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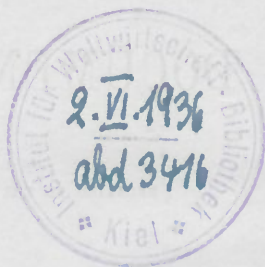
RELATING TO THE

STATE REFORM SCHOOL.

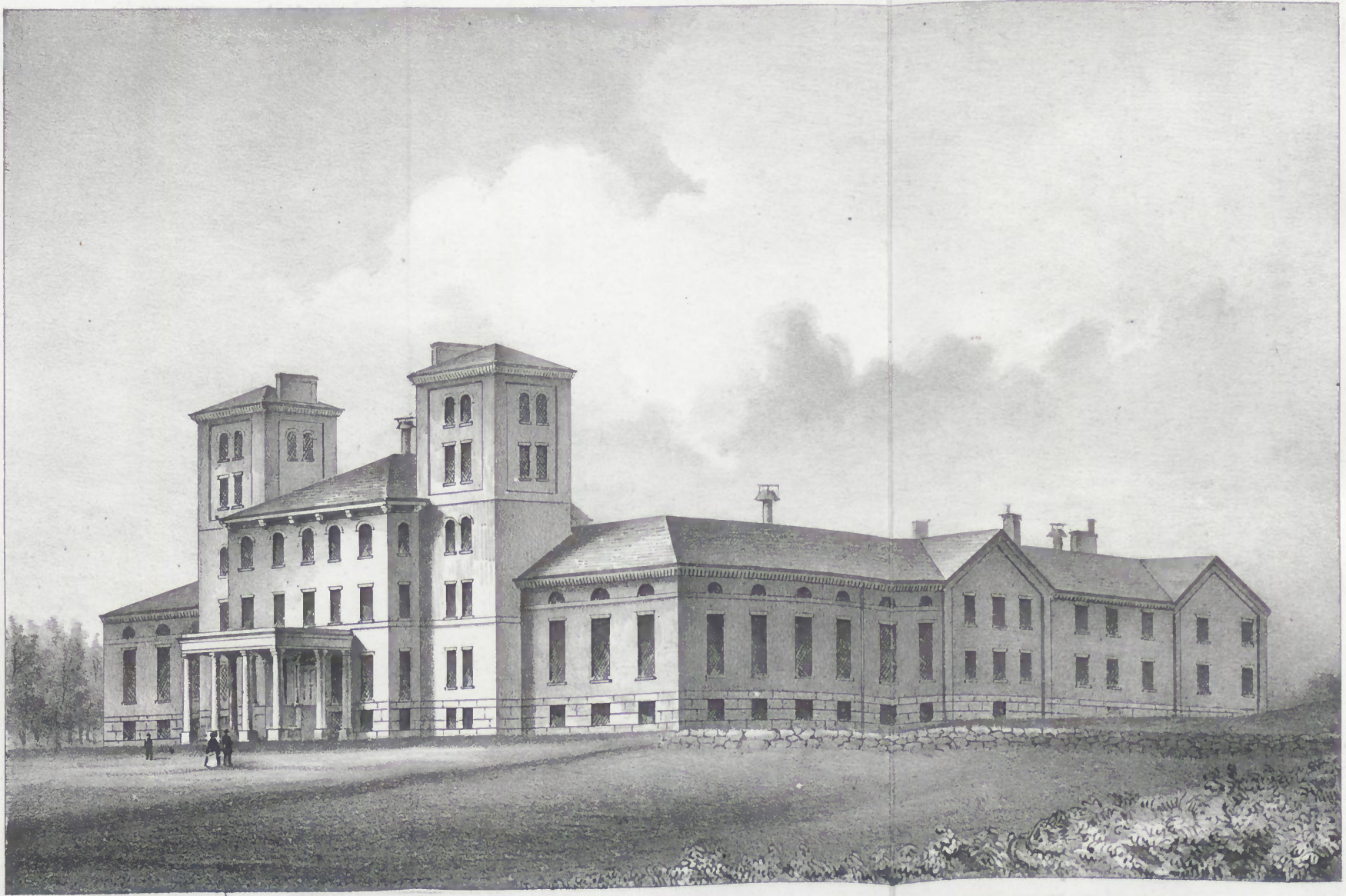


2581.









J. H. Bufford's Lith. Boston.

STATE REFORM SCHOOL AT WESTBOROUGH.

Commonwealth of Massachusetts.

The Trustees of the State Reform School, in compliance with the provisions of the statute, respectfully present to the Governor and Council their

SECOND ANNUAL REPORT.

The present Superintendent, Wm. R. Lincoln, Esq., commenced his duties in July last. The farming operations, and the preparing and laying out of the grounds, were conducted under his supervision, until the first of November, when the building was in readiness for the reception of pupils, and the more important and responsible duties of his station were then entered upon. For the details of his operations during the brief period which has since elapsed, we would refer to his report which accompanies this.

We concur in his opinion of the importance of a well selected library, for the use of the boys, to be improved as an auxiliary means in promoting their reformation, and would commend it to the attention of the Legislature, and of the benevolent and liberal, who may be disposed to aid us in this particular. In this connection, we would express our acknowledgments to the Massachusetts Bible Society, for the donation of one hundred and twenty-seven Bibles, generously presented to this institution.

No Teacher or Chaplain has yet been regularly appointed, though the subject has claimed much of the attention and consideration of the Board. The duties of these stations have been supplied, thus far, by a temporary appointment.

A substantial and commodious barn has just been completed,

of dimensions, and at an expense, somewhat exceeding the original estimate. For the amount of this expenditure, we refer to the Treasurer's Report, which will be presented in connection with this.

Since our former report, an adjoining farm, which it was deemed by the Trustees desirable to secure for the benefit of this institution, has been purchased by our former benevolent, but unknown donor, and conveyed to them. Thus is the State indebted to him for the whole of the premises, now occupied by this establishment, at the cost of \$12,500. The Treasurer has also received from the same individual the sum of ten thousand dollars, which, in addition to the other ten thousand received from the State Treasury, according to the conditions prescribed by the giver, has been invested as a permanent fund of twenty thousand dollars, the income of which is to be expended at the discretion of the Trustees, for the benefit of this school.

The Trustees are desirous to call the attention of the judicial officers of the Commonwealth to the length of the time for which boys are to be committed to this institution. The great purpose of the government in establishing it is to place juvenile delinquents here, that, by right education and proper discipline, they may be reformed and restored to virtue and usefulness. To effect this object, we think they should be sent to continue here during their minority; that this was the intention of the framers of the law, and should be the rule of administering it, unless there should appear in the particular case some special reason for deviating from it. In some of the commitments already made, where the time for remaining here is the same as, or scarcely more than, that provided for the punishment in the alternative sentence, it seems to us that the intention of the law cannot be carried into full effect; that, before their good habits can be confirmed, they will be sent back to their former associates and temptations, and be liable to relapse into vice and wickedness again.

A meeting was convened at the institution, in Westboro', on the 7th inst., on which occasion an eloquent and appropriate address was delivered to the members of the government, and many other citizens assembled from the various portions of the

Commonwealth, by Emory Washburn, Esq., of Lowell. The Trustees believed that the opportunity should be improved to call the attention of their fellow-citizens to the purposes for which the institution was founded, and to strengthen their interest in its welfare. And they have the satisfaction of believing that, in some good degree, this object has been attained. They have procured a copy of the address for publication.

The amount of appropriations by the Legislature, for the purposes of this institution, during the last two years, which were placed at the disposal of the Trustees, has been nine thousand dollars. The expenditures have been \$10,721 17, leaving an indebtedness of \$1,721 17. To meet this deficiency—to supply provisions and clothing for the boys, and furniture for one hundred boys more, which, we are satisfied, will be needed in the course of the next year—to supply farming implements and stock—to pay salaries—to provide for improvements, removal and repairs of buildings—we think the sum of \$19,500 will be required for the ensuing year, and we accordingly ask that an appropriation for that amount be made by the Legislature at its ensuing session.

The short time which has elapsed since the institution commenced its operations forbids the expression of any opinion derived from our own experience of success; and we can only say, that it will be our earnest endeavor so to conduct its affairs, as far as they lie within our cognizance and control, that the hopes and wishes of the friends of humanity and enlightened legislation may not be disappointed.

Respectfully submitted, on behalf of the Trustees.

THOS. A. GREENE, *Secretary.*

WESTBORO', 12th mo. (Dec.) 27th, 1848.

To His Excellency the Governor and the Honorable Executive Council of the Commonwealth of Massachusetts :

The Treasurer of the State Reform School respectfully presents his Second Annual Report, for the year ending November 30th, 1848.

The Treasurer charges himself with	
sums received from the State Treasury,	\$9,000 00
And for proceeds of sales from the farm,	684 26
Balance to new account,	1,721 17
	<hr/>
	\$11,405 43

He credits himself with balance due

Nov. 30, 1847,	\$1,379 31
And for the following payments :—	
Expenses of Trustees for 1847,	173 08
Salaries and board,	842 43
Transferred from "improvement" account,	178 14
Trees,	15 00
Insurance,	23 69
Coal, 30 tons,	160 20
Barn, in part,	3,722 89
10 cows, 6 oxen, 1 bull, and 12 steers,	1,408 50
Horse, carriage, and harness,	265 00
Transportation,	52 27
Clothing,	321 70
Books,	56 04
Grass seed and corn,	100 19
Farming implements,	301 48
Provisions,	130 64
Repairs,	97 41
Labor on the farm,	610 30
Expenses of Trustees for 1848,	214 76
Building Reservoir,	272 37

Labor, excavating, blasting, and removing stone and laying wall, . . .	\$764 15
Derrick,	160 69
Miscellaneous,	155 19
	<hr/> \$11,405 43

The Treasurer charges himself with the balance of the fund for permanent improvement, created by the donation of an unknown individual, . . .	821 86
Also, amount transferred to general account,	178 14
And amount received from the same unknown individual, for the purchase of additional land,	2,500 00
	<hr/> \$3,500 00

And credits himself with amount paid for land,	3,500 00
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He charges himself with the sum received from the same unknown donor,	10,000 00
And the same amount received from the Treasury of the Commonwealth,	10,000 00
	<hr/> \$20,000 00

Which amount was invested, when received, as a *Trust Fund*, on which has accrued, but not due, \$375.

GEORGE DENNY.

WESTBORO', 27th Dec. 1848.

Westboro', 27th Dec. 1848.

I hereby certify, that I have examined the above account and statement of the Treasurer of the Westboro' Farm School, and have found the same to be correct, and that the evidences of the property in his hands were exhibited to me.

WILLIAM T. ANDREWS,
Auditing Commissioner.

To the Trustees of the State Reform School, the Superintendent respectfully reports :

The number of boys admitted from the opening of the Institution, on the first day of November, to December 1st, 1848,	23
Rejected, after trial, as improper subject,	1
Remaining in the house, Dec. 1st, 1848,	22
They were received, from Suffolk county,	11
“ “ “ Middlesex “	9
“ “ “ Essex “	3
	<hr/> 23

Nativity.

Natives of Massachusetts,	8
“ “ New Hampshire,	1
“ “ Pennsylvania,	1
“ “ Canada,	3
“ “ Ireland,	9
“ “ England,	1
	<hr/> 23

Born in the United States, 10; in Foreign Countries, 13.

Their Ages.

1	was	11	years	old.
3	were	12	“	“
4	“	13	“	“
9	“	14	“	“
3	“	15	“	“
1	was	16	“	“
1	“	18	“	“
1	unknown.			

—
23

Causes of Commitment.

Larceny,	10
Breaking and entering, with intent to steal,	2
Breaking dwelling-house and larceny,	2
Idle and dissolute,	3
Indecent assault,	1
Having obscene books for circulation,	1
Stubbornness,	4

23

Duration of Commitments.

9 during minority.

4 for 5 years.

4 " 3 "

4 " 2 "

2 " 1 "

23

But one month having elapsed since the opening of the Institution for the reception of boys, it is not yet fully organized in all its departments.

All the boys are employed, during a portion of the day, at some mechanical, agricultural, or domestic labor.

As many are employed on the farm as can be properly disciplined and instructed there. The remaining part at some mechanical labor, or in the various domestic duties of the house.

The washing, ironing, and cooking, are done by the boys. They also make and mend their own clothes.

Their daily routine, as at present established, is as follows:—

Rise at 5 or 5½ o'clock, according to the season of the year—and, after attending to their morning duties, repair to the school room, where they attend the religious exercises of the morning. Breakfast at 6 or 6½ o'clock; labor from 7 to 10; school from that time to 12; then one hour for play and dinner; commence work again at 1, and work till 4, when they have another hour

for play and supper. From 5 to 7 is for school, and from then till their bed-time, is for the examination of the misdemeanors of the day, moral instruction, and devotional exercises.

By the above arrangement, four hours are devoted to school, six to labor, eight and one half to sleep, and five and one half to recreation and miscellaneous duties.

Our discipline is, as far as possible, parental in its character—mild and persuasive, but firm and decided.

The design of the institution being to *reform*, rather than punish offenders, we shall use all means consistent with good government to secure the contentment and happiness of the youth who may be sent here, believing this to be the most effectual means of accomplishing the great end sought for, in the establishment of the institution.

Religious services are regularly conducted in the chapel, on the morning and afternoon of each Sabbath.

A judiciously selected library, of suitable books for the boys, is much needed at the commencement of the school, as a most valuable auxiliary in accomplishing their reformation.

The Massachusetts Bible Society has kindly furnished us with one hundred twenty-seven Bibles.

In addition to the cultivation of the farm, much has been done in clearing the stone from the ground in front of the building. Also, in constructing a large reservoir to receive the drainage from the house, in which a bed of manure will be collected for enriching the farm. A road has been constructed to approach the house from the public highway. Also, a large barn, 132 feet by 44 feet, with a shed and granary of 50 feet by 16 feet, attached, has been built.

The above, with other items of a similar nature, has prevented us from doing so much in the cultivation of the farm as we hope to do hereafter.

The following are the principal productions of the farm :—

48 tons	English hay,
23 "	meadow "
2½ "	oat straw,
4 "	corn fodder,
194 bushels	potatoes,
200 "	corn,
100 "	oats,
6 "	dry beans,
146 "	English turnips,
30 barrels	apples,
4,244½	gallons milk,
2,885 lbs.	beef.

The live stock now on the farm consists of :—

14	cows,
6	oxen,
1	bull,
8	steers,
3	heifers,
6	calves,
1	horse,
12	swine.

Respectfully submitted,

W. R. LINCOLN, *Superintendent.*

BY - LAWS
FOR THE
GOVERNMENT AND REGULATION
OF THE
STATE REFORM SCHOOL,
AT WESTBOROUGH.

CHAPTER I.

OF THE TRUSTEES.

SECTION 1.—The Board of Trustees shall be organized as soon as may be, after the annual appointment of the members, at a meeting to be called by the Trustee who is first named in the commission of the Governor, at which meeting one of the Trustees shall be appointed Chairman and another Secretary of the Board, and three of the Trustees shall be appointed an executive committee. In case of the death, sickness, or absence, of the Trustee first named in the commission of the Governor, the next named Trustee shall perform the duties of the first, until the Board, at its next following meeting, shall make an appointment of chairman.

SECT. 2.—The chairman shall call meetings of the Board as often as he may deem the same expedient, or whenever requested so to do by any two Trustees. He shall preside at all meetings, and shall be the organ of the Board in receiving and preparing all communications in relation to its concerns.

SECT. 3.—The Secretary shall keep a record of the proceedings of the Board, and shall prepare, or cause to be prepared, all documents, statements, and notices, which may be directed by the Board or by the Chairman. He shall give notice, in writing, to each Trustee, of

the time and place of all meetings of the Board. He shall communicate to the Treasurer all the proceedings of the Board relating to the financial concerns of the institution.

SECT. 4.—The quarterly visitations of the school shall be made in connection with the meetings of the Board. A meeting of the Board shall be held in the months of December, March, June, and September, and otherwise in conformity to such arrangements as the Board may, from time to time, adopt.

CHAPTER II.

OFFICERS.

SECT. 1.—The following officers shall be appointed by the Trustees, viz:—A Superintendent, a Steward, a Chaplain and Teacher, a Matron, Watchman, and such assistants as may be found necessary, also a Treasurer of the Board.

SECT. 2.—The several officers appointed by the Board shall hold their offices during the pleasure of the Board, and shall not resign their offices without giving at least six months' notice to the Board of their intention so to do.

SECT. 3.—The salaries of the officers shall be established as follows, viz:—The Superintendent shall receive eight hundred dollars per annum; the Chaplain and Teacher shall receive six hundred dollars per annum; the Matron a sum not exceeding four dollars per week; the Steward a sum not exceeding four hundred dollars per annum.

CHAPTER III.

DUTY OF SUPERINTENDENT.

SECT. 1.—In addition to the requirements of sections ten, eleven, and twelve, of the act to establish the State Reform School, the Superintendent shall attend to the correspondence relating to the boys, keeping files of all letters received, and retaining copies of all that are forwarded. He shall keep a daily register of the weather.

