

Strictly penal labour;

limit necessary;

not usually
enforced in
Convict
Prisons.

Labour on cranks, &c., being a purely penal employment, is not carried on in Convict Prisons as part of the ordinary course, but if a prisoner persistently misconducts himself he may, if it is considered suitable to his case, be, for a limited time, employed at turning a crank.

In short sen-
tences not
much time for
reformation.

For those prisoners in Local Prisons whose sentences are very short, there is obviously not time to do much in the way of reforming by the influence of labour, and the exclusively penal stage will occupy the whole of their time in prison.

First class
hard labour;

duration,

Under the "Prison Act 1865," which applied only to prisons where sentences of imprisonment not exceeding two years were carried into effect, the justices were empowered, and almost encouraged, to employ prisoners at tread-wheel, &c., during the whole of their sentences, and they were obliged to so employ them for the first three months. Under the "Prison Act 1877" the minimum period is reduced to one month.

and character.

In some rules drawn up in 1870, by the Directors of Convict Prisons, for military prisoners undergoing short sentences under their management, and in the Rules for Local Prisons, drawn up in 1878, under the authority of

the "Prison Act 1877," it is provided that during the first month the strictest penal labour shall be enforced, such as crank, pumping, tread-wheel, &c., which, in the "Prison Act 1865," is styled "First Class Hard Labour." During the remainder of the sentence more interesting labour is allowed, but always in isolation. It is in this latter period that the problem of providing employment which shall fulfil the necessary conditions, and yet be remunerative, presents special difficulty, for it is obvious that for the most part it must be such as can readily be acquired by unskilled persons, and it must also be such as can be carried on in isolation.

Difficulty of providing remunerative yet suitable employment.

If a prisoner has any knowledge of a trade which can be followed in prison, he is, if circumstances permit, assigned to such labour, for then the public profits, while the prisoner preserves his skill, and those prisoners who shew an aptitude and a desire are selected, when opportunities offer, to learn any trade which is followed in the prison. It is obvious that the number of trades which can be followed in prison is very limited, and if possible the work should be such as cannot be equally well performed by machinery. Prison labour now supplies everything that can possibly be made by it for the prison service, such as clothing of all descriptions, bedding, cell furniture, cooper-

Trades in Convict Prisons.

age, officers' uniforms, baskets, printing, book-binding, cooking, baking, washing, &c. The manufacture of hammocks, seamens' bags, boarding bags, coal sacks and bags, signal cones, baskets, hand hones, mail bags, stamping pads, labels, twine, ships' fenders, boots, uniforms, knitted articles, hearth rugs, mats and matting, anchor ranges, tinware, and register stoves, is carried on for other Government departments.

Matmaking.

Before the "Prison Act 1877" transferred all Local Prisons to the Government, mat-making was carried on in a very large number of prisons in England; in fact, so generally, that the prisons actually competed with one another for custom in this trade. A very considerable reduction has since been made in the proportion of prisoners so employed. In many of these prisons no earnings were made at all.

Various employments in Local Prisons

A great variety of employments has since been introduced in Local Prisons, and they now manufacture cotton, linen, woollen and jute articles: sacks, bags, ships' fenders, and nosebags; hemp opening, firewood chopping, cotton, hair, and wool picking, paper sorting, and sugar chopping, are also undertaken. Besides all these, hearth rugs, mats, mattings, bags, baskets, -slippers, rope and twine, are made for other public departments, and rugs, mops, brushes, furniture, articles of cooperage,



belts, blankets, woollen cloths, sheetings, shirtings, handkerchiefs, calico, canvas, dowlas, towels, clogs, pattens, boots and shoes, socks and stockings, baskets, and tinware, are made for the prison service. Bookbinding and repairing are also carried on. The whole of the uniforms for officers are cut at one prison and the materials distributed to other prisons to be made up.

The following are some of the employments carried on in those Convict Prisons in which the prisoners are kept in isolation for a period of nine months, and the average daily value of their labour, ascertained by measuring their work and assigning trade prices to it:—

Employment during the first or separate stage in Convict Prisons.

	Average earnings per day.				Earnings of various trades.
	s.	d.	s.	d.	
Tailoring	1	4	to	2	9
Shoemaking	1	3	,,	1	11
Matmaking	0	7	,,	0	10
Weaving	0	10	,,	1	0
Knitting	0	3	,,	0	5
Oakum-picking	0	0½	,,	0	0¾
Needlework	0	5	,,	0	8
Basketmaking	1	2	,,	1	4

Though it cannot be claimed that the problem of finding remunerative labour for prisoners in this stage has been fully solved, yet it may be hoped that what has just been said will show that great progress has been made towards finding employment which plays its part as a moral reformatory agent on those who unfortunately are subject to prison discipline.

Prison labour does not pay* the cost of the prisons in this stage.

Employment
in regulated
association in
Public Works
Prisons better
in all ways.

In our Convict Prisons, after the nine months' labour in isolation has been passed, prisoners are transferred to other establishments, styled Public Works Prisons, where they work in regulated association. As the conditions under which they work in this stage more resemble those which prevail outside, it is obvious there is more chance of finding suitable work, and of its being such as may be useful to them on the conclusion of the sentences, of their being taught useful trades, and of the work being made to pay. For large numbers outdoor employment is found, and this is best in every way; it is healthiest both for body and mind, and it is the more appropriate to the circumstances, as generally it requires less skill.

Bad system in
force many
years ago.

Some years ago the convicts in England were employed in jobbing work about the dock-yards; they worked in chains, scattered in gangs over the yard, and a great deal of the work was mere brute labour, such as dragging heavy loads, which would have been done far better and cheaper by horses. Such work is neither reformatory nor remunerative. Great improvements have since then been made in our system, and in Appendix I, already referred to, will be found copies of despatches, giving a relation of the circumstances which, about 1849, led to a re-consideration of our practice in dis-

Circumstances
which led to
our further
course of prac-
tice in 1849.

posing of our convicts, and especially that part of it which relates to their employment.

The system then inaugurated at Portland, of executing large public works by means of prisoners' labour, is the best that has yet been devised. It furnishes them with the means for practising and acquiring a variety of trades which will be useful to them on their discharge; an advantage which is largely made use of, and so highly appreciated by the prisoners, that the acquisition of a trade or employment in one is an object much sought after by them, and constitutes a means of rewarding those who shew themselves worthy of it. The moral effect of such employment is, as has been already stated, greater, and therefore more likely to make the prisoners fall into habits of useful industry than if they were always employed at work which must present itself in the most repulsive form to their minds; and important works may sometimes be executed by this means, which the public might not be always willing otherwise to undertake, though all can understand the advantages the nation may derive from a judicious utilization of the labours of men who have to be maintained at the public expense, whether usefully or uselessly employed.—[See *Appendix XXIV, containing extracts from the Report of the Penal Servitude Acts Commission, 1879.*]

Great advantages of employing convicts on large Public Works,

both to the prisoners

and to the country.

Value of
labour done by
Prisoners on
Public Works.

The value of the labour of the convicts at Portland, Portsmouth, Chatham and Chatten- den, and at Borstal, during the year 1880-81, amounted to £124,024, exclusive of the value of any work which they performed for the mere carrying on of the prison, such as baking, cooking, washing, repairing clothes, and so on, all of which are of course done by prisoners. The cost of maintaining these prisons in 1880-1 was £147,627, in which sum is included the cost of maintaining those prisoners who, from sickness or from being under special punishment, or for other reasons, added nothing to the earnings; and it includes also the cost of conveying the convicts under escort to the prisons, and removing them on expiration of their sentences, and the amount of gratuities paid to them to maintain themselves while seeking employment on discharge.

Great care
taken that the
value of the
work should
be truly
stated.

The greatest care is taken that the earnings should be correctly calculated and truly stated. A staff of men is employed, whose business it is to measure the prisoners' work. A schedule of prices for the labour has been formed (not by the Convict Department alone, but in conjunction with the Admiralty and War Departments), which correctly represents the amount which would be paid by those departments to a contractor, if they hired from him labourers to

do the work which the convicts do. The work is measured and then priced out at the rates given in the schedule, and an abstract, given as fully as possible, is published every year in the Report of the Directors of Convict Prisons. *

The importance of the public works executed by convicts since the system was introduced, is exemplified at Portland, where this labour has been employed in quarrying the stone for the construction of the breakwater, a stone dam in the sea, nearly two miles in length, and running into water fifty or sixty feet deep; they have also executed the barracks and the principal part of the works of defence, batteries, casemates, &c., on the island, which may be considered impregnable to any mode of attack except blockade and starvation of the garrison.

Portland
Breakwater
and Fortifi-
cations.

In executing these works, every variety of mechanics' work necessary in building or engineering has been executed by convicts—quarrying, and dressing, and placing the stone, all sorts of carpentry, casting and forging iron-work, and so on. The large and extensive plant has also been made by the convicts, and kept in repair, including the construction of

Great variety
of mechanics'
work they
afford.

* NOTE.—In Appendix XXV is given a valuable paper by Captain Percy Smith, R.E., on the relative value of civilian, convict, and soldier labour: also extracts from evidence given at the "Penal Servitude Acts Commission, 1863 and 1879," and at the "Committee on the Employment of Prisoners, 1882," respecting the value of the labour of convicts as compared with that of free men.

the large cranes and derricks in the quarries, and the laying of the rails for the quarry waggons to run upon on their way to the place for delivery of the stone.

Enlargement
of Chatham
dockyard.

The extensive works which have been undertaken of late years at Chatham and Portsmouth, for the enlargement of these dockyards, have been largely carried out by convict labour. At Chatham, the addition to the dockyard covers a space of 430 acres, which is four times the extent of the old dockyard. It occupies the site of St. Mary's Island, the channel which separated the island from the mainland furnishing the position of the three basins, viz.—the "Repairing Basin," 21 acres—the "Factory Basin," 20 acres—the "Fitting-out Basin," 28 acres. The bottom of the basins is twelve feet below the old river-bed, and thirty-two feet below St. Mary's Island. The latter—which was formerly much intersected by creeks, and nearly covered at high water—has been raised about eight feet by tipping and spreading on it the earth excavated out of the basins &c. The whole island has been drained and surrounded by a sea-wall and embankment 9,200 feet, or nearly two miles, in length, principally executed by convict labour.

In carrying out these works, the prisoners have been employed in excavating, pile-driving

and concreting, for the foundations ; brick-laying, concreting, stone-dressing and setting, in connection with the construction of the basin walls and entrances ; removing the earth from the area of the basin by means of waggons and incline planes, barrow roads, barrow lifts, and tipping waggons ; loading and unloading materials ; plate-laying ; attending standing and locomotive engines.

The basin walls (which shew a height of thirty-nine feet from the bottom of basin to the coping) have a height of fifty feet altogether, from the foundation gravel or chalk.

At Portsmouth similar operations have been performed by prisoners in making the large extensions of that dockyard, besides a vast quantity of preliminary work, such as demolishing the old fortifications.

Similar work at Portsmouth dockyard.

The bricks used in these works have been made by convicts, to the number of 313,242,260, and the Portland stone required has been raised and worked by the convicts at Portland Prison.

Work of a proportionally still higher pecuniary value has been done for the Convict Department; in the building of new prison

Erection of Convict Prisons.

accommodation, which has been rendered necessary on account of the prisoners who would have been transported having now to be retained in prisons in England; and for the improvement of prisons built on imperfect models. Since 1863, prison accommodation in cells for 4,294 prisoners has been erected entirely by convict labour, with a number of accessory buildings, quarters for officers, and so on. The actual cost to the Government of buildings erected for the Convict Department, between 1863 and 1882, has been £311,200; the same work done by contract would have cost £553,200, shewing a clear gain by convict labour of £242,000, in this comparatively small department of their labour. In these works, the bricks were made, stone was quarried and dressed, timber sawn, and iron cast, forged and wrought from the raw state by prisoners: one thing (but almost the only one) we have bought ready-made, and that is the locks.

Gain shewn by the actual cost of these buildings, compared with that of others if erected by contract.

Additional prison accommodation by convict labour

Among these works the largest are—a prison at Woking for 700 women; at Borstal for 500 men, and at Wormwood Scrubs for 1052 men; also new wings to the prisons at Chatham (500 cells), and Portsmouth (200 cells); Dartmoor (272 cells), and an extension of an existing wing (161 cells); Parkhurst (215 cells), and Brixton (306 cells). At Pentonville an addition

of 327 cells was made under rather peculiar circumstances. The ground space was so restricted that the only way to add to the prison was by raising the roof and adding a storey; and as we were much pressed for room, this had to be done while the prisoners continued to inhabit the prison.

I have said that all the mechanics' work of these buildings is done by convicts. It must not be supposed that we find these mechanics ready to our hands among the prisoners. Out of 9,107 prisoners in custody on 1st July, 1882, 3,914 were employed at trades, or 82·6 per cent., and 3,235 acquired their skill in the prison. Men thus employed will, it is hoped and believed, be less likely to relapse into crime on their discharge, as they will have full opportunities of pursuing an honest calling. The governors of prisons call attention to the great desire exhibited by the prisoners to acquire a knowledge of trades, so many being anxious to learn that it is made a privilege to be obtained only by good conduct. Moreover, it is reported that the cases of misconduct are much fewer among those prisoners employed in trades than among those who are employed jobbing about, although the latter is much the easier work.

Large number
of mechanics
who learnt
their trades
in the prisons.

Return of
Trades.

The following return shews the extent to which employment in trades is carried out in the Convict Prisons, and the variety of mechanics' work followed and taught:—

Number of convicts in prison, 1st July, 1882,
—9,107.

TRADE	Followed before Reception	Learnt in Prison	Total employed at Trades &c.
Bagmakers	1	17	18
Bakers	18	51	69
Basketmakers	3	41	44
Bellhangers . . . . .	..	2	2
Blacksmiths	33	33	66
Boilermakers	1	..	1
Bookbinders	5	29	34
Bricklayers	45	187	232
Brickmakers	1	2	3
Carpenters	92	151	243
Chairmakers	1	..	1
Chimneysweeps	2	8	10
Cooks . . . . .	..	97	97
Coopers	3	3	6
Coppersmiths . . . . .	..	1	1
Engineers, mechanical	4	..	4
Engine Drivers	5	12	17
Fitters, engine	7	4	11
Fitters, gas, &c.	12	16	28
Fitters, iron	3	2	5
Fitters, ordinary	12	13	25
Flax Dressers	1	10	11
Galvanizers . . . . .	..	1	1
Gardeners	10	84	94
Grinders	3	..	3
Knitters . . . . .	..	251	251
Locksmiths . . . . .	..	1	1
Masons	45	68	113
Matmakers . . . . .	..	51	51
Moulders	3	..	3
Moulders, brass	1	..	1
Moulders, iron	14	9	23
Painters	35	24	59
Paperhangers	1	..	1
Plasterers	18	5	23
Platelayers	3	104	107
TOTALS CARRIED FORWARD . . .	382	1277	1659

TRADE	Followed before Reception	Learnt in Prison	Total employed at Trades, &c.
BROUGHT FORWARD	382	1277	1659
Plumbers	6	4	10
Polishers, French	2	..	2
Printers	8	34	42
Riggers	2	13	15
Sail or Hammockmakers	2	67	69
Sawyers, stone	..	91	91
Sawyers, wood	13	39	52
Ships' fender makers	..	10	10
Shoemakers	85	482	567
Slaters	10	10	20
Smiths	2	1	3
Stonecutters	26	364	390
Strikers	15	59	74
Tailors	109	634	743
Tailors' repairs	..	31	31
Tinsmiths	10	19	29
Turners	2	3	5
Washers	..	7	7
Weavers	2	86	88
Wheelwrights	3	4	7
TOTALS	679	3235	3914

Considering that the men have to be taken as they come, many quite unaccustomed to work, that they have no pay, that the necessities of safe custody tend to a certain loss of time actually at labour, and that, for the same reason, the men must work in gangs, it occasionally happens that labour must be wasted, the value of their labour cannot be considered unsatisfactory.

Some comparisons made by Captain Harvey, in 1867, between a gang of twenty free labourers working in Portsmouth Dockyard, and

Comparisons of conditions of free labourers and convicts made by Captain Harvey.

a gang of twenty convicts working near them at the same labour, shew very clearly the difference in the material we have to deal with, and the difference in the results.

Result of the comparison.

The twenty navvies were brought up to that work, and, excepting three hodmen, had never done any other. Only two of the gang of convicts had been navvies before; the rest were stokers, sailors, hawkers, spinners, drivers, coal-whippers, etc. The navvies averaged 35 years of age, were 5 feet $7\frac{1}{4}$ inches in height, $36\frac{1}{3}$ inches round chest, and weighed, on an average, 155 lbs. The convicts averaged $28\frac{1}{2}$ years of age, 5 feet $5\frac{1}{2}$ inches in height, $34\frac{1}{2}$ inches round the chest, and weighed, on an average, 132 lbs. The gang of navvies drank 413 pints of fluid in a week—a good deal of this was beer, no doubt. The gang of convicts drank 285 pints—nothing stronger than tea or cocoa. The navvies ate 10,808 lbs. of solid food; the convicts ate 6377 lbs. In physique and skill the navvies, therefore, were immeasurably superior to the convicts, and their diet was greater, and possibly more than absolutely necessary; further, from the requirements of regularity and security, the convicts were a shorter time actually at labour. The earnings of the navvies at day-work was 3s. 3d., the convicts 1s. 11d., or nearly two-thirds of

what the navvies earned, which, it will probably be admitted, is as much as could be expected.

The comparison bears upon another point which has sometimes been raised in connection with proposals for the useful employment of prisoners, viz.,—whether or not prisoners should be employed at the trades which they have followed before conviction. My own desire is, and our actual practice is, that they should be so engaged, as far as practicable, when not performing strictly penal labour. But practically, it is not possible to carry out the rule at all generally, because many of the occupations followed by prisoners outside are not such as are possible in prison, such as shopkeepers, servants, hawkers, drivers, miners, and many others, and many of those which might be carried on would require the provision of tools, special workshops, and so on, which it would not pay to establish without the certainty of providing a continual current of men through the prisons to carry on the trades in question.

Prisoners employed as far as practicable at their own trades.

Some account may now be given of the organization of the department for managing the prisons in England.

Organization of Prison Department.

The Secretary of State for the Home Department is the supreme head of all prisons in Great Britain. All rules are issued under his

Secretary of State the supreme head.

authority and with his approval, and must, of course, be consistent with the Acts of Parliament.

Chairman and
Directors of
Convict
Prisons.

The Convict Prisons are managed, under the Secretary of State, by the Chairman and Board of Directors of Convict Prisons.

The Board of Directors was constituted by 13 & 14 Vict., cap. 39, and exercises all the powers formerly vested by Acts of Parliament in the various bodies who managed the Prisons.

First Prison
Establish-
ments.

The first Prison Establishments in England, created specially to contain convicts under sentence of transportation prior to or in lieu of removal to the Penal Colonies, were—the Hulks, established as a temporary expedient in 1776; Millbank, opened in 1816, to which prisoners might be sent for imprisonment instead of being sentenced to transportation (34 Geo. III., cap. 84); and Pentonville, opened in 1842 (5 Vict., cap. 29). Special Acts of Parliament were also passed from time to time, to constitute these establishments, and provide for their administration and inspection.

The cost of maintaining the prisoners in the Hulks was undertaken by the Government in 1779. These establishments were at first ma-

naged by Local Justices. Such supervision as there was over them in their early days was exercised by the Court of King's Bench. Gradually, however, the Home Office seems to have assumed a power of inspection and control, which was legalized in 1815, and their connexion with the King's Bench was finally severed in 1825. The supervision was then vested in a paid superintendent (5 Geo. IV., cap. 84): this office was abolished in 1846 (9 & 10 Vict., cap. 26).

Constitution
of former
managing
bodies.

The management of Millbank was, at first, placed in the hands of a special unpaid Committee, then paid Inspectors were appointed (6 & 7 Vict., cap. 26), and subsequently, Visitors (11 & 12 Vict., cap. 104). Pentonville was, when first opened, supervised and controlled by a body of unpaid Commissioners (5 Vict., cap. 29).

In Appendix XXVI will be found lists of the members of the abovementioned governing bodies of these two establishments, which, as will be observed, contain the names of some of the most eminent statesmen of their day.

While passing through these various phases, the management and discipline of prisoners formed the subject of many Committees of

Inquiry and Acts of Parliament, and, as a final result, it was found desirable to substitute for the various disconnected unpaid bodies hitherto existing, one paid body, who could devote their whole attention to their important duties.

The Board of Directors of Convict Prisons was accordingly constituted, as above stated in 1850. The names of the members of the Board from that time to the present will be found in Appendix XXVI.

Monthly and weekly inspections by Directors,

It is the duty of the Directors to visit every Convict Prison periodically. Every prison is inspected monthly—some weekly,—to see that the orders given are carried out, that there are no abuses or irregularities, to hear appeals or requests from prisoners, and to act magisterially in trying charges against prisoners. Visitors, as referred to on page 35, inspect the Convict Prisons when they think proper, and hear any complaints prisoners may desire to prefer.

and occasionally by Visitors.

Organization of Local Prisons.

In the County and Borough Prisons, the means of enforcing the authority of the Secretary of State were, till 1st April, 1878, very imperfect. The immediate control of these establishments was with the Local Magistrates, and the only manner in which the Secretary of State could practically enforce his authority was by withholding a certain contribution

allowed by the Treasury, if any prisons did not fulfil his directions. The principal rules governing them are embodied in schedules to the "Prison Act 1865;" the local magistrates had power to make others, but such rules required the approval of the Secretary of State.

The cost of the County and Borough Prisons was borne by local rates, with the aid of the contributions, amounting to about 18·5 per cent of the whole, voted by Parliament, and above referred to. The contracts were made by the Local Justices, appointments to offices were in their hands, they had uncontrolled power, so far as the law permitted, of punishing for prison offences, and they heard and dealt, without appeal, with complaints made by prisoners of their treatment.

Cost of Local Prisons.

As means of satisfying the Secretary of State as to the condition of these prisons, there were appointed, under Acts of Parliament, the Surveyor-General of Prisons, as his adviser on all questions of prison construction, and the Inspectors of Prisons, whose duty it was to visit and report on the manner in which the Acts and orders relating to prisons were carried out, but who had no authority whatever in the prisons. The first of these offices exists on the same footing as before, except that the design and works are directly under the Surveyor-

The Surveyor General of Prisons.

Inspectors of Prisons.

General's control. The latter office still exists, but on a new footing, which will be described.

Changes made
by "Prison
Act 1877."