SECT. 2.—He shall be authorized, in connection with the Executive Committee, to employ suitable persons as assistants, subject to the approval of the Board, and, if deemed necessary, may, with the advice of the Executive Committee, discharge from service any of the persons thus employed.

SECT. 3.—He shall report to the Trustees, for their approbation, all such regulations, in regard to the distribution of the duties among those employed in the institution, as he may find to be requisite or convenient.

SECT. 4.—He shall be ready, at all times, to perform whatever services shall be required of him by the Trustees, not inconsistent with the performance of the duties herein prescribed.

CHAPTER IV.

OF THE STEWARD.

SECT. 1.—The Steward shall be the farmer, and shall have charge of the implements and cattle for the farm, and all other necessary articles, and shall be responsible for the economical use of the same.

SECT. 2.—Under the direction of the Superintendent, he shall make all such purchases as may be required, and attend to the engaging and discharging such adult help as may be temporarily employed on the farm.

SECT. 3.—He shall keep correct and methodical accounts of all receipts and expenditures relating to the farm, and of all the labor performed on the farm by the boys of the institution.

SECT. 4.—He shall be ready, at all times, to perform whatever services may be required of him by the Superintendent.

CHAPTER V.

OF CHAPLAIN AND TEACHER.

SECT. 1.—He shall conduct religious worship in the chapel on the Sabbath, and on all other days set apart for religious observance, and also the morning and evening devotional exercises.

SECT. 2.—In his capacity of Teacher, he shall attend to the instruction of the boys in reading, writing, arithmetic, grammar, and such other branches as may be required for at least four hours a day. In his intercourse with the boys, he shall practise a social and familiar manner, but, at the same time, maintain that decision and energy of character that will enable him to command respect and obedience at all times.

SECT. 3.—He shall take direction of the recreation and amusement of the boys, shall see that a proper spirit is manifested among them, and that they indulge in no improper plays.

SECT. 4.—He shall assist the Superintendent, in all suitable ways, in the management of the house; and, in case of sickness or absence, shall perform his duties, provided no other person is appointed for that purpose.

SECT. 5.—He shall perform all such other services, relating to moral and religious instruction, and the interest of the institution, as may be authorized and requested by the Superintendent.

CHAPTER VI.

THE MATRON.

SECT. 1.—The Matron shall have the general charge of the domestic concerns of the institution.

SECT. 2.—She shall attend to the cleanliness and good order of the apartments; shall have the care of, and take the general direction of, the sewing, clothing, bedding, washing, ironing, cooking, and baking.

SECT. 3.—She shall see that all the female assistants are faithful and diligent in the discharge of their duties, discreet and regular in their deportment, and that they observe all the regulations of the institution.

SECT. 4.—She shall see that the sick receive proper attention, and, if any female assistant has failed to be faithful, or shall be guilty of any abuse of trust or neglect of duty, she shall report the case immediately to the Superintendent.

SECT. 5.—She shall be ready to perform whatever extraordinary services shall be required by the Superintendent.

CHAPTER VII.

THE WATCHMAN.

SECT. 1.—Under the direction of the Superintendent, the Watchman shall perform a regular patrol throughout and around the building, for the purpose of observing all occurrences, and discovering danger from fire. He shall attend to the fires, and he must never have a light except in a lantern.

SECT. 2.—He shall exert the utmost vigilance to guard the buildings against fires; and, if fire is discovered, he shall forthwith notify the Superintendent, and other officers and assistants, but not give a general alarm until so ordered by the Superintendent.

SECT. 3.—He shall ring the bell in the morning, and at other times, as may be directed by the Superintendent.

SECT. 4.—He shall perform all other services which may be required of him by the Superintendent.

CHAPTER VIII.

THE TREASURER.

SECT. 1.—The Treasurer of the Board shall have the custody and charge of the Trust Fund, keeping full and accurate accounts in relation thereto; in investing, keeping, and expending, the proceeds of the same, he shall conform to the directions of the Board.

SECT. 2.—In case the Treasurer of the Board shall be the person who is commissioned by the Governor as the Treasurer of the institution, and shall perform the duties of that office, he shall be allowed a salary of two hundred dollars per annum for his whole services.

CHAPTER IX.

OF LABOR, INSTRUCTION, AND DISCIPLINE.

SECT. 1.—The general division of time for each day, except the Sabbath, shall be as follows:—For labor, six hours; for school, four

hours; for sleep, eight and one half hours; and four and one half hours for devotional exercises, incidental duties, and recreation.

SECT. 2.—The time for rising in the morning, shall be at five o'clock, except in the months of December, January, and February, when it shall be at half-past five. The time for bed, throughout the year, shall be at half-past eight o'clock, P. M.

SECT. 3.—Should a boy refuse or hesitate to obey, he is to be admonished and informed of the consequences; if the boy still persist, the officer will immediately send for the Superintendent; if he be absent, the boy will be placed in the lodge, and the case reported as soon as opportunity occurs.

SECT. 4.—No officer, or other person, regularly employed in the institution, shall be absent from the premises without permission of the Superintendent.

SECT. 5.—Every boy shall be in the charge of some responsible person, at all times, unless he is permitted to be at large by the Superintendent. Whenever a boy is taken from the house or yard by any person duly authorized, that person shall be responsible for his safe-keeping, until returned to the house, or entrusted to the care of another person duly authorized.

SECT. 6.—No officer, or other person, shall ever permit a boy to receive or examine his keys.

SECT. 7.—All who are employed in the institution, in whatever capacity, are required to devote their whole time to the performance of such duties as are enjoined upon them by the by-laws, or as shall be required of them by the Superintendent.

CHAPTER X.

MISCELLANEOUS REGULATIONS.

SECT. 1.—All persons employed in the institution who are well, and can be spared from their duties, shall attend the daily devotional exercises, and the religious services of the Sabbath, unless leave of absence is specially granted.

SECT. 2.—Officers and assistants shall take especial care that their demeanor during the services shall be strictly becoming and worthy of imitation.

SECT. 3.—All the arrangements which shall be made by the Superintendent, in reference to the services of the chapel, shall be faithfully carried into effect by the other officers and attendants.

SECT. 4.—No officer or attendant, while connected with the institution, shall, at any time, make use of intoxicating liquor of any kind, at home or abroad, nor shall any one make use of tobacco, or smoke a cigar or pipe about the premises.

SECT. 5.—All persons who have duties to perform shall rise in the morning at the ringing of the bell.

SECT. 6.—All persons who agree to perform services at the institution shall be considered as engaged for one year, unless a special contract shall be made for a longer or shorter time; and no person thus employed shall discontinue service at or after the expiration of the year or time agreed for, without giving to the Superintendent or Trustee at least thirty days' notice of an intention so to do.

SECT. 7.—All persons employed in or about the buildings of the institution, are required to conform strictly to all the rules and regulations, and, at all times, so to speak and conduct themselves, that their example shall be worthy of imitation.

LAWS AND RESOLVES

FOR THE ESTABLISHMENT AND REGULATION OF THE
STATE REFORM SCHOOL, AND FOR THE ERECTION OF
BUILDINGS THEREFOR.

Resolves for the erection of a State Manual Labor School.

Resolved, That his excellency the Governor, by and with the advice and consent of the Council, be, and he is, hereby authorized and empowered, to appoint a board of three commissioners, who shall have power to select and obtain, by gift or purchase, and take a conveyance to the Commonwealth, of a lot of land containing not less than fifty acres, which shall be an eligible site for a manual labor school, for the employment, instruction, and reformation, of juvenile offenders, regard being had, in the selection thereof, to the centre of population, cheapness of living, and facility of access. And that said commissioners shall further be directed to procure plans and estimates for the buildings necessary for such an institution, and to prepare and mature a system for the government thereof, and to ascertain what laws would be necessary and proper to put the same into successful operation, and to report the result to his excellency the Governor, in season to be communicated to the Legislature at the commencement of their next session. And the said commissioners shall present all their accounts to the Governor and Council, to be by them audited and allowed, as they may deem just.

Resolved, That, to defray the expense incurred by the purchase of said land, and in the execution of the other objects of the commission, his excellency the Governor be, and he hereby is, authorized to draw his warrants, from time to time, on the Treasury of the Commonwealth, for any necessary sums of money, not exceeding, in the whole, ten thousand dollars.—

[*Approved, April 16, 1846.*]

Commonwealth of Massachusetts.

To the Honorable House of Representatives :

I herewith transmit, for the information and use of the two Houses, the Report of the Commissioners, appointed under the Resolves of the 16th of April, 1846, "for the erection of a State Manual Labor School." I commend this able Report to the favorable consideration of the Legislature.

The commissioners state that they have received from a gentleman, who, with a delicacy as remarkable as his munificence, withholds his name from the public, ten thousand dollars, to promote this noble charity. The same liberal and noble-hearted individual offers to pay five or ten thousand dollars more in January, 1848, provided the State will pay the same amount, and provided the commissioners shall be of opinion, that such an amount "can be usefully employed for the school." In communicating this report, I deem it necessary only to say to you, in the language of the report itself, that "of the many and valuable institutions sustained in whole, or in part, from the public treasury, we may safely say, that none is of more importance, or holds a more intimate connexion with the future prosperity and moral integrity of the community, than one which promises to take neglected, wayward, wandering, idle and vicious boys, with perverse minds and corrupted hearts, and cleanse, and purify, and reform them, and thus send them forth, in the erectness of manhood and in the beauty of virtue, educated and prepared to be industrious, useful, and virtuous citizens."

GEO. N. BRIGGS.

COUNCIL CHAMBER, *January 15th, 1847.*

To His Excellency GEORGE N. BRIGGS:

SIR,—The Commissioners, appointed under the Resolves of the last Legislature, for erecting a State Manual Labor School, herewith submit to your Excellency and the Honorable Council,—

Their Report.

Their draft of a Bill relating to the State Juvenile Reform School.

Their draft of a Resolve appropriating money for the erection of buildings for said school.

The plans of buildings for said school, prepared by Mr. Isaac Melvin, architect, with his explanatory statements and estimates.

A plan of the farm purchased for said school, and sundry communications made to the Commissioners.

The deed of the farm, warranting the title to the Commonwealth, has been deposited in the office of the Treasurer and Receiver General of the Commonwealth.

We are, very respectfully,

Your obedient servants,

A. D. FOSTER,

ROB. RANTOUL,

SAML. H. WALLEY, JR.

Boston, Jan. 12, 1847.

To His Excellency GEORGE N. BRIGGS, *Governor, and to the Honorable Executive Council of the Commonwealth of Massachusetts :*

The subscribers, commissioners appointed under the Resolves of the last Legislature, entitled "Resolves for the erection of a State Manual Labor School," respectfully make their Report:

The Resolves provide that the Commissioners shall have "power to select and obtain, by gift or purchase, and take a

conveyance to the Commonwealth, of a lot of land, containing not less than fifty acres, which shall be an eligible site for a Manual Labor School, for the employment, instruction, and reformation of juvenile offenders, regard being had, in the selection thereof, to the centre of population, cheapness of living, and facility of access. And that said Commissioners shall further be directed to procure plans and estimates for the buildings necessary for such an institution, and to prepare and mature a system for the government thereof, and to ascertain what laws would be necessary and proper to put the same into successful operation, and to report the result to his excellency the Governor, in season to be communicated to the Legislature, at the commencement of their next session."

The design of this proposed institution, is "the reformation of juvenile offenders." It is to take those, who might otherwise be subjected to the degradation of prison discipline, and separate them from vicious influences: to teach them their duty to God and their fellow-beings; prepare them to earn an honest livelihood, by honorable industry, in some trade or agricultural employment; and to give them such an intellectual education, as will fit them properly to discharge the common business of life.

It is a truly benevolent object, worthy of the approbation and encouragement of all good men.

In every town, there are some, in the cities and large towns many, who exercise no salutary control over their children. Vicious or thriftless themselves, their children follow their example. And, in that tender age, when the mind and heart most easily yield to the guidance of others, these children and youth become "offenders" against good morals and the laws of their country, hardened against truth and duty, and subject themselves to the stern penalty of the law. How often have the hearts of judges and jurors been moved with pity, when they have been obliged to condemn and sentence to ignominious punishment some bright, intelligent boy, who was born and reared under such inauspicious circumstances! How often has such a boy become a fiend, when he should have been a man,—at war with society himself, and society at war with

him; but, yet, who might have been reclaimed by such an institution as the one now proposed, and thus become a good member of society!

Considerations like these have made the Commissioners earnestly desirous of doing their part, in this enterprise, by the most faithful discharge of the duties assigned them.

They have sought, by advertisement in newspapers, and by inquiry of individuals, to find a site, which would answer the requirement of the resolves. They are themselves satisfied with the result. They have purchased the farm of Lovett Peters, Esquire, in Westborough, containing one hundred and eighty acres, and one hundred and five rods of land. It is situated on the borders of Chauncey Pond, which makes its boundary on one side. The pond is of clear, pure water, about thirty feet in depth, and covering one hundred and seventy-eight and a half acres of land. The ground rises, by a gentle acclivity, from the shore of the pond, to a height which overlooks this beautiful sheet of water, and an extent of country beyond, embracing, in part, the village of Westborough, and gives a very pleasing prospect. There are no manufacturing villages in the vicinity, and the farm-houses are not more numerous than in most of the agricultural towns in the State, in proportion to the area. The situation, therefore, is sufficiently retired. The depot of the Boston and Worcester Railroad, in the village of Westborough, is at two and a half miles distance, and the road from thence is level, or of very gradual ascent. The place is thus easy of access, and it is so near to the centre of population, as to make it satisfactory in that particular. The farm is divided into wood-land, pasture, tillage, and mowing, and has variety of soil, but is principally of that which is susceptible of the highest cultivation. It is now well cultivated, and there are upon it more than a hundred apple trees, of selected, grafted fruit, with some pear, peach, and other fruit trees. The house, occupied by Mr. Peters, and the barns, are in good repair; the water in the wells is good and abundant for the uses of a family, while the waters of the large pond will furnish facilities for bathing, and may be used for a variety of other purposes connected with the establishment.

The quantity of land is greater than is required by the terms of the resolves; but, it being so favorably situated, lying all in one body, and it being, as yet, uncertain how large a quantity will best promote the interests of the institution, it was deemed better to secure enough at first, rather than trust to enlarging the amount hereafter.

In the purchase of this site, the Commissioners suppose they have secured as much land as will ever be needed, in a healthful situation; with a beautiful prospect; in a good farming neighborhood; retired, yet sufficiently near to a railroad, to make it easily accessible from all parts of the Commonwealth; with good soil; water easily obtained for culinary purposes, and abundant, and of easy access for other uses; and the consideration reasonable, being the sum of nine thousand dollars. In addition to this, the Commissioners have the very great satisfaction of reporting, that a gentleman of wealth, whose heart is interested in this charity, has made the noble donation of ten thousand dollars for its promotion. He authorized the expenditure, in that way, of so much of this sum as was necessary to pay for this farm,—the balance remains in the hands of the Chairman of the Commissioners. The sum appropriated by the Legislature has not been asked for by the Commissioners.

We sometimes sigh at the thought that “the poor ye have always with you.” But its painfulness is relieved, when we can see that the rich remember the poor in their necessities, and the vicious in their degradation, and open to them their hearts with sympathy, and their hands with aid.

Such is the fruit of Christianity, in its direct or collateral influences, and such fruit we are accustomed to see in our beloved Commonwealth. It comes to us now, with the beauty of bounty given by a hand concealed. This friend of wandering, sinning, outcast children, who thus generously aids the State in providing for them, chooses that his deeds only be known, not his name. May the blessing of them that are ready to perish, and that of Heaven, rest upon him!

The same gentleman does not let his benevolent regards for this school cease with the payment of his generous gift. He

offers another donation. And, to a letter of the Chairman of the Commissioners, proposing that those parts of the gentleman's letter, in which he states his purpose, should be extracted and included in the report to be made to the Governor and Council, the following answer was received:—

"I am quite willing that you should make the extracts that you propose to insert in your report, from my last letter, though I ought to add, that that letter, like the others I have addressed to you, was altogether an informal one, and written with no more care than a person insensibly takes when he seeks to express himself distinctly on a subject on which he feels deeply. It should be observed, moreover, that though the topic is one that I consider very important, yet what I have said, in regard to it, is stated in brief and general terms."

The extracts, thus permitted to be made, are as follows:—

"I put a great value on the State Manual Labor School, and am exceedingly desirous not only that it should begin well, but that it should meet with undoubted success, and deserve and secure the approbation and support of the community. For I do not think that a measure, costing an equal amount of money, care, and attention, could have been devised that will, in the end, diminish, to a greater extent, vice, crime, and suffering in the Commonwealth.

"I do not look on this school as an experiment. On the contrary, it strikes me that it is an institution which will produce decidedly beneficial results, not only for the present day, but for many years to come. I do not, therefore, think it should, even now, be treated, in any respect, in the light of an experiment,—to be abandoned if not successful; for, if the school is introduced to public notice on no better footing and with no more preparation than usually attend trial schemes of most kinds, the probability is, that it will fail, considering the peculiar difficulties of the case. So far, then, from doing this, I should think it much better to lay out, at once, a plan for a permanent school, but on a scale as moderate, or limited, as may be thought proper; and, of course, to incorporate in that design those arrangements that, after a due investigation of the subject, shall be considered as likely to render the institution

useful and efficient, as well immediately as to a distant day; though, at the same time, there can be but little question, but that, after a few years' experience, alterations in, or additions to, the original plan, may be advantageously made.

"I am happy to find, also, from the letters that I have had the pleasure of receiving from you, that this is the view which the State Commission take of the subject.

"If, therefore, those to whom is, or may be, entrusted the management of this school, should entertain as favorable an opinion of it as I have expressed, and should consider it of sufficient importance to the public weal to justify them in laying it out on a plan to which some elements of a permanent character shall be given, I state, at this time, my willingness to contribute some share towards the funds that may be required to effect the general object. I will, therefore, now agree to pay, for the use of the State Manual Labor School, in January, 1848, (or make the amount a charge against my estate,) the sum of five, or the sum of ten, thousand dollars, provided, first, that the State will contribute a sum equal in amount to what I shall contribute; and provided, second, that the present commissioners, or other persons acting for the Commonwealth, shall be of the opinion that this sum of ten or twenty thousand dollars, as the case may be, from the two parties before mentioned, can be usefully employed for the school.

"I attach no conditions to the way in which my second donation, whether of five or of ten thousand dollars, shall be appropriated. But it has occurred to me, that a fund might be established for giving a certain amount of aid, in some shape or other, to those boys that are discharged from school under meritorious circumstances, or even of providing something to enable all, properly discharged, to return again to society, without being immediately and directly exposed to those temptations that probably were often the principal cause of their originally becoming tenants of the institution. The hour is, in all cases, a trying one for a boy, when he leaves a school of this sort, and, in many cases, is in fact what may be called the critical period of his life. A kind hand, therefore, held out to a poor lad just then, even for a short time, may not only secure

and confirm to him all the good that he has obtained in the institution, but may place him in comfort and respectability as long as he lives.

"In regard, however, to this second donation—whatever may be the amount of it,—you will permit me to say, that it is again, and still earnestly, my wish, that my name should be known to no one but yourself,—at least for the present. I, therefore, now offer a second donation of five or of ten thousand dollars to the State Manual Labor School, on the same conditions, so far as the name of the donor is concerned, that I did the first."

These judicious suggestions, and this generous offer, the Commissioners would commend to the enlightened and liberal consideration of the Legislature.

In regard to "plans for the buildings necessary for such an institution," several things are to be considered.

For what number should provision be made?

The Commissioners have had no peculiar means of answering this question. But they suppose it will not be unreasonable to say, that there may be at least one hundred and fifty boys in the Commonwealth, who may become subjects for such an institution, within a short period after its establishment. We know that most of the inmates will come from populous places. In such places, it is matter of regret to believe that the number of crimes and of criminals among the young, have increased of late years; that prosecutions and convictions are frequent, and that numbers, who should go to such an institution as is proposed, are now, from necessity, sent to prisons and penitentiaries. There is already provision made, by the Farm School on Thompson's Island, and the House of Refuge for Juvenile Offenders at South Boston, for a considerable number, but it is understood that both these institutions are full.

Another question is intimately connected with this, and that is, how many can be provided for, in a proper manner, in one establishment? This will depend, in some measure, upon the number of suitable attendants employed, and the expense which the State may be willing to incur for the institution. Yet it may be doubted whether, in any one establishment, it would be desirable to bring together more than three hundred, exclusive

of officers and attendants. Certainly, unless the buildings are very extensive and well arranged, the larger the number, the greater the difficulty in securing proper classification, separation and supervision.

After much consideration, the Commissioners have determined to recommend an establishment capable of accommodating three hundred boys, and the necessary officers and attendants. But they do not propose to prepare it, at first, for more than one hundred and fifty. They would adapt the size of the enclosure and the buildings for the larger number, and finish and furnish so much of them as would be sufficient for the smaller number.

This is not to be called a prison or a penitentiary; it is a school for juvenile reform. In order, therefore, to remove, as far as possible, every thing which is calculated to attach the disgrace of penitentiary punishment to those who may be sent there, we propose to give, to the external appearance of the buildings, as little that of a prison as is consistent with entire security from escape. Those who will be sent to this school will generally have formed roving habits, and, with them, restraint will be irksome, and the desire of escape strong. No hope can be entertained of exercising a reformatory influence over them, until they are fully satisfied that they are so far confined, guarded, and watched, that they must conform to rules. This requires strong buildings, enclosing sufficient space to furnish all the necessary accommodations, and shops within it, or buildings in a yard, surrounded by a high wall. Believing that the appearance will be more cheerful and inviting, and equal or superior accommodations afforded, the commissioners prefer and recommend, that there be no exterior wall, but that the buildings form the protecting enclosure. It is to be presumed and expected that, after the inmates have been, for some time, under discipline and instruction, classes can be formed of lads who may, with safety, be trusted to work in the garden and on the farm, relying upon the moral influence exercised, and upon constant inspection, to restrain them from escape. But this cannot be wholly relied upon, in any case, at first. It is, therefore, desirable to make the arrangements of the buildings such

as, with few attendants, will secure constant, unintermitted supervision. In procuring plans and estimates, the commissioners have had these principles in view, and they submit the results in the drawings which accompany this report and the architect's estimates. Regard has been had to external appearance so far only as was consistent with economy and durability, almost nothing being added for mere ornament. True economy is believed to be best consulted, by adapting buildings to their uses at first, and erecting them in so substantial a manner as to require few repairs. Such buildings are proposed in this case. The appropriation required may seem large. Let the people of Massachusetts, however, be satisfied that a project of benevolence, which can be constitutionally supported, is approved by their legislators, and will be conducted with judicious economy, and they are ever ready to sanction and pay for it. Of the many and valuable institutions sustained, in whole or in part, from the public treasury, we may safely say that none is of more importance, or holds a more intimate connection with the future prosperity and moral integrity of the community, than one which promises to take neglected, wayward, wandering, idle and vicious boys, with perverse minds and corrupted hearts, and cleanse, and purify, and reform them, and thus send them forth, in the erectness of manhood, and the beauty of virtue, educated and prepared to be industrious, useful, and virtuous citizens.

Having given their opinion as to the number for whom provision should be made, and offered plans and estimates for the buildings, the next question which presents itself to the commissioners is, who shall be admitted to the institution? And first, under this question, has been the consideration, whether both sexes should be provided for in the same establishment? On this point, the opinions of practical and judicious men differ. By some it is thought that it is the order of Providence, that the sexes should be trained up together, as they are associated together in families; that, in such an establishment, such an arrangement is more economical, because the girls can do the washing and mending, and, perhaps, the cooking; and that the same principal officers will be sufficient for the superintendence

of both sexes. If the boys and girls, to be brought into such an institution, were well trained at home, and this was only a school of instruction, there might be no valid objection to bringing them under the same roof and the same teachers, as in our common schools, though, even on this question, the community are divided in opinion. But the fundamental idea of this school is, that it is for *offenders*. And, in fact, it is found, in similar establishments, that the girls sent to them are far more vicious, and more difficult to manage, than the boys. Of course, it must be obvious to every one, that, by bringing the sexes together under such circumstances, the difficulty of government must be much increased, and the hope of reformation materially diminished. If, nominally, in the same establishment, they must, in fact, be separated as entirely and securely as though they were in different institutions, and the only advantage can be in economy. Perhaps there might be a pecuniary saving; but the Commissioners are unanimously of opinion, that this will not be a sufficient offset to the increased difficulty of government and discipline. They propose, therefore, that provision should be made for boys only, in these buildings. If it should be found that the public interest requires a reformatory school for girls, other and distinct buildings should be erected, even if they be upon the same farm and under the same Superintendent. But this they would not recommend.

In regard to the limit of age within which boys may be sent to this school, the reformatory character of the school is always to be kept in view. And such subjects only are to be received, as may reasonably be expected to be reformed. Of course, those who are adults in stature, and hardened in crime, are scarcely to be considered suitable associates for those of more tender years. Yet, there is such variety in stature, temperament, and character, among persons of the same age, that it is difficult to select any one age as the limit, either maximum or minimum. In a majority of cases, boys over sixteen years of age would be unsuitable subjects, and the general rule, it is thought, should be, not to send boys over that age to this place. But, subject to the power of rejection, to be vested in the Trustees in certain cases, it is proposed to authorize the com-

mitment to this institution of all boys who make themselves amenable to the penalty of the law for any and all crimes. If they can be reformed thoroughly, their offences should not be remembered against them: if they cannot, the law should protect society against their malicious dispositions and wicked conduct. Some may doubt whether it be right to send, to such an institution, those who are convicted of the more aggravated crimes. But, many times, such crimes are committed by children, under the instigation of older persons, and they may be as hopeful subjects of reformatory influences, as children, of like age, who are guilty of minor offences, under less temptation. It is, therefore, only acting with humanity and benevolence, to endeavor to reform them; and it is neither humane nor benevolent to desire the vengeance of the law to rest upon their heads. Yet, by the right of rejection from this school, in hopeless cases, we would still leave the penalty of the law hanging over the incorrigible offender, with the certainty of its infliction.

The power to send to this institution, is one which requires to be exercised with a very sound discretion. The liberty and the rights of the citizen are never to be interfered with, or abridged, unless the good of society require it: and, in the case of these children, their own good is a principal consideration. It is believed that the rights of all will be secured by the bill which will accompany this report.

Much reliance must be placed upon those who are appointed to superintend the institution, and regulate its affairs. It is of the utmost importance, therefore, that persons be selected for this purpose who will, in advance, rightfully possess the confidence of the public; and who will justify that confidence by a faithful discharge of the duties of their offices.

The leading object of this institution should be, and we trust is intended to be, the entire reformation of wayward boys, thus saving the subjects of reform from ruin, and rendering them permanent blessings to their race.

This being the object, how shall it be secured?

The Commissioners have endeavored so to frame the bill, which is herewith submitted for consideration, as to meet what seems to be the public exigency and the public wish.

In order to secure the desired reformation, the Commissioners propose to call the institution *a school* (The State Juvenile Reform School;)—not a prison, nor a penitentiary. They also propose to substitute the Commonwealth, as represented by the officers of this school, in the place of the parents of these boys, and to commit, to their guardianship and control, the boys, during their nonage.

They discard totally the idea of defining the degree of crime which the boys shall have respectively committed, by prescribing the length of time during which they shall remain in the school;—let that matter be left at the discretion of the new guardians of these boys, who can only judge *after trial* what is best for the boys and for the community.

For a plain class of minor offences, the Commissioners propose that boys *shall* be sent, in the first instance, to this school, without discretion on the part of the court or magistrate, *provided* they are under the age of sixteen.

For a higher grade of crime, or a second conviction, or for offences of such various kinds that they cannot be accurately described by the Legislature under the first class, the Commissioners propose to leave a discretion with the court, to send them to the school or not.

For boys over the age of sixteen, for first convictions, they also propose to vest a discretion in the court, subject, however, to a negative on the part of the Trustees, if, in their judgment, the interests of the school would suffer by the admission of any such boy.

And, finally, the Commissioners recommend that, upon complaint of an overseer of the poor, or of the chairman of a school committee, for certain alleged causes, set forth in the bill, magistrates may send boys to this school.

The Commissioners propose that the sentences of the courts shall be alternative, in reference to all cases, other than those provided for in the fourth section of the bill; and as to that class of cases, the Commissioners propose that the Trustees shall not be compelled to retain such boys as may be injurious, by their example and influence, to the other boys, but may have them remanded to the court for sentence, by filing an informa-

tion with the district attorney of the middle district,—to the end that the boys may know that, if they fail to please the trustees and superintendent, they will be sent to the jail, or house of correction, in like manner as if no school like this had been provided.

Such a sentence will prevent any difficulty, or confusion, which might else arise in the proper execution of the law, and punishment of offences for the protection of society. The discretion allowed to the trustees, in reference to discharging and binding out boys, is such as follows from the parental authority with which we desire to see them clothed.

As to the support of this institution, the Commissioners have not reported any plan: suffice it for us to say that, whatever financial scheme may be devised, we trust that the time and labor of the boys will, in no instance, be "farmed out," as a matter of saving and economy, a whit beyond what the trustees, in the exercise of sound judgment, believe to be for the best interest of the boys and the community, as a whole.

For the purpose of examining establishments of similar design with this, the Commissioners have visited the House for the Reformation of Juvenile Delinquents, in New York; the House of Refuge, in Philadelphia; and the Refuge for Juvenile Delinquents at South Boston; and the Farm School at Thompson's Island. They have to acknowledge the kindness of the managers of each of those institutions, and the value of the information thus obtained.

They addressed, to a number of gentlemen, in this and other States, a circular letter, a copy of which is herewith submitted, together with such replies as were received, in which the writers expressed opinions on the topics presented in the circular. These replies, coming from men of great intelligence and respectability, deserve the careful perusal of the members of the Legislature.

A pamphlet, also submitted, entitled "The design and advantages of the House of Refuge," understood to have been written by Frederick A. Packard, Esq., of Philadelphia, will be found worthy of examination.

The Commissioners, also, present the draft of a resolve, pro-

viding for a commission, to be appointed for the purpose of erecting the buildings which will be required for the use of the school.

And, for this whole subject, they ask the deliberate and careful consideration of the Legislature. They are persuaded that few subjects, of more real importance, can claim that consideration. If there be any one thing of more value to a state, than another, it is the virtuous education of its citizens. For those who will avail themselves of our schools, open to every child, provision is already made. But for those who, blind to their own interests, choose the school of vicious associates only, the State has yet to provide a compulsory school, as a substitute for the prison,—it may be for the gallows. There is good reason to hope that the proposed institution will be the means of the reform and salvation of many,—but, if only of a few, who can estimate its worth? To reform, is to make one a useful and ornamental part of the social fabric, instead of his being the reverse. "Consider our work," says Mr. Wichern, superintendent of the institution at Horn, "as the bringing forward of the smallest stone to the building of this temple; as the eager searching, in swamps and dangerous places, and shoals, among ruins and rubbish of fallen houses, to find here and there a building stone, thrown away and trodden under foot, but which may still be fit to be used for this noble new building. Look thus at our work, and we need not be afraid that your aid will not remain encouraging and helping with us."

ALFRED DWIGHT FOSTER,
ROBT. RANTOUL,
SAML. H. WALLEY, JR.

Boston, *January 12, 1847.*

Circular of the Commissioners.

Boston, September 19th, 1846.

SIR,—The undersigned have been appointed Commissioners, in pursuance of a resolve, passed by the Legislature of Massachusetts, at the session of 1846, in the following words:—

“*Resolved*, That His Excellency the Governor, by and with the advice and consent of the Council, be, and he is hereby authorized and empowered to appoint a board of three Commissioners, who shall have power to select and obtain, by gift or purchase, and take a conveyance to the Commonwealth, of a lot of land, containing not less than fifty acres, which shall be an eligible site for a Manual Labor School, for the employment, instruction, and reformation of juvenile offenders, regard being had, in the selection thereof, to the centre of population, cheapness of living, and facility of access. And that said Commissioners shall further be directed to procure plans and estimates for the buildings necessary for such an institution, and to prepare and mature a system for the government thereof, and to ascertain what laws would be necessary and proper to put the same into successful operation, and to report the result to His Excellency the Governor, in season to be communicated to the Legislature at the commencement of their next session. And the said Commissioners shall present all their accounts to the Governor and Council, to be by them audited and allowed, as they may deem just.

“*Resolved*, That, to defray the expense incurred by the purchase of said land, and in the execution of the other objects of the commission, His Excellency the Governor be, and he hereby is, authorized to draw his warrants, from time to time, on the treasury of the Commonwealth, for any necessary sums of money, not exceeding, in the whole, ten thousand dollars.”

In pursuance of our duties as pointed out by our commission, we have examined different sites in various towns of the Commonwealth, and have secured the right to purchase one, which we approve, and shall make the purchase, unless, before the first

of October, we should meet with a site which would offer more advantages for the object contemplated by the Legislature.

In order to the proper discharge of our duties, we wish to obtain such information as will enable us to present, for the consideration of the Legislature, *a plan for the proposed edifice, and a system for conducting the affairs of the institution*. We, therefore, respectfully request you to furnish us with all the information at your command, in reply to the following queries, viz. :—

1. Can you give us any hints as to the *plan of construction* of the requisite buildings?

2. What should be the limit of age, beyond which no admission should be made; and should former character be taken into account by the managers in determining the question of admission?

3. Should the institution be for lads only, or should girls also be admitted?

4. Should there be any rule as to the classes of offences, for which juvenile offenders should be received as inmates of this institution?

5. Should commitments be made by courts alone, or by others, and if so, by whom?

6. For how large a number should provision be made in the institution?

7. What provision should be made for such youth as shall be discharged from the institution?

8. What shall entitle to a discharge?

9. Please make such suggestions as occur to you, as to the general management of the institution, including,—

1. Discipline.

2. Trades.

3. Employments.

4. Instruction, &c.

Your obedient servants,

ALFRED DWIGHT FOSTER,

ROBERT RANTOUL,

SAMUEL H. WALLEY, JR.