The "Prison Act 1877" made great changes in these matters. It vested the control of the prisons in the Secretary of State, who appoints Commissioners to administer their affairs, and fulfil all the functions formerly performed by the Visiting Justices. The cost is defrayed from moneys voted by Parliament, and any rules beyond those contained in the "Prison Act 1865" are made by the Secretary of State, though they require to be laid forty days on the table of the Houses of Parliament before they can be carried into effect. This restriction has the great disadvantage of preventing any rule being made, however great the emergency, during six months of every year. Inspectors of prisons act now under the Commissioners. Local Justices, elected annually by the Court of Quarter Sessions, form a Visiting Committee for each prison, who have powers of punishing for such prison offences as the Governor has not power to deal with, and they hear any complaints made by prisoners, besides keeping general watch over the prison, as a precaution against abuse, but they have no administrative authority and no pecuniary responsibility. It will be observed, that under this system the prisoners have a double security against ill-treatment.

The whole of the financial affairs of the Convict and Local Prisons, the making of contracts, and those administrative duties of conduct and discipline which require the intervention of higher authority than the Governors in immediate charge of the prisons, are performed for the Convict Prisons, by the Directors, and for the Local Prisons, by the Commissioners.

Convict Prisons administered by Directors ; Local Prisons by Commissioners.

The necessary funds are voted every year by Parliament, the Directors and Commissioners being respectively responsible for their administration according to instructions received.

Funds voted yearly by Parliament.

The Military Prisons are under the immediate control of the Inspector-General of Military Prisons, and the Directors of Convict Prisons act also as Inspectors of Military Prisons, so that all prisons, both civil and military, are now managed in one Government department.

Military Prisons under the Inspector-General.

The offices of Surveyor-General of Prisons, Chairman of the Directors of Convict Prisons, and Inspector-General of Military Prisons—created by different Acts of Parliament—are, and always have been, united in the same person, and, since the passing of the “Prison Act 1877,” the Chairmanship of the Prison Commissioners also.

Certain offices united in one person.

Each prison has a Governor, a Chaplain, and a Medical Officer, and, where necessary, one or

Staff of each Prison.

two Deputy-Governors, an Assistant-Chaplain, a Roman Catholic Priest, and an Assistant-Medical Officer.—[*See Appendix XXVII.*]

Position of
Governor,
Chaplain,
and Medical
Officer.

The Governor is the head of the establishment; under him are more immediately the discipline staff of Warders, &c. The Schoolmasters, while more immediately under the Chaplain, and the infirmary staff under the Medical Officer, are nevertheless subject to the Governor in all matters of discipline.

Clerk of
Works.

There is also a Clerk or Foreman of Works, and a staff of permanent officers to instruct the prisoners in their various trades, and to measure the value of the work they execute.

Annual
Reports.

More minute details of the staff at any prison are to be found in the Annual Reports of the Directors of Convict Prisons, of the Prison Commissioners, and in the Estimates laid before the House of Commons.

Estimates.

Rules for
Prisons.

The detailed instructions to officers, under which the prisons are administered, will be found in the rules for prisons. It must suffice here to say that the spirit of these instructions is, that while it is always to be remembered that the prisoners are sentenced to undergo punishment, the dictates of humanity are to be carefully kept in view; that all the officers are to bear

Their spirit

in mind that their duty is to reform as well as to punish, and that the conditions to ensure good health of body are to be carefully attended to. Inspection of the prisons will show that these instructions are enforced, and statistics prove the efficiency of the organization for this purpose.

as regards officers and prisoners.

At the time when (some years ago) the English Government took seriously in hand the reform of the prison system, their efforts were directed to forming a good staff of officers as a matter of the first consequence, and these appointments have never been considered the subject of political patronage or private interest.

Appointments made solely on the ground of fitness ;

The following account of the manner in which appointments and promotions are made in the Convict Service (which was drawn up at the request of the Italian Government), and which now applies to the whole prison service, may usefully find a place here.

on one principle applying to the whole service.

Appointments and promotions in the prisons are made by authority of the Secretary of State, on the recommendation of the Department of Prisons, except in certain cases, in which, either by law or by the authority of the Secretary of State, the appointments and promotions are made without referring each individual case to him.

by and under authority of the Secretary of State.

Conditions
required of
candidates.

The conditions required of all candidates for appointment are that they shall be suitable as to character, physique, and intelligence.

Superior
appointments.

For the superior appointments, for which there are enough candidates to enable a high standard to be required, those applicants are preferred who have already filled with credit situations in which similar qualifications are requisite. Confidential inquiries are made from those who are able and competent to give the necessary information as to the manner in which a candidate has performed those duties, and on his general character and disposition in the various points which are of most importance for the position the candidate seeks to fill.

Subordinate
appointments.

Satisfactory evidence is also required of the probable fitness of candidates for subordinate situations, who are required, on application, to give the information asked for on the forms given in Appendix XXVIII.

Many candi-
dates from
men leaving
army.

A large number of applications for the appointments are from men who have left the army, because from the nature of the engagements under which men enter the army, there is always a flow of candidates for such employment as prison and other Government service offers, but there is no rule restricting the

choice of officers of prisons to them. Their habits of order and discipline, of rendering and enforcing strict obedience, and their aptitude in dealing with large bodies of men, are unquestionably very valuable qualities for the office, and if not possessed by an officer on joining, would have to be acquired more or less perfectly afterwards.

All candidates who are nominated to posts in the prison service are obliged, like all other civil servants, to obtain a certificate of qualification from the Civil Service Commissioners, that they fulfil the conditions laid down for each appointment, in respect to character, education, age, &c.

Certificate of
Civil Service
Commis-
sioners.

Appendix XXIX gives these conditions for entry into the prison service, and Appendix XXX gives a specimen of the inquiries which the Civil Service Commissioners make with regard to candidates.

Conditions of
entry into
service.

Subordinate (discipline) officers all enter either as Assistant-Warders or Civil Guards, and having obtained certificates of the Civil Service Commissioners, are appointed on a probation of three months; if, during that period, they do not show any aptitude for the service, they are discharged with a week's notice.

Probation;

Some draw pensions for former service in the army or navy ;

Subordinate officers, who are pensioners from the army or navy, draw their pensions in addition to their pay as officers of the prison service. Officers in the higher ranks, with some exceptions, lose such pensions, or they remain in abeyance during their service in the department.

May not benefit by the labour of prisoners ;

Officers in the prison service are not entitled to any advantages or allowances besides the above : they are not allowed to make use of, or derive any benefit from, the labour of the prisoners.

Pensions as civil servants.

Appendix XXXI gives the pensions to which officers in the prison service are entitled, in common with all other civil servants of the Crown. The law under which pensions are granted is 22 Vict., cap. 26.

Punishments.

The punishments to which officers are subjected consist of fines, degradation to a lower rank, or dismissal. Certain special offences are also punishable by imprisonment, after conviction before a proper court, viz.,—aiding or attempting to aid a prisoner to escape, and bringing into the prison, or taking out, for prisoners, articles not allowed by the rules.

The sanitary condition of the English prisons is fully reported on in detail every year, and the statistics will be found in each report of the Directors and Commissioners.

Sanitary
condition of
the prisons.

A perusal of these reports will show that due means are taken to ensure conditions favourable to health, and that they obtain the desired result.

Means taken
to ensure
above.

The medical officers of all convict prisons are also called upon monthly and quarterly to make reports, in detail, according to the directions in the forms given in Appendix XXXII.

Medical
officer's
periodical
reports.

The following tables shew the death rate in the convict prisons since 1855; and when it is considered that convicts are, as a class, of low physical type, born and brought up under conditions unfavourable to health, early given up to vicious courses, and with constitutions in many cases ruined or impaired by excess, it may fairly be said that the statistics of mortality shew that prisoners are duly cared for in all that pertains to health, and that in that respect the conditions of their life, their habitation, clothing, and diet, are more favourable than they probably are in a state of freedom.

Death rate.

Death rate of
Male Con-
victs.

Year	Average Number of Male Convicts in each year	Number of Deaths among Male Convicts in each year	Death rate per annum per thousand of Male Convicts	Mean of each Triennial period
1855	6,513	100	15·4	} 13·5
1856	6,036	93	15·4	
1857	6,450	64	9·9	
1858	6,343	104	16·4	} 13·2
1859	6,466	71	11·0	
1860	6,396	79	12·3	
1861	6,022	68	11·3	} 11·9
1862	5,862	54	9·2	
1863	5,903	90	15·2	
1864	6,055	88	14·5	} 16·9
1865	5,861	109	18·6	
1866	5,853	103	17·6	
1867	6,095	90	14·7	} 13·4
1868	6,593	79	11·9	
1869	7,185	99	13·7	
1870	7,942	100	12·6	} 14·5
1871	8,218	110	13·4	
1872	8,457	148	17·5	
1873	8,457	130	15·3	} 16·4
1874	8,454	155	18·3	
1875	8,572	135	15·7	
1876	8,667	102	11·7	} 11·8
1877	8,866	118	13·3	
1878	8,971	95	10·5	
*1880	9,126	*124	10·8	
†1881	9,184	†120	13·0	

* Fifteen months ended 31st March. † Year ended 31st March.

Year	Average Number of Female Convicts in each year	Number of Deaths among the Female Convicts in each year	Death rate per annum per thousand of Female Convicts	Mean of each Triennial Period	Death rate of Female Convicts.
1855	776	8	10·2	}	14·6
1856	810	15	18·5		
1857	922	14	15·1		
1858	1,043	18	17·2	}	13·7
1859	1,188	11	9·2		
1860	1,269	19	14·9		
1861	1,204	11	9·1	}	10·6
1862	1,211	8	6·6		
1863	1,303	21	16·1		
1864	1,274	27	21·1	}	16·9
1865	1,248	15	12·0		
1866	1,017	18	17·6		
1867	1,007	12	11·9	}	11·7
1868	1,104	12	10·8		
1869	1,184	15	12·6		
1870	1,190	23	19·3	}	17·4
1871	1,217	23	18·9		
1872	1,267	18	14·2		
1873	1,175	31	26·3	}	20·7
1874	1,172	26	22·1		
1875	1,218	17	13·9		
1876	1,247	24	19·2	}	16·1
1877	1,237	21	16·9		
1878	1,219	15	12·3		
*1880	1,162	*12	8·2		
†1881	1,113	†15	13·4		

* Fifteen months ended 31st March. † Year ended 31st March.

Entire absence
of epidemics
in Convict
Prisons,
even though
they might
exist in their
close vicinity.

The history of the convict prisons for many years past has shewn an entire absence of epidemics within them, although virulent diseases (as has recently been the case with small-pox) may have prevailed among the free population around them. During the progress of this epidemic through the country, though a few prisoners in some prisons took the disease, its course was speedily arrested through the precautions taken by or on the recommendation of the medical officers—a fact which must be taken to prove that conditions favourable to the development or propagation of disease do not exist in the prisons.

Drainage and
ventilation
very carefully
attended to
in the con-
struction.

In the construction of the prisons the most careful attention is paid to the important questions of drainage and ventilation.

Prison
hospital.

Every prison is provided with a hospital, into which a prisoner is taken as soon as the Medical Officer thinks it necessary.

Invalid
prisons.

But the number of prisoners sentenced to penal servitude is largely composed of chronic invalids, requiring constant medical care, and incapable of exposure, or employment on public works. For these convicts special prisons are appointed, the principal ones being at Woking (which is constructed in a manner suited to

prisoners of this class), Parkhurst, and Dartmoor. The labour exacted of these prisoners is only such as the medical officer considers most suitable in each case.

A discussion on the medical condition of the convict prison population will be found in Dr. Guy's pamphlet already referred to—"Results of the Censuses of the Population of Convict Prisons in England, taken in 1862 and 1873;" and in those parts of the Reports of the Directors of Convict Prisons and of the Commissioners of Prisons for 1881-2 which refer to the Census of 1881.

Dr. Guy on medical condition of Convict Prison population.

As stated by the Commissioners of Prisons in their Report for 1881-2, experience has shewn that those who administer prisons are constantly exposed to two opposing lines of criticism: by one set of critics the prisons are believed to be so conducted that they are injurious to the health and well-being of their inmates; by the other, that the prisoners are made so comfortable and are so well cared for that prisons fail to deter from crime, even if they do not tend to promote it. Statistics shew that, at the present time, at all events, neither of these statements can be sustained; a comparison of the number of the prison population in recent and former years gives no countenance to the latter supposition, and the good physical condition of those who

Prison administration exposed to two opposing lines of criticism: neither tenable.

most often are inmates of them shews that there is as little foundation for the former.

Cost of prisons The cost of maintaining the prisons is detailed every year in the reports of the Directors and Commissioners.

in gross. The following is a statement, as regards Convict Prisons, of the gross cost, and the cost per head for the last eighteen years, not taking into account the value of labour done:—

Year	Average Number of Convicts	Gross Expenditure	Gross Annual Cost per Prisoner		
		£	£	s.	d.
1864	7418	247,227	33	6	8
1865	7184	235,773	32	16	4
1866	6905	237,333	34	7	4
1867	7255	244,067	33	12	10
1868	7800	257,307	32	19	9
1869	8578	276,324	32	4	3
1870	9557	299,796	31	7	5
1871	9934	313,633	31	9	4
1872	10,323	317,287	30	14	9
1873	10,245	342,159	33	8	0
1874	10,316	344,793	33	8	5
1875	10,428	346,762	33	5	1
1876	10,512	350,567	33	6	10
1877	10,735	360,281	33	11	2
1878	10,789	350,487	32	9	8
1879	10,754	357,127	33	4	2
1880	10,452	351,130	33	11	11
1881	10,745	345,632	32	3	4

A discussion intended to improve our means of repressing crime would be very imperfect if it was limited to mere questions of management of prisons, whether they be considered as places of punishment or reformation.

Question of repressing crime reaches far beyond mere prison management.

The object is to *prevent* crime, and our view should first be directed to ascertain the sources from which crime springs—those crimes (that is to say) which society has enacted laws to repress and determined to punish by the means under review.

Prevention of crime first object.

An investigation of this branch of the subject would, I believe, show that all criminals might be classed under one of the following heads:—

Probable causes of crime.

1. Those who have been brought up without care or education—many from their early years with criminal associates, and under care of parents of the criminal class.

2. Those who are in the way of earning an honest living, but who yield casually to temptation.

3. Those of the same class who deliberately adopt a course of crime, either from a liking for the excitement, or from impatience of the slower gain of an honest life.

4. Those who, from mental or bodily incapacity, find the difficulties of making a livelihood so great that they resort to crime.

5. Those whose passions or evil habits have led to their committing crimes of violence.

One law cannot be applicable to all these classes.

How the first source of crime must be dealt with.

To stop the supply of the first class, the law should, and does to some extent, provide that children who are likely to fall into it should be withdrawn from the custody of their negligent or immoral guardians, and brought up at the public expense. The diminution of crime which has distinguished our records for some years past must without doubt be largely due to the successful operation of these laws.

Young offenders in Convict Prisons.

The following is an extract from the Report of the Directors of Convict Prisons for the year ended 31st March, 1882:—

“In the observations made on the former Census, attention was called to the comparatively large number of young persons among the convict prison population.”

“It is very remarkable to notice the progressive change which has occurred in that respect, as shewn in the following table:—

Date	Under 15 years	15 to 24, both inclusive	25 to 34 years	35 to 44 years	45 to 54 years	55 to 64 years	65 years and above	Totals
On Dec. 31:								
1871 ..	1	2,948	4,067	1,837	817	360	130	10,160
1872 ..	..	2,768	4,076	1,854	860	374	140	10,072
1873 ..	1	2,541	3,929	1,938	882	390	152	9,833
1874 ..	..	2,514	3,927	1,908	875	407	148	9,779
1875 ..	2	2,688	3,723	1,960	924	405	113	9,815
1876 ..	2	2,363	3,735	2,131	993	465	167	9,856
1877 ..	1	2,322	3,825	2,234	1,101	468	206	10,157
1878 ..	1	2,197	3,806	2,310	1,216	503	192	10,225
On Mar. 31:								
1880 ..	1	2,074	3,902	2,374	1,276	557	194	10,378
1881 ..	..	1,935	3,921	2,378	1,295	548	191	10,268
1882 ..	1	1,957	3,885	2,358	1,280	561	179	10,221

“By this it appears that while the total prison population has almost stood still for the last 11 years, being 10,160 on 31st December, 1871, and 10,221 on 31st March, 1882, which is, of course, equivalent to a decrease relatively to the total population of the country, which has increased in that period from 22,712,266 to 26,250,000, the proportion of younger criminals has largely decreased. The number who are between 15 and 24 is now only 1,957, as compared with 2,948 in 1871. The number who are between 25 and 34 is practically the same, viz., 3,885 and 4,067; and the number above that age has increased from 3,144 to 4,378.”

“A similar diminution in the proportion of younger criminals has occurred within the last

few years in local prisons ; and these facts tend, we trust, to shew that the development of the criminal classes is being arrested by the better training which the younger members of the community now receive, and the care taken to direct those whose position and circumstances might lead them to take up with criminal courses, into a more wholesome condition of life."

For those who give way to evil passions, and to the impulse to commit crime, a system of stern deterrent discipline, with inculcation of higher moral principles, is the thing needful ; but those who deliberately adopt a life of crime, might, I venture to think, after a fair chance had been once or twice given them, be properly locked up for very long periods, as the only way of protecting society against them, and preventing them from reproducing a class of criminals as bad as themselves.

Institutions intended to check development of the criminal classes.

The institutions which, in Great Britain and Ireland, are wholly or partially devoted to the attempt to prevent the development of the criminal classes, by subjecting to industrial training those who might be tempted to join them, or by the same means, to reclaim those who, having joined them, have subjected themselves to the penalties of the law, are,—

1. Reformatories, Industrial Schools, and Refuges, which are not aided by the State; 2. Certified Reformatories and Industrial Schools, which are aided by the State.

The first of these are maintained entirely by private efforts, and they work only by persuasion, or by consent or desire of the parents and guardians. The number of the institutions, under various names, *not* certified, with their accommodation, 1871 and 1881, is stated in returns furnished by the Secretary of the Reformatory and Refuge Union, as follows:—

Uncertified
reformatories
etc.

UNCERTIFIED INDUSTRIAL INSTITUTIONS

(INCLUDING PENITENTIARIES)

Connected with the Reformatory and Refuge Union.

	Boys		Girls		Mixed		Penitentiaries		TOTAL	
	1871	1881	1871	1881	1871	1881	1871	1881	INSTI- TUTIONS	ACCOMMODATION
LONDON ..	21	38	17	25	6	8	28	78	99	..
{ Number of Institutions							34	28	..	..
{ Accommodation	1510	2606	717	1023	930	532	1092	1036	..	4249
PROVINCES	4	16	13	21	6	2	40	39	63	78
{ Number of Institutions							2	40	..	..
{ Accommodation	482	719	425	551	980	116	1506	1420	..	3393
SCOTLAND	1	2	2	3	2	2	3	4	8	11
{ Number of Institutions							2	3	..	..
{ Accommodation	50	175	105	215	130	55	200	286	..	485
IRELAND..	2	4	3	6	3	2	8	9	16	21
{ Number of Institutions							2	8	..	..
{ Accommodation	110	254	98	258	320	164	260	241	..	788
TOTAL	28	60	35	55	17	14	85	80	165	209
{ Number of Institutions							85	80	..	..
{ Accommodation	2152	3754	1345	2047	2360	867	3058	2983	..	8915
									..	9651

Certified
reformatories
and industrial
schools.

The Certified Reformatory and Industrial
Schools are equally carried on under private

management, but they undertake certain duties for the State in regard to young people who are, or are likely to become, offenders against the law. They are subject to Government inspection, both as regards the buildings and establishments, and also as regards the rules by which they are governed.

The Industrial Schools' Act, passed in 1866, provides that a child under 14, who is from certain specified causes apparently likely to develop into a criminal, may be sent to, and forcibly detained in, a certified industrial school; and a child under 12, if charged with a punishable offence, may also be sent to one; moreover, parents or guardians who cannot manage their own refractory children, may also dispose of them in a similar manner by consent of the justices, and the Treasury will contribute 2s. a week each for their maintenance.

The law as to certified reformatories and industrial schools.

The total number of Certified Reformatories and Industrial Schools in Great Britain and Ireland, and their cost, appear by the Reports of the Inspectors for 1869 and 1881 to have been as follows:—

Number of certified reformatories and industrial schools.

CERTIFIED REFORMATORIES.

	ENGLAND				SCOTLAND				IRELAND				TOTAL	
	Boys		Girls		Boys		Girls		Boys		Girls			
	1869	1881	1869	1881	1869	1881	1869	1881	1869	1881	1869	1881		
Number of Certified Reformatories	36	34	15	16	8	8	4	4	4	5	5	5	72	72
Number of Inmates on Dec. 31, in each year	3584	4487	860	1012	826	1031	260	208	621	936	166	213	6267	7887
Cost.....	£75,718*	£85,595	£19,009	£20,380	£18,610	£19,492	£4,589	£4,143	£14,755	£22,646	£3,434	£7,353	£136,115	£159,609
Cost... { TOTAL..... { 1869 { 1881	£117,926				£129,610				£18,189				£196,115	
	£21 10 4				£23 2 2				£29,999				£21 14 4	
	£19 4 8				£26 2 2								£20 4 8	

* Wandsworth Industrial School is included in this.

CERTIFIED INDUSTRIAL SCHOOLS.

	ENGLAND		SCOTLAND		IRELAND		TOTAL	
	1869	1881	1869	1881	1869	1881		
	Number of Certified Industrial Schools	58	99	24	34	Included above		82	192
Number of Inmates { on Dec. 31, 1869	4354	.....	2811	.....	Ditto,	7165	.....
Number of Inmates { on Dec. 31, 1881	.....	12,199	.....	4756	.....	.....	22,855	
Cost... { TOTAL..... { 1869	£138,407		£24,762		£163,169		.....
	£342,658		£133,823		.....		£476,481	
	£20 4 2		£22 13 7		.....		£20 16 11	

The Reformatory Schools, carried on under an Act also passed in 1866, are similar in character to the Industrial Schools, but they take an older class of offenders (those under 16 years of age), and such as have actually been convicted of crime rendering them liable to imprisonment or penal servitude.

Altogether, on 31st December, 1869, in the United Kingdom, there were 154 certified institutions, containing about 13,432 inmates, and costing £299,284. In 1881 there were 264 institutions, containing about 30,742 inmates, at a cost of £636,090.

Inmates and cost, 1869 and 1881.

This shews a great increase in these establishments, and it may be added that, while on the 31st December, 1857, there were in Great Britain, in the Certified Reformatories, only 2323 inmates, there were 5480 on the 31st December, 1869, and 6738 on 31st December, 1881. It will be noticed, also, that there has been a very large increase in the number of Industrial Schools in Ireland.

Increase in Reformatories, &c.

To the cost of these establishments the State contributed in the years 1871-72 and 1881-82, as follows :—

REFORMATORIES.

—	CONTRIBUTION			
	Amount		Per inmate	
	1871-2	1881-2	1871-2	1881-2
	£	£ s. d.	£	£ s. d.
England....	70,960	16 2 11	75,000	13 0 0
Scotland....	18,640	17 3 3	17,500	13 12 1
Ireland....	14,070	17 17 6	18,017	15 10 7
TOTAL....	103,670	—	10,517	—

INDUSTRIAL SCHOOLS.

—	CONTRIBUTION			
	Amount		Per inmate	
	1871-2	1881-2	1871-2	1881-2
	£	£ s. d.	£	£ s. d.
England....	70,620	16 4 4	17,500	10 0 3
Scotland....	39,590	14 1 8	54,500	11 11 2
Ireland....	29,950	13 3 9	78,050	13 13 10
TOTAL....	140,160	—	250,050	—
GRAND TOTAL	243,830	—	360,567	—

Value and
influence
of these
institutions.

There can be no doubt of the extreme usefulness of these institutions, whether maintained by public or wholly by private resources, or of their high influence in checking the growth of crime. Removal from the bad influences by which such children are surrounded is alone a great step towards the attainment of the desired object. Instruction and training in the arts which enable them to take their place among productive labourers is

a further step, and the good work is as far as possible completed by putting them out in life in such a position as will favour the development and proper utilization of the training they have received.

This last step is, perhaps, the most difficult of all. In this crowded country the struggle for existence is sometimes very keen, and it requires, not only ability to work, but good principle to resist the temptations which sometimes seem to offer an easier manner of attaining the desired end.

What is the chief difficulty in attaining their end.

The most perfect solution of this difficulty, and that which gives the best security that the efforts for reclaiming the young offenders will not be thrown away, is the transplanting of them by emigration to other countries where there is less keen competition, and where temptations to crime are less effective because steady industry is sure to find an ample reward, and, in fact, for the most part, *pays* better than a life of crime.

Emigration the best solution.

The account which I have now given of the English convict system and of some of the other agencies for the suppression of crime, is necessarily brief, but I hope it has been sufficient to indicate the principles on which the system is framed.

I shall be satisfied if I have succeeded in directing attention to the great mass of experience afforded by the various systems we have tried in the Colonies and at home, and have shewn that our lessons have not been lost upon ourselves, but that we may fairly claim to have established a system, not of course incapable of improvements, but which, carried out as it is, by a staff of earnest and faithful officers, animated by the single desire of doing their duty, has undeniably produced desirable results.

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APPENDIX I.

Extracts from Despatches relating to the Institution of the System of Employing Convicts on Public Works.

The practice of employing convicts, in executing large public works, was originally adopted as part of a system which was established when it became recognized that it was desirable to carry out sentences of transportation in such a manner as to combine penal with reformatory treatment and to develop the capacities as well as the moral qualities of the persons subjected to it.

The pressing difficulties which at that period attended the continuance of transportation to the Colonies, in the manner in which it had been heretofore conducted, opportunely aided the efforts of prison reformers; for the consideration of measures designed to ensure that punishment should more effectually secure its purposes of repressing crime, and diminishing the number of criminals by subjecting those who had to undergo it to treatment, partly deterrent and partly reformatory, became a matter of urgent necessity.

The following extract, from a memorandum on the employment of convicts on public works, printed as Appendix 25 to the Report of the Directors of Convict Prisons for 1880-81, relates the circumstances attending the institution of our present penal system, and the principles on which it is founded:—

“In 1846 it was, therefore, decided by Mr. Gladstone, that transportation to Van Diemen’s Land must be, at all events, suspended, to give time for recovery from the then existing evils, and for deliberation on the future; and it was accordingly suspended throughout 1847 and part of 1848.

“* * * * * a letter, dated 13th May, 1846, written by order of Mr. Gladstone for the information of Sir James Graham, the then Home Secretary, sets out the state of circumstances at that time, and, in conveying the decision that the stream of transportation should be arrested for the next two years, points out the necessity the Home Office were under, in consequence, of otherwise providing for the ‘employment and discipline’ of the convicts thus accumulated during that time, and details the efforts then being made by the Colonial Office to find them employment on public works of importance in the other Colonies.

“The formation of a new convict Colony in North Australia was also contemplated; but this project was soon abandoned. Some of its disadvantages are freely admitted in the despatch which conveys the intention of the Government to

found it, but there were others which were becoming apparent. As it had become an established principle that a considerable portion of each prisoner's sentence must be passed in executing public works, and that suitable buildings, well-trained officers, and vigilant, skilled supervision during this period are necessary parts of any efficient scheme, the inference could not fail to be soon drawn that all these requirements could be better secured by keeping the prisoners, during this stage, in England; where, also the community which bore the charge would have all the benefit of the public works the prisoners would execute.

"It was shortly afterwards decided that the transportation to Van Diemen's Land could not be resumed at the end of the two years, and this led to a most important step in the formation of our penal system, which is described in a letter from Secretary Sir George Grey to the Inspectors of Prisons, dated 5th September, 1846. The entire scheme is more fully developed in a despatch from Sir George Grey to Lord Grey, dated 20th January, 1847, which shews that every convict was (1) to undergo the first part of his sentence in a penitentiary at home, where strict separation, with industrial employment and moral training (on the plan adopted in Pentonville), should be enforced; that he should then (2) be removed to a prison, either in England or at Gibraltar or Bermuda, where he should be employed on public works for a further period of his sentence; and that he should then (3) be transferred to a Colony with a ticket-of-leave, free to obtain employment for himself, on his own terms (subject only to certain police restrictions), and ultimately obtaining a pardon conditional on his not returning to the country in which he was convicted.

"Portland Prison was established in order to carry out the second stage in this process. The construction of a harbour of refuge at this place had been recommended by a Royal Commission in 1845, and its execution by convict labour offered a very opportune solution of the problem referred to.

"In 1847 the Portland Harbour of Refuge Act was passed, to facilitate the acquisition of land, &c.; and £25,000 was taken in the estimates for the erection of the prison, &c., which was commenced in that year, and first occupied in November, 1848. In 1850 the Act was passed, under which the Directors of Convict Prisons were constituted as the body to manage, in future, all convict prisons in England, on the footing generally of visiting justices.

"Subsequently the old prison of war, Dartmoor, was altered to adapt it for convicts, and was opened in 1850 with the same object, the convicts being employed in reclaiming and farming the land. The system was followed out by the opening of the prison at Portsmouth on the 1st April, 1852, and at Chatham in September, 1856, at both of which the convicts have been employed in the construction of the extension of the dockyards, &c.; the hulk establishments at Portsmouth, and in the Thames and Medway, being, on their erection, broken up."

*Extract from a Letter from the RIGHT HONOURABLE SIR G. GREY
to EARL GREY, dated January 20th, 1847.*

“On a careful consideration of this question, I am unable to devise or suggest any precautions or regulations by which the transportation of a considerable number of criminals to any of our Australian Colonies, to be there kept under sentence as convicts, can be resumed without the certainty of a re-occurrence of the evils which have heretofore resulted from it; and I think that the transportation of male convicts to Van Diemen’s Land, as hitherto carried on, ought to be wholly abandoned. Should your Lordship concur in this opinion, I would suggest that it should be intimated to the Lieutenant-Governor of Van Diemen’s Land, that it is not the present intention of Her Majesty’s Government to resume the transportation of male convicts to that Colony.

“I feel it incumbent on me, in suggesting this course, briefly to state the outline of the system which I propose should be adopted with regard to convicts sentenced to transportation. In dealing with this question, I find considerable facilities afforded for its solution by the great improvements which have been recently made, and which are still in progress, in the prisons of this country. The system adopted at Pentonville Prison, and the arrangements for carrying it into effect, have been subjected to the test of considerable experience; and proper means have been provided in many prisons in the country for the introduction of the same system. It may now, I think, be assumed that, under careful and vigilant superintendence, the system may, within strict limits as to time, be generally applied with safety and advantage to persons sentenced to transportation.

“The general outline, therefore, of the plan which I propose should be adopted with regard to this class of persons, is a limited period of separate imprisonment; succeeded by employment on public works, either abroad, as at Gibraltar and Bermuda, or in this country; and ultimately followed, in ordinary cases, by exile or banishment for the remaining term of the original sentence.

* * * * *

“It is intended that on the expiration of the period of separate imprisonment, the prisoners shall be sent, as at present, to Millbank; and that they shall be sent from thence, according to the circumstances of their respective cases, either to Bermuda or Gibraltar, or to other places which may be appointed by Her Majesty in Council, out of England, or to employment on public works in this country, such as the construction of harbours of refuge or works under some public department.

“I am deeply sensible of the importance, in having recourse to this mode of punishment, of taking the most effectual precautions against the recurrence of those evils which resulted from the indiscriminate association of convicts under the former hulk system. Before, however, any convicts will enter on this second stage

of their punishment, they will have passed through a course of separate imprisonment, accompanied by a system of moral and religious instruction and of industrial training, which, it is hoped will in most cases be attended with a beneficial effect on their character, and have prepared them for that intercourse with their fellow-prisoners which is inseparable from any plan for the employment of convicts on public works; and which, under certain restrictions, may in itself be made conducive to the progress of their reformation, and to their preparation for a return to society on the expiration of their sentence.

“While in this stage of their punishment, care will be taken in providing them with proper accommodation, efficient superintendence, and adequate means of moral and religious instruction; and it is intended that incentives to industry and good conduct should be furnished by adopting, with such improvements as experience may suggest, the system recommended by Colonel Reid, the late Governor of Bermuda, and already partially tried in that island with considerable success.”

It appears, then, from these extracts, that “the employment of convicts on large public works, such as the construction of harbours of refuge or works under some public department,” so carried on as to be “conducive to the progress of their reformation, and to their preparation for a return to society on the expiration of their sentence,” is an essential feature of our penal system.

The improvements, introduced at the period referred to, in the mode of dealing with crime and criminals, were applied concurrently with others having similar objects, and the statistics of crime point irresistibly to the conclusion that they have met with most remarkable success, diminishing the number of criminals to be subjected to punishment in a degree which perhaps surpassed the anticipations of those who introduced them.

At that time it was estimated that the suspension of transportation for even two years would necessitate the housing and finding employment in England for 5,000 to 6,000 prisoners, *i.e.*, 2,500 to 3,000 fresh prisoners every year, besides some who would not have been sent to the Colonies, and the contrast between these numbers and the number now sentenced is shewn in the following return:—

RETURN showing the POPULATION of England and Wales, with the number of Sentences to Imprisonment, Transportation, and Penal Servitude, and the number actually transported, from 1836 to 1880, inclusive.

Year.	Population.	Sentenced to Imprisonment for Indictable Offences.	Sentenced to Transportation and Penal Servitude.	Number Transported to Australia.	Number Transported to Bermuda.
1836	14,928,477	10,125	3,611	4,273	—
1837	15,103,778	12,294	3,785	4,068	—
1838	15,287,699	12,927	3,696	3,805	—
1839	15,514,255	12,927	3,696	2,732	—
1840	15,730,813	15,110	3,105	2,573	—
1841	15,911,757	15,747	3,800	2,926	—
1842	16,130,326	17,871	4,481	4,166	—
1843	16,332,228	16,275	4,488	2,993	—
1844	16,535,174	14,969	3,651	3,279	—
1845	16,739,136	14,052	3,247	2,542	—
1846	16,944,092	14,902	3,157	1,708	—
1847	17,150,018	18,312	3,262	1,222	—
1848	17,356,882	19,175	3,600	1,897	—
1849	17,564,656	17,761	3,202	1,609	—
1850	17,773,314	17,602	3,173	2,465	—
1851	17,927,609	18,418	3,338	2,440	—
1852	18,193,206	18,441	2,896	2,541	—
1853	18,404,368	18,130	2,709	600	—
1854	18,616,310	20,388	2,742	280	—
1855	18,829,000	17,397	2,590	485	346
1856	19,042,412	11,885	2,715	498	—
1857	19,256,516	12,507	2,841	532	300
1858	19,471,291	10,834	2,419	550	—
1859	19,686,701	10,060	2,383	224	640
1860	19,902,713	9,656	2,436	296	80
1861	20,066,224	11,233	2,678	306	—
1862	20,400,000	11,944	3,369	*782	—
1863	20,600,000	12,251	3,071	727	—
1864	20,900,000	11,948	2,445	261	—
1865	21,100,000	12,358	2,081	845	—
1866	21,300,000	11,582	2,016	410	—
1867	21,500,000	11,801	1,846	451	—
1868	21,700,000	12,546	1,939	—	—
1869	21,900,000	12,002	2,006	—	—
1870	22,100,000	10,908	1,788	—	—
1871	22,712,266	10,083	1,627	—	—
1872	22,912,000	9,318	1,514	—	—
1873	23,112,000	9,141	1,493	—	—
1874	23,312,000	9,793	1,690	—	—
1875	23,512,000	9,282	1,639	—	—
1876	23,712,000	10,020	1,753	—	—
1877	23,912,000	9,793	1,639	—	—
1878	24,112,000	10,218	1,634	—	—
1879	24,312,000	10,440	1,502	—	—
1880	24,512,000	9,963	1,523	—	—

* 192 from Bermuda, 590 from England.

NOTE.—The population in other than the Census years is of course estimated.

APPENDIX II.

Refuges for Female Convicts.

1st February, 1873.

The following *resume* and revision of the orders and rules which have been issued from time to time, with regard to Refuges for female convicts, is made for convenience of reference.

The Secretary of State has approved of the selection of a limited number of female convicts, whose conduct and industry has been good in prison, to be sent to refuges which have been established with his sanction.

The Managers of these Refuges will, if the conduct of the women in the Refuges is good, interest themselves as far as they can in obtaining situations and employment for them on their discharge.

Female convicts who qualify themselves by their conduct and industry for the Refuges, will be eligible to be sent there nine months before the period at which they would ordinarily be discharged from prison, and whilst there will be on special conditional licence; so that they will remain in a Refuge instead of a Prison for the last nine months of their time.

It should, however, be clearly understood that the exact time of their transfer to a Refuge must depend on the vacancies there may be in the Refuges—those who have been best conducted throughout their imprisonment having the preference.

They will have an opportunity of earning some addition to the gratuity which they would earn in Prison;—

They will not wear ordinary Prison dress.

The following qualifications are necessary to render a female convict eligible for a Refuge:—

She must be in the first class. Women who fail to obtain first class only from being unable to read and write may, on special leave by the Directors, be promoted for the purpose of being eligible for the Refuge.

Her conduct and industry must be good.

Her health must be good, and she must be physically capable of earning a livelihood.

She must not have more than nine months' time to serve before being due for discharge on licence, or expiration of sentence.

She must not have been sent to a Refuge on discharge from a previous sentence.

She must not have been guilty of violent and insubordinate conduct within six months: if she should have been, she should be degraded to a lower class.

Previous to any convict becoming due to go to a Refuge, who was convicted for murder or violent assault, or whose crime or character is remarkable or notorious the attention of the Directors should be specially called to the case, in order that they may address a communication to the Managers of the Refuges, to ascertain whether they object to her coming to them.

The Refuges established with the sanction of the Secretary of State are:—

For Protestants: The Westminster Memorial Refuge, Russell House, Streatham.

For Roman Catholics: The Refuge, East End, Finchley.

E. F. DU CANE.

APPENDIX III.

Examination of Convicts in Prison Schools.

15th May, 1868.

In order to test and record at periodical examinations, the efficiency of the instruction in Convict Prisons, and the progress made by the learners, every prisoner under instruction will be examined twice a year, and his progress recorded in a book of the pattern herewith, according to the directions given. The Chaplain or Assistant Chaplain will do the duty of Examiner or Inspector of the school. The Chaplain, in his annual Report will, from the records thus furnished, state the number of prisoners who have made progress in the various degrees.

E. Y. W. HENDERSON.

EXAMINATION BOOK.

No. and Name.....

TABLE I.—*To show Class and Standard of Attainment.*

Date of Examination												
Class and Standard	Class	Standard	Class	Standard	Class	Standard	Class	Standard	Class	Standard	Class	Standard
READING												
WRITING												
ARITHMETIC												

N.B.—The Class shewn is to be that in which the prisoner was prior to Examination. The Standard is to be that for which the Examination shews him to be qualified. If a new Standard is not attained between two Examinations, it will not be necessary to make an extra entry of the Standard, but merely insert the date of the last Examination in the column for the dates.

TABLE II.—*To show Progress in each Subject.*

Date of Examination							
Progress	Progress	Progress	Progress	Progress	Progress	Progress	Progress
READING							
WRITING							
ARITHMETIC							

Write G.P. for Great Progress.—P. for Progress.—S. for Stationary.—B. for Gone Back.

TABLE III.—To show the qualification for the Six Standards.

	Standard I.	Standard II.	Standard III.	Standard IV.	Standard V.	Standard VI.
READING	Narrative in monosyllables.	One of the narratives next in order after monosyllables in an elementary reading book used in the school.	A short paragraph from an elementary reading book used in the school.	A short paragraph from a more advanced book used in the school.	A few lines of poetry from a reading book used in the First Class of the school.	A short ordinary paragraph in some ordinary modern narrative.
WRITING	Form on black board or slate, from dictation, letters capital and small, manuscript.	Copy in manuscript character a line of print.	A sentence from the same paragraph slowly read once, and then dictated in single words.	A sentence slowly dictated once by a few words at a time from the same book, but not from the paragraph read.	A sentence slowly dictated once by a few words at a time from a reading book used in the First Class of the school.	Another short ordinary paragraph in some ordinary modern narrative, slowly dictated by a few words at a time.
ARITHMETIC ...	Form on black board or slate, from dictation, figures as up to 20, names at sight, figures up to 20, add and subtract figures up to 10; orally, from examples on black board.	A sum in Simple Addition or Subtraction and the Multiplication Table.	A sum in any simple rule as far as Short Division (inclusive).	A sum in compound rules. (Money).	A sum in compound rules. (Common Wgts. and Measures).	A sum in Practice or Bills of Parcels.

DIRECTIONS FOR THE USE OF THIS BOOK.

1. An Examination Book will be given to every prisoner under instruction. It is to be kept by the Schoolmaster, and to be issued to the prisoner at all Examinations

Immediately on the prisoner joining the school, he is to be examined, and his work is to be entered in this book. If at this, or at any succeeding Examinations the prisoner is unable to use the book, the Schoolmaster will write a statement to that effect on each occasion, specifying the date, and affixing his signature. In case of the transfer of a prisoner, his Examination Book will be sent with him.

2. The following work is to be done, in this book, at each Examination:—

- (a) Exercises in Writing, in large, round, or small hand; not less than two lines
- (b) An exercise in Dictation, about fifty words.
- (c) Exercises in Arithmetic, in the Standard to which the prisoner has attained two or three examples in each rule belonging to that Standard, and, if thought fit, some examples in the rules belonging to the previous Standards.

3. At the commencement of every Examination, the prisoner will write, on the page on which he is about to enter his work, his name and number, the name of the station, and the date.

4. The Chaplain or Assistant Chaplain will write one of the numbers I., II., III., IV., V., or VI., on each Exercise in Reading, Writing, or set of Exercises in Reading, Writing, or set of Exercises in Arithmetic, that fairly comes under the Standard of attainment denoted thereby.

5. In completing the tables on the cover of this book, the pupil is to be classed as having made progress, if he was not able to use a book at the last Examination, but can do so now.

6. The Standards will be those in use by the Committee of Council of Education.

APPENDIX IV.

Second Probation.

Convict Prison Department,

Home Office, Whitehall,

12th March, 1878.

In order to guard against the contaminating influence of prisoners of bad character, the Secretary of State has approved the following arrangements:—

1. Any convict whose misconduct, after removal to a public works prison, proves that he has not profited by the discipline he has previously undergone, and shews that his character is such as to exercise a pernicious influence on other prisoners, may, besides any punishment to which he may be sentenced for any special offence, be ordered by the Directors to undergo a second period of probation, not exceeding nine months, and generally not less than six months, which period may be shortened under the operation of the mark system.

2. Convicts ordered to undergo second probation are to be located in a part of the prison assigned for the purpose, where they will be kept altogether separate from the general body of prisoners, and treated like prisoners in separate confinement undergoing the first portion of the probation class, except that they will continue to earn marks at the usual rate.

3. Such convicts, after passing through this stage of separate confinement, will not return to work among the general body of prisoners, but will, as a measure of prevention, but not as a punishment, continue to be kept apart from them, and be employed in separate working parties, until there is reason to think that they will no longer exercise a bad influence among the others. They will have the same opportunities as other convicts of earning the highest number of marks.

4. In such working parties may, as a measure of prevention, be placed prisoners who, without themselves incurring punishment, are yet known to exercise a bad influence over other prisoners.

E. F. DU CANE.

APPENDIX V.

*Extract from Report of Directors of Convict Prisons, 1879-80,
shewing the steps taken for formation of Special Class of
Prisoners not versed in Crime.*

In devising arrangements intended to preserve the less hardened convict from the disadvantage of communication with those who are more skilled in crime, it may be accepted as certain that the fact of a prisoner not having a previous conviction recorded against him affords very little guarantee that intercourse with him will be of a less corrupting character than with a prisoner known to have been previously convicted, and that, on the contrary, many of the most dangerous and corrupting among the convicts have no previous conviction recorded against them; nor could the risk of mixing thoroughly bad men with the others be guarded against by fixing on those who are convicted of certain special crimes, such as receivers, &c., as the only exception to the rule by which prisoners convicted for the first time should be classed apart.

It is therefore evident that whatever evils can be attributed to the corrupting influence of communications between convicts as they have been hitherto distributed would be felt with equal, perhaps greater, truth and force with regard to any prison containing convicts selected solely as not having been previously convicted, for such a prison would bring together the most cunning adepts in crime and the least corrupt. The desired object will not therefore be attained unless some more searching principle of selection be adopted; in fact, instead of assuming that any prisoner not known to have been previously convicted, is comparatively uncorrupted, each case should form a subject of investigation and inquiry from the police, and others to whom the prisoner might refer for testimony as to his antecedents.

* * * * *

Such inquiries are being made as to prisoners who have not been transferred to a Public Works prison. Those who prove themselves to be proper objects for the

class proposed are being detained in a separate class at Millbank till their numbers have accumulated, so that they would fill a separate block of some Public Works prison, and that prison will be appropriated for the purpose as an experiment.

It might be left to the Governor and Chaplain of the prison in which the convict passes his first nine months to bring forward for special consideration the case of any prisoner whose previous conviction may have taken place so long ago, or have been for some trivial offence, that he might be considered possibly eligible for this class.

The mode of carrying on the inquiries referred to has been by transmitting to persons likely to be able to give reliable information as to a prisoner's antecedents, or to persons to whom the prisoner may refer, the form given in Appendix No. VI, with a request that they will fill it in. The anticipations which were formed of the necessity of such inquiries in order to ensure that the habitual criminal shall not find his way among those whom it is desirable to preserve, if possible, from his contaminating influence and from further progress in vice, have been fully justified by the result.