Commissioners.

P. S. An answer is requested at your earliest convenience, addressed to either of the Commissioners. We hope to hear from you on or before the 15th of October.

Letter from FREDERICK A. PACKARD, Esq, of Philadelphia, Pa.

Philadelphia, Oct. 19, 1846.

MY DEAR SIR,—I was absent from home all last week, or I should have tried to send you the enclosed by the time specified in your circular. Since I saw notice of the site selected for your school, I have felt new interest in its success. Col. Andrew Peters, (the old surveyor,) was among my most excellent friends, when, in the year 1811, I went to Westboro' to keep school. Mr. Lovell Peters was the school committee-man. I remember the farm perfectly, and could find it without difficulty. I should think it was a very eligible spot.

The paper I enclose is hardly worth the postage, and yet, as a *Massachusetts man*, I could not feel justified in not contributing, (at least in form,) to the furtherance of this new enterprise of benevolence.

With my best respects to your colleagues, accept assurances of my desire to serve you far better than my time or ability will allow.

Yours, &c.

FRED. A. PACKARD.

It is proposed to establish a State "Manual Labor School, for the employment, instruction, and reformation of juvenile offenders," in Massachusetts.

A plan of suitable buildings for such a school, and a proper system of instruction, are to be matured, and sundry questions are proposed with a view to obtain information on these points:

I suppose the order of the questions is entirely accidental, and I should therefore regard—I., (4th,) your fourth as my first: "Should there be any rule as to the classes of offences for which juvenile offenders should be received as inmates of the institution?"

I think there should be. The proportion which offences

against *property* bear to all other is very large. The temptation to commit such offences is very strong, even in early childhood,—especially among those who lack the ordinary comforts and even necessities of life. Children who are sent out to beg food, or to gather wood or chips, or who merely lead idle and vagrant lives, easily fall into habits of petty thieving, falsehood or deceit, from which the transition is natural and rapid to higher grades of the like offences; and hence a very bold and adroit thief or pickpocket, is sometimes found at the age of 13 or 14, and even earlier. Juvenile offenders of this class are (other things being equal) among the most suitable subjects of a *reform school*. Contempt of parental authority and habitual insubordination to law (which are so characteristic of the present time,) would furnish a much more unpromising class of subjects for such a discipline as you have in view, and would require much more formidable provision for penal treatment and safe keeping, than thrice as many thieves, or liars, or mere vagrants. Two little boys were convicted, (if I remember right,) some fifteen or twenty years ago, of burning the Cambridge Alms-house in the night-time. They were capitally convicted, if not actually sentenced to death, but, in consideration of their tender age, the punishment was commuted to imprisonment for life! Perhaps only one was convicted; but they were hired by one of the adult inmates to do the deed, and were probably much more suitable subjects of such an institution as yours, than of the severe penalty to which they were doomed. There is many a boy in our streets and in yours, who, impelled by violent passion, throws a stone at his comrade, or, in some other form, manifests a malicious or mischievous disposition, who merits the severest penal discipline, but whose offence is scarcely recognized even by parental oversight. Now, in classifying these parties, probably both would be excluded from your institution,—the crime of the former being far above, and that of the latter far below, your range. The sensible rule on this subject would, therefore, seem to be to commit to your care such a number as you can well manage of those children and youth who have indeed formed *decidedly vicious habits*, and who are likely to grow up in them, unless

checked by some such discipline, and who, at the same time, *are best fitted, by capacity, temper, connexions, &c., to be "re-formed" in an industrial school.* Bodily health and strength should also come into the estimate. Rickety, deformed, imbecile, epileptic children, *ought never to be admitted.* They are, in every view, improper subjects; and, while they greatly increase the expense and mortality of such an institution, they can receive little or no benefit which an alms-house would not equally afford.

Of the fitness of each individual to become a subject of the discipline of the school, the managers should be the final judges. They best know of what the institution is capable; and they should therefore have the controlling voice in the admission of inmates. If they are too rigid or exclusive, on the one hand, or too lax and careless on the other, a sufficient remedy is in the hands of the appointing power.

Touching this first inquiry, therefore, I should say, that the classification of offences should be so *general*, as to leave a wide margin for the discretion of the admitting power, and for a judicious regard to the varying circumstances of the institution.

II. (2d.) Your second question would also be my second. "*What should be the limit of age beyond which no admissions should be made; and should former character be taken into the account by the managers in determining the question of admission?*"

In answer to the latter clause, I should say, unhesitatingly, that "former character" should be an *essential* element in determining the question of admission. A boy that has been detected in a petty theft, or is taken up by the watchman for sleeping in the market or strolling in the streets, but whose general character is that of a kind, willing, inoffensive boy, will probably prove himself a much more favorable subject of your discipline than one whose whole offence may be represented as *incorrigible truancy*,—but who, from having been familiar with horse-dealers and race-courses, has acquired the impudent swagger and bravado of a pickpocket or highwayman, though no act of violence or fraud can be proved upon

him. Surely it will not be denied, that the former lives of two such youths, make an essential difference in estimating the probabilities of their reformation, under such a process as you propose.

As to the limit of *age*, it would seem safe to adopt it as a *general* rule, that no person shall be admitted who is so far advanced in years, as to make his restoration to good habits, on the whole, *quite improbable*. Some boys, at 14 and 15, are more mature in bodily strength, as well as in intelligence, capacity, and good or bad habits, than others at 18 or even 20. Two things should, therefore, be especially considered, viz. : (1.) Whether the candidate for admission has so much bodily strength as to require more safeguards and greater vigilance than would be needful for the *average of the inmates*. And (2.) Whether the influence of his evil example and daily association would be greatly augmented *in consequence of his age*. I should think that either of these points, decided affirmatively, should be generally fatal to his admission. In these respects, therefore, as in the former, a sound discretion would be required, and, in the exercise of it, some boys of 18 might be admitted and others at 14 rejected.

I think it has been a prevalent error at our Refuge, to admit those who have passed the age of reformation under so lenient a system. Where the profits of labor are relied upon, in any considerable degree, to defray the expenses of the institution, there is danger of running into this error. I do not mean to say, however, that this consideration has weighed at all with our managers. They have rather desired to receive all that could possibly be accommodated, in the hope that some good might be done even to the least promising. My reply, therefore, to your second question, would be briefly this: Admit no one who is so near his legal majority, as to preclude a *fair* opportunity to try the effect of employment and instruction, *as means of reformation*, nor any one whose character and habits are already such as to justify a reasonable doubt whether the evil he will bring into the school will not quite overbalance the good he is likely to carry away from it. Either of these considerations, well weighed, would have saved our House of

Refuge from most of the escapes, and, I think, from all the violent outbreaks it has suffered since I have been acquainted with it.

III. (3d.) Your *third* question is also the third in my order, viz.: *Should the institution be for lads only, or should girls also be admitted?* At the risk of differing in opinion, perhaps, from all others who may answer the question, I must reply that your school should be for *lads only*. I know of no sufficient reason for combining the two objects, except that one board of visitors could superintend both,—and that, to some extent, the same officers might serve for both,—the supplies might be obtained for both at once, and perhaps at a lower rate, and the female department might be employed in the household work of the whole institution, such as cooking, washing, &c.

So far as I know or can learn, the saving to our House of Refuge in this form would not exceed \$1000 per annum, probably not \$800, and I am quite sure that the evils of bringing both sexes into a common institution, are great and manifold. The discipline suitable for girls is so entirely different; the training and instruction they require, to fit them for their station in life, are so peculiar and so unlikely to be afforded, where their labor is required to such an extent in the service of both departments of the institution; the peculiar character of the most vicious habits of girls; and, more than all, the impracticability of preventing communication, without sacrificing some of the best features of the institution, or, at least, attaching an importance to the *preventive measures*, which is, *of itself*, a constant excitement to elude them—these, and other considerations of minor importance, would, I apprehend, more than counterbalance any advantages, which I am aware of, in the combination of the two classes. I may add that, so far as my knowledge extends,—institutions in England, most nearly resembling yours, make separate provision for each sex.

IV. (5th.) Your *fifth* question would be my fourth, viz.: *“Should commitments be made by courts alone or by others, and if so, by whom?”* I am not prepared to say, *“by courts alone,”* and yet I have known even Massachusetts magistrates, with whom I should be reluctant to lodge the power. If the mana-

gers or visitors could have their selection of magistrates to whom the power to commit should be restricted, the case would be materially different. I suppose it is not the design to send to such a school those who have been convicted of a felony upon a jury-trial. The resolution of the Legislature, under which you act, does not seem to contemplate the introduction of any *penal* element into the proposed institution. It is to "*employ*" and "*instruct*," and *by these means* "*reform*" its subjects. And as the question of commitment will be very likely oftentimes to involve the *domestic and local* habits and circumstances of the youth, it is *in this view* desirable that the committing power should be entrusted to those tribunals which stand nearest to the *homes* of the people. Justices of the peace might be authorized to send subjects to the school and make return of their proceedings to any court of record next thereafter held in their county. The superintendent of the school being also required to make specific returns of all cases received, with the causes, &c., to the same court, the whole matter would be brought up for review; counsel could be heard against the proceedings of the magistrate, and full justice be done to all concerned.

V. (6th.) Your sixth question would be my fifth, viz.: "*For how large a number should provision be made in the institution?*" My reply to it would be governed entirely by the character of the boys whom you should determine to receive. If they were boys of such character, disposition, and age as would be most likely to be reformed by such "*employment and instruction*" as a Manual Labor School affords, I should suppose four or five hundred might be managed without difficulty, by a skilful principal and suitable assistants. On the other hand, if some dozen or twenty boys get admission, (as they have sometimes among us, whose depraved habits are thoroughly confirmed, and whose age or size, or both, give them the usual advantages of doing mischief, or inciting others to do it, a much less number (perhaps even half,) would be a full complement; and, with a still greater reduction, the task of the principal will be onerous enough. So that any answer which can be given to your sixth question must be given very much

in the dark, unless the age and character of the inmates are more exactly defined than they can be at this stage of your proceedings.

VI. (Sth.) Your eighth question would be my sixth, viz.: "*What shall entitle to a discharge?*" I presume there will be authority given to find out such of the inmates as may be proper subjects of indenture, and I should have no doubt that the institution ought to be empowered to retain its subjects until indentured, or dismissed as unsuitable subjects, or transferred by order of the visiters to some *strictly penal institution* on the ground of *incurability at the school*. If it were possible, I would have such provision made by the law as would authorize the visiters to send up to the committing magistrate, or to the courts, such cases as were found, on fair trial, to be beyond the reach of school-discipline, in order that further and severer discipline might be enforced. Such a provision would be invaluable, were it only for its *in terrorem* effect. I am unable to imagine any ground on which a discharge could be claimed, as a *matter of right*, except in cases of *complete reformation*.

Your *first* and *seventh* questions I do not answer. The former would require more time and thought than I can spare, and more judgment and skill than I possess. The seventh must, I think, be a matter of expediency, to be determined by circumstances.

Your ninth question is necessarily very general, and would lead me into a wide field of inquiry and observation, in which I could not, in good conscience, ask you to follow me. Indeed, on the four points you have specified, I can offer but one or two very crude observations.

1. *Discipline*. It seems to me of great importance that, in a *school of reform*, rather than of *penal suffering*, the requisite order and subordination should be maintained by means *as unlike, as possible, to those employed in prisons*. I do not mean that I would avoid solitary confinement in a dark room, or a bread and water diet, merely because these expedients are used in a prison. So far from this, I would certainly provide accommodations for the *strictly separate* employment of boys, who, by their evil examples or communications, have proved

themselves unworthy of associating with others. And I should also require the *separate principle* to be employed in a *probationary season* of a few days, with an understanding that it would be prolonged or abridged, as the development of temper and disposition might justify. But I would weigh well the question whether, when a boy proves so perverse and unteachable that *prison discipline* will alone subdue him, it would not be better for *him*, as it certainly would be for the reform school, that he should be sent elsewhere to receive it.

I think we have sometimes erred in keeping a bad boy to absorb ten or twenty per cent. of the whole care and anxiety of the officers, and to exert a most baneful influence over all the rest of the inmates, when his reformation is not only exceedingly improbable, but, if accomplished, would scarcely be worth what it costs. For, say what we will, a lad at eighteen or twenty, with an ignorant and besotted mind, a thoroughly depraved heart, and habits of the lowest vice fully matured, is quite unlikely to become much of a blessing to himself or to society, by a reformation carried no farther than your school contemplates.

2 and 3. *Trades and Employments.* It will readily occur to you that, in determining these, primary reference must be had to this question—whether the individual can, without difficulty, avail himself of the skill he may acquire, upon his discharge,—or whether, (if the individual be of tender years,) his acquirements at the school will be of service to him under indentures? The question, what trades or employments will be most likely to make profitable returns, seems quite too narrow to connect with so benevolent a scheme as yours. If your site affords facilities for it, I should hope you would make *scientific agriculture* a leading employment. This business is so easily taught, and so many of its principles and operations are obvious to the senses, that instruction might be cheaply supplied. I believe that most of the thriving English industrial schools require, at least, three or four hours of each day to be given to agricultural labor; and the reason for such a course would be much stronger *here*, where land is cheap and labor in demand, than *there*, where no land is to be had in fee, and labor is a drug.

4. In respect to *instruction*, I must express my firm conviction that more depends upon it than upon any (I may almost say upon *all*) the other arrangements of the institution; and it is, moreover, that in which you will be most likely to fail. I apprehend that very few human minds can be found that have not a *natural craving for knowledge*. A teacher, even of depraved boys, may win their affection, in some degree, if he succeeds in revealing to them their own capacities of enjoyment in the pursuit and attainment of knowledge, or in imparting to them a single new idea. And I presume you will agree with me, that a teacher who has acquired influence over his pupil, by exciting his intellectual powers, or furnishing his mind with stores of valuable knowledge, has peculiar advantages for inculcating the truths of religion and morality.

If such an institution as you contemplate can secure the services of a teacher, who is able and disposed to make the most of his office for the development of the intellectual and moral man,—the influence of such a one upon a company of boys, placed as yours will be, is incalculable. It has been too common, perhaps, to consider the hours given to instruction as of less value to the institution, because no pecuniary advantage is derived. Especially is this the case where the labor of the inmates is "*farmed out*" to contractors, (as it is at our Refuge,) and where, of course, every abridgment of the hours assigned to labor is followed by a corresponding curtailment of profit. So of girls, where the doing of housework, such as washing, cooking, scrubbing, &c., devolves on this department. In both these cases, there is danger that *instruction* will be regarded as a *subordinate* object.

I believe that it is in the power of a teacher, by the mere exercise of skill in the method of communicating knowledge, to acquire a complete mastery over 150 or 200 boys, of ordinary capacity and respectable character. And it would be in his power, by the legitimate use of this influence, to maintain the general discipline of the institution, impart a great amount of the most important moral and religious instruction, and, of course, most effectually to advance the great end of the institution—the *radical reformation of vicious youth*. Difficult and

important as is the post of a principal, I should think a defect in *his* qualifications might be supplied, to some extent, by the labors of the teacher; but nothing can compensate for a serious defect in the teacher.

Letter from Hon. S. B. Woodward, M. D.

(COPY.)

NORTHAMPTON, Oct. 12, 1846.

Hon. A. DWIGHT FOSTER :

DEAR SIR,—I received your kind letter of the 22d September, accompanied by the circular of the Commissioners of the State Manual Labor School, and have examined the inquiries with some care and great interest.

I have great hopes of good from this institution; I believe it to be founded on true principles, and its results, if rightly established and conducted, cannot fail to be highly beneficial.

Most of the unfortunate class, for which it is intended, need to be reëducated, and not punished. With a sufficient trial, I am confident a large proportion may be reformed, and become useful citizens.

Many, doubtless, have active propensities to vice, which must be detected and removed, or counteracting principles be established, and made predominant in the character. My belief is, that the elements of virtue, honesty, industry and usefulness, are to be found in every individual; with some, they become active principles without effort; with others, they need fostering, and must be excited to activity. A large proportion of the vicious are made so by the circumstances in which they are placed, and the influences which reach them in one way or another, and model the character. One of the difficulties with which you will have to contend, probably, will be to induce the Legislature to make the period of the commitment sufficiently long to effect all the objects desirable. A short resi-

dence in the institution would be of little benefit. One year should be the shortest time of confinement, and two or three will be much better, as considerable time must, inevitably, be required to produce the change that will be desirable; to unlearn bad habits, and learn and establish good ones. On this, will greatly depend the ultimate success of the institution.

The change from the old system of punishments to this of reformation, presupposes that certain individuals in society have begun life wrong; that they are of so susceptible an age as to be capable of change,—to be educated anew; what is evil may be eradicated from their minds, and good principles and correct habits established in their stead.

The design of this institution is to collect them together, under the best influences to effect this change. A long period will be necessary to render it certain that a radical change is produced, and to accomplish the object fully.

If such individuals are sent abroad into the world, before this new system has been fully tried, relapses into vicious courses will be frequent, and bring discredit on the design, instead of securing public favor.