It is also remarkable that in a great number of cases, in answer to question No. 5, the first step in crime is attributed to the convict having taken to drink.

APPENDIX VI.

Form of Inquiries made in the cases of Prisoners proposed to be placed in the Special Class of those not versed in Crime.

H.M. Convict Prison,.....188

Sir,

Will you be good enough to obtain and furnish me, on this paper, at your earliest convenience, as full information as you can afford or obtain on each of the points detailed below, respecting the undermentioned convict.

I am, Sir, your obedient Servant,

Governor.

Reg. No.	Name and Aliases		Age	Crime	Complexion Hair .. Eyes .. Height .. Description of any peculiar marks, &c.
	Date and Place of Committal	Conviction			
			Sentence	Name & Residence of Family and next of Kin	

1. How many years back does the information extend?
2. If not for more than seven years, from whom can information of an earlier date be obtained?
3. Character as regards honesty.....
4. Character as regards industry.....
5. Character as regards sobriety.....
6. Means of livelihood.....
7. Class of life
8. Occupation
9. Mode and habits of life
10. Character of friends and associates
11. Names and addresses of any *respectable* persons who can give *trustworthy* information on the foregoing points

APPENDIX VII.

Instructions for the Treatment of the Prisoners placed in the Special Class of those not versed in Crime.

It is to be clearly understood that the object is, that these men should, so far as possible, be treated like all other convicts; only that they shall be kept absolutely and entirely separate from them, so that at no time may they come in contact with them directly or indirectly.

You will have, therefore, to consider how you will locate them at work, at chapel, under punishment, when sick, at light labour, &c.

Each of these once convicted prisoners, must have some distinguishing mark on his clothing, so that it may be known whether any of them is out of his proper place.

APPENDIX VIII.

System of Classification adopted for all Convicts received into the Public Works Prisons on and after 12th July, 1864.

22nd July, 1864.

1. All stages and classes, as now existing, to be prospectively abolished for all convicts hereafter received into Public Works Prisons.

2. A convict, during the term of his imprisonment will be required to pass through the following classes, viz. :—

Probation class, one year, during which they must earn, on public works, 720 marks.

Third class, one year, during which they must earn, on public works, 2,920 marks.

Second class, one year, during which they must earn, 2,920 marks.

After which they will be eligible for promotion to the first class.

Minimum period, with good conduct and industry.

3. Every convict is thus required to remain in the probation class for a minimum period of one year, reckoned from the date of conviction, of which nine months will be passed in separate confinement.

4. If his conduct and industry are good, he will then be promoted to the 3rd class, and so on to the 2nd, remaining in each a minimum period of one year.

5. Prisoners detained in separate confinement for misconduct cannot be promoted to the 3rd class until three months after they have become eligible for removal to public works.

6. The remainder of the term of his imprisonment will be spent in the 1st class, unless he is promoted to the special class, or degraded to any lower class.

7. These classes will be kept quite separate from each other in the prisons.

8. Convicts in the probation class will be subjected, while undergoing separate confinement, to the special rules and regulations approved of for the separate prisons. On removal to public works, they will continue in the probation class until they have completed twelve months, reckoning from the date of conviction, with good conduct.

Prisoners in the probation class will wear the ordinary convict dress without facings.

9. Prisoners in this class on the public works will be allowed no gratuity, nor to receive visits, nor to receive or write letters, except one letter on reception from separate confinement; they will be allowed one period of exercise on Sunday.

10. If their conduct and industry are either bad or indifferent, either in separate confinement or after their removal to public works, they will be detained in the probation class until they have earned an additional number of marks to that allotted to the period to be passed in probation.

11. Prisoners in the 3rd class will wear the ordinary convict dress with black facings.

They will be allowed,—

1st. To receive a gratuity of 12s., being at the rate of 1s. per month for 12 months, to be earned by marks during the time spent in this class, and if their conduct shews that they deserve it.

2nd. To receive a visit of 20 minutes' duration, once in six months, at such time as the Governor approves, care being taken that the stipulated number is not exceeded; and both to receive and write a letter once in six months, provided their conduct in that class has being good for at least two previous consecutive months.

3rd. They will be allowed one period of exercise during Sundays.

12. Prisoners in the 2nd class will wear the ordinary convict dress with yellow facings.

They will be allowed,—

- 1st. To receive a visit of 20 minutes' duration, and both to receive and write a letter once in four months.
- 2nd. To receive a gratuity of 18s., calculated at 1s. 6d. per month for twelve months, to be earned by marks during the time spent in this class, and if their conduct shews that they deserve it.
- 3rd. To be allowed choice of tea and 2oz. of additional bread instead of gruel.
- 4th. To have two periods of exercise during Sundays.

13. Prisoners in the 1st class will wear the ordinary convict dress with blue facings.

They will be allowed,—

- 1st. To receive a visit of half-an-hour, and both to receive and write a letter once in three months.
- 2nd. Prisoners in this class will be allowed a gratuity of 30s., being at the rate of 2s. 6d. per month for twelve months, to be earned by marks until they have earned £3 altogether.
- 3rd. To be eligible, if their conduct and industry are good, and if special circumstances should render it desirable, to be recommended on discharge for a further gratuity not exceeding £3.
- 4th. To be allowed the choice of tea and 2oz. of additional bread instead of gruel, and baked instead of boiled meat.
- 5th. To be allowed three periods of exercise on Sundays.

No convict is to be promoted to the 1st class until he can read and write, except in special cases, which must be reported to the Director.

14. Prisoners in the special class will wear a blue dress. They will be eligible to be recommended for an extra remission not exceeding one week.

15. All prisoners on public works will wear a badge on the sleeve, which will shew the register number and sentence of the prisoner; they will be of the same colour as the facings, except those of the probation class, which will be of the same colour as the clothing.

For practical purposes in calculating the gratuities, the following scale may be adopted :—

In the 3rd class	20 marks	are equal to	1d.
In the 2nd	„	„	1½d.
In the 1st	„	„	2½d.

Convicts sentenced to cross-irons or to wear the parti-coloured dress, while under such punishment to be placed in the probation class; after which they will return to their original class, unless the sentence specifies to the contrary.

Convicts returned to public works from second probation in separate confinement will go through the classes in the same way as convicts first received from separate confinement.

APPENDIX IX.

DIET TABLES.

Copies of the dietaries for male and female convicts, approved by the Secretary of State, in use on and after the 15th April, 1864.

HARD LABOUR DIET FOR MALE CONVICTS.

BREAKFAST.

1 pint gruel, containing { 2 oz. oatmeal.
 $\frac{1}{2}$,, molasses.
 Bread.

DINNER.

Sunday..... 4 oz. cheese; bread.

Monday..... }
 and } 5 oz. beef (cooked) { With its own liquor, flavoured with $\frac{1}{2}$ oz.
 Saturday } onions, and thickened with $\frac{1}{8}$ oz. flour
 and any bread and potatoes left on the
 previous days, and $\frac{3}{4}$ oz. pepper per cent.
 1 lb. potatoes; bread.

Tuesday }
 and } 1 pt. soup, containing { 8 oz. shins of beef (uncooked).
 Friday } 1 ,, pearl barley.
 2 ,, fresh vegetables.
 1 ,, onions.
 $\frac{1}{8}$,, flour, and $\frac{3}{4}$ oz. pepper per cent.
 1 lb. potatoes; bread.

Wednesday 5 oz. mutton (cooked) Flavoured and thickened as above.
 1 lb. potatoes; bread.

Thursday.. 1 lb. pudding, containing.... { $1\frac{1}{2}$ oz. suet.
 8 ,, whole meal flour.
 6 $\frac{1}{2}$,, water.
 1 lb. potatoes; bread.

SUPPER.

$\frac{3}{4}$ pint cocoa, containing { $\frac{1}{2}$ oz. cocoa.
 2 ,, milk.
 $\frac{1}{2}$,, molasses.
 Bread.

Bread per week 168 oz. Do. each week-day 23 oz. Do. each Sunday 30 oz.
 Salt per prisoner per day $\frac{1}{2}$ oz

NOTE.—Prisoners in the 1st class may have tea (consisting of $\frac{1}{8}$ oz. tea, $\frac{3}{4}$ oz. sugar and 2 oz. milk), and 2 oz. additional bread in lieu of gruel, and the choice of baked instead of boiled beef. Prisoners in the second class may have tea (as above) and 2 oz. additional bread in lieu of gruel.

HARD LABOUR DIET.—CHATHAM AND BORSTAL.

BREAKFAST.

1 pint gruel, containing { 2 oz. oatmeal.
 $\frac{1}{4}$ „ molasses.
 Bread.

DINNER.

Sunday 1 pint soup, containing { 4 oz. salt pork.
 4 „ peas.
 $\frac{1}{4}$ „ onions.
 $\frac{1}{4}$ „ vinegar. $\frac{3}{4}$ oz. pepper per cent.
 Bread.

Monday }
 and } 5 oz. beef (cooked) { With its own liquor, flavoured with $\frac{1}{2}$ oz.
 Saturday } onions, and thickened with $\frac{1}{2}$ oz. flour
 and any bread and potatoes left on the
 previous days, and $\frac{3}{4}$ oz. pepper per cent.
 1 lb. potatoes; bread.

Tuesday }
 and } 1 pt. soup, containing { 8 oz. shins of beef (uncooked).
 Friday } 1 „ pearl barley.
 2 „ fresh vegetables.
 1 „ onions.
 $\frac{1}{8}$ „ flour. $\frac{3}{4}$ oz. pepper per cent.
 2 oz. cheese; 1 lb. potatoes; bread.

Wednesday 5 oz. mutton (cooked), flavoured and thickened as above.
 1 lb. potatoes; bread.

Thursday 1 lb. pudding, containing { $1\frac{1}{2}$ oz. suet.
 8 „ whole meal flour.
 $6\frac{1}{2}$ „ water.
 1 lb. potatoes; bread.

SUPPER.

1 pint cocoa, containing { $\frac{3}{4}$ oz. cocoa.
 $\frac{1}{4}$ „ molasses.
 2 „ milk.
 Bread.

Bread per week 168 oz.
 „ each day 24 „
 Salt per prisoner per day $\frac{1}{2}$ „

NOTE.—Prisoners in the 1st class may have tea (consisting of $\frac{1}{8}$ oz. tea, $\frac{3}{4}$ oz. sugar, and 2 oz. milk), and 2 oz. additional bread in lieu of gruel, and the choice of baked instead of boiled beef. Prisoners in the 2nd class may have tea (as above) and 2 oz. additional bread in lieu of gruel.

INDUSTRIAL DIET.—MALE CONVICTS.

BREAKFAST.

$\frac{1}{4}$ pint cocoa, containing { $\frac{1}{2}$ oz. cocoa.
2 ,, milk.
 $\frac{1}{2}$,, molasses.
Bread.

DINNER.

Sunday..... 4 oz. cheese; bread.
Monday..... }
and } 4 oz. mutton (cooked) { With its own liquor, flavoured with $\frac{1}{2}$ oz.
Wednesday } onions, and thickened with $\frac{1}{2}$ oz. flour
and any bread and potatoes left on the
previous days, and $\frac{3}{4}$ oz. pepper per
cent.
1 lb. potatoes; bread.
Tuesday..... 1 pint soup, containing { 8 oz. shins of beef (uncooked).
1 ,, pearl barley.
3 ,, fresh vegetables, including onions.
 $\frac{1}{8}$,, flour and $\frac{3}{4}$ oz. pepper per cent.
1 lb. potatoes; bread.
Thursday.... 1 lb. pudding, containing { $1\frac{1}{2}$ oz. suet.
8 ,, whole meal flour.
 $6\frac{1}{2}$,, water.
1 lb. potatoes; bread.
Friday and Saturday 4 oz. beef (cooked), flavoured and thickened as above.
1 lb. potatoes; bread.

SUPPER.

1 pint gruel, containing { 2 oz. oatmeal.
 $\frac{1}{2}$,, molasses.
2 ,, milk.
Bread.

Bread per week 148 oz.
,, each week-day..... 20 ,,
,, each Sunday 28 ,,
Salt per prisoner per day $\frac{1}{2}$,,

LIGHT LABOUR DIET.

BREAKFAST.

1 pint gruel, containing { 2 oz. oatmeal.
 $\frac{1}{2}$,, molasses.
Bread.

DINNER.

Sunday	4 oz. cheese; bread.
Monday	} 4 oz. beef (cooked).. { With its own liquor, flavoured with $\frac{1}{2}$ oz. onions, and thickened with $\frac{1}{2}$ oz. flour and any bread and potatoes left on the previous days, and $\frac{3}{4}$ oz. pepper per cent. lb. potatoes; bread. 6 oz. shins of beef (uncooked). 1 ,, pearl barley. 2 ,, fresh vegetables. 1 ,, onions. $\frac{1}{8}$,, flour, and $\frac{3}{4}$ oz. pepper per cent. $\frac{3}{4}$ lb. potatoes; bread.
and	
Saturday	
Tuesday	} 1 pt. soup, containing { 1 ,, pearl barley. 2 ,, fresh vegetables. 1 ,, onions. $\frac{1}{8}$,, flour, and $\frac{3}{4}$ oz. pepper per cent. $\frac{3}{4}$ lb. potatoes; bread.
and	
Friday	
Wednesday	4 oz. mutton (cooked), flavoured and thickened as above. 1 lb. potatoes; bread.
Thursday....	$\frac{1}{2}$ lb. pudding, containing { $\frac{3}{4}$ oz. suet. 4 ,, whole meal flour. $3\frac{1}{4}$,, water. 1 lb. potatoes; bread.

SUPPER.

$\frac{3}{4}$ pt. cocoa, containing	{ $\frac{1}{2}$ oz. cocoa. 2 ,, milk. $\frac{1}{2}$,, molasses. Bread.
---	---

Bread per week	145 oz.
,, each week-day.....	20 ,,
,, ,, Sunday.....	25 ,,
Salt per prisoner per day	$\frac{1}{2}$,,

NOTE.—Prisoners in the 1st class may have tea (consisting of $\frac{1}{2}$ oz. tea, $\frac{3}{4}$ oz. sugar, and 2 oz. milk), and 2 oz. additional bread in lieu of gruel, and the choice of baked instead of boiled beef. Prisoners in the 2nd class may have tea (as above) and 2 oz. additional bread in lieu of gruel.

ORDINARY DIET FOR FEMALES.

BREAKFAST.

$\frac{3}{4}$ pint cocoa, containing	{ $\frac{1}{2}$ oz. cocoa. 2 ,, milk. $\frac{1}{2}$,, molasses. Bread.
--	---

DINNER.


Sunday	3 oz. cheese; bread.
Monday	} 3 oz. mutton (cooked) { With its own liquor, flavoured with $\frac{1}{2}$ oz. onions, and thickened with $\frac{1}{2}$ oz. flour and any bread left on the previous day, and $\frac{3}{4}$ oz. pepper per cent. $\frac{3}{4}$ lb. potatoes; bread.

Tuesday.....	3 oz. beef (cooked), flavoured and thickened as above	
	$\frac{3}{4}$ lb. potatoes; bread.	
Wednesday	3 oz. mutton (cooked), flavoured and thickened as above.	
	$\frac{3}{4}$ lb. potatoes; bread.	
Thursday....	$\frac{3}{4}$ lb. pudding, containing	{ 1 oz. 2 drs. suet.
		{ 6 ,, whole meal flour.
		{ 4 ,, 14 drs. water.
	$\frac{3}{4}$ lb. potatoes; bread.	
Friday.....	3 oz. beef (cooked), flavoured and thickened as above.	
	$\frac{3}{4}$ lb. potatoes; bread.	
Saturday	1 pint soup, containing	{ 8 oz. shins of beef (uncooked).
		{ 1 ,, pearl barley.
		{ 3 ,, fresh vegetables, including onions.
		{ $\frac{3}{4}$,, pepper per cent.
	$\frac{3}{4}$ lb. potatoes; bread.	

SUPPER.

1 pint gruel, containing	{ 2 oz. oatmeal.
	{ $\frac{1}{2}$,, molasses.
	{ 2 ,, milk.
	Bread.

Bread per week	118 oz.
,, each week-day.....	16 ,,
,, ,, Sunday.....	22 ,,
Salt per prisoner per day	$\frac{1}{2}$,,

 *Women employed in washing or other exceptionally hard work, to receive daily an extra allowance of 3 oz. bread and 1 oz. cheese, as an intermediate meal between breakfast and dinner, and 4 oz. meat four times a week instead of 3 oz.*

Prisoners in the 1st and 2nd classes will be allowed choice of tea (consisting of 1 $\frac{1}{2}$ drs. tea, with $\frac{1}{2}$ oz. molasses, and 2 oz. milk), and 2 oz. additional bread instead of gruel for supper.

Women, on attaining the 1st class, may be allowed instead of the usual soup-day's dinner, 4 oz. baked mutton (4 oz. without bone and after cooking) and $\frac{3}{4}$ lb. potatoes, the meat when served to be merely moistened by the gravy which comes from the cooking.

SCALE OF DIET FOR ILL-CONDUCTED AND IDLE CONVICTS
(MALE AND FEMALE).

SCALE No. 1.

3 days or less	1 lb. bread with water, per diem.
3 days or more	{ 1 lb. bread with water, per diem; and
	{ ordinary diet of prison for alternate
	{ and equal periods not exceeding three
	{ days.

This scale may be ordered for any single period not exceeding 18 days. Prisoners sentenced to No. 1 scale for 12 days may receive bread and water, alternating with ordinary prison diet, in periods of one, two, or three days, at the discretion of the Governor.

SCALE No. 2.

Breakfast.....	8 oz. bread.
Dinner 1 pint stirabout, containing	{ 2 oz. oatmeal. 2 " Indian meal. 8 potatoes. Salt.
Supper.....	8 oz. bread.

This scale may be given for a period of 21 days or less, but not to exceed 42 days. When ordered for more than 21 days, the prisoner is to receive the ordinary prison diet during the fourth week.

SCALE No. 3.

Breakfast.....	8 oz. bread.
Dinner .. 1½ pints stirabout, containing	{ 3 oz. oatmeal. 3 " Indian meal. 8 " potatoes. 8 " bread. Salt.
Supper.....	8 oz. bread.

This scale may be given for a period of 42 days or less, but not to exceed 84 days. When ordered for more than 42 days, the prisoner is to receive the ordinary prison diet during the seventh and eighth weeks.

APPENDIX X.

Penal Class Rules.

June, 1865:

1. Penal Class prisoners will be confined in special cells, where strict silence is observed.
2. They will take exercise for about an hour a day, separately, in the presence of an officer.
3. They will be employed at such hard labour as may be ordered, in picking a regulated weight of oakum or coir, without instruments, or in some such occupation.
4. They will be restricted to a special diet for three months at least.
5. They will not be allowed to receive visits or letters, or to write letters.
6. They will be subject to the ordinary prison punishment for ordinary offences.
7. If specially recommended by the Governor on account of good conduct at the end of three months, they will receive the ordinary prison diet.
8. If again specially recommended by the Governor, at the end of three additional months, they will return to the ordinary cells.

9. They will be credited with marks at the rate of six per diem.
10. They should be examined by the Medical Officer before placing them on punishment diet.
11. A special list of library books will be kept for the use of prisoners in the penal class, which will be approved by the Directors.

APPENDIX XI.

Transfer of badly conducted Prisoners to Separate Prisons for last three or six months of their Sentences.

24th March, 1865.

It is in contemplation to transfer from the public works prisons to the close prisons, for the last three or six months of their sentences, such prisoners as by their continuous bad conduct on public works have shewn themselves to have failed to profit by the discipline to which they have been subjected, and to send in their places prisoners who have been in the close prisons more than nine months.

You are therefore requested to send to this office, now and from time to time the particulars of men due for discharge in about three or six months, who you recommend to be so transferred, including particularly men whose licences have been revoked, men repeatedly re-convicted, and men who have forfeited all, or nearly all, of their remissions, and have persevered in a continuous course of misconduct.

APPENDIX XII.

Rules relating to Corporal Punishment, approved by the SECRETARY OF STATE.

MALE CONVICTS.

The following offences committed by adult male prisoners (that is, prisoners of 18 years of age and upwards) will render them liable to corporal punishment :

1st. Mutiny or open incitement to mutiny in a prison ; personal violence to any officer or servant of the prison, or to a fellow-prisoner, or threats of such violence ; grossly offensive or abusive language to any officer or servant of the prison.

2nd. Wilfully or wantonly breaking the prison windows, or otherwise destroying the prison property.

3rd. When under punishment in a dark, refractory, or ordinary cell, wilfully making a disturbance tending to interrupt the order and discipline of the prison, and any other act of gross misconduct or insubordination requiring to be suppressed by extraordinary means.

4th. Corporal punishment shall in no case be awarded until after the inquiry upon oath, and in the presence of the prisoner, into the circumstances of the case. Full particulars of the inquiry shall, in each case, be entered in the Directors' Minute Book.

5th. The order for the punishment shall be entered in the Directors' Order Book, and the number of lashes to be inflicted shall, in all cases, be stated in such order.

6th. In no case of corporal punishment shall the number of lashes inflicted on an adult prisoner exceed 36.

7th. Corporal punishment to be inflicted with a "cat" or a birch rod; the instruments, in both instances, to be previously approved by the Directors.

8th. The Governor shall attend all corporal punishments, and shall enter in his Journal the day and hour at which the punishment is inflicted, the number of lashes given, and any orders which he or the medical officer may give on the occasion.

9th. The Governor shall have power to remit any portion of the number of lashes awarded, after the infliction of two-thirds of the sentence.

10th. The medical officer shall attend all corporal punishments, and his instructions thereon, for preventing injury to health, shall be obeyed.

11th. In every case, before corporal punishment is inflicted, the medical officer shall ascertain that the prisoner is in a fit state of health to undergo punishment.

APPENDIX XIII.

Means of Restraint for Male and Female Convicts.

21st Feb. 1870.

The following orders respecting the use of the various means which have been from time to time authorised by the Secretary of State for restraining male and female convicts in cases of necessity are published with a view of securing uniformity of practice in the different prisons, and due responsibility in the employment of the means of restraint referred to.

Articles authorised to be used for male convicts, and of which sealed patterns are to be retained in each prison.

1. *Handcuffs*.—Figure of eight, swivel or curb chain, not to exceed, for the pair, twenty-two ounces (avoirdupois) in weight.

2. *Leg Chains or Cross Irons* of forty-two inches in length, fastened at each end to an iron ring, large enough to admit of the rings being firmly riveted round each ankle; not to be less altogether than 4½ lbs. nor to exceed 6 lbs. in weight (avoirdupois).

3. *Body Belt*, of double leather, sewn together, fastened by a lock round the waist, with steel wristlets at equal distances at the sides to lock the wrists therein ; altogether not to exceed 4lbs. (avoirdupois) in weight.

4. *Canvas Dress*, made of No. 1 Navy Canvas, for convicts destroying their clothing ; not to exceed 12lbs. (avoirdupois) in weight.

INSTRUCTIONS FOR USE OF THE ARTICLES ABOVE DETAILED.

The handcuffs, leg irons, and body belt, are to be used only when necessary as a measure of restraint, and not as a punishment.

Whenever it is found necessary to place the handcuffs on a prisoner (for any reason except for temporary use when such additional security may be usual), an order* is to be given on the Form 364D, specifying the date and hour when they are to be put on, and whether they are to be placed with the hands in front of the body or behind the back. The officer carrying out the order will state in the proper place on the form how the order was carried out, and the date and hour of removal or change of position of the handcuffs.

If handcuffs are placed behind the back, they are to be removed to the front at meal times and bed times, and replaced after meals and on getting up.

Should this means of restraint be used upon the recommendation of the medical officer, it is to be so stated on the order, and that officer will state his concurrence as to the mode and time of restraint being in accordance with his opinion of the necessity of the case.

The Governor will enter in his Journal any case of a prisoner being placed under restraint, with the day and hour of that restraint being put on and taken off or changed in manner of application. A prisoner is not to be kept in irons by the Governor for a longer period than 72 hours,† without the written order of a Director, specifying the cause thereof and the time during which the prisoner is to be kept in irons, and whether irons or handcuffs are to be placed in front or behind, which order shall be preserved by the Governor as his warrant.

Governors are empowered to use light steel connecting chains, for securing convicts in cases of emergency, under such regulations, limitations and restrictions, as allowed in use of ordinary irons.

* The order not to be given on mere report of misconduct, but only after investigation of the necessity for doing so.

† Reduced to 24 hours, and the prisoner is not again to be placed in irons, unless his conduct is such as to render it necessary, in which case a full report is to be made to the Directors.

Leg Chains or Cross Irons are to be used only by order of a Director,* and not to be kept on continuously for more than six months. They will be put on only in cases of attempt to escape or assault.

The Body Belt to be used for restraining invalid convicts guilty of violent conduct, but who cannot be subjected to the ordinary punishment inflicted on men in sound health. It is not to be continued for a longer period than may be necessary for the prisoner's own safety or that of others, and in all cases to be used only with the concurrence of the medical officer.

The use of the body belt will be entered in the Governor's Journal, as in the case of irons, and also in that of the Medical Officer.

The return of the cases in which the body belt is used, to be, as heretofore, submitted quarterly, for the information of the Secretary of State, on the usual form.

The Canvas Dress will be worn, by order of the Director, by convicts who destroy their clothing; the date of the commencing and ceasing to wear it being duly entered in the Governor's Journal.

For female convicts the handcuffs and canvas dress will be similar in description to those authorised for males. A separate sealed pattern will be provided. They will be used under the same restrictions as apply to males, by order of the Governor (when there is one), or in other cases by the Lady Superintendent.

Female convicts whose peculiar form of violence requires that the legs shall be restrained, may have ankle straps placed on them of the following description, viz:—

Ankle Straps, padded, of leather, to be locked round each ankle, connected with an iron ring, and with a long strap locked to a leather waist belt, locked round the waist over a loose jacket: weight altogether 1lb. 12oz. (avoirdupois).

They are to be used by medical authority only, as a measure of restraint for female convicts who, in his opinion, might seriously injure themselves if not restrained by these means; to be discontinued by the medical officer as soon as he is satisfied the prisoner will not injure herself, by being released from such restraint. Its use is to be duly recorded, both by the Governor or Lady Superintendent, and by the Medical Officer, in their respective Journals, and also by the Matron in charge of the punishment cells, giving date and hour of commencing, and date and hour of ceasing to be used.

Medical cases under treatment in the Infirmary are only to be restrained by the ordinary canvas strait jacket, upon the sole authority and discretion of the Medical Officer; the length of time in use in each case being duly recorded in his Journal.

E. F. DU CANE.

* At whose visits a book containing the names of prisoners under this restraint is submitted for instructions as to its continuance or not.

ORDER FOR RESTRAINT.

364D

.....Prison.

Date,.....

* Describe the
Irons.+ Insert whether
in front of body or
behind back.They are in any
case to be placed
in front during
meals and bed-
time.

Prisoner, No..... to be restrained

in*..... by the wrists†

.....from this hour.

To.....

Signature,

GOVERNOR.

To the Chief Warden and
Principal Warden in charge
of Separate and Penal Class
Cells }

Irons, as above ordered, placed on Prisoner

..... at

Removed at.....M., the..... day of

..... 18

..... Warden in

charge of.....

.....

APPENDIX XIV.

Copy of Letter addressed by the SECRETARY OF STATE to CHAIRMEN OF QUARTER SESSIONS, &c., requesting them to undertake the office of Visitor of Convict Prisons.

Whitehall,.....188

In the report of the Commissioners appointed to inquire into the working of the Penal Servitude Acts (presented to Parliament in 1879), they make a recommendation that arrangements should be made for the independent inspection of Convict Prisons by persons appointed by the Government, but unconnected with the Convict Prison Department, and unpaid.

"Whilst," say they, "we have every reason to believe that the present Board of Directors have carried on the administration of the prisons in a satisfactory manner, and we think they deserve very great credit for the improvements which they have introduced into the system, we have, nevertheless, after much consideration, arrived at the conclusion that it would conduce to public confidence in the system, and would be a valuable safeguard against any abuses creeping into it, if means were taken to secure the inspection of the prison from time to time by persons appointed by the Government, but unpaid, and unconnected with the Prison Department."

In making this recommendation, the Commissioners expressly state that they have not overlooked the objections urged by persons of experience that such an arrangement would lead to a dual government, and would break down the authority of the Directors.

Such would, undoubtedly, be the result if the unofficial visitors were allowed to exercise any power of interference with the actual administration of the prisons.

This, however, the Commissioners expressly state to be far from their intention.

What they really recommend is, that some gentlemen of authority and experience should be requested to undertake the duty of visiting the Convict Establishments, and reporting to the Secretary of State any matters which appear to them to require attention.

That they should, of course, have free access to the convicts, and to every part of the prison, but that they should have no power to give any order, or to interfere in any way with the discipline or management.

With this view thus taken by the Commissioners I entirely agree, and shall gladly do all in my power to give full effect to it.

In the belief that in the interest of the public service you will not be unwilling to give the benefit of your assistance, I have the honour to request that you will as be good enough to undertake the office of Visitor of the Convict Prisons at for the ensuing 12 months, and that you will from time to time visit the prisons as you may think fit, and make either a general or special report to me. Any such report so made shall, I need hardly say, receive at my hands the most careful consideration.

The Directors are desirous, and will be in every way ready to co-operate with you, and the Governor and other Officials will have full instructions that every facility shall be given and every courtesy shown.

Free access will be given to all prisoners, and to all parts of the prison, and all the books will be open to your inspection at all reasonable hours.

I have made a like request with regard to the same prisons, as joint visitors to

.....

I have, &c.

Copy of Letter from the SECRETARY OF STATE, appointing Visitors of Convict Prisons.

Home Office, Whitehall,

December, 1879.

Sir,

I have the honour to inform you that I have appointed you to the office of Visitor to Her Majesty's Convict Prison at for the 12 months ensuing, from the 1st of January next.

The appointment of Visitors to Convict Prisons is an arrangement which I have adopted in order to give effect to a recommendation, in which I entirely concur,

made by the late Royal Commission on the Penal Servitude Acts in the Report, a copy of which accompanies this letter ; and in paragraphs of that Report you will find set forth the general objects which such visitation is intended to fulfil.

Your duty, accordingly, will be, from time to time, as you may find expedient, to visit the prison, and to make inquiry as to the state of the prisoners, and discipline and condition of the prison, but to abstain, however, from giving any order, or interfering with the administration of the prison, which by statute is vested exclusively in the Directors of Convict Prisons, subject to the control of the Secretary of State.

A book will be kept in the prison, in which you will insert such remarks or recommendations as you may desire to make, and whenever you consider this course preferable, you will address a report to the Secretary of State, who will immediately pay attention to it.

Your colleagues in the office with respect to.....Prison are
.....

And I have to request that you will, at your earliest convenience, confer with them, in order to arrange at such times and in such manner for the visitation of the prison as you may think fit, either together or separately. In addition to any special reports that you may make from time to time, the Visitors of the.....
.....Prison should, at the end of the year, make a joint report to the Secretary of State, on the general state and discipline of the prison.

The Directors of Convict Prisons are desirous, and will be ready in every way to co-operate with you, and the Governors and other officials will have instructions that every facility shall be provided and every courtesy shown, and free access will be given to all prisoners and all parts of the prison, and all books will be open to your inspection at all reasonable hours.

I have, in conclusion, to request you to be good enough to take this communication with you on the occasion of your first visit to the prison, in order to prevent the possibility of any unauthorized person obtaining an entry into the prison by pretending to be a visitor.

I am, &c.

APPENDIX XV.

Regulations—Mark System.

No. 146.

22nd July, 1864.

1. The time which every convict, under sentence of penal servitude, must henceforth pass in prison will be represented by a certain number of marks, which he must earn by actual labour performed before he can be discharged.

2. No remission will be granted for conduct. It is only on condition of good conduct and strict obedience that convicts are allowed to earn by their industry a remission of a portion of their sentences.

3. If, therefore, their conduct is indifferent or bad, they will be liable to be fined a certain number of marks, according to the nature and degree of the offence, and will thus forfeit by misconduct the remission they may have gained by their industry.

4. The scale of marks is—

8	marks	per	diem	for	steady	hard	labour,	and	the	full	performance	of	their	allotted	task.
7	„	„	„	„	a	less	degree	of	industry.						
6	„	„	„	„	a	fair	but	moderate	day's	work.					

5. No remission is granted for the period passed in separate confinement, which is fixed at nine months; a convict's marks are therefore to be calculated at the rate of six per diem, as commencing nine months from the date of conviction; and any forfeiture of time incurred in separate confinement is to be added to his marks at the rate of six for every day forfeited; but if he is detained through no fault of his own in a separate prison above nine months from date of sentence, he will be credited with eight marks per diem for the days he is so detained.

6. If by his industry on public works the convict gains eight marks per diem, and does not forfeit any for misconduct, he earns the full remission of one-fourth allowed by the Secretary of State.

7. When a convict is sentenced to forfeiture of time, a number of marks equal to the number of days forfeited multiplied by six is to be added to the whole number of marks he has to earn. As he can by his industry earn eight, he may thereby gain a remission of one-fourth of such forfeiture.

8. When a convict is sentenced to be degraded for a certain time to a lower class, he must remain therein until he has earned the full number of marks for that time, viz., the whole number of days multiplied by eight; such number of marks is not, however, to be added to the original number he has to earn for remission, but it represents the number of marks he must earn before he can return to his original class, unless the sentence specifies to the contrary.

Convicts in the light labour class to be credited only with six or seven marks, according to their character and industry, unless specially otherwise ordered by the Director.

[In order that each case may be considered in proper course, lists are submitted monthly to the Directors, of those prisoners who would be due for discharge on licence if they had not lost marks on light labour; and these lists shew whether the marks lost were from absolute inability or unwillingness to perform hard labour. Those unable to perform hard labour from loss of a limb, or some other grave bodily infirmity, are eligible for full marks without reference to the Directors.]

Convicts sentenced to separate confinement, or penal class, or while undergoing second probation, to be credited only with six marks per diem during that period.

Convicts in hospital to be credited only with six marks per diem, which may be increased by special recommendation of the Governor to the Director.

[Subsequently revised, so that no convict is to be credited with more than seven marks per diem, unless laid up from accident on the works, in which case special attention is to be called to those who for a long time suffer any loss under these rules.]

The record of marks to be kept by the infirmary principal warder, and submitted to the medical officer, who will make such recommendation as he sees fit to the Governor.

9. On Sunday marks must be allotted for conduct alone on that day.

[The award is not to exceed seven marks, except when eligible for eight marks on week-days.]

10. Any prisoner reported for idleness or misconduct at school will be liable, in addition to any other punishment, to be fined a number of marks proportionate to his offence.

11. Convicts, who by their inattention, do not profit by the instruction given them, and are found unable to read and write on emerging from the third class, will forfeit their gratuity, which cannot be restored to them until they can do so.

The power of the Governor to fine convicts for remission is limited to the equivalent in marks of their present power of forfeiture of time, viz., from one to fourteen days, the equivalent being from six to eighty-four marks; and his power as to degradation of class is limited to three months, represented by 720 marks, which must be earned before the convict can regain his class, but which are not to be added to the total amount he has to earn for remission.

Re-convicted men will be placed in the same scale of remissions as other convicts, and if their conduct is meritorious their cases will be submitted for favourable consideration at the same period as other convicts; but they will be more severely dealt with than other convicts if they misconduct themselves. [A subsequent order deprives convicts re-convicted a third time, under certain conditions, of the privilege of gaining a licence].

Convicts who by their misconduct forfeit the whole of their remission, will be liable to be kept in separate confinement during the last six months of their sentence

APPENDIX XVI.

Awarding and Recording the Marks gained by Convicts.

No. 335.

10th January, 1871.

1. The attention of Governors and Lady Superintendents is directed to the importance of paying constant attention to the details of the working of the system of marks, in order to ensure care in awarding and recording the marks gained by

convicts, and a proper check on the correctness of the entries of marks gained or forfeited.

2. No officer should be appointed to take charge of a party until the Governor is satisfied that he understands thoroughly the principle on which marks should be awarded, and shews he would be likely to carry out the system fairly and efficiently. The Governor should frequently satisfy himself that the officers continue to know and to perform their duty in this respect.

3. The Deputy Governors shall take every means of seeing that the warders in charge of parties award the marks fairly, and should, during their daily rounds on the works, examine and initial the books of a certain number of parties every day, so that the fairness of the award of marks by every officer in charge of a party may be checked by them at least once in the course of the week. The principal warders should also daily examine and initial the books of the officers in their districts for the same purpose.

4. If it shall appear to them that an officer in charge of a party does not execute this duty efficiently, they shall report accordingly to the Governor, who shall take such steps as may be necessary.

5. No less care is necessary to ensure the correct entry in the penal record, and on the prisoners' cards of the awards and forfeitures. The Governor should himself, and by the Deputy Governor, frequently examine the entries to see that they are posted without delay, and that the clerks carry out their part of these duties with care and correctness.

E. F. DU CANE.

APPENDIX XVII.

Copy of Mark and Gratuity Card.

[428D]

REG. No. NAME.....

TOTAL NUMBER OF MARKS TO BE EARNED.....

Balance of GAIN OR LOSS	in the Quarter	QUARTER, 188		QUARTER, 188		QUARTER, 188	
		Marks	Gratuity	Marks	Gratuity	Marks	Gratuity
Total carried on							

Balance of GAIN OR LOSS	in the Quarter	QUARTER, 188		QUARTER, 188		QUARTER, 188	
		Marks	Gratuity	Marks	Gratuity	Marks	Gratuity
Total carried on							

APPENDIX XVIII.

*Order of Licence to a Convict made under the Statutes 16 & 17
Vict., c. 99, s. 9, and 27 & 28 Vict., c. 47, s. 4.*

WHITEHALL,

.....day of.....188

HER MAJESTY is graciously pleased to

grant to
 who was convicted of
 at the
 for the.....
 on the.....day of18 , and was
 then and there sentenced to be kept in Penal Servitude for the term of

 and is now confined in the.....Prison,

Her Royal Licence to be at large from the day of his liberation under this order, during the remaining portion of his said term of Penal Servitude, unless the said shall, before the expiration of the said term, be convicted of some indictable offence within the United Kingdom, in which case, such Licence will be immediately forfeited by law, or unless it shall please Her Majesty sooner to revoke or alter such Licence.

This Licence is given subject to the conditions endorsed upon the same, upon the breach of any of which it shall be liable to be revoked, whether such breach is followed by a conviction or not.

And Her Majesty hereby orders that the said..... be set at liberty within Thirty Days from the date of this Order.

Given under my hand and Seal,

Signed,

TRUE COPY.

Licence to be at large.

*Chairman of the Directors }
of Convict Prisons. }*

**THIS LICENCE WILL BE FORFEITED IF THE HOLDER DOES NOT
OBSERVE THE FOLLOWING CONDITIONS.**

The holder shall preserve his Licence, and produce it when called upon to do so by a Magistrate or Police Officer.

He shall abstain from any violation of the law.

He shall not habitually associate with notoriously bad characters, such as reputed thieves and prostitutes.

He shall not lead an idle and dissolute life, without visible means of obtaining an honest livelihood.

If his Licence is forfeited or revoked in consequence of a conviction for any offence, he will be liable to undergo a term of penal servitude equal to the portion of his term of years which remained unexpired when his Licence was granted, viz., the term of

*The attention of the Licence holder is directed to the following provisions of
"The Prevention of Crimes Acts, 1871 and 1879."*

If it appears from the facts proved before a court of summary jurisdiction that there are reasonable grounds for believing that the convict so brought before it is getting his livelihood by dishonest means, such convict shall be deemed to be guilty of an offence against the Prevention of Crimes Acts, and his Licence shall be forfeited.

Every holder of a Licence granted under the Penal Servitude Acts who is at large in Great Britain or Ireland, shall, within forty-eight hours of his liberation, personally notify the place of his residence to the chief officer of police of the district in which his residence is situated, or to a constable or person appointed by him, and shall, whenever he changes such residence within the same police district, notify such change to the chief officer of police of that district, or to a constable or person appointed by him, and whenever he changes his residence from one police district to another shall personally notify such change of residence to the chief officer of police of the police district which he is leaving, or to a constable or person appointed by him, and to the chief officer of police of the police district into which he goes to reside, or to a constable or person appointed by him; moreover, every male holder of such a Licence as aforesaid, shall, once in each month, report himself personally at such time as may be prescribed by the chief officer of police of the district in which such holder may be, either to such chief officer himself or to such other person as that officer may direct, and such report may, according as such chief officer directs, be required to be made personally or by letter.

If any holder of a Licence who is at large in Great Britain or Ireland, remains in any place for forty-eight hours without notifying the place of his residence to the chief officer of police of the district in which such place is situated, or to a constable or person appointed by him, or fails to comply with the requisitions of this section on

the occasion of any change of residence, or with the requisitions of this section as to reporting himself once in each month, he shall, in every such case, unless he proves to the satisfaction of the Court before whom he is tried that he did his best to act in conformity with the law, be guilty of an offence against the Prevention of Crimes Act, and upon conviction thereof, *his Licence may in the discretion of the Court be forfeited*, or if the term of penal servitude in respect to which his Licence was granted has expired, at the date of his conviction, it shall be lawful for the Court to sentence him to *imprisonment*, with or without hard labour, for a term not exceeding *one year*, or if the said term of penal servitude has not expired, but the remainder unexpired thereof is a lesser period than one year, then to sentence him to imprisonment, with or without hard labour, to commence at the expiration of the said term of penal servitude, for such a term as, together with the remainder unexpired of his said term of penal servitude, will not exceed one year.

Where any person is convicted on indictment of a crime, and a *previous conviction of a crime* is proved against him, he shall, at any time *within seven years* immediately after the expiration of the sentence passed on him for the last of such crimes, be guilty of an offence against the Prevention of Crimes Act, and be *liable to imprisonment* with or without hard labour, for a term not exceeding *one year*, under the following circumstances, or any of them:—

First. If, on his being charged by a constable with getting his livelihood by dishonest means, and being brought before a Court of summary jurisdiction, it appears to such Court that *there are reasonable grounds for believing* that the person so charged is *getting his livelihood by dishonest means*; or,

Secondly. If on being charged with any offence punishable on indictment or summary conviction, and on being required by a Court of summary jurisdiction to give his name and address, he refuses to do so, or *gives a false name or a false address*; or,

Thirdly. If he is found in any place, whether public or private, under such circumstances as to satisfy the Court before whom he is brought that he was *about to commit or to aid in the commission of any offence* punishable on indictment or summary conviction, or *was waiting for an opportunity to commit or aid in the commission of any offence* punishable on indictment or summary conviction; or,

Fourthly. If he is found *in or upon any dwelling-house, or any building, yard or premises*, being parcel of or attached to such dwelling-house, or in or upon any shop, warehouse, counting-house, or other place of business, or in any garden, orchard, pleasure-ground, or nursery-ground, or in any building or erection in any garden, orchard, pleasure-ground, or nursery-ground, *without being able to account to the satisfaction of the Court before whom he is brought for his being found on such premises*.

APPENDIX XIX.

Extract from the "Prevention of Crimes Act 1871," section 8.

"Where any person is convicted on indictment of a crime, and a previous conviction of a crime is proved against him, the court having cognizance of such indictment may, in addition to any other punishment which it may award to him, direct that he is to be subject to the supervision of the police for a period of seven years, or such less period as the court may direct, commencing immediately after the expiration of the sentence passed on him for the last of such crimes."

"Every person subject to the supervision of the police, who is at large in Great Britain or Ireland, shall notify the place of his residence to the chief officer of police of the district in which his residence is situated, and shall whenever he changes such residence within the same police district, notify such change to the chief officer of police of that district, and whenever he changes his residence from one police district to another, shall notify such change of residence to the chief officer of police of the police district which he is leaving, and to the chief officer of police of the police district into which he goes to reside; moreover, every person subject to the supervision of the police, if a male, shall once in each month report himself, at such time as may be prescribed by the chief officer of police of the district in which such holder may be, either to such chief officer himself or to such other person as that officer may direct, and such report may, according as such chief officer directs, be required to be made personally or by letter."

"If any person subject to the supervision of the police, who is at large in Great Britain or Ireland, remains in any place for forty-eight hours without notifying the place of his residence to the chief officer of police of the district in which such place is situated, or fails to comply with the requisitions of this section on the occasion of any change of residence, or with the requisitions of this section as to reporting himself once in each month, he shall in every such case, unless he proves to the satisfaction of the court before whom he is tried that he did his best to act in conformity with the law, be guilty of an offence against this act, and upon conviction thereof he shall be subject to be imprisoned, with or without hard labour, for any period not exceeding one year."

Extract from the "Prevention of Crimes Act 1879," section 2.

"Any person subject to the supervision of the police required under section eight of the Prevention of Crimes Act 1871, to notify his residence or any change of his residence to a chief officer of police shall comply with such requirement by personally presenting himself and declaring his place of residence to the constable or person who at the time when such notification is made is in charge of the police station or office of which notice has been given to such holder or person as the place for re-

ceiving his notification, or if no such notice has been given, in charge of the chief office of such chief officer of police."

"The power of the chief officer of a police district to direct that the reports required by section eight of the Prevention of Crimes Act 1871 to be made by holders of licences and persons subject to the supervision of the police shall be made to some other person shall extend to authorise him to direct such reports to be made to the constable or person in charge of any particular police station or office without naming the individual person."