The individuals committed to this institution should not have any definite period of confinement, but be subject to discharge when they are fully prepared to go abroad with honor to themselves and benefit to the public. If the *trustees* and *managers* of the institution feel that the enlargement of an individual confined would be dangerous to the well-being of society, he ought to be detained till they are satisfied that society will not suffer from his enlargement, and that he has a fair prospect of usefulness and respectability.

The location at Westboro', I have no doubt, is judicious, and the farm and scenery suitable for the object; the community is also a good one to aid in the benevolent design. Every advantage will here be secured that can be derived from central location, goodness of soil, and accessibility.

The buildings should have a central edifice of three stories, including a high basement, mostly out of the ground, and two parallel wings, running back, with or without a colonnade front. The stories should be of medium height, in this climate;

the lower and upper not less than *ten* feet, the middle *twelve*, with a high and capacious attic, to subserve the purpose of ventilation.

In the basement of the centre building may be located the office of the managers, the kitchen, laundry, store-rooms, and rooms for the furnaces, and dining-rooms for the inmates.

In the second story, the school-rooms, dining-rooms for the manager and his family, chaplain and teachers, chapel, apartments for the officers, &c. In the upper story, may be the single and associated dormitories, clothing-rooms, and store-rooms for articles made.

The wings may be two stories high, with capacious attics. In them may be lodging-rooms, workshops and store-rooms.

It may be necessary to have some strong rooms in the wings, for refractory persons, and as the first lodging of those who have committed high offences.

The whole building should be thoroughly warmed and ventilated. In the country, and for this class of individuals, who will not occupy the apartments extensively in the day-time, the common mode of ventilation will probably be all that the commissioners will recommend; and, if rightly devised and constructed, may answer the purpose well, although the artificial and forced ventilation is the most perfect and effectual. The ventilating flues should be connected with the warming apparatus, and the passages for the *ingress* and *egress* of air should be spacious, so that the changes of air shall be rapid and frequent, and the temperature not high. The orifices for the transmission of impure air should be in the inner walls, and never in the outer. If steam should be used in the domestic or mechanical operations of the establishment, it may be made subservient to the purpose of warming. It has also a tendency to moisten the atmosphere of the apartments,—a matter of some importance in a crowded house; but it does not assist to ventilate, which makes it objectionable as a reliable means of warming extensively.

The Commissioners will doubtless build of stone or brick. The former is preferable, if it is at hand, and can be obtained at a reasonable price. To make a stone wall dry, it must be furred

out, and furring on brick is better than the hollow wall, unless it be for a prison or insane hospital, where furring is objectionable. I attach no importance to the hollow wall, so common in Massachusetts: it has less security, admits cold, and adds little, if any thing, to the dryness of the apartment.

An iron or tin roof is best, and slate the cheapest. Cast-iron roofs cost about fifteen or sixteen cents a square foot; tin, painted, about ten cents, and slate about eight cents. If the roof is to be flat, tin is best; if steep, slate makes a good roof, if the best material is selected. The Welch slate is decidedly better than the Vermont slate.

In the rear of these buildings, parallel with the centre, and at right angles with the wings, may be located the out-buildings, and heavy gates and fence may be added to make an enclosure of this area, which may be desirable. A prison appearance should be avoided; but strength, durability and security are desirable. Large dormitories are objectionable, in any establishment. Rooms, accommodating from ten to twenty, are large enough for this purpose; and great care should be taken to ventilate these in the best manner possible.

Eight hundred cubic feet of space, with ordinary ventilation, is little enough for one individual.

In most cases, each individual should have a bed by himself, in some cases double beds may be equally well. Bedsteads, with boards or slats for bottoms, are the best, and cotton mattresses the very best articles for beds, both pleasant and cheap. The price of a cot-bed is from three to four dollars, and the cotton, after it ceases to be useful for beds, is worth half price for paper.

A bed may be fitted up entirely, with covering, change of sheets and pillows, blankets, or comforters, for twelve dollars, including the bedstead,—perhaps for ten dollars. The very best article of cotton beds is made at Lowell, by Nathan Crosby, Esq., formerly agent of the Massachusetts Temperance Society.

2d inquiry. In answer to your second inquiry, my impression is, that individuals, under 12 years should not be subject to ignominious punishment for offences of any character whatever; certainly not for any, excepting murder; and I should

have some doubts, whether even this high offence should be excepted. It is better to try this new principle extensively, make a full experiment, instruct and reform, but not punish.

Do by those of this tender age, whose education has been neglected, or who have been badly taught, as a parent would do by a son who should exhibit a disposition to vice or evil habits; caution them, advise them, admonish, and, if necessary, restrain them; but do not abandon them, nor break their spirit by severe infliction. In a large proportion of these cases, improvement and reformation will follow the use of judicious management.

From the age of 12 to 16, for minor offences, this system should be adopted instead of punishment, nor would I limit the trial of this benevolent plan to 16. It is difficult to say where the line shall be drawn, and how old a youth shall be to be consigned to punishment, instead of a trial of this system of instruction. My opinion is that simple punishment, unattended by instruction, rarely, if ever, results in reformation; it may deter the culprit from pursuing his vicious courses for the present, but its effects will not be permanent, unless good principles be, at the same time, inculcated, and made to produce a permanent impression on the mind. Those prison-keepers who have been the greatest tyrants, and who have discarded moral and religious instruction, can boast of few reformed convicts; they have no confidence in reformation, because they see little or nothing of it. But those who punish little, but instruct and govern by the law of kindness, have a goodly number on their lists, who have reformed and become good citizens.

If, for high crimes, the young shall be subjected to the State Prison, or House of Correction, after the expiration of sentence there, it will be very useful for them to have a year or two in the State Manual Labor School, that they too may be educated and reformed.

3d inquiry. Both sexes, under proper management, and with proper restraints, may, with propriety, be admitted into the establishment, especially as, at present, there is but little prospect of two. One must be tried first, and, if any difficulty is found in managing the sexes together, they can be separated

afterwards, in two establishments. In most things, they may be kept separate; but in school, in chapel, and, with strict supervision, in domestic labor, they may not only come together with propriety, but with advantage. Each sex, in proper intercourse, has a favorable influence on the other; and no evil will arise from their coming together, if their conduct towards each other is made to conform to the strictest rules of propriety and decorum. If females are excluded from this school, there will be no resort for them, if wayward and vicious, but the House of Correction or other places of punishment.

Females in prisons do not usually exceed ten per cent. of the whole number of inmates. In this institution, the proportion would probably be less.

If found to have swerved from the strict rules of virtue, their influence is, if possible, more corrupting than that of males, while they are, generally, more susceptible of good impressions and more generally reformed, under good influences. It would be most unfortunate, if they could not receive equal advantages for instruction and reformation. I cannot but hope they will not be excluded from this school.

4th inquiry. All delinquents, under 16 years of age, who are arraigned for crimes, should, at least, have the benefit of this institution. I am not ready to say that boys of 16, who are intelligent, should not receive punishment for high crimes,—the establishment of this asylum does not pre-suppose that the inmates of it are not guilty, and could not do better. Such individuals ought not again to go into society, unless there is full evidence of amendment, till they shall receive the instruction and discipline here afforded.

Some classification of the inmates will doubtless be necessary in this institution, for it will hardly be proper, that all should associate together on being admitted. There will be contaminating individuals in spite of the strictest regulations and most vigilant inspection. Such should sleep in separate apartments, and never associate with the better class, till their minds are favorably influenced, and symptoms of reformation are apparent.

It may be necessary to have a few separate dormitories, made strong, for this class, when first admitted, and for such as prove

refractory and disorderly during their residence here. Yet, inducements should always be held out to the vilest to do better, by presenting motives, such as advancement to better classes, improvement of condition, some indulgences, and suitable rewards for good conduct.

5th inquiry. The courts would seem to be the most suitable tribunals to commit persons to this institution, and, probably, this course will be most satisfactory to friends and to the public. But higher courts are not always in session, and a trial could not always be had immediately, which, in many cases, would be desirable, when the individual is arraigned for a minor offence, to prevent the necessity of committing to prison to await trial.

In offences of a more aggravated character, the higher courts should undoubtedly commit; and imprisonments, to await trial for a season, might be attended by more good than evil.

Perhaps, in the former cases, the judges of probate, one justice quorum, or two justices of the peace, might commit,—their decision being approved, if the friends desire it, by the higher courts, at the next session after, on their petition.

I cannot devise a better mode than this, as I think there should be high responsibility in the tribunal which should, in any case, be authorized to deprive an individual of his liberty.

6th inquiry. The number of inmates, for which it will be necessary to provide, will be influenced by the number of offences for which persons shall be committed here, the ages to which inmates shall be limited, and the duration of their residence; also, whether Boston is to be included, or whether their institutions are to be distinct and separate.

Exclusive of Boston, and supposing that females are to be admitted, two hundred will be the smallest number for which provision should be made.

If the asylum should be successful in the selection of its principal manager, there will be no difficulty in controlling and instructing, in a proper manner, two hundred inmates.

7th inquiry. When such individuals as have had a fair trial of the reformatory education of this school shall be discharged, and go abroad, to commence anew the duties of life, they

should, as far as possible, be placed out of the way of temptation.

It is desirable that they should find employment with good men, who will encourage them to pursue a life of virtue and industry. On the farm, in the workshop, the manufactory, or on shipboard, they should at once commence employment, as soon as they are discharged; and no temptation should induce them to be idle for a single week, till they have commenced the new career of life, on which their future well-being and usefulness will depend. Small sums of money may be given to them; but alone it will do them little good, and much would be likely to do them harm. If they immediately seek employment, they will require but little; and this they should be taught to do, as affording their only hope and security for future good.

After a while, if the school produces the results desired, it will be sought as a place to procure good laborers, and the personal services of those ready to be discharged will be in demand for the farm, mechanical employments, and domestic labor.

8th inquiry. The inmates of this institution should be the adopted children of the Commonwealth, and should remain members of it, till they are thoroughly instructed, mentally and morally. If they are restrained for this purpose, it will be no greater hardship than parents exercise, who compel their own children to attend school, and submit to the rules and discipline there adopted.

If it be practicable, they should be sent to the school, as patients are sent to the State Lunatic Hospital, to be discharged "in due course of law," and not for any limited period; but, if the period must be limited, considering what is necessary to be accomplished, let it be a long one. The object of the institution will be defeated if the period of confinement shall be short, and the inmates leave the school when half instructed, however well it may be conducted.

The discharge should take place only when, to a competent board of directors, there shall be satisfactory evidence of a thorough change of character, and that the individual may go abroad advantageously to himself, and without detriment to the community.

9th inquiry. The subject of the general management of such a school is of primary importance, and demands much consideration and reflection.

Occupation is one of the first matters for consideration; for no one should be idle whose health will permit him to labor.

Agricultural and horticultural employments are amongst the best for persons of this character; and if it shall be decided that all shall work at trades, who are competent to learn them and pursue them to advantage, then will there still be a large number incompetent to learn them, so as to do any profitable labor at them.

The difficulty of furnishing employment in winter will make it necessary to introduce, as extensively as practicable, trades and mechanical labor. Some, who work on the land in summer, may be employed, in some department of mechanical labor, in winter.

The trades that can be advantageously introduced, are shoe-making, tailoring, cabinet-making, blacksmithing, machine-making, mat-making, stocking-weaving, &c. For girls, making garments, mantua-making, straw-braiding, and domestic labor in all departments of housewifery.

These trades may be easily learned, and should be pursued, partly to furnish healthy and useful employment, but principally to prepare those engaged in them for the means of future support and usefulness. Few men prefer idleness to industry, and fewer, still, a career of vice to honesty and respectability, who have been educated in good, industrious habits.

So far as regards discipline, *system* is every thing in such an establishment. This should be strictly and closely adhered to in every thing. Rotation of labor, instruction, recreation, eating and sleeping, may occupy the whole time, so that it will not pass heavily; and habits, thus formed, will be easily continued, and produce, after a while, an established character.

In cases of delinquency, admonition, advice and reproof should be fully tried, with kindness of manner and affectionate interest, before severity be resorted to.

Punishment, if it must be admitted, should be, in the first place, privation of privilege, loss of caste, solitary confinement

for a short season, accompanied by every encouragement of which the case will allow, and restoration to all former enjoyments and privileges, on a promise of reformation.

In a few cases, corporal infliction, of some sort, may be necessary; but these must be rare, if other appliances to produce amendment are conducted in a judicious manner, and with a proper spirit

If punishment must be inflicted, let it be executed in solitude, with none present but officers and instructors.

Witnessing punishment hardens the heart, arouses the animal spirits, and awakens combativeness. So, also, the presence of companions often increases stubbornness, excites a brava-do spirit, and makes the victim of misrule more unyielding and perverse.

In short, punishments should be as rare as possible, and yet should be inflicted, whenever they are threatened, with decision and promptness. Obedience to proper authority is essential to government, whether of families or kingdoms, and nowhere more necessary than in schools;—and in this, certainly, no less than others. But punishment should always be inflicted when the mind is calm, and the feelings kind and equable. Commencing in the right, those who execute punishments should never suffer themselves to get in the wrong, by allowing passion to have any influence upon their tempers.

The name of *school* is very appropriately applied to this institution; for training and educating the intellect and moral powers should be the principal object of the establishment.

For this purpose, the schoolmaster must be introduced. Every individual should be instructed; none should leave till they can read and write, and understand common arithmetic.

A portion of each day should be spent in the school, as well as in the workshop and on the farm; and no suitable occasion should be lost to inculcate right principles upon the mind, and to enforce truth and honesty as the only guide to happiness.

The Bible should be in the hands of all who can read, and reading of a portion of it, daily, be enforced as a duty.

The institution should not commence without a chaplain, who, at first, at least, may be the teacher. Besides regular

services on the Sabbath, he can do much good by conversing with individuals or groups, and enforcing moral and religious truths.

Much judgment and discrimination are necessary, in this department of discipline. It requires much wisdom to know when to urge moral truths, and when to withhold; too much effort to enforce such subjects upon the mind sometimes produces reaction, and sometimes a lasting prejudice and distaste for religious teaching.

Great reliance, however, may be placed on religious instruction, if suitably and judiciously enforced, to win the affections and quicken the conscience,—not to alarm and agitate,—but to exhibit the beauty of holiness, the excellency of virtue; to inspire self-respect, respect for others, and right feelings towards our Father in Heaven, and a just estimate of our relation to Him.

The law of kindness should be the all-pervading code of this establishment. No officer should be allowed to use any harsh or violent language, and profanity and vulgarity should be entirely excluded. So should, also, all intoxicating drinks, tobacco, and every such evil habit, by the strictest regulations.

Courtesy between officers, and between officers and inmates, should be inculcated; kind words cost nothing, but are of great value in inspiring respect, and have much influence in rendering government easy.

The subject of health is of great importance in such an institution, and should be constantly in view, from the first commencement of architectural arrangements, to the completion of the code of laws that are to govern the establishment.

A plain, simple, substantial diet should be established, consisting of considerable variety of healthful food.

Animal food should be used once a day; and bread, of the best quality, should be dealt to the inmates, with an unsparing hand. Tea, coffee or cocoa warm, with milk, is a better drink, with cold food, than cold water; water is the best drink for the thirsty man when at labor, and is altogether suitable, with warm food. Fruits should be allowed, when in abundance, every day.

Nothing so frequently produces discontent and a rebellious spirit, as a deficiency of food or an improper diet. "Hunger will break through stone walls." Persons in confinement often complain, with reason, of their diet; too little attention is given to it, by overseers of such institutions; the food is too frequently of a bad quality, badly cooked, or served cold.

Baths are also of importance to health, and should be used frequently, especially by those who pursue dirty trades; each individual, in health, should have a bath once a week; and, in warm weather, a daily bath is healthful and agreeable. At the lake may be easily constructed baths of every description, at a moderate expense.

In most places of confinement, too little attention is paid to *clothing* and *bedding*; they are often insufficient, and, more frequently still, dirty and even filthy. Too much attention cannot be paid to this important matter of health. Amusements, recreation, and holidays are not to be overlooked, in their influence upon health and contentment of mind.

I have written hastily, and, to some extent, bunglingly, but I have no time to copy. If you find, in this long and tedious communication, sufficient to induce you to read it, and a single suggestion worthy of the consideration of the commissioners, I shall be rewarded for the time devoted in writing it.

Very truly and respectfully yours,

S. B. WOODWARD.

*Letter from SIMON GREENLEAF, LL.D., Professor of Law in
Harvard University.*

(COPY.)

Boston, November 16, 1846.

GENTLEMEN,—Your circular of September 19 did not reach me in season for a reply so early as October 15, but I now avail myself of the first leisure for that purpose, in the hope that it may not yet be too late. I do not propose to trouble you with

any thing more than the *results* I have come to upon the questions you propound, in their order.

1. As to the plan of buildings, it is out of the range of my pursuits.

2. I doubt the propriety of admitting any persons above fifteen years old, into an institution for *juvenile offenders*, unless in special cases of conviction before a criminal court. I think that former character should be taken into account, at least so far as to exclude second offenders, and, perhaps, so far as to exclude persons previously convicted of any crime.

3. I would admit *males only*.

4. I think the institution should be open to *all classes* of offenders, *i. e.*, without distinction as to the nature of the offence.

5. Let courts commit, after conviction; and give justices of the peace and judges of probate power to commit, upon petition of parents or selectmen, &c.

6. This can be better answered by those acquainted with the state of the criminal calendar. But, to hazard a guess, I should say *one hundred*, at first, with capacity for enlargement at diminished expense.

7. I think that no lad should go from the establishment without a merited testimonial of good conduct, nor without either a paternal home to go to, where he will be properly cared for, or being put out as an apprentice, or under some equivalent relation; never to be sent out at large without "a place."

8. As the object is "reformation," I think no one should be discharged till "reformed."

In regard to the last general request for suggestions, I am of opinion that the *government* should be *paternal*, with no other than *fatherly* correction. The *trades* I would suggest, are agriculture, and light but useful handicrafts, not requiring much outlay of capital. For *instruction*, I would have the *Bible* an indispensable daily reading book, to be read with the particular seriousness which is due to it as God's own word and will. It is my firm belief, the result of more than forty years' observation, that to the daily and reverent use of the Bible in our common schools, as the inspired revelation of the will of God, we

are more indebted for all that is valuable in New England character, than to any other source whatever. It is my opinion that the rest of the instruction should be confined to what is practically useful in common life, such as reading, writing, common arithmetic, geography, common field surveying, &c.

I offer these few hints with diffidence and without apology, because you request it, and remain,

With great respect, your obedient servant,

SIMON GREENLEAF.

Hon. A. D. FOSTER,

ROBERT RANTOUL,

S. H. WALLEY, JR.

Commissioners, &c.

Letter from DANIEL CHANDLER, Esq.

SOUTH BOSTON, Oct. 9th, 1846.

GENTLEMEN,—The following answers to the several interrogatories contained in the circular you have done the honor of addressing me, are respectfully submitted.

1st. In answer to your first interrogatory, as to a plan of construction, &c., I herewith send you a sketch of the lower floor, and front view, of an edifice, which seems to me best calculated for the purposes contemplated.

2d. As to "the limit of age, beyond which none should be admitted," I should fix it, as a general rule, never to exceed seventeen years; although I think great discrimination should be practised, in admitting boys over fifteen or sixteen years of age.

As to whether "former character should be taken into account, &c.," I consider it to be a question of great importance; experience having taught me that boys, (especially large ones,) who have been accustomed to vicious habits, are very likely to have a demoralizing influence upon their companions, espe-

cially those who are younger and well disposed ; consequently, the injury done to others, far outweighs the benefit they would be likely to receive themselves. Therefore great caution should be used, in admitting large boys of known bad character, or, in a short time, the number of the incorrigible will accumulate to such an extent, as to render the institution difficult to manage, without resorting to more of a prison discipline, than is desirable.

Therefore age, size, and local circumstances, must be considered in determining the question. By local circumstances, I refer to influence of parents, former companions, and to local temptations, whether in the city or country.

3d. "Should the institution be for lads only, or should girls be admitted?" It is my opinion, it should be for lads only : or, if girls are admitted, they should occupy an entirely separate building, at a distance from that for the boys ; for I find, by past experience, that where the sexes are in the same building, or even at a short distance from each other, they are continually forming schemes for improper communication, which has a corrupting influence upon both.

4th. To the question, "whether there should be a distinction as to the classes of offences, &c.," it is my opinion, that the first juvenile offence, however great, does not furnish sufficient cause for the abandonment of all moral means : as the misdeed is quite as likely to have been the result of incautionness, or surrounding influences, as from a disposition so vitiated as to render reform hopeless. Therefore, repeated and highly aggravated offences seem to me to form just grounds for distinction.

5th. As to whether "commitments should be made by courts alone, or by others," it is my present opinion that the courts should have jurisdiction over that class of cases called juvenile offences, except at times when the courts are not in session, or in towns where no courts are held ; in which case, it might be well to extend the jurisdiction to justices of the peace, with the right of appeal, &c. In some cases it might be desirable, (if constitutional,) to have a private examination, to which only those interested should be admitted, which would enable a boy

to enter and enjoy the benefit of the institution, without the degradation of a public trial.

6th. As to the accommodations, &c., I think ample provisions should be made for from two hundred and fifty to three hundred; as is indicated by the accompanying plan, or sketch: which number I think will fully accommodate the State for the present.

7th. Respecting "what provision should be made for such boys as shall be discharged from the institution," I think great care should be taken to secure good places, (for such as are not given up to parents or friends,) at some mechanical or farming business, to which they should be indented during their minority: the managers acting as their guardians, always keeping in mind what seems to me very important, that is, the selection of a business, or trade, suited to the inclinations and taste of the boy.

In the selection of situations, other things being equal, preference should be given to those situated at a distance from the place where the offence was committed; that they may be removed, as far as possible, from all evil associations connected therewith.

It would also be desirable for the managers to have power to apprentice lads in towns situated out of the State; likewise to send large boys to sea, without indentures, when they are of that class that cannot be recommended for apprenticeship; for it has been found, in all institutions of the kind, that there are some admitted, who prove to be so viciously inclined, and hardened in crime, as to endanger the peace of society, should they be apprenticed.

Thirteen years of practical experience, in the supervision of a similar class of boys, at the Farm School, and House of Reformation for Juvenile Offenders at South Boston, has fully proved the fact, that a much greater proportion of the cases where boys who have gone out from those institutions have fallen back into their former vices, are from among such as have been put to places in cities, or large, compact villages, where they are, to a certain extent, unavoidably exposed to

many temptations; hence the propriety of removing them, as far as possible, from all scenes or places of the kind.

8th. To the question, "what shall entitle to a discharge," I should say good behavior,—good in that sense, that they have thereby secured the confidence and respect of those placed over them, and likewise good evidence of a complete reformation in character.

9th. As to the "general management of the institution," &c.

1st. *Discipline.* Much depends upon a well conducted, judicious plan of discipline or mode of government, without which no benefit will result, but rather evil. Bringing together a large number of boys who have long been addicted to bad habits of life, will, without proper discipline is maintained, enable them to corrupt each other. No code of rules can be adopted in enforcing discipline which will equally and invariably apply in all cases; it requires tact, discrimination, foresight, and sound judgment in the disciplinarian, to adjust it to the capacity, circumstances, and state of mind of the boy. It should be, as far as possible, like that of a well regulated family,—*mild*, but *firm* and persuasive. All should be treated ordinarily with equal kindness and attention; thereby showing a special individual regard for each.

I find few boys so constituted as not to be influenced by kind treatment; it is likewise the most effectual means of obtaining another very important object,—that of a cheerful and respectful obedience, which, for all the purposes of reform, is incomparably better than any compulsory mode.

I judge from the fact, that since the abandonment, in most instances, of corporeal punishment at the House of Reformation, at South Boston, and the substitution of a milder and more persuasive means, the general conduct of the boys has very much improved, and the care of supervision changed, from a comparative task, to that of pleasure. Physical force will produce temporary obedience, but nothing but the moral education of the *heart* can produce a permanent change of character,—all modes of discipline which fail to accomplish this, are worthless. I am not to be understood as meaning that there are not instances where corporeal punishment should be used as the last

resort, but, when used, it should be for the double purpose of correction and example.

2d. *Employment.* All who are in health should be fully employed during six hours of the day; principally at shop-work, gardening, or farming. All boys when first received into the institution, should be put to shop-work, as affording a better opportunity of learning their character and disposition, also being less liable for escapes and better calculated for discipline, than farm work; which can be done by the best class of boys, as they are found to be trustworthy.

3d. *Trades.* I judge, from experience, that shoe-making, chair-bottoming, and brush-making, are some of the trades best suited to the circumstances and condition of this class of boys.

4th. *Instruction.* This is your last interrogatory, though not least in importance. Under this head, moral instruction should rank first. All the boys who are able to read, should attend daily to the reading of the *Bible*,—acknowledge God before and after meals,—and all, both officers and pupils, should attend morning and evening prayers; likewise the Sabbath school and meeting on the Sabbath. They should be taught strictly to observe the Sabbath day and keep it holy.

As education and employment bear an important part in the reformation of juvenile offenders, the time of each week-day should be divided as follows, viz.: Six hours for work, three in the forenoon and three in the afternoon,—four hours for schooling, two in the fore-part and two in the after-part of the day, where they should be taught the same branches of a common school education, that are taught in our public schools.

I have the honor to be, gentlemen,

Your humble servant,

DANIEL CHANDLER.

To the Hon. A. D. FOSTER,

ROBERT RANTOUL,

SAMUEL H. WALLEY,

Commissioners, &c.

Letter from Hon. THEODORE LYMAN.

No. 1. Construction of Buildings.—The buildings should have iron or stone staircases, wide passageways, and easy and obvious means of escape in case of fire, especially from the sleeping rooms. And the rooms and the parts remote and little visited, so finished that they cannot be set fire to, as the incendiary propensity is very strong with some boys.

Means for warming and ventilating should be provided in the plans, so that the proper flues can be built into the walls. No art has improved so much the last ten years as that of ventilating. A work published in this country, by Dr. Wyman, and an English work by Walter Bernan, civil engineer, both recent and both on warming and ventilating, may be consulted to great advantage with respect to those subjects.

No. 2. Age of admission.—*If former character to be considered.* Not over 14 years. Boys of that age are difficult to manage. If they have been for some time in a vicious course, they become, by 14 or 15, hardened, bad themselves, and very fit to make others bad. Not much attention to be paid to former character as to admissions; for the object of the school is a general one, namely, to employ, instruct and reform juvenile offenders. The exceptions under this general rule, as to admissions, should be in cases of boys that have shown a very depraved disposition; for a few boys of that description in the school might much retard, if not prevent, the reform of others, and get no good themselves. Where the probability is very strong that a boy is not susceptible of reformation, he should not be admitted, because the probability is greater that he will do harm to others than that he will derive benefit himself.

No. 3. Sex.—For lads at first. If the institution proves successful, a building may afterwards be added for girls. Reference can be had to that object in selecting a situation for the buildings for the boys, the sexes being kept far separate.

No. 4. Offences.—No rule, except where the offence manifests great and especially deliberate depravity. As was said

under No. 2, such boys are very difficult to manage, their example often does great harm to other boys, and, as the object of the institution is to reform, it is proper and necessary to take into account all the circumstances or considerations that may prevent, retard, or diminish the reform, or the improvement of the greatest number.

No. 5. Commitments.—By courts alone. The institution should be considered a place of punishment as well as a place for reform, and as under the authority of the State. It will, otherwise, do little good. If thought to be a school and farm, where boys are only obliged to learn and to work, many boys will not be unwilling to go, and still more parents will not be unwilling that their boys should go. I should give no character of disgraceful punishment to the institution, but the character of a State school, with an established system of rules of government and discipline, where boys are received because they are not fit to be at large, and where they are kept and trained till they are considered fit to be restored to society.

No. 6. Number.—Provision first made for one hundred, with arrangements to extend, if required.

No. 7. Provision for discharge.—It is desirable to obtain situations for the boys, with a certificate of good conduct and with suitable clothing. Whether a sum of money should be added, must depend on the circumstances of each case. But the time of the discharge of a boy is a critical moment for him, and it is just then that efforts should be made to furnish him with respectable occupation, and to keep him, and to enable him to keep himself, out of the way of former habits and associates. A few hours of neglect or inattention at this period, may undo months of care and good conduct.

No. 8. What shall entitle to a discharge.—This is again a question depending for its answer on the circumstances of each case. In other words, it is in each case a matter of discretion. The rule is that the boy shall serve out his time, and the exceptions to this rule should be extraordinary ones. No power should be used with more caution in public places of punishment than the power to pardon, for no power is more liable to abuse.

As to the four last topics, viz., discipline, trades, employment and instruction, they are all, so to speak, practical topics, and, in regard to them, the opinions of practical men, such as the superintendents of houses for juvenile offenders, will be found to be most valuable, more especially as it respects the first topic, discipline. As to trades, it is desirable to avoid, to some degree, sedentary ones,—such as shoemaking and tailoring, on account of the health of the boys.

The institution should have a carpenter's shop, and a forge, if for no other purpose, at least for that of mending the tools (and, perhaps, making them,) belonging to the establishment.

Amusements should be *regularly* provided for the boys. Games of ball, skating, coasting, &c. All the boys should be practised in singing; and such as have a voice and an ear, should be taught, at least, the rudiments of music. A piece of ground should be set apart for a garden, where the vegetables for the houses should be regularly and neatly cultivated; also, for a few common flowers and the common fruits cultivated in gardens; and the boys, or a portion of them, should be trained to the care of these gardens, and taught to feel an interest, not only in the pursuit itself, but in the gardens.

The general business of the school will be agriculture; but in the winter months, more time will be given to the instruction of the boys, not only in the common branches of education, but it may be, also, in some mechanical trades.

Letter from FRANCIS GEORGE SHAW, Esq.

WEST ROXBURY, Oct. 10, 1846.

SAMUEL H. WALLEY, Jr., Esq., Commissioner, &c.

MY DEAR SIR,—I received with much pleasure the circular respecting the proposed State Manual Labor School, and trust that the course pursued by the Commissioners will have elicited much valuable information.

I subjoin such suggestions as have presented themselves to my mind on reading the questions contained in the circular.

1. As to the plan of construction. The only suggestion I feel competent to make is, that each inmate have a separate sleeping-room,—so constructed as to be secure and capable of being fastened on the outside,—not of the character of a cell, yet strong, and simple in its arrangements. The public rooms to be in a main building, capable of enlargement when required, and the kitchen, store-room, &c., to be in the basement of the wing first built; the upper floors of which are to contain the sleeping-rooms. The workshops to be in a range behind the dwelling, and accessible by a covered way; the buildings relating to the farm to be still farther off, and approached in the same manner.

2. The object of the institution being to save those sent to it from further contamination, and so to prevent their becoming a charge upon the State as criminals, I should consider the age of twelve as a suitable limit beyond which admission should not be allowed, except in cases where offences have been committed solely from the pressure of want, and former character should be considered by the managers in all subjects above that age. I would say, that all children under twelve, convicted of offences against the laws, should be received without question, but that the managers should have a veto when, in their opinion, the admission of any one over that age would be a positive injury to the institution. The age of twelve seems to me old enough for children brought up in Boston and vicinity, but it might be extended to fourteen for those from the rural districts of the State. I should consider it desirable, moreover, that all youths sent to the school should be required to pass a month's probation before being admitted to its full advantages; after which, the managers can determine if they shall be so admitted.

3. Girls should also be received at the school, but should be under entirely separate care, and have no communication with the boys, except at meals and public meetings.

4. No special rule can, in my opinion, be laid down with regard to the nature of offences, but in no case should those who are idiotic or decidedly wanting in intellect, be admitted; and the discovery of any such case should be a sufficient reason for immediately transferring the subject to the almshouse of the

city or town in which his or her legal residence may be, or to the State Lunatic Hospital.

5. Commitments should be made by the courts and by the legal authorities of any city or town, also by justices of the peace in places where there is no police court, but in the latter case with the concurrence of the authorities: and no justice should be allowed to send a child to a house of correction without such concurrence. Destitute children should be sent to the school, even if they commit no offence against the laws; indeed, in my opinion, they should have a right to go there.

6. The wing first built should contain accommodations for one hundred inmates, and the plan of the building should be such that it can be increased so as to accommodate four hundred, which number should not be exceeded.

7. The proper provision for such youth as shall be discharged would, in my opinion, be State manufactories, in which the various trades taught at the school shall be carried on; such manufactories should be erected by the State, be provided with the best machinery, and placed under the charge of skilful and experienced superintendents. The necessary raw material should be purchased, the laborers boarded and clothed by capital provided by the State, and the products disposed of by competent persons. At stated periods, the accounts of each manufactory should be made up, the cost of materials and other expenses credited to the State, with interest on the fixed capital, and a proper allowance for wear and tear, and the balance should be divided among the laborers in a ratio determined by themselves, but subject to correction by trustees appointed for the purposes of general supervision.

I am aware that it will appear an immense undertaking to carry this plan into operation, but I can at present conceive of no other manner in which the question under consideration can be satisfactorily answered.

8. The completion of the term for which an individual shall have been committed, (which should never be less than one year, and the minimum of which, in my opinion, had better be three years than one,) should entitle him or her to a discharge, when served with uniform good conduct; but the man-

agers should have the power to lengthen the term, when they consider any individual unfit to be discharged, and that he would, if free, resort to criminal courses; but their decisions, in such cases, shall be subject to the approval of some person appointed to examine into them.