"Any appointment, direction, or authority purporting to be signed by the chief officer of police, and to have been made or given for the purposes of this Act, or of section eight of the Prevention of Crimes Act 1871 shall be evidence, until the contrary is proved, that the appointment, direction, or authority thereby made or given was duly made or given by the chief officer of police, and evidence that it appears from the records kept by authority of the chief officer of police that a person required as above mentioned to notify his residence or change of residence or make a report has failed to comply with such requirement, shall be *prima facie* evidence that the person has not complied with such requirement; but if the person charged alleges that he made such notification or report to any particular person or at any particular time, the court shall require the attendance of such persons as may be necessary to prove the truth or falsehood of such allegation."

APPENDIX XX.

Examples of Arrangements, References, &c., in the "Register of Criminals."

In this Register the "Particulars," i.e., the Description, Sentence, Prison from which discharged &c., are entered in full against the names of all criminals returned by prison authorities as having been liberated subject to the penalties of the 8th Clause of "The Habitual Criminals Act 1869," or of the 7th or 8th Clauses of "The Prevention of Crimes Act 1871," to the 31st March, 1876.

"Original Names," that is to say, names under which the criminals were first registered, are those under which prison authorities have returned a criminal who has been convicted subsequently to the passing of the Habitual Criminals Act (whether under the above clauses or not), and are shown thus:—

Office Register Number	NAME and ALIASES	DESCRIPTION						Prison from which Liberated, and Date of Liberation	Offence for which Convicted	Sentence	Superintending	Intended Residences after Liberation	REMARKS
		Age	Height	Hair	Eyes	Face	Trade or Occupation						
A 1379	Allison, William (see also Maltinson, William, & Walker, Thos.)	40	5 5	br	bl	pa	fisher-woman	Northallerton 4 | 10 | 70	Larceny, simple	6 months	7 yrs. On tramp		Cut mark right eye-brow, forehead, and right thumb
O 2143	Calvert, Ellen alias Russell, Ellen (see also Russell, Elizabeth, Russell, Ellen, & Owen, Eliza)	39	5 0½	dk br gr	fr	char-woman	Liverpool 30 | 6 | 73	Larceny, simple	12 months	7 yrs. Not known		Burn scar left temple. Three previous convictions for felony	

The references in these cases are to other names in which the criminal has been convicted.

Names, different to the original one, in which criminals have been convicted, are referred to the original name, thus:—

M 1806	O'Neill, Mary alias Veldon, Val- don & McArdler, (see McCarride, Ann)	39	5 0½	dk br gr	fr	char-woman	Liverpool 30 | 6 | 73	Larceny, simple	12 months	7 yrs. Not known		Burn scar left temple. Three previous convictions for felony	
O 2143	Owen, Eliza alias Russell, (see Calvert, Ellen)												

The "Register Number" is the initial letter and number assigned to the prisoner when first registered, as "A 1379" in the above example.

In cases where names appear having different initial letters to the Register Number, the conviction is in an alias to the original name, and the original name under which the criminal was convicted is the one which has the same initial letter as the Register Number ; thus :—

R 3447	Allen, Thomas alias George and Wilcox	19	5	1	dk	br	br	dk	tailor	Cold Bath Fields	Larceny person	18 months	7 yrs.	14	Geo-street, Goswell-road	Scar left eyebrow. Three previous convictions for felony
S 3873	Anderton, Henry alias Henry and Swift									9	2	76				

Aliases, by which prisoners have been known other than those which they appear in the Register as having been convicted in, are referred to the names under which they have been convicted ; thus :—

A 3907	Ainsley, — see William															
C 2143	Russell, — see Owen, Eliza															

It will be observed that in these cases the reference is in a different type to those where the criminal is convicted in a name different to the original name.

The Names are arranged thus :—

1. The whole of the Original Names, aliases under which a person has been convicted, and aliases under which he has not been convicted, are arranged in strictly alphabetical order.
2. Identical Names, without an alias, are arranged in the numerical order of the Register Number.
3. Identical Names, with aliases, are arranged in the alphabetical order of the first alias.
4. Identical aliases are arranged in the alphabetical order of the names to which they are referred.

APPENDIX XXI.

Distinctive Marks Register.

The manner in which this Register will serve to effect the identification of any person in custody who is suspected to be an Habitual Criminal, but who gives a name by which he cannot be traced in any volume of the Alphabetical Register, is as follows:—

He should be carefully inspected, taking each region of the body in succession in the order indicated in the instructions—[*See Appendix XXII*], and noting any important distinctive marks or peculiarities. The leading characteristics noted should then be searched for in the “Register of Distinctive Marks,” and the names of the person or persons stated to have the particular mark or peculiarity observed should then be referred to in the “Alphabetical Register,” and the full personal description and distinctive marks there given compared in succession with those of the person whose identity it is sought to establish. Should these be found generally to agree, further inquiries should be made, and evidence of identity obtained, by communication with the Prison from which the man is stated to have been liberated, or, if necessary, by reference to the Registrar of Habitual Criminals.

The following example will illustrate the mode of using the Distinctive Marks Register:—

Suppose that a person is in custody who gives the name of John Albury. He is suspected of having been an Habitual Criminal, but the name he now gives, or the alias under which he served the sentence, cannot be traced in any volume of the Alphabetical Register. The man is then inspected, and found to have lost his right leg. The Distinctive Marks Register is thereupon referred to under Division 8 (*viz.*, “Thigh and Leg”), and in the volume for 1876 are found records of four persons who have sustained a loss of a similar nature. Their names are successively referred to in the Alphabetical Register, and the general personal description and other distinctive marks recorded in each case are compared, in the order indicated above, with those of the person under identification. These are found generally to correspond in the fourth case, *viz.*, that of George Wainwright; and particularly it is found that the person under identification has, besides, a cut on the back of the left hand, which mark is also recorded as borne by George Wainwright. Application is thereupon made to the Governor of the Prison (Stafford county) from which George Wainwright was liberated, for the photograph, or for the assistance of a person acquainted with him; and if the identity suggested is thereby further confirmed, the steps necessary to prove it in the Court of Justice can be taken in due course.

APPENDIX XXII.

Instructions for Examining and Describing Prisoners.

4th August, 1877.

The following Instructions, applicable to the descriptive portions of the Penal Record and form "R" of the Habitual Criminals Registry, are intended to ensure accuracy, uniformity, and completeness in recording the descriptions of Prisoners, and to direct attention to such personal peculiarities as may assist in identification.

As respects the entries relating to—

Date of Birth

Place of Birth

Married or Single

Trade or Occupation [which means the Trade followed while out of prison]—if there is reason to believe that the information given by the Prisoner is incorrect, a note should be made giving the most accurate information obtainable.

The following list contains some of the chief characteristics and distinguishing peculiarities to be looked for in different regions of the body, and noted where they exist; but when other *permanent* peculiarities of importance are found, they should also be noted, the terms used below being merely suggested as those most likely to be required, and not being intended to exclude any others which may more fitly apply in certain individual cases.

The various particulars of form, colour, feature, &c., printed in italics, are those of which the entries are required *in all cases* to be made, beneath the headings respectively provided for them in the descriptive forms.

Such other marks or peculiarities as may be found to exist should be entered under the heading "Distinctive marks and peculiarities" in the order indicated, the locality being specified as exactly as possible.

The examination should be made by good daylight, and the result should be carefully recorded.

Height [without shoes].

Build, [or frame]: *Proportionate, lanky, bulky, small, thickset, spare, stout bony, muscular, &c.*

1. HEAD AND FACE—

Scars from scalp wounds (if extensive or deep).

Scars and marks on face and forehead from kicks and cuts.

Small growths or tumours.

Lower part of face awry or disfigured by fractures or other injuries of lower jaw.

Face drawn by paralysis.

Deaf and Dumb.

Complexion: *Pale, ruddy, sallow, dark, olive, copper, black, &c.*

Hair: *Brown (light, medium, or dark), red, grey, white, black, straight, wavy, woolly, &c.*

Eyes: Blue, hazel, grey, dark, &c. Prominent, sunken, squint, diseased, destroyed, or removed, (state whether right or left).

Shape of face: Oval, broad, narrow, long, round, irregular, &c.

Nose: Flattened, broken, bent, distorted, marks of ulceration, &c.

Ears: Prominent, ragged, partly removed, slit, pierced &c.

Mouth: Harelip, cleft palate.

Eyebrows: } If remarkable in any way.
Forehead: }

Other peculiarities of face and features.

2. THROAT AND NECK—

Scars from abscesses.

Scars from wounds.

Enlarged glands.

Enlarged throat (goitre, Derbyshire neck)

3. CHEST—

Tattoo-marks [including D., B.C., &c.]

Moles or mother marks.

Cupping marks.

Blister marks.

Scars from wounds, burns, or other injuries.

Unusual growth of hair.

Pigeon-breast or other deformity.

4. BELLY AND GROINS—

Tattoo-marks.

Protruding navel.

Scars from wounds, burns, or other injuries (if extensive or deep).

Rupture in one or both groins.

Scars from old buboes.

Scars or marks of any other kind (if extensive or deep).

5. BACK AND LOINS—

Tattoo-marks.

Hump-back or crooked spine.

Miners' marks.

Marks of corporal punishment.

Moles or birth marks.

Cupping marks on loins or between shoulder-blades.

Scars from wounds, burns, or other injuries (if extensive or deep).

Hair about shoulder-blades.

6. **ARM** (right or left, upper arm or forearm)—

- Loss of one or both (partial or complete).
- Tattoo-marks.
- Distortion from fracture or dislocation.
- Contraction or stiffening of elbow or wrist.
- Loss of power (with or without wasting).
- Scars from wounds or burns.

7. **HAND AND FINGERS** (right or left)—

- Loss of hand, thumb, or fingers (partial or complete) stating which.
- Tattoo-marks.
- Scars from injuries.
- Contracted or stiffened fingers.
- Enlargement of knuckles.
- Webbed or supernumerary fingers.

8. **THIGH AND LEG** (right or left)—

- Loss of one or both (partial or complete).
- Tattoo-marks.
- Shortening or distortion.
- Loss of power (with or without wasting).
- Stiffened or deformity of hip or knee joints.
- Lameness from any other cause (if permanent).
- Knock or bowed knees.
- Fractured knee-cap.
- Scars from wounds, burns, or other injuries (if extensive or deep).
- Scars on the shins from old ulcers, kicks, &c.
- Varicose veins (stating extent).

9. **FOOT AND ANKLE** (right or left)—

- Loss of one or both feet (partial or complete).
- Loss of any toes (stating which).
- Stiffening or deformity of ankle.
- Webbed or supernumerary toes.
- Deformity of foot (club foot).

E. F. DU CANE.

APPENDIX XXIII.

Summary of Statistics shewing the Mental and Physical Characteristics of Prisoners of the Habitual Criminal Class confined in the Convict Prisons on the 4th April, 1881.

	Ages.											Birthplace.				Number of previous Convictions.	CONDITION												
												As to fitness for Labour.					Of Mind and Body.												
	Under 15.	16 and under 20.	20 and under 25.	25 and under 30.	30 and under 35.	35 and under 40.	40 and under 45.	45 and under 50.	50 and under 55.	55 and under 60.	60 and under 65.	65 and under 70.	70 and upwards.	England and Wales.	Scotland.		Ireland.	Elsewhere.	Fit to perform Hard Labour.	Fit only for Light Labour.	Unfit for any Labour.	Insanity (certifiable cases only).	Weak mind.	Epilepsy.	Scrofula.	Disease of Lungs.	Disease of Heart.	Other Serious Diseases, Infirmities, or Defects.	No Serious Diseases Infirmities, or Defects.
Males -	—	177	1511	1964	1643	1239	891	627	470	279	201	105	63	7517	708	654	291	29,472	8883	1986	301	180	170	59	184	616	335	1669	6385
Females -	—	13	97	151	182	173	160	120	90	50	26	13	833	34	204	20	6,849	801	221	69	1	20	7	54	40	19	168	797	
Total -	—	190	1608	2115	1825	1412	1051	747	560	329	227	121	76	8350	742	858	311	36,321	7684	2207	370	181	190	66	238	656	354	1837	7182

Remarks of the MEDICAL INSPECTOR on the foregoing Summary of Statistics, shewing the Mental and Physical Characteristics of Prisoners of the Habitual Criminal Class.

On examining the figures of the Census of convict prisons, just completed, it appears that no less than three-fourths of the convicts are fit for hard labour; while only about one-thirtieth (3·6 per cent.) are deemed, by the medical officers of prisons, to be unfit for any labour. An intermediate group of rather more than one-fifth (2,207, or 21·5 per cent.) are entered as fit for light labour. This group includes a large proportion of those who are returned as insane, weak minded, epileptic, scrofulous, or as suffering from "other diseases or defects." Many of these may, of course, be employed with advantage to themselves at light in-door or out-door occupations. I do not know of any means by which it can be determined whether the ratio of those who are fit for hard labour is above or below that of the general population; but when hereditary defects, physical, mental and moral, are taken into account, together with degraded habits and unwholesome surroundings prior to conviction, the proportion of convicts fit for hard labour certainly appears large. It may, perhaps, be partly accounted for by the fact ascertained by Dr. Guy, that the "male convict population is made up of younger elements than those which compose the male population of England or London," and to which Sir Edmund Du Cane has drawn attention, as follows:—"It appears, therefore, that (so far, at least, as regards serious crime) that part of the population which is between twenty-five and thirty-four years, or, perhaps, a little older, supplies far more than its proper proportion to the convict prisons. This may, therefore, be called the 'criminal age.' It appears also that the criminal age begins and ends later in females than in males."*

Sir E. Du Cane goes on to remark that "the fact of the large decrease in crime continuously after the age of thirty-four, is well worthy of note; whether it arises from the moral feelings being, in some individuals, developed later than ordinarily, or in a desire, after a certain age, for a quieter life than the risk and excitement of crime can offer; but it would seem to warrant the inference that if those persons whose career evidences in them marked criminal tendencies could either be locked up or kept under supervision until they had passed, say, the age of forty, supplying thus, in the interest of the public, that self-control in which they are obviously deficient, a vast deal of crime would be put an end to; for there can be little doubt that most of the undetected crime, which much exceeds that which is followed by punishment, is committed by persons of this class. Many of them might, thenceforward, become respectable members of society."

* See "Results of Censuses of the Population of Convict Prisons in England, taken in 1862 and 1873," by Dr. Guy, F.R.C.P., F.R.S., &c., with "Introduction" by Colonel Sir Edmund F. Du Cane, K.C.B., R.E., &c.

The figures of the Census tend to shew that, so far as health is concerned, Sir E. Du Cane's suggestion might be carried out without injury, if not with advantage; for it may well be questioned whether three-fourths of any number of persons of the "criminal age," taken indiscriminately from the population of London, or of England, would be fit for the hard labour of quarrying stone, constructing breakwaters, excavating in clay, making bricks, working in foundries, building, &c. Yet this is the character of the labour performed by three-fourths of the convicts, with low rates of sickness and mortality.

The fitness for labour of the male convicts in this country, at the dates of the Censuses of 1862 and 1873, is shewn in the following table taken from Dr. Guy's report:—

FITNESS FOR LABOUR (males), 1862 and 1873 compared.

	1862.	1873.
Able-bodied - - - - -	477	484
Healthy, but not robust - - - -	243	286
Not healthy, but fit for light labour - -	228	166
Ill, and under treatment - - - -	52	64

The convicts who are classed in the above table as "healthy, but not robust," would in many, if not in most cases, be employed at light labour; and, as three-fourths of the convict population are returned in the Census of 1881 as "fit to perform hard labour," it is reasonable to conclude that the bodily condition of the convicts has improved of recent years.

In the group of 181 returned as insane are included not only those who occupy the lunatic wing of Woking Prison, but also those who, at the time the Census was taken, were scattered over the different prisons, awaiting certificates of insanity; or, who were believed, as the result of observation, to be insane.

The 190 "weak-minded" convicts present great and peculiar difficulties of management. They are composed largely of persons who are imbecile in different degrees; and Dr. Guy has observed that they are roughly classified by their fellow criminals in some parts of the country as "dozeys" and "half-sharps." "It is these half-sharps" (says Dr. Guy), "cunning and keen of intellect, but stricken with moral imbecility in all that relates to the conduct of life, that created for us" (at Millbank) "the greatest of difficulties."

It appears surprising that of the 10,261 convicts enumerated in the Census, only 238 are returned as scrofulous. If the return had made a distinction between those who were scrofulous on admission and those in whom the affection developed afterwards, it would have been seen how little scrofulous disease originates in the convict establishments.

The 656 cases of disease of the lungs include many cases of chronic bronchitis among the older convicts. Disease of the heart was found in 354 cases, and in by far the larger number of instances existed on admission.

The cases returned as "other serious diseases, infirmities, or defects," include rupture, varicose veins, deformities and defects of the limbs, original and acquired, affections of the eyes and ears, hæmorrhoids, stricture, diseases of bone, ulcers, affections of the skin, and many other affections which, though they cannot be regarded as fatal to life, yet incapacitate those who are the subjects of them for the performance of hard labour.

It may, perhaps, be worth while to point out that the 10,261 convicts counted in the Census, all of whom are undergoing sentences varying from five years' penal servitude to penal servitude for life, are known to have incurred 36,321 *previous* convictions, many of them followed by sentences of penal servitude. The facts of the Census, as well as those of the annual and other periodical returns, if considered alone and without reference to other facts, might be fairly taken to shew that convict prisons are establishments for maintaining some thousands of persons of the lowest moral type in the highest attainable degree of physical efficiency for preying upon the public.

I have only to add that, in the preparation of the Census, the medical officers acted as the Enumerators of their respective prisons.

(Signed)

R. M. GOVER, M.D.,
Medical Inspector.

APPENDIX XXIV.

Recommendations of the Royal Commission on the "Penal Servitude Acts, 1879."

The Royal Commission on the "Penal Servitude Acts 1879," make the following observations and recommendations:—

"We are convinced also that severe labour on public works is most beneficial in teaching criminals habits of industry, and training them to such employments as digging, road-making, quarrying, stone-dressing, building, and brick-making,—work of a kind which cannot be carried on in separate confinement. It is found that employment of this nature is most easily obtained by convicts on their release, since men are taken on for rough work without the strict inquiries as to previous character which are made in other cases.

"By far the most important work done by the convicts is that performed at the public works prisons. The magnificent breakwater and the fortifications at Portland, the great basins at Chatham, and other similar works, which have been mainly executed by convict labour, testify to the skill with which the system of associated

labour has been directed, and are substantial proofs that convicts can be made to repay to the public a considerable part of the cost of their maintenance.

“No doubt, even if it were not advantageous in a pecuniary point of view to employ convicts on public works of this nature, it would still be most desirable that such employment should be found for them as an essential part of penal discipline; but it is far more satisfactory that their labour should, if possible, be profitably employed; and we have endeavoured, therefore, to ascertain how far the calculations of the convicts’ earnings on public works which appear in the annual reports can be relied on as a real measure of the value to the country of the work done.”

APPENDIX XXV.

Evidence of the Financial Value of Convict Labour.

1.—*Extracts from a Paper by Capt. PERCY SMITH, R.E., in the “Professional Papers of the Royal Engineers,” Vol. xvi.**

“It is hoped that a consideration of the Appendices will show that the following results have been attained:—

“1. An average soldier in a working party, such as that shewn at page 95, does, in his working day of nine hours, about $\frac{2}{3}$, and a convict, in his working day of seven hours, about $\frac{1}{3}$, of what a civilian does in his working day of $9\frac{1}{2}$ hours. [Appendix to page 93.]”

“2. In carrying out works, a party of soldiers working only five days a week would take about $1\frac{1}{2}$ times as long, and a party of convicts (working six days a week) about three times as long, as a similar party of civilians working six days a week. [Appendix to page 93.]”

“There is no cost whatever really chargeable to the works for a convict, that is, the Department employing him has nothing to pay for him, but there is a certain extra expense which falls upon the country when he is employed upon works, in consequence of the extra supervision required, when he is out and away from the prison.”

“The cost of this extra supervision is assumed, upon the data given in Appendix 2, to be 6d. per diem. [Appendix 2 to page 96.] Combining this information with that before arrived at, we find—[see Appendix 3]—that, taking working pay only into consideration, the cost per unit of work done by the soldier is on an average $\frac{1}{2}$, and of that done by the convict is—for extra supervision only, $\frac{1}{3}$ of that done by the civilian. [Appendix page 96.]”

“Many officers who may take the trouble to read these notes have doubtless had more opportunities of seeing military and convict work than has the writer, whose

* I believe the advantages of prison labour are somewhat under-estimated in this paper, because some of Captain Smith’s data were taken “on the safe side.” Also we now undoubtedly obtain better results than at the time these observations were made.—E. F. D. C.

experience is derived chiefly from the fortifications in the Portland district, from measurement and notes upon which the data furnished in this paper have been taken. On these works he is perhaps not in a position to give an unbiassed opinion, but still it may be stated with regard to Nothe Fort—built by soldiers—that the opinions of many impartial judges—inspecting officers, &c.—has been that the work is quite equal to that done by civilians, and it was reported on by the late contractor's foreman as "rather superior" to contract work. At Portland there are many buildings erected by convicts which stand side by side with, and cannot be distinguished from similar works built by civilians."

"The advantages of employing convicts on works are obvious. The hard work necessary for their punishment is made reproductive, it improves them physically, and is not of such a nature as to make them dogged and prevent mental improvement; they acquire habits of industry, and in many instances pick up a trade or such knowledge of work that they qualify themselves to earn an honest living when their sentences expire. On the other hand, they work for very short hours; they must be withdrawn from the work on foggy days for fear of escape; they cannot be kept extra hours on an emergency; they cannot be employed singly without great extra expense for superintendence, nor can they be put into many positions of trust in which they may be required."

"Again, if the same work had been done by convicts, we find by applying the information we have obtained, that the cost would have been as follows:—

	Per cent.
Materials (the same)	46
Labour, $\frac{1}{3}$ the cost	10
Superintendence	5
Plant, the same quantity, but deteriorating 3 times as long $3 \times 3 = 9$ per cent.	9
Idle money, the same capital idle 3 times as long, and paying only 3 per cent., $2 \times 3 \times \frac{2}{3}$	$3\frac{2}{3}$
Profit (the remainder)	$25\frac{1}{2}$
	— 100"

"In this case, again, the idle money is no loss to the Department employing the convicts, which moreover does not pay the 10 per cent. for extra superintendence. The real profit accruing to the Department is $26\frac{1}{2} + 3\frac{2}{3} + 10 = 40$ per cent."

"We see, therefore, in this particular instance of a casemated fort, that whereas by contract the Department would have to pay the full value of the work by employing military labour, a profit would result amounting to 28 per cent., and by convict labour a profit of 40 per cent."