9. The service of the house should be performed by the inmates in rotation; there should be as many trades as practicable introduced, in order that the children may have a choice of work, and they should be allowed to vary their occupations, even several times in the same day, going in classes from the school to the farm, and thence to the work-shops, and from one shop to another. The farm should be carried on as much by manual labor as possible, so as to be more like a garden than a farm. I am convinced that better results to the inmates can be obtained by having the whole under the general superintendence of a woman, than if the chief manager were a man. My opinion on this point is founded on the results obtained, or said to have been obtained, in prisons, and on the greater influence of women over boys, who will constitute the larger proportion of the inmates. The subordinates, having charge of the various departments, to be male or female, as the case may be, but these stations to be filled by the inmates as soon as practicable. I would, if possible, have some system adopted by which the inmates shall receive pecuniary benefit from their labor, and be incited to industry and good conduct by the hope of laying up some provision for themselves, to be available when discharged. I can make no better reply to the general question under consideration, than in the words of an esteemed friend of great experience:—

“I would suggest that the entire management of the institution be based on the idea of *attracting* to improvement by the increase of privileges, and not on the usual theory of deterring from wrong by prohibition and penalty. Corporal punishment ought not to be allowed in any form, under any circumstances. Seclusion and the loss of customary privileges should, in my judgment, be the only consequences of improper conduct. But, above all, have the system of *reward*,—reward for every bad habit broken, for every deficiency overcome. I would have

access to a pleasant library one of the privileges granted for certain improvements and performances. I would have the privilege of witnessing curious experiments in Natural Philosophy, with simple explanations, another reward for good conduct. I would have a singing school and teaching on instruments; and have the concert-room open twice a week to those who had done as well as they could."

I will only add, that, to answer the questions contained in the circular with accuracy, so that the answers would themselves be of service, would require more practice and experience than has been my lot, and I have not attempted it. I offer the foregoing solely as hints, and very crude ones, from which I hope something of good may be gathered.

That such may be the case, and that, from the information in possession of the Commissioners, they may produce a plan worthy of the great and important subject committed to them, is, dear sir, the sincere wish of

Your friend and servant,

FRANCIS GEORGE SHAW.

Resolves for erecting the State Reform School Buildings.

Resolved, That his Excellency the Governor, by and with the advice and consent of the Council, be, and he is hereby authorized and empowered to appoint a Board of three Commissioners, who shall cause to be erected, on such site, upon any part of the farm in Westborough, recently obtained by gift to the Commonwealth, as they may judge best, a building or buildings suitable for the accommodation of a Superintendent and Steward, with their families, and a Teacher or Teachers, and capable of accommodating three hundred boys; and that said Commissioners shall have power to make all necessary contracts for, and to appoint agents to superintend the erection of the same. And said Commissioners shall present all their accounts to the Governor and Council, to be by them audited and allowed, from time to time, as they shall deem just.

Resolved, That, for the purpose of defraying the expenses to be incurred under the previous resolve, his Excellency the Governor be, and he is hereby authorized, by and with the advice and consent of the Council, to draw his warrants, from time to time, upon the Treasurer of this Commonwealth, for the necessary sums of money, not exceeding, in the whole, thirty-five thousand dollars, in addition to the sum already appropriated by a resolve passed on the sixteenth day of April, in the year one thousand eight hundred and forty-six.

Resolved, That the sum of one thousand dollars, remaining in the hands of the Commissioners, being the balance of the donation of ten thousand dollars to the Commonwealth, be appropriated for permanent improvements for the benefit of said school, and be expended under the direction, and at the discretion, of the Trustees.

Resolved, That, for the purpose of stocking, improving, and cultivating said farm at Westborough, for the current year, the sum of one thousand dollars be appropriated; and his Excellency the Governor be, and he is hereby authorized, by and with the advice and consent of the Council, to draw his warrant upon the Treasurer of the Commonwealth for the same.
[Approved, April 9, 1847.]

An Act to establish the State Reform School.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows :

SECT. 1. There shall be established, in the town of Westborough, in the county of Worcester, on the land conveyed to the Commonwealth for the purpose, a school for the instruction, employment, and reformation of juvenile offenders, to be called the State Reform School; and the government of said school shall be vested in a board of seven trustees, to be appointed and commissioned by the Governor, by and with the advice of the Council.

SECT. 2. It shall be the duty of said board of trustees to take charge of the general interests of the institution; to see that its affairs are conducted in accordance with the requirements of the Legislature, and of such by-laws as the board may, from time to time, adopt, for the orderly and economical management of its concerns; to see that strict discipline is maintained therein; to provide employment for the inmates, and bind them out, discharge or remand them, as is hereinafter provided; to appoint a superintendent, a steward, a teacher or teachers, and such other officers as, in their judgment, the wants of the institution may require; to prescribe the duties of the superintendent and other officers; to exercise a vigilant supervision over the institution, its officers and inmates; to remove such officers at pleasure and appoint others in their stead; and to determine the salaries to be paid to the officers respectively,—subject, in all cases, to the approval of the Governor and Council. The trustees shall also prepare, and submit to the inspection of the Governor and Council, a code of by-laws, which shall not be valid until sanctioned by them. The by-laws may subsequently be enlarged or amended by the assent of five members of the board of trustees, at any legal meeting of said board, and not otherwise; but no alteration shall be valid, until it shall have been approved by the Governor and Council.

SECT. 3. As soon as the Governor shall have been notified,

by the commissioners to be appointed under a Resolve "for erecting the State Reform School Buildings," that said buildings are prepared for occupancy, he shall forthwith issue his proclamation giving public notice of the fact.

SECT. 4. After proclamation shall have been made, as provided in the third section of this act, when any boy under the age of sixteen years shall be convicted of any offence, known to the laws of this Commonwealth, and punishable by imprisonment, other than such as may be punished by imprisonment for life, the court or justice, as the case may be, before whom such conviction shall be had, may, at their discretion, sentence such boy to the State Reform School, or to such punishment as is now provided by law for the same offence. And if the sentence shall be to the Reform School, then it shall be in the alternative, to the State Reform School, or to such punishment as would have been awarded if this act had not been passed.

SECT. 5. Any boy, so convicted and sent to said school, shall there be kept, disciplined, instructed, employed, and governed, under the direction of said board of trustees, until he shall be either reformed and discharged, or shall be bound out by said trustees, according to their by-laws, or shall be remanded to prison under the sentence of the court as incorrigible, upon information of the trustees, as hereinafter provided.

SECT. 6. If any boy shall, upon any conviction, be sentenced to said school, and the trustees, or any two of them in the absence of the others, shall deem it inexpedient to receive him, or if he shall be found incorrigible, or his continuance in the school shall be deemed prejudicial to the management and discipline thereof, they shall certify the same upon the mittimus by virtue of which he is held, which mittimus, together with the boy, shall be delivered to the sheriff of any county, or his deputy, or to the constable of any town, who shall forthwith commit said boy to the jail, house of correction, or State prison, as the case may be, in pursuance of the alternative sentence provided for in the preceding section of this act.

SECT. 7. All commitments to this institution of boys, of whatever age when committed, shall be for a term not longer than during their minority, nor less than one year, unless sooner

discharged by order of the trustees, as hereinbefore provided; and whenever any boy shall be discharged therefrom by the expiration of his term of commitment, or as reformed, or as having arrived at the age of twenty-one years, such discharge shall be a full and complete release from all penalties and disabilities which may have been created by such sentence.

SECT. 8. The trustees of this school shall have power to bind out all boys committed to their charge, for any term of time during the period for which they shall have been committed, as apprentices or servants, to any inhabitants of this Commonwealth; and the said trustees, and master or mistress, apprentice or servant, shall, respectively, have all the rights and privileges, and be subject to all the duties, set forth in the eightieth chapter of the Revised Statutes, in the same manner as if said binding or apprenticing were made by overseers of the poor.

SECT. 9. The trustees shall cause the boys under their charge to be instructed in piety and morality, and in such branches of useful knowledge as shall be adapted to their age and capacity; they shall also be instructed in some regular course of labor, either mechanical, manufacturing, agricultural or horticultural, or a combination of these, as shall be best suited to their age and strength, disposition and capacity; also, such other arts and trades as may seem to them best adapted to secure the reformation, amendment, and future benefit of the boys; and, in binding out the inmates, the trustees shall have scrupulous regard to the religious and moral character of those to whom they are to be bound, to the end that they may secure to the boys the benefit of a good example and wholesome instruction, and the sure means of improvement in virtue and knowledge, and thus the opportunity of becoming intelligent, moral, useful, and happy citizens of this Commonwealth.

SECT. 10. The superintendent, with such subordinate officers as the trustees shall appoint, shall have the charge and custody of the boys. He shall himself be a constant resident at the institution, and shall discipline, govern, instruct, and employ, and use his best endeavors to reform the inmates, in such manner as, while preserving their health, will secure the forma-

tion, as far as possible, of moral, religious, and industrious habits, and regular, thorough progress and improvement in their studies, trades, and various employments.

SECT. 11. The superintendent shall have the charge of the lands, buildings, furniture, tools, implements, stock, and provisions, and every other species of property pertaining to the institution within the precincts thereof. He shall, before he enters upon the duties of his office, give a bond to the Commonwealth, with sureties satisfactory to the Governor and Council, in the sum of two thousand dollars, conditioned that he shall faithfully account for all moneys received by him as superintendent, and faithfully perform all the duties incumbent on him as such. He shall keep, in suitable books, regular and complete accounts of all his receipts and expenditures, and of all property entrusted to him, showing the income and expenses of the institution; and he shall account to the treasurer, in such manner as the trustees may require, for all moneys received by him, from the proceeds of the farm, or otherwise. His books, and all documents relating to the school, shall, at all times, be open to the inspection of the trustees, who shall, at least once in every six months, carefully examine the said books and accounts, and the vouchers and documents connected therewith, and make a record of the result of such examination. He shall keep a register, containing the name and age of each boy, and the circumstances connected with his early history; and he shall add such facts as may come to his knowledge relating to the subsequent history of said boy, while at the institution, and after he shall have left it.

SECT. 12. All contracts on account of the institution shall be made by the superintendent in writing, and, when approved by the trustees, if their by-laws require it, shall be binding in law, and the superintendent, or his successor, may sue or be sued thereon to final judgment and execution; and no such suit shall abate by reason of the office of superintendent becoming vacant, pending such suit, but any successor of the superintendent may take upon himself the prosecution or defence thereof, and, upon motion of the adverse party, and notice, he shall be required so to do.

SECT. 13. There shall be a treasurer, to be appointed by the Governor and Council, who shall, before he enters upon the discharge of the duties of his office, give a bond to the Commonwealth, with sureties satisfactory to the Governor and Council, in the sum of three thousand dollars, conditioned that he shall faithfully account for all money received by him as treasurer; which bond, and also that of the superintendent, when approved, shall be filed in the office of the treasurer and receiver general.

SECT. 14. The board of trustees shall be appointed forthwith, and they shall take charge of the farm in Westborough which belongs to the Commonwealth, except so much thereof as shall be needed for the purposes of the commissioners for the erection of the buildings. When the Governor shall have made proclamation that the buildings are ready for occupancy, the school and the buildings shall be at once in the charge of the trustees.

When two years shall have expired after the first appointment of a board of trustees, two trustees shall be appointed and commissioned annually; and, for this purpose, the places of the two senior members, as they stand arranged in their commission, shall be thereafter annually vacated. No trustee shall receive any compensation for his services; but he shall be allowed the amount of expenses incurred by him in the discharge of the duties of his office.

SECT. 15. One or more of the trustees shall visit the school at least once in every two weeks, at which time the boys shall be examined in the school-room and work-shop, and the register shall be inspected. A record shall be regularly kept, of these visits, in the books of the superintendent.

Once in every three months, the school, in all its departments, shall be thoroughly examined by a majority of the board of trustees, and a report made, showing the results of these examinations. Annually, in the month of December, an abstract of these quarterly reports shall be prepared, which, together with a full report by the superintendent, shall be laid before the Governor and Council, for the information of the Legislature. The treasurer shall also submit, at the same time, a financial

statement, furnishing an accurate detailed account of the receipts and expenditures for the year terminating on the last day of the month of November next preceding. [*Approved, April 9, 1847.*]

MESSAGE.

To the Senate :

I transmit herewith to the Honorable Senate, for the use of the Legislature, the Report of the Commissioners for "erecting the State Reform School Buildings."

GEO. N. BRIGGS.

COUNCIL CHAMBER, January 26, 1848.

COMMONWEALTH OF MASSACHUSETTS.

To His Excellency GEORGE N. BRIGGS, Governor, and to the Honorable Executive Council of the Commonwealth of Massachusetts :

The Commissioners for erecting the State Reform School Buildings at Westborough, were appointed April 17, 1847. Some delay occurred in organizing the commission, as it was doubtful whether one of the Commissioners could serve. On the eleventh of May, they met at Westborough, and, having previously obtained, from the office of the Secretary of the Commonwealth, the plans and explanations furnished to the Legislature of 1847 by the Commissioners for selecting and purchasing a farm, they placed the same in the hands of Elias Carter, Esq., of Springfield, and James S. Savage, Esq., of Southborough, architects and builders of skill and character, who did not propose to contract for the erection of the build-

ings, and desired them to estimate the expense of such buildings as those plans and explanations proposed.

On the 25th of May another meeting was held, and the estimates of Messrs. Carter & Savage were found to exceed the appropriation made by the Legislature. They were requested to revise their calculations, and report on the third day of June. At that time it appeared that it was impossible that the cost of the buildings proposed should not exceed the appropriation.

The Resolves appeared to the Commissioners to be imperative in requiring accommodations for three hundred boys. The plans were, on the whole, satisfactory to them, and they felt justified in causing buildings to be erected according to those plans, although the cost should exceed the amount appropriated. But knowing that the former Commissioners, relying upon the architect who drew the plans, had stated to the Legislature that the sum of forty-five thousand dollars would cover all the expense of erecting the buildings, the present Commissioners directed Messrs. Carter & Savage, (whom they had engaged to superintend the work of erecting said buildings,) to offer the contract, at that sum, to the architect who drew the plans. He declined taking it, but said he would make an offer with others. The plans and explanations, several omissions having been directed to reduce the expense, were accordingly submitted to other competent builders, and several offers (including one at sixty-two thousand five hundred dollars, from the original designer of the plans,) were made, varying in amount from sixty-five thousand to fifty-two thousand dollars. The lowest offer having been made by a competent and responsible builder, Mr. Daniel Davies, of Boston, the contract was made with him, on the fifteenth day of June. On the same day the Commissioners selected, on the farm, the site for the buildings. As soon thereafter as was practicable, the work was commenced, and has been successfully prosecuted, until the buildings are erected, so far as regards walls and roof, and the windows are put in, temporarily, to secure the whole from injury by the weather. It is believed that, thus far, the work has been done as well, as rapidly, and as satisfactorily, as circumstances would permit. The time stipulated in the contract,

for the work to be completed, is the first day of December next; but, from present appearances, it is probable that it may be done a month or two earlier.

At the solicitation of many persons, among whom were the trustees of the reform school, the Commissioners restored parts of the building, which they had directed to be omitted, and this will add four hundred and seventy-five dollars to the expense.

The contract with Mr. Davies does not cover the furnishing of water. This, in abundance, is indispensable in all large establishments, and necessary in every house; especially is this true of all establishments where many young persons live. It is doubtful in what way it can here be best supplied. A well has been dug, which it was necessary to sink very deep, and the water, as yet, has a mineral taste, and it is feared, will never be suitable for drinking and culinary uses. It is proposed to have one or more large cisterns, to save the water from the roofs; but so much water will be required, that it is still a matter of inquiry, whether it will not be advisable to bring it by pipes, and by forcing-engines, from the pond. The Commissioners understand that the Resolves contemplate their procuring furniture, for the apartments of the superintendent, the steward, and the boys, though these items were not included in the estimate furnished to the last Legislature. The requisition seemed imperative, to provide a *building* for *three hundred* boys; but it is not supposed that furniture ought, at first, to be provided for more than *one hundred*. This the Commissioners propose to do; and, in regard to the schoolroom, to do it in the best plain manner. In regard to all other furniture, it is proposed to have it strong, plain, and neat. As it may be uncertain what trades will first be introduced, and the tools and apparatus, for such trades as are usually carried on in such institutions, are not very expensive, and are easily procurable, it is proposed to leave the workshop unfurnished, except with some such apparatus as will certainly be needed. The grading around the buildings is not included in the contract, except so far as is requisite for the security of the walls and the levelling of the enclosed area. It is supposed that the Commissioners will be expected to see this done, so far as to make the access

to the buildings convenient, and to leave the grounds, immediately around the buildings, in a good condition for subsequent cultivation or ornament. The object of the Commissioners has been, and is, to expend as little as may be for mere ornament, but to have every thing done in the most convenient and substantial manner. For the necessary purposes above specified, and for the expenses of superintendence, (which is not increased by the employment of two gentlemen instead of one,) and for the expenses of the Commissioners, an additional appropriation will be required.

Of the \$45,000, heretofore appropriated, \$30,000 have been drawn from the treasury, and actually expended and paid.

The Commissioners wish to present a true account of every thing which they suppose requisite to be done, and not to under-rate or over-rate the cost. But their estimates must be, necessarily, imperfect, and may be unintentionally deceptive. According to the estimate they have made, there will be required, to complete the buildings and prepare them for occupancy, in addition to the sum now appropriated and in the treasury, a further sum of twenty-one thousand dollars.

Respectfully submitted by

A. D. FOSTER,
ROBT RANTOUL,
L. POMEROY,

Commissioners.

Boston, January 25, 1848.

Resolve concerning the State Reform School Buildings.