"It is evident that as the labour is the only item on which a saving can be effected, the more of it that can be introduced the greater the saving will be. The proportions given above are for a fort, the bricks and stone for which are purchased, but if the bricks are made, and the stone quarried by the cheaper labour, the profits of the brickmaker and quarryman are added to those of the builder, and the resulting profit is, for military labour $38\frac{1}{2}$ per cent., and for convict labour 54 per cent."

To find the average amount of work done by the Soldier or Convict as compared with the Civilian."

"From Appendices 1b., 1c., 1A., we see that the values at civilian rates of the work done in days of the lengths mentioned here—

	Hours	Amount
Soldier	9	3/2
Convict	7	1/7
Civilian	9½	4/8"

"Therefore compared with a civilian, a soldier earns as 3/2 to 4/8 or 3/2, say 3/2.

Do. do. a convict do. 1/7 to 4/8 or 1/2, say 1/2."

"But the soldier, besides working shorter hours, is at drill on Saturdays, and therefore only works 5/6 the number of days worked by the civilian, the whole amount earned or done by him in a week compared to that done by the civilian is therefore 3/2 × 5/6 = 15/12 = 5/4."

"Therefore a military working party would take 1½ as long to do the work as a similar party of civilians on day work, and as convicts work the same number of days as civilians, a convict working party would take three times as long as a civilian working party of the same strength."

"From the above, we easily ascertain that in a day of 9½ hours, the following would be the values of work done at civilian rates—

Civilian	4/8
Soldier	1½ × 3/2 3/2
Convict	1½ × 1/7 2/2 "

"The relative amounts of work done by civilian, soldier, and convict, in a day of the same length, are therefore as follows :—

Civilian.....	4/8 or 56d., or 11 or 1·0
Soldier	3/4 or 40d., or 8 or ·71
Convict.....	2/2 or 26d., or 5 or ·46 "

" To find the amount repaid by a Convict each day he is employed on the Works."

"A convict costs, on an average, without the extra guarding required for the works, about 1/8 per diem. [Appendix 9.]—The work he does each day is worth, at civilian rates, about 1/7—[Appendix 1 to page 96]—and he costs for extra supervision 6d. per diem. Supposing him to be employed on a casemated fort, we know that the value of the labour, civilian rates, is 31 per cent., and the contractor's profit is 13 per cent. of the whole value of the work. The convict keeps the plant three times longer in use, and it costs, therefore, 9 instead of 3 per cent. ; he loses, therefore, on it 6 per cent. The value of the work done is, at civilian rates, 1/- per diem, therefore the contractor's profit would be 1/8 × 1/7 = 8."

"The convict would clear per diem, therefore, as follows:— *s. d.*

He does 1/7 worth of work for 6 <i>d.</i> , saving	1	1
He clears the contractor's profit, 13 per cent.	0	8
	1	9
He loses on the plant, 6 per cent.	0	3½
	1	5½

That is, he clears 1/5½ per diem, out of 1/8, his cost to the country. But as the department employing him pays nothing at all for him, he clears for the department as follows:—

He does 1/7 worth of work for nothing	<i>s. d.</i>
He saves the contractor's profit, 13 per cent.	1 7
	0 8
	2 3
He loses on the plant 6 per cent.	0 3½
He clears for the department	1 11½

"Table shewing the probable proportions of Expenditure on different works carried out by Convict labour."

	1	2	3	4	5	6	7	8	9
	Materials	Labour, cost of extra superintendence & cost of civil labour	Superintendence	Plant 3 times cost to contractor.	Idle money 1½ cost to contractor	Profit to country	Total	Profit to War Department, column 2+5+6	Remarks
Casemated work, bricks and stone purchased	46	10	5	9	3½	26½	100	40	
Casemated work, bricks made and stone quarried on the spot	26½	14	6	13½	4½	35½	100	54	
Brickwork in thick walls. Bricks purchased	64	6	5	3	1	21	100	28	
Quarrying	11	16	2	21	5½	44½	100	66	
Making bricks	35	13	1	20	4	30½	100	44	
Stone wall, 8 ft. thick, heavy stones requiring gantry ...	43½	9½	3	21½	5½	16½	100	31½	
Carpenters' work	36	15	4	—	—	45	100	60	
Casemated fort—labour costing twice what it does in England—bricks and stone purchased	35	8	4	7½	2½	42½	100	53½	
Casemated fort—labour costing three times what it does in England—bricks and stone purchased	28	6	3	5½	2½	55½	100	63½	
Earthwork, — digging and wheeling 150 yards	0	22	4	6	1½	66½	100	90	

“Statement shewing the Value of Work done in a Day of Seven Hours by a Working Party of Convicts.”

Trade	No.	Value of work done per man in seven hours	Total value of work done, estimated at civilian rates	Remarks
		£ s. d.	£ s. d.	
Carpenters.....	18	0 2 1	1 17 6	No piece-work
Masons	20	0 1 9	1 15 0	
Bricklayers	14	0 1 9	1 4 6	
Smiths	10	0 2 1	1 0 10	
Painters.....	3	0 1 9½	0 5 4½	
Labourers	60	0 1 3½	3 17 6	
	125	0 1 7	10 0 8½	

“This estimate of the value of the work done per diem by convicts differs from others that have been made, and must be taken simply as an opinion founded upon observation and measurements on work done by convicts, and upon information received from men of great experience in convict labour.”

“The amount of work done will no doubt vary materially with the state of discipline of a particular prison, the nature of work, climate, &c.”

2.—Extracts from Evidence.—Penal Servitude Acts Commission, 1863 and 1879.

Mr. J. McDonnell stated that at pile driving nine convicts did as much work as seven free labourers, and that in digging, filling, and wheeling the clay three convicts moved as much as two free labourers. He considered the work of three convicts at that kind of labour worth 5s., and added that a convict's labour was worth about 2s. per day when a common free labourer at similar work was worth 2s. 6d. The fair value for convict labour he put at 2s. He frequently set three or four gangs of convicts to do certain work, and afterwards put a certain number of free labourers (masons) to do similar work, and so was enabled to draw a contrast between the two.

Mr. J. Ross, 9th April, 1878, stated that he could find as good mechanics amongst the prisoners, and could get the work as well done as it could be done by civilians. He says:—“Until the last four or five years, I had all the work in Pentonville done by hired labour, but during the last four or five years it has been done by convict labour, and I find I can get as much work done by convict labour in the same space of time as I had done by hired labour.”

Mr. T. W. Harris gave as his opinion that convict labour was something like 33 per cent. less in value than free labour.

E. A. Bernays, Esq., says:—"The utmost economy to be effected by the employment of prisoners' labour on average public works cannot exceed 25 per cent. If there are works, or portions of works, as there doubtless are, upon which a greater saving can be effected, there are, on the other hand, portions on which it will be far less; and I believe that I have stated the very utmost saving that can be looked for.

"If my calculations are correct, and they are derived from long experience, and are the result of much thought, when prisoners are employed to execute public works of any but the most simple character it will generally be necessary to provide for the payment in actual money of, at the very least, three fourths of what the same work would cost if executed by a thoroughly competent contractor.

"This calculation is based on the assumption that no modification of the terms of the contract is made during the progress of the work; but it is right to state that when any department of the Government executes work by labour and material provided by itself, it becomes much easier and often much less costly to make such changes in execution and design as may from time to time be necessary or desirable than when the work is carried on under contract."

If you had hired labour you could do the same; it does not depend upon prison labour, but it is an important matter to consider that when the Government undertake their own works, whether by prison labour alone or by hired labour alone, or by one supplemented by the other, they have the advantage of making changes in their works which constantly arise.

* * * * *

Fifteen per cent. would be the whole amount which would be carried to the credit of the Convict Department.

* * * * *

I do not hesitate to say that they (convicts) are men who are very easily trained to anything, and may be made to learn a trade in a very short time. I could manufacture bricklayers, or carpenters, or masons in three or four months sufficiently for my purpose.

With regard to free and convict labour, after long experience, I came to the conclusion, after careful calculation, that I might look for an average of earnings of about 1s. 8d. a day out of the convicts. I think that two convicts will do the work of one free man on day-work, and that three convicts will do the work of a free man on piece-work. That is not because the individual convict may not be as good in many cases (as he is) as the free man, but because the circumstances under which he works render it impossible that he, as one of a large body, can give a higher average result.

H. Wood, Esq., says:—"That taking the able-bodied class, he would assess three convicts as equal to two ordinary labourers, whilst in the light labour party, he would take two convicts for one free man."

3.—*Extract from Evidence given at a Meeting of the Committee on the Employment of Prisoners, 3rd May, 1882.*

Sir John Coode, C.E.—“ * * I may say, as a whole, at Portland we got about 40 per cent. of the work of a free man out of a convict—that was all we could get * * Latterly it was better; latterly it approached 50 per cent. I think under good arrangements you ought to get 50 per cent. * * I think that a saving of one fourth of the total cost is an outside estimate. * * I think the saving would be one sixth if done by convict labour, but much would depend on the cost of labour in the locality, and the extent of the work you had to perform, and the exact character of the work; but if you were to ask me to name the nearest figure I could, I think you ought to save 15 per cent.; with very good management you might perhaps save more.”

APPENDIX XXVI.

*Committees of Management of Millbank and Pentonville Prisons,
and Boards of Directors of Convict Prisons.*

FIRST COMMITTEE OF MILLBANK PRISON, 1816.

The Right Hon. Charles Abbott. Speaker of the House of Commons.	George Peter Holford, Esq.
The Right Hon. George Rose.	Edward Bootle Wilbraham, Esq.
" Charles Bathurst.	Davies Giddy, Esq.
" Charles Long.	George Byng, Esq.
" Richard Ryder.	William Mellish, Esq.
Sir William Curtis, Bart.	Charles Wetherall, Esq.
Sir James Shaw, Bart.	Charles Shaw Lefevre, Esq.
Sir Benjamin Hobhouse, Bart.	The Venerable Archdeacon Pott.
John Fane, Esq.	Rev. Archibald Cambridge.
William Morton Pitt, Esq.	Rev. John Thomas Becher.

THE FOLLOWING WERE MEMBERS OF THE COMMITTEE OF MILLBANK PRISON IN
SUCCEEDING YEARS :—

The Right Hon. Lord Colborne.	J. E. Dowdeswell, Esq., M.P.
" The Earl of Devon.	D. Gilbert, Esq., M.P.
" W.E. Gladstone, M.P.	Lord Henley.
The Hon. W.N. Ridley Colborne, M.P.	Sir Thomas Fremantle, Bart., M.P.
Lord Bexley.	Sir George Tarrant.
Lord Skelmersdale.	Sir Harry Verney, Bart., M.P.
The Hon. F. G. Calthorpe.	Charles Ross, Esq., M.P.
" R. H. Eden, M.P.	Thomas Greene, Esq., M.P.
Sir E. Hyde East, Bart., M.P.	

COMMISSIONERS OF PENTONVILLE PRISON, 1842.

Lord Wharncliffe, President of the Council.	The Speaker of the House of Commons.
Duke of Richmond.	Sir Benjamin Brodie, Bart.
Earl of Devon.	Dr. Ferguson.
Earl of Chichester.	Major Jebb, R. E.
Lord John Russell.	William Crawford, Esq.
	Rev. Whitworth Russell.

BOARDS OF DIRECTORS OF CONVICT PRISONS.

<i>First Board, 1850.</i>	<i>Present Board, 1882.</i>
Col. Sir Joshua Jebb, K.C.B., R.E., <i>Chairman.</i>	Col. Sir Edmund F. Du Cane, K.C.B., R.E., <i>Chairman.</i>
Captain Donatus O'Brien.	William Fagan, Esq.
H. P. Voules, Esq.	Henry Wakeford, Esq.
	William Morrish, Esq.

Other Members of the Board have been—

Lieut. Col. Sir E. Y. W. Henderson, K.C.B., R.E., <i>Chairman</i>	-	1863 to 1869.
Captain J. Smith Whitty	- - - - -	1851 to 1856.
Captain J. Mark Gambier	- - - - -	1856 to 1872.
Captain Walter J. Stopford	- - - - -	1869 to 1877.

APPENDIX XXVII.

Return of the Establishments of the different Convict Prisons.

ESTABLISHMENTS	TOTAL		Borstal		Chatham & Chattenden		Dartmoor		Millbank		Parkhurst		Pentonville		Portland		Portsmouth		Woking Male		Wormwood Scrubs		Fulham		Woking Female		
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	
Governors, deputy governors, and lady superintendents	22	3	2	—	3	2	2	—	—	—	2	2	2	2	3	3	3	3	2	2	3	2	—	1	—	2	
Chaplains and assistant chaplains, Roman Catholic priests and Presbyterian clergymen	24	—	1	—	4	2	—	—	—	—	1	—	2	2	3	2	2	2	2	2	3	2	—	—	—	—	
Schoolmasters and scripture readers, and schoolmistresses	54	13	2	—	7	5	—	—	—	—	4	—	9	7	7	8	5	8	5	7	7	—	—	—	—	6	
Medical officers, assistant surgeons, and coroner	18	—	1	—	2	2	—	—	—	—	1	—	2	2	2	2	2	2	2	1	1	—	—	—	—	—	
Clerks, and discipline officers acting as clerks	72	—	4	—	8	6	—	—	—	—	5	—	8	11	7	5	7	5	9	3	9	3	—	—	—	—	
Stewards	10	—	1	—	1	1	—	—	—	—	1	—	1	1	1	1	1	1	1	—	1	—	—	—	—	—	
Chief warders and chief matrons ..	9	3	1	—	1	1	—	—	—	—	1	—	1	1	1	1	1	1	—	—	—	—	—	—	—	1	
Foreman of works, and farm instructing officers, and clerks of works ..	28	—	1	—	9	1	—	—	—	—	1	—	—	—	7	7	7	7	—	—	—	—	—	—	—	—	
Principal warders, and principal matrons	70	21	5	—	9	10	—	—	—	—	6	—	7	9	10	6	10	6	7	—	7	—	—	6	1	12	
Warders, matrons, and compounders	271	47	12	—	43	35	—	—	—	—	5	19	21	48	39	25	39	25	23	—	23	—	—	11	—	31	
Trades' warders	20	—	—	—	4	—	—	—	—	—	3	—	—	4	4	2	4	2	1	—	1	—	—	—	—	—	
Assistant warders and assistant matrons	529	65	29	—	81	68	—	—	—	—	42	42	42	94	75	46	75	46	54	—	54	—	—	15	—	40	
Cooks, bakers, gatekeepers, porters watchmen, nurses, and messengers	120	—	7	—	16	16	—	—	—	—	11	11	11	15	13	7	13	7	8	—	8	—	—	5	—	7	
Engineers, enginemen, gasmen, stokers, artificers, and cutters	36	—	1	—	2	4	—	—	—	—	4	—	3	3	5	1	5	1	1	—	1	—	—	1	—	—	
Labourers, charwomen, dairywomen, brickmakers, and carters	19	—	—	—	2	5	—	—	—	—	2	—	1	2	2	2	2	2	—	—	—	—	—	—	—	—	
Civil guards	153	—	8	—	34	29	—	—	—	—	10	—	—	42	30	—	30	—	—	—	—	—	—	—	—	—	
TOTAL ESTABLISHMENTS	1455	152	75	—	226	184	—	—	—	—	113	110	110	264	205	114	205	114	124	—	124	—	—	14	—	26	92

APPENDIX XXVIII.

*Forms to be filled up by Candidates for Appointment to the Subordinate Staff of the Prison Service.**

The candidate should receive and carefully peruse a copy of the "General Notice to Candidates for appointment to the Subordinate Staff of the Prison Service," before filling up this form.

NOTE.—Should any of the particulars furnished in answer to the undermentioned queries be found to be false, within the knowledge of the candidate, his nomination will be cancelled; or should he have been admitted to office, he will be dismissed. The wilful suppression of any material fact will be similarly punished.

Christian and Surname (in full)

Situation applied for (General prison service only noted)

Date of application 18 Present residence or address.....

[*Any change of address or withdrawal of application should be at once notified to the Clerk in Charge of the Staff, Prison Department, Home Office, Whitehall, S.W.*]

Father's name, residence, trade or occupation. }
(If deceased, give the last residence, trade, &c.) }

Schools (mention school or schools at which you were educated, }
stating kind of schools, whether Public, Private, Collegiate, }
National, British, &c., with length of time at each. }

Day and year of birth18.... Place of birth

Height (without shoes) feet inches

Height (without shoes) as measured } at prison where inspected } ft. in.
---	--------------------

Religion

Trades or occupations of which the candidate has a knowledge

Single or Married..... If married, number of children. Boys....Girls....

Ages of Children. Boys.....Girls.....

[*Male candidates, who have ever served in the Army or Navy must give the following particulars of their service:—*

Regiments, Corps, Ships, &c.

Length of service at home years days. Rank on discharge

Length of service abroad years days. Date of discharge18..

Cause of discharge (as stated on parchment certificate).....

Character (as stated on parchment certificate of discharge)

* This application will not be considered unless the information herein required (which must be filled up in the candidate's own handwriting) is completed in every particular.

- No. of good conduct badges If receiving any pension, state amount
- Names and addresses (in full) of two referees as to character
(These should be responsible persons, well acquainted with you in private life).
- Name and address of medical practitioner who has generally
 attended you or your family
- How soon ready for proposed duties?
- If free from pecuniary embarrassment?
- State whether you have ever been employed in, or a candidate
 for employment in, the Prison or any other branch of the
 Public Service, except the Army or Navy, and, if so, when,
 and nature of the situation.
- Usual signature of candidate
- Full statement, in detail, of present and previous situations or employments, except
 Army or Navy, as detailed on the following pages.

If you have ever been in any situation or situations, state in full,
 with dates, the following particulars as to each.*

PRESENT SITUATION (IF ANY).

1. Name and address of employer, &c.
2. Business, &c., of employer
3. Position held by you
4. Salary or wages, allowances, &c.
5. Date of commencing duty

LAST SITUATION.

1. Name and address of employer, &c.
2. Business, &c., of employer
3. Position held by you
4. Salary or wages, allowances, &c.
5. Length of stay (giving dates) .. From 18 to 18..
6. Cause of leaving
 Occupation in interval (if any) between present and last situation

LAST SITUATION BUT ONE.

1. Name and address of employer, &c.
2. Business, &c., of employer
3. Position held by you
4. Salary or wages, allowances, &c.
5. Length of stay (giving dates) .. From 18 to 18..
6. Cause of leaving
 Occupation in interval

LAST SITUATION BUT TWO.

1. Name and address of employer, &c.
2. Business, &c., of employer

* This is intended to include full details of any business or employment, of whatever kind (except the Army or Navy) in which you may have been engaged.

3. Position held by you
4. Salary or wages, allowances, &c.
5. Length of stay (giving dates) From 18 to 18..
6. Cause of leaving.....
- Occupation in interval

LAST SITUATION BUT THREE.

1. Name and address of employer, &c.
2. Business, &c., of employer
3. Position held by you
4. Salary or wages, allowances, &c.
5. Length of stay (giving dates) From 18 to 18..
6. Cause of leaving.....
- Occupation in interval

Opinion as to qualifications, testimonials, &c., specifying for what situation, if any, the candidate is fit.

.....

.....

433M.

 REVISED 6-3-79.

Medical Report on the Case of

Candidate for the Appointment of

in the Prison Service.

The attention of the Medical Examiner is specially directed to the following paragraph:—

[The Order in Council of 4th June, 1870, provides that no person shall be appointed to any office or employment in any of Her Majesty's Civil Establishments until he shall be reported by the Civil Service Commissioners to have satisfied them that he is "free from any physical defect or disease which would be likely to interfere with the proper discharge of his duties." The Commissioners consider that by this provision the duty of satisfying them as to his eligibility is thrown upon the Candidate, and that, unless he can so satisfy them, they cannot grant their Certificate. The benefit of any reasonable doubt which may exist must, they conceive, be given, not to him, but to the public. As long as there is such doubt it is impossible for them to say they are satisfied. The question should not be looked at as if the Candidate had a vested right to an appointment liable only to be divested on his being proved unfit. It is, in reality, whether he can gain a title by proving himself

fit, and the difference is so considerable that the Commissioners are anxious to keep it present to the minds of those to whom they apply for advice.]

The Candidate must make the Statement required below in his own handwriting in the presence of a duly qualified and Registered Member of the Medical Profession, who must witness his signature to the Declaration appended thereto.

1. State your name in full,
2. Have you ever suffered from :—
 Rheumatic fever? Habitual cough?.....
 Asthma? Disease of the heart?.....
 Spitting of blood? Or other discharge of blood?
 Or from any disease requiring confinement?
3. Have you ever sustained any serious injury?
4. Have you had small-pox?
5. Have you, or any of your immediate relatives been afflicted with :—
 Consumption? Gout? Epilepsy?.....
 Scrofula? Asthma? Insanity?.....
6. Furnish the following particulars as to your parents :—
 Father's address and age (if living) and state of health?
 Father's age at death, and cause of death?
 Mother's address and age (if living) and state of health?
 Mother's age at death, and cause of death?

I declare all the above answers to be, to the best of my belief, true and correct.

Candidate's Signature,

NOTE.—Should any of the particulars furnished in answer to the above-mentioned queries be found to be false within the knowledge of the Candidate, his nomination will be cancelled; or should he have been admitted to office, he will be dismissed. The wilful suppression of any material fact will be similarly punished.

*Signature of Medical Examiner in whose
 presence the above Declaration is made }*

MEDICAL EXAMINER'S REPORT.

The Medical Examiner is requested to answer the following Questions after a careful inspection and examination of the candidate :—

- i. Have you reason to believe that the Candidate's constitutional powers are in any respect defective or impaired?

2. Is the chest well formed, and is there an equal and full expansion of both sides of the chest on inspiration?
 3. Is the respiration natural, and are the respiratory sounds and resonance normal in every part of the chest?
 4. Is the Candidate free from disease of the heart and great blood vessels?
 5. Has the Candidate full power of motion of the joints and limbs?
 6. Has the Candidate any marks of cupping, setons, or issues, or any extensive cicatrices?
 7. Is the vision of both eyes good, and is the hearing good?
 8. Is the Candidate ruptured?
 9. Is the Candidate free from varicose veins and hæmorrhoids?
- [If not free, please to state whether the infirmity exists, or is likely to develope so as to disqualify the Candidate in any degree for the performance of Prison duty.]*
10. Has the Candidate been satisfactorily vaccinated?
 11. Are there any circumstances connected with the health or physical condition of this Candidate which, in your opinion, tend to render him unfit for an appointment involving constant fatigue and exposure to weather?
 12. Are you of opinion, after careful examination and consideration, that the Candidate is thoroughly fit for an appointment in the Prison Service?
- Signed*
- Professional Qualification*
- Address*
- Date*

APPENDIX XXIX.

Qualifications for Prison Department, England.

	Limits of age	
	Inferior	Superior
I. CLERKS in Prisons	20	30
1. Handwriting		
2. Orthography		
3. Arithmetic (including Vulgar and Decimal Fractions)		
4. Copying Manuscript		
5. English Composition		
6. Indexing and Docketing		
7. Book-keeping		
8. Digesting Returns into Summaries		
Candidates must pass in the first three subjects, and in three at least, of the remaining subjects		
II. STEWARDS	25	42
<i>(Ordinarily Clerks are promoted to this office.)</i>		
III. SCHOOLMASTERS.....	25	40
1. Handwriting and Orthography		
2. Reading		
3. Arithmetic (including Vulgar and Decimal Fractions)		
4. Grammar and English Language		
5. Religious Knowledge (the Bible)		
6. School Management		
7. Two, at least, of the following, at the option of the candidate: (a) English History, (b) Geography, (c) Elements of Geometry or of some branch of Mathematics, (d) Latin (translation)		
8. Music (the ability to play some musical instrument, such as the organ or harmonium)		
IV. DEPUTY SUPERINTENDENTS in Female Convict Prisons ..	25	40
1. Writing and Orthography		
2. Reading		
3. Arithmetic (first four rules, simple and compound, and the arithmetical tables)		
4. Elementary Grammar		

Qualifications for Prison Department, England
(continued).

	Limits of age	
	Inferior	Superior
V. SCHOOLMISTRESSES	25	40
1. Handwriting and Orthography		
2. Reading		
3. Arithmetic (including Rule of Three and Practice)		
4. Elementary Grammar		
5. Religious Knowledge of the Bible		
6. School Management		
7. Geography (elementary)		
8. Music (the ability to play some musical instrument, such as the organ or harmonium)		
VI. LADY SCRIPTURE READERS	25	40
SCRIPTURE READERS.....	24	40
1. Handwriting and Orthography		
2. Reading		
3. Religious Knowledge (the Bible)		
4. Intelligence in communicating knowledge		
VII. COMPOUNDERS, not holding certificates from the Pharma- ceutical Society.....	24	40
1. Reading		
2. Writing and Orthography		
3. Arithmetic (including the arithmetical tables, Reduc- tion, Practice, and Vulgar and Decimal Fractions)		
<i>Appointments may be made under Clause VII. of the Order in Council of 4th June, 1870, in the case of persons who have passed the major or the minor Examinations of the Pharmaceutical Society.</i>		
VIII. FARM BAILIFFS	24	40
1. Handwriting and Orthography		
2. Arithmetic (including Rule of Three, Practice, and arithmetical tables)		
IX. ENGINEERS, CLERKS OF WORKS, AND FOREMEN OF WORKS	24	40
1. Handwriting and Orthography		
2. Arithmetic (elementary)		

Qualifications for Prison Department, England
(continued).

	Limits of age	
	Inferior	Superior
X. MATRONS	23	40
1. Reading		
2. Handwriting and Orthography		
3. Arithmetic (Simple Addition and Subtraction)		
XI. SUBORDINATE OFFICERS—Division I. (including Instructing Warders, Trades' Warders, Assistant-Warders, Messengers, Porters, Gasmen, &c.	24	42
1. Reading		
2. Writing		
3. Arithmetic (Simple Addition and Subtraction)		
XII. ASSISTANT-MESSENGERS	14	20
1. Reading		
2. Writing		
3. Arithmetic (Simple Addition and Subtraction)		
XIII. SUBORDINATE OFFICERS—Division II. (including Civil Guards, Night Watchmen, Labourers, Assistant-Gasmen, and Assistant-Artizans)	24	42
1. Reading		
2. Writing		

APPENDIX XXX.

Inquiries made by Civil Service Commissioners respecting Candidates.

Civil Service Commission, S.W.

.....a Candidate for appointment as.....
having stated that.....

I am directed by the Civil Service Commissioners to request that you will oblige them by filling up and returning to me, in the enclosed envelope "Statement" hereto annexed. The postage need not be paid.

I am to add that your answer will, if you desire it, be regarded as confidential, and that the word "Confidential" should in that case be written on the envelope.

The favour of an early answer is requested.

I am, your obedient Servant,
T. WALBOND.

Statement respecting.....*proposed to be*
appointed to the situation of.....

QUESTIONS.

ANSWERS.

- | | | |
|---|---|-------|
| 1. Are you related to the candidate? If so, what is the relationship? | } | ..... |
| 2. Are you well acquainted with the candidate? |  | ..... |
| 3. From what circumstances does your knowledge of him arise? | } | ..... |
| 4. How long have you known him? |  | ..... |
| 5. What have been the places of his education? |  | ..... |
| 6. If he has been in your employment, will you mention the dates of his entering and quitting your service? | } | ..... |
| 7. If he has had other employment, can you give the names and addresses of his employer? | } | ..... |
| 8. Is he strictly honest?.....sober?.....intelligent?.....diligent?..... |  | ..... |
| 9. What has been the state of his health since you have known him? | } | ..... |
| 10. Do you believe him to be free from pecuniary embarrassments? | } | ..... |
| 11. Has he, to your knowledge, been bankrupt or insolvent? |  | ..... |
| 12. Are you aware of any circumstance tending to disqualify him for the situation which he now seeks? | } | ..... |
| 13. Would you yourself trust him with employment requiring undoubting honesty, and would you recommend him for such to your personal friends? | } | ..... |

Signature.....

Address

Date

APPENDIX XXXI.

Superannuation.

Ten-sixtieths of salary and allowances after 10 years' service, and one-sixtieth more for every additional year's service, up to a maximum of forty-sixtieths. No pension as a rule is awarded under ten years' service, but a gratuity calculated at one month's pay and allowances for each year's service.

APPENDIX XXXII.

Sanitary Reports on Convict Prisons, and other Medical Reports.

20th May, 1871.

With reference to the rules for Medical Officers, in which certain periodical inspections are ordered with a view to ensuring the health of the prisoners, and good sanitary condition of the prison, the Secretary of State has directed that in future a full and detailed Report of the sickness and mortality in each prison and of the sanitary condition of the prisons shall be made quarterly, according to the accompanying form. The Monthly Report is also to be rendered, according to the enclosed Form, No. 458M. in lieu of 262 [Millbank and Brixton], and 458M. [other prisons.]

The enclosed amended forms of "Medical History Sheet, No. 443M.," "Medical Statistics, No. 453M.," and "Statement of Cases of Invalid Convicts, No. 451M.," are in future to be used in lieu of those heretofore furnished, the object being to improve the statistics and records of the health of the convicts, and of their medical treatment while in prison.

The Medical Officers of the County and Borough Prisons have been requested to furnish a statement on the accompanying form, on the occasion of their sending an invalid convict to a Government prison.

E. F. DU CANE.

Sanitary Reports of Medical Officers.

No. 458M.

.....Prison.18 ..

Sir,—I have the honour to report that according to the established rule, I, oninspected every part of the prison, to ascertain whether anything exists therein likely to be injurious to the health of the prisoners, and especially whether the ventilation is sufficiently provided for and attended to, and have to report.....

Having seen every prisoner, as directed, I beg to report as regards their present state of health that.....

The Visiting Director.

The following is the return of the number of Infirmary Sick, and of cases treated as casual sick in the wards of the prison during the month of.....18..

Daily average number of prisoners	
Daily average number of infirmary sick	
Number of sick in the infirmary on the last day of last month	
Number admitted to the infirmary during the month	
Number in the infirmary on the last day of the present month	
Number of deaths during the month	
Number of cases of casual sick, including new cases and renewed applications.....	

I have the honour to be, Sir, your obedient Servant,
Medical Officer.

*Sanitary Report of.....Prison, for the Quarter ending
 the last day of.....18*

Date.....Medical Officer.

1. State whether the temperature of the air in the cells, and other parts of the prison, has been such as to promote the health of the prisoners, whether the apparatus for warming and ventilating is in good working order, and whether the officers appointed to regulate the ventilation and warming understand the action of the system in use, and have discharged those duties with care and efficiency.

[NOTE.—*The channels through which the fresh air is supplied should be examined periodically, to see that they are cleanly. Thermometers should be fixed in every Hall or place occupied by prisoners, for the information of the responsible officers.*]

2. State whether the water has been sufficient in quantity, and of good quality.
3. State whether the food has been of good quality, and what changes, if any, have been made in the ordinary supply.
4. State whether the modes of preparation and serving up of the food have been according to order, and whether the cooking and baking are efficiently performed.
5. State whether the means employed to preserve cleanliness in the persons, the bedding, and the clothing of the prisoners have been sufficient.
6. State whether any nuisance has arisen during the quarter, from any defect of drainage or sewerage, or any want of cleanliness in the water-closets, sinks, urinals, or any other parts of the prison.
7. State whether any, and, if so, what other influences in the prison or its immediate neighbourhood have appeared to you to exercise an injurious effect upon the health of the prisoners, and what remedy you would propose.
8. State the condition of the subordinate officers' quarters with reference to—1st, Cleanliness; 2nd, Drainage and Sewerage; 3rd, Water supply; 4th, Overcrowding; 5th, Local cause of diseases.

APPENDIX XXXIII.

Acts of Parliament.

Subjoined is a list of the titles of the principal Acts of Parliament respecting, or which contain provisions respecting, the following subjects: (1) the Punishment of Offenders, Transportation and Prisons; (2) Criminal Lunatics; (3) Reformatories and Industrial Institutions; (4) the Prevention of Crime; (5) Prison Charities, and Discharged Prisoners' Aid Societies; and (6) the Pay, Pensions, and Commutation of Pensions of Officers.

Note.—There is no complete code of laws on the subject of convict prisons; the various Acts of Parliament having been passed from time to time, as the system developed.

(1).—THE PUNISHMENT OF OFFENDERS, TRANSPORTATION AND PRISONS.

- | | | |
|-------|--------------------------------|---|
| 1794. | 34 Geo. III., c. 84. | An Act for erecting a Penitentiary House or Houses for confining and employing Convicts. |
| 1812. | 52 Geo. III., c. 44. | An Act for the erection of a Penitentiary House for the confinement of Offenders committed within the City of London and County of Middlesex; and for making Compensation to Jeremy Bentham, Esq., for the non-performance of an agreement made between the said Jeremy Bentham and the Lords Commissioners of His Majesty's Treasury respecting the custody and maintenance of Convicts. |
| 1816. | 56 Geo. III., c. 63 | An Act to regulate the General Penitentiary for Convicts at Millbank, in the County of Middlesex. |
| 1819. | 59 Geo. III., c. 136 | An Act for the better regulation of the General Penitentiary for Convicts at Millbank. |
| 1824. | 5 Geo. IV., c. 84 | An Act for the transportation of Offenders from Great Britain. |
| 1825. | 6 Geo. IV., c. 69 | An Act for punishing Offences committed by Transports kept to labour in the Colonies; and better regulating the power of Justices of the Peace in New South Wales. |
| 1827. | 7 & 8 Geo. IV., c. 33 | An Act for the further regulation of the General Penitentiary at Millbank. |
| 1830. | 11 Geo. IV., }
1 Wm. IV., } | c. 39 An Act to amend an Act passed in the fifth year of His present Majesty for the transportation of offenders from Great Britain, and for punishing offences committed by Transports kept to labour in the Colonies. |
| 1832. | 2 & 3 Wm. IV. c. 62 | An Act for abolishing the punishment of Death in certain cases, and substituting a lesser punishment in lieu thereof. |
| 1834. | 4 & 5 Wm. IV. c. 36 | An Act for establishing a new Court for the trial of offences committed in the Metropolis and parts adjoining. |
| 1835. | 5 & 6 Wm. IV. c. 38 | An Act for effecting greater uniformity of practice in the government of the several Prisons in England and Wales; and for appointing Inspectors of Prisons in Great Britain. |
| 1837. | 7 Wm. IV., c. 13 | An Act to amend the Acts for regulating the General Penitentiary at Millbank. |

1837. 7 Wm. IV., }
1 Vict., }
1838. 1 & 2 Vict., c. 82 An Act for establishing a Prison for young Offenders.
1839. 2 & 3 Vict., c. 56 An Act for the better ordering of Prisons.
1842. 5 & 6 Vict., c. 22 An Act for consolidating the Queen's Bench, Fleet, and Marshalsea Prisons, and for regulating the Queen's Prison.
1842. 5 & 6 Vict., c. 29 An Act for establishing a Prison at Pentonville.
1842. 5 & 6 Vict., c. 98 An Act to amend the Laws concerning Prisons.
1843. 6 Vict., c. 7 An Act to amend the Law affecting Transported Convicts with respect to pardons and tickets of leave.
1843. 6 & 7 Vict., c. 26 An Act for regulating the Prison at Millbank.
1846. 9 & 10 Vict., c. 26 An Act for abolishing the Office of Superintendent of Convicts under sentence of Transportation.
1847. 10 Vict., c. 24 An Act to empower the Commissioners of Her Majesty's Woods to purchase land for the purposes of a Harbour of Refuge and Breakwater in the Isle of Portland, in the County of Dorset.
1847. 10 & 11 Vict., c. 67 An Act to amend the Law as to the custody of Offenders.
1848. 11 & 12 Vict., c. 101 An Act to provide for the expenses of erecting and maintaining Lock-up Houses on the borders of Counties.
1848. 11 & 12 Vict., c. 104 An Act for amending the Act for regulating the Prison at Millbank.
1850. 13 & 14 Vict., c. 39 An Act for the better government of Convict Prisons.
1852. 15 & 16 Vict., c. 70 An Act for authorizing the occupation of the House of Correction recently erected by and for the City of London, at Holloway, in the County of Middlesex.
1853. 16 & 17 Vict., c. 99 An Act to substitute, in certain cases, other punishment in lieu of Transportation.
1853. 16 & 17 Vict., c. 121 An Act for providing places of confinement in England or Wales for Female Offenders under sentence or order of Transportation.
1854. 17 & 18 Vict., c. 94 An Act to alter the mode of providing for certain expenses now charged upon certain branches of the Public Revenue and upon the Consolidated Fund.
1854. 17 & 18 Vict., c. 115 An Act to amend the Law relative to the removal of Prisoners in custody.
1856. 19 Vict., c. 16 An Act to empower the Court of Queen's Bench to order certain offenders to be tried at the Central Criminal Court.
1857. 20 & 21 Vict., c. 3 An Act to amend the Act of the sixteenth and seventeenth years of Her Majesty, to substitute, in certain cases, other punishments in lieu of Transportation.
1859. 22 Vict., c. 25 An Act for the government of the Convict Prisons in Her Majesty's dominions abroad.
1862. 25 & 26 Vict., c. 104 An Act for the discontinuance of the Queen's Prison, and removal of the Prisoners to Whitecross Street Prison.
1863. 26 & 27 Vict., c. 44 An Act for the further security of the persons of Her Majesty's subjects from personal violence.
1863. 26 & 27 Vict., c. 79 An Act for the amendment of the Law relating to the religious instruction of Prisoners in County and Borough Prisons in England and Scotland.
1864. 27 & 28 Vict., c. 47 An Act to amend the Penal Servitude Acts.
1865. 28 & 29 Vict., c. 126 An Act to consolidate and amend the Law relating to Prisons.

1866. 29 & 30 Vict., c. 100 An Act for the amendment of the Law relating to Prisons.
1866. 29 & 30 Vict., c. 109 An Act to make provision for the Discipline of the Navy.
1868. 31 Vict., c. 22 An Act to amend the Law relating to places for holding Petty Sessions, and to Lock-up Houses for the temporary confinement of Persons taken into custody and not yet committed for trial.
1869. 32 & 33 Vict., c. 71 An Act to consolidate and amend the Law of Bankruptcy.
1869. 32 & 33 Vict., c. 95 An Act to enable Military Offenders to be confined in Millbank Prison.
1870. 33 & 34 Vict., c. 23 An Act to abolish forfeitures for Treason and Felony, and to otherwise amend the Law relating thereto.
1876. 39 & 40 Vict., c. 42 An Act to amend the Law respecting certain returns from Convict Prisons.
1877. 40 & 41 Vict., c. 21 An Act to amend the Law relating to Prisons in England.
1879. 42 Vict., c. 1 An Act to amend the Law respecting the holding of Assizes.
1879. 42 & 43 Vict., c. 55 An Act to reduce the minimum term of Penal Servitude in the case of a previous conviction, and to amend the Law with respect to the notifications and Reports made under sections five and eight of the Prevention of Crimes Act 1871.
1881. 44 & 45 Vict., c. 64 An Act to remove certain doubts as to the application of section twenty-four of the Prison Act 1877, and enactments amending the same, to the Central Criminal Court District.

(2).—CRIMINAL LUNATICS.

1800. 39 & 40 Geo. III., c. 94 An Act for the safe custody of Insane Persons charged with Offences.
1838. 1 & 2 Vict., c. 14 An Act to repeal so much of an Act of the thirty-ninth and fortieth years of King George III., as authorizes Magistrates to commit to Gaols or Houses of Correction persons who are apprehended under circumstances that denote a Derangement of Mind, and a Purpose of Committing a Crime, and to make other provisions for the safe Custody of such Persons.
1840. 3 & 4 Vict., c. 54 An Act for making further provision for the Confinement and Maintenance of Insane Prisoners.
1842. 5 & 6 Vict., c. 84 An Act to alter and amend the Practice and course of Proceeding under Commissions in the nature of Writs De Lunatico Inquirendo.
1845. 8 & 9 Vict., c. 100 An Act for the Regulation of the Care and Treatment of Lunatics.
1853. 16 & 17 Vict., c. 70 An Act for the Regulation of Proceedings under Commissions of Lunacy, and the Consolidation and Amendment of the Acts respecting Lunatics so found by inquisition, and their Estates.
1853. 16 & 17 Vict., c. 96 An Act to amend an Act passed in the ninth year of Her Majesty, for the Regulation of the care and treatment of Lunatics.

1853. 16 & 17 Vict., c. 97 An Act to consolidate and amend the Laws for the Provision and Regulation of Lunatic Asylums for Counties and Boroughs, and for the maintenance and care of Pauper Lunatics in England.
1860. 23 & 24 Vict., c. 75 An Act to make better provision for the custody and care of Criminal Lunatics.
1862. 25 & 26 Vict., c. 86 An Act to amend the Law relating to Commissions of Lunacy, and the Proceedings under the same, and to provide more effectually for the Visiting of Lunatics, and for other purposes.
1864. 27 & 28 Vict., c. 29 An Act to amend the Act third and fourth Victoria, chapter fifty-four, for making further provision for the confinement and maintenance of Insane Prisoners.
1867. 30 & 31 Vict., c. 12 An Act to amend the Law relating to Criminal Lunatics.
1869. 32 & 33 Vict., c. 78 An Act to amend the Law relating to Criminal Lunatics.
1882. 45 & 46 Vict., c. 82 An Act for amending the Lunacy Regulation Acts.

(3).—REFORMATORIES AND INDUSTRIAL INSTITUTIONS.

1866. 29 & 30 Vict., c. 117 An Act to consolidate and amend the Acts relating to Reformatory Schools in Great Britain.
1866. 29 & 30 Vict., c. 118 An Act to consolidate and amend the Acts relating to Industrial Schools in Great Britain.
1870. 33 & 34 Vict., c. 75 An Act to provide for Public Elementary Education in England and Wales.
1872. 35 & 36 Vict., c. 21 An Act to amend the Law relating to Reformatory and Industrial Schools.
1873. 36 & 37 Vict., c. 86 An Act to amend the Elementary Education Act (1870), and for other purposes.
1874. 37 & 38 Vict., c. 47 An Act to extend the Powers of Prison Authorities in relation to Industrial and Reformatory Schools, and for other purposes relating thereto.
1876. 39 & 40 Vict., c. 79 An Act to make further provision for Elementary Education.
1879. 41 & 42 Vict., c. 40 An Act to remove doubts with respect to the application to Scotland of the Prison Authorities Act 1874.
1879. 42 & 43 Vict., c. 49 An Act to amend the Law relating to the Summary Jurisdiction of Magistrates.
1879. 42 & 43 Vict., c. 48 An Act to amend the Law respecting the Powers of School Boards in relation to Industrial Schools.
1880. 43 & 44 Vict., c. 15 An Act further to amend the Industrial Schools Act 1866, and the Industrial Schools Act (Ireland) 1868.

(4).—THE PREVENTION OF CRIME.

1869. 32 & 33 Vict., c. 99 An Act for the more effectual Prevention of Crime.
1871. 34 & 35 Vict., c. 112 An Act for the more effectual Prevention of Crime.
1876. 39 & 40 Vict., c. 23 An Act to amend the Prevention of Crimes Act 1871.
1879. 42 & 43 Vict., c. 55 An Act to Reduce the Minimum Term of Penal Servitude in the case of a Previous Conviction, and to amend the Law with respect to the notifications and reports made under sections five and eight of the Prevention of Crimes Act 1871.

(5).—PRISON CHARITIES AND DISCHARGED PRISONERS' AID SOCIETIES.

1862. 25 & 26 Vict., c. 104 An Act for the discontinuance of the Queen's Prison, and removal of the prisoners to Whitecross Street Prison.
1862. 25 & 26 Vict., c. 44 An Act to amend the Law relating to the giving of Aid to Discharged Prisoners.
1869. 32 & 33 Vict., c. 56 An Act to amend the Law relating to Endowed Schools and other Educational Endowments in England, and otherwise to provide for the advancement of Education.
1882. 45 & 46 Vict., c. 65 An Act to make provision respecting certain Prison Charities.

(6).—THE PAY, PENSIONS AND COMMUTATION OF PENSIONS OF OFFICERS.

1834. 4 & 5 Wm. IV., c. 24 An Act to alter, amend, and consolidate the Laws for regulating the Pensions, Compensations, and Allowances to be made to persons in respect of their having held Civil Offices in His Majesty's Service.
1859. 22 Vict., c. 26 An Act to amend the Laws concerning Superannuation and other Allowances to persons having held Civil Offices in the Public Service.
1866. 29 & 30 Vict., c. 39 An Act to consolidate the duties of the Exchequer and Audit Department, to regulate the Receipt, Custody, and Issue of Public Moneys, and to provide for the audit of the accounts thereof.
1869. 32 & 33 Vict., c. 32 An Act to provide for the Commutation of Pensions payable to officers and other persons out of the sums voted by Parliament to defray the charges of the Army and Navy Services.
1871. 34 & 35 Vict., c. 36 An Act to extend the provisions of the Pension Commutation Acts 1869 & 1870, to certain public Civil Officers, and to consolidate and amend the said Acts.
1878. 41 & 42 Vict., c. 63 An Act to amend the Prison Acts of 1877, so far as regards the apportionment of certain Superannuation Allowances between the Treasury and the Local Authorities.
1882. 45 & 46 Vict., c. 44 An Act to authorize the Commutation of a portion of a Pension in pursuance of the Pensions Commutation Act 1871.



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