Resolved, That, for the purpose of completing the Reform School Buildings, and furnishing the same, for the superintendent, steward, and one hundred boys, in addition to former appropriations, there be hereby appropriated the sum of twenty-one thousand dollars; and the Governor, with the advice and consent of the Council, is hereby authorized to draw his war-

rant therefor on the Treasurer of this Commonwealth, in favor of the Commissioners for erecting said buildings. [Approved, April 1, 1848.]

Resolves in Aid of the State Reform School.

Resolved, That, whenever the Trustees of the State Reform School shall certify, to the Governor and Council, that the sum of ten thousand dollars has been paid into their hands, then a like sum of ten thousand dollars shall be paid from the Treasury of the Commonwealth; which said sums, united, shall constitute a fund, the income of which shall be expended, at the discretion of the Trustees, for the benefit of the State Reform School.

Resolved, That the further sum of eight thousand dollars shall be paid to the said Trustees of the State Reform School, for the erection and repairs of farm-buildings, for purchase of farm-stock and farming implements, for payments of salaries, and for purchase of clothing for the Institution, and that warrants be drawn for the above purposes accordingly. [Approved, April 25, 1848.]

An Act concerning the State Reform School.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows :

SECT. 1. The Trustees of the State Reform School, for the time being, shall be a corporation, by the name of the Trustees of the State Reform School, for the purpose of taking and holding, to themselves and their successors, in trust for the Commonwealth, any grant or devise of lands, and any donation or bequest of money, or other personal property, which has been, or may hereafter be, made for the use of said Institution, and for the purpose of preserving and investing the proceeds of any

such grant, devise, donation, or bequest, in notes or bonds, secured by good and sufficient mortgages, or in other securities, with all the powers necessary to carry into effect the purposes aforesaid.

SECT. 2. This act shall take effect from and after its passage.
[Approved, May 10, 1848.]

Resolved, That whenever the Trustees of the State Reform School shall certify to the Governor and Council, that the sum of ten thousand dollars has been paid into their hands, then a like sum of ten thousand dollars shall be paid from the Treasury of the Commonwealth, which said sum united, shall constitute a fund, the income of which shall be expended at the discretion of the Trustees, for the benefit of the State Reform School.

Resolved, That the further sum of eight thousand dollars shall be paid to the said Trustees of the State Reform School, for the erection and repairs of farm-buildings, for purchase of farm-stock and farming implements, for payments of salaries and for purchase of clothing for the institution, and that warrants be drawn for the above purposes accordingly. [Approved, Apr 12, 1848.]

A. D. FOSTER,
LUOTIAN TOWN,
L. VERMONT.

Resolved, That the sum of ten thousand dollars shall be paid to the Trustees of the State Reform School.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:

SECT. 1. The Trustees of the State Reform School, for the time being, shall be a corporation, by the name of the Trustees of the State Reform School, for the purpose of raising and holding to themselves and their successors, in trust for the Commonwealth, any grant or devise of lands, and any donation or bequest of money, or other personal property, which has been or may hereafter be made for the use of said institution, and for the purpose of receiving and investing the proceeds of any

AN
ADDRESS

AT
THE DEDICATION

OF THE
STATE REFORM SCHOOL,
IN WESTBOROUGH, MASS.

DECEMBER 7, 1848.

BY EMORY WASHBURN.

BOSTON:
DUTTON AND WENTWORTH, STATE PRINTERS,

No. 37, Congress Street.

1849.

A D D R E S S .

THE occasion which calls us together forms an epoch in the domestic history of our Commonwealth. The experiment which is here begun is full of interest to every generous mind. It presents the State in her true relation, of a parent seeking out her erring children, and laying aside the stern severity of justice while struggling for their reform.

There is a fitness that this first experiment, in this country, by an entire body politic, to reform the young by an institution for punitive discipline, should be made by Massachusetts. Where the first free school was planted, and the first institution for ministering to the mind diseased, of the poor and rich alike, was reared at the public charge, it is but the crowning of the work to go out into the highways and the hedges to bring in the wayward and the wandering, that they may be restored to the paths of safety. In a Commonwealth blessed with churches and hospitals, and noble charities, as no other community of equal extent has ever been, there was still wanting an institution which should go up to the fountain-head of vice, and misery, and crime, and purify the bitter waters that are spreading their poisonous influences through every city, and village, and hamlet, within her borders. And such an institution, we may confidently trust, will this prove, which

we are met to dedicate. It will be a monument of the beneficence of the State, but not less so of private munificence. It will stand one of the most honorable, if not the most honored, memorial of such munificence, of which this Commonwealth, rich in such memorials, can boast.

The benefactor, to whose bounty the Commonwealth chiefly owes this beautiful estate, has illustrated, as few have done, some of the noblest precepts of his Divine Master. Not only has he sought out the lost wanderers from the fold of Christian sympathy, not only have the sick been visited, and they who are in prison ministered unto, but the left hand has scarcely been permitted to know what his right hand has done. No pharisaic trumpet has proclaimed his deeds of charity, and his reward can only be the consciousness of the uncounted good which is to flow from them to generations yet unborn.

If there is pleasure in marking the development of beauty in the world around us, by the creation of taste and skill, how much higher must be his satisfaction, who sees moral beauty springing up beneath his creative touch, and the waste places of God's heritage blossoming into life under his fostering care !

Among the circumstances which serve to mark the progress of our race, are the modifications which have taken place, from time to time, in the administration of the criminal law. If we go back comparatively a few years only, in the history of the civilized world, we find cruelties inflicted under the forms of law alike revolting and absurd. We see, amongst the continental nations, and those, too, the most refined, the rack and the wheel, wringing, by the agony of torture, confessions alike, from the innocent and the guilty victims of suspicion or State policy. We see the law striking hands with bigotry and fanaticism, and

offering up, at the stake, men of whom the age was not worthy. The disgusting barbarity of drawing and quartering traitors to the king has often and again presented scenes upon English soil, at which a North American savage might hang his head in shame. And all these, and cruelties not less atrocious, have been perpetrated at noon-day, under the name and guise of public justice. Even as late as the days of Blackstone, who was cotemporary with our own Revolution, there were an hundred and sixty offences declared and punished by the English law as capital.

The true object of punishment seems to have been lost sight of. One would suppose that the State, in its thirst for cruelty, had volunteered to do the work of revenge for every private injury which any citizen might suffer at the hands of another,—the mingled compound of Shylock and Iago in the great drama of real life.

The idea of *reforming* the guilty seems scarcely to have entered the mind of the lawgiver. Whoever passed the threshold of a prison, and breathed the pestilential atmosphere of that den of sin and suffering, came back, if he came at all, the fit companion of its wretched inmates. Men, even before conviction, became well-nigh outlaws, the moment the vengeance of the law,—for, towards the criminal, it had no mercies,—had fixed its suspicions upon them. Whoever has read what Howard did in the cause of prison reform, or the sickening scenes which, at a later day, that female Howard, Mrs. Frye, has described in the narratives of her missions of mercy, needs not that I should justify these remarks by the details which well-nigh every prison in Europe would furnish. And yet, it should be remembered, that Howard's "circumnavigation of charity" was closed within the memory of many living wit-

nesses, while the developments brought out by Mrs. Frye are a part of the history of our own times.

For some reason, the spirit of criminal justice seems to have been almost always behind the age in which it was administered. The public mind rarely troubled itself about what concerned so few, and they, in general, so degraded. It was enough, that a system had been sanctified by age to demand for it undoubting confidence. A singular illustration of this principle has been furnished by the fact that it was not till within our own day, that that most absurd of all forms of trial, "wager of battle," ceased to form a part of the system of administering justice in England, under the common law of that kingdom.* Such forms, like the dogmas of religion, are apt to get such a hold upon the public mind that few are bold enough to scrutinize the foundation on which they rest.

Nor is our own history without its lessons of painful interest upon this subject. Our ancestors embraced some of the most liberal and best educated minds of their day. In the dogmas of polemical divinity, in the deep metaphysics of the schools, and in the strong, rough encounter of vigorous intellects, there were few superior to the men who were to be found in the pulpits of New England, and among her early legislators. But her codes of law were bloody, and, though she had judges and courts of justice, there were few whose minds had been trained to the law as a science, and there was little in the habits of the public mind to soften the stern severity of those codes.

Let me borrow an illustration from that history. Let me, for that purpose, take you back to a period only twice the lifetime of many now upon the stage. We should

* It was abrogated by act of Parliament in 1819, having been claimed in Thornton's case, upon an appeal for murder, in 1818.

find the highest court in the Province in solemn assembly. An old man, whose locks have been whitened by more than eighty winters, has been arraigned before that grave tribunal. He is called upon to plead to an indictment, which charges him with witchcraft. But he refuses—he is silent. Unmoved by the glaring, gloating eyes of the multitude around him, he stands mute, and answers not a word. There was a process once known to the common law, the very name of which was borrowed from the barbarous Norman, called "*Peine forte et dure*," which was only applied when a prisoner refused to plead. It consisted in subjecting the offender to the pressure of heavy weights, till his torture compelled him to make answer. That process, for his thus standing mute, is ordered against that old man. He is laid prostrate, and weights are heaped upon him till he is literally crushed to death. And yet, that scene was witnessed in the goodly Christian town of Salem, and no one questioned the propriety or justice of so barbarous a murder—for it was done in the name, and under the forms, of law.

Witchcraft and torture have passed away, but the relics of a barbarous age remained amongst us till within the memory of many a living witness, in the exhibitions of whipping, and cropping, and branding, in which Justice exhibited herself before gaping multitudes, in every shire town in Massachusetts. The law sent forth the criminal, with its stamp of infamy upon him, as indelible as the mark of Cain. Wherever he went, he was shunned as an object of aversion and distrust. He moved among his fellow-men a living warning and example, frightening a few, and brutalizing all. Not only was war thus made by society upon those whom it had punished, but it was a war that brought with it no hope of peace. Reformation!—the law knew not

that there was such a word in the science of punishment. Restoration to society!—it was as hopeless for the mutilated wretch, as it was for the leper in Israel, to find a welcome at the festive board! Nor can we wonder, that men, who were thus hunted like wolves, should have preyed, in their turn, upon society that had made them outlaws.

A great step was taken in the progress of improvement by substituting the confinement and labor of the penitentiary, for the brutal punishment to which I have alluded. And it is with pleasure, that I add, that for this, the world is indebted to the United States, and especially to Pennsylvania. But even that was, for a long time, grossly defective, by an entire ignorance or disregard of the principles of proper classification of criminals. The description given by Sidney Smith, in 1821, of English prisons, unfortunately was applicable to our own in too many particulars. "There are," said he, "in every county in England, large public schools maintained, at the expense of the county, for the encouragement of profligacy and vice, and for providing a proper succession of housebreakers, profligates, and thieves. They are schools, too, conducted without the smallest degree of partiality or favor, there being no man, however mean his birth, or obscure his situation, who may not easily procure admission to them. The moment any young person evinces the slightest propensity for these pursuits, he is provided with food, clothing, and lodging, and put to his studies under the most accomplished thieves and cut-throats the county can supply."

Since that time, the grosser enormities of the system have been corrected. Prison Discipline has been made the subject of scientific investigation, and though it has, at times, awakened angry discussions, there is reason to hope that the cause of truth and humanity will at length prevail.

Notwithstanding the attention which has been awakened to the importance of a proper classification and isolation of prisoners, there has been too little regard paid to one of the most important of these principles—the age of the offender. The law adopts something like an arbitrary rule as to the age at which criminal responsibility shall begin, and, having done so, regards all persons as within the same category, in respect to the general nature of the punishment which it prescribes for the various classes of offences. The discrimination which ought to be made in the matter of age and maturity of intellect, has, in too many cases, especially in the early history of penitentiary discipline, been sadly overlooked.

On the continent of Europe, the rule as to the period in life when criminal responsibility shall begin varies in various states, some leaving it an open question, to be determined in each particular case, and others fixing an arbitrary period when the presumption of a legal discretion shall be assumed.

In England, the common law is understood to regard an infant, if above seven years of age, as capable of committing a felony, though not necessarily to be presumed of sufficient discretion to be held criminally responsible, until the age of fourteen. Between these ages, whether the infant is of guilty capacity or not, is to be settled like other questions of fact arising in the case. The history of the English law furnishes instances where children, eight and ten years of age, have been indicted, convicted, and executed, for capital offences. Even as late as 1846, as stated by the distinguished Secretary of the Prison Discipline Society in Massachusetts, a boy, said by him to be six and a half years of age, (probably, however, supposed by the court to be seven, at least,) was sentenced, in one of the

English counties, to imprisonment for the term of seven years for stealing the paltry sum of one shilling and an halfpenny.

A system, therefore, that should regard children of such a tender age as equally amenable to punishment as the old and hardened offender, would be violating one of the first principles of the science of prison discipline, as well as of common humanity.

However obnoxious the laws of our own and other countries may have been to the charge of disregarding the obvious principles of justice, in discriminating between different classes of offenders, it is a matter of just congratulation, that the subject is at last awakening an attention, on both sides of the Atlantic, that cannot fail to produce important results. This is especially true in regard to the treatment of juvenile offenders. All over Germany, in many parts of France, and in some of the states of Italy, there is a growing interest in the question. Writers of great learning and ability are there found, who are not only engaged in discussing the modes and extent of juvenile reform, but are endeavoring to throw light upon the whole subject of criminal punishment. Among these writers, I would refer to Professor Mettermair, of Heidelberg, whose essays upon these subjects have been made accessible to the American public, through accurate translations. In an article, republished a few years since, in one of our leading Law Periodicals, he gives a hasty outline of the institutions, in many of the continental states, for the punishment and reform of the young. In some few of these states, there have been prisons where there has been a separation, for many years, between the juvenile and adult inmates. But institutions, peculiarly for young offenders, have been chiefly the result of modern and recent efforts. Few of them date

earlier than 1833, and many of them are much more recent. The editor of Beaumont and De Tocqueville's Report on the Penitentiary System of the United States, has given a brief sketch of the early history of these in Germany, and a correspondent of the New York Observer has, within a few weeks, offered the public much interesting information upon the subject of houses of reform for vicious children, both in France and Germany. He enumerates not less than from fifteen to twenty in the former kingdom, twenty-two in Wirttemberg, nineteen in Prussia, three in Hanover, and three in the Duchy of Baden.

Nor has this subject been disregarded in England. Though the comparison made by Howard, between the prisons on the continent and those of England, was, in many respects, greatly in favor of the former; and though, from the reports of Mrs. Frye, and Sir T. Fowell Buxton, the English prisons are far from keeping pace with many of her noble charities, yet we find, here and there, an institution of which she may justly be proud.

Among the most distinguished of the correctional establishments for the reform of criminal and vicious children, to which I have referred, I have only time to mention that near Hamburg, of which the eloquent Secretary of the Board of Education here, has given so graphic and interesting an account; that at Mettray, in France; and that at Parkhurst, in England. In the best and most successful of these institutions, the inmates are employed, either exclusively in agriculture, or in agricultural and mechanical pursuits combined; for observation has shown, that it is by such employments that their moral condition is the most likely to be improved, and their physical health preserved.

The number, however, of these institutions is no farther important for this occasion, than as it serves to show the

awakening interest which the Old World is taking in one of the measures of progress which distinguish the age in which we live.

But, while one class of philanthropists are thus active in their work, there is, and always has been, from the days of Aristotle down to the last newspaper essayist, a class of philosophers who have been speculating, not only upon the proper aims of punishment, but upon the right that society has to punish at all. By one of these theories, the object of punishment is to deter others from the commission of new crimes by the example of suffering which is made consequent upon a crime already committed. This theory regards the influence, which punishment may have upon the guilty party, as of secondary or no importance, while there are others who maintain that the main purpose to be sought in punishing, should be the reformation of the offender himself.

Those who embrace the latter doctrine are apt to regard the man, who is to suffer the penalty of a violated law, as more unfortunate than guilty, and many have even gone so far as to treat all crime in the nature of a moral disease, and to maintain that it should be subjected to the curative appliances of a hospital, rather than the disgrace and discomfort of a prison.

The true theory probably lies between these extremes, although it may be difficult to fix precisely where to draw the line. Puffendorf, to quote from a familiar authority, declares that "the true end and design of punishment, inflicted by human courts, is to prevent the wrongs and injuries that men are apprehensive of, one from another, which prevention is, in some measure, obtained, if either the offender be amended, or others, from his example, discouraged from offending, or himself incapacitated to do so for the future."

And Beccaria, another familiar author, says, "the end of punishment is no other than to prevent the criminal from doing further injury to society, and to prevent others from committing the like offence."

I might weary you still further, by quotations from the opinions of courts, and the works of ethical writers, upon this subject. But it is sufficient for our present purposes, to assume, that, in the infliction of punishment, both the public and the individual ought to be regarded. While, by example from the suffering of the guilty, the innocent are deterred from crime, the guilty, themselves, ought, if possible, to be saved and restored back to usefulness and respectability.

In order, however, to the attainment of these ends, the nature of crime ought itself to be understood. By some, it is regarded as the emanation of innate depravity, manifesting itself in violence or fraud. And crime, in this view, is but the particular phase in which the general corruption of our natures is developed through the want of adequate counteracting moral influences.

With some, the fault is not so much a moral one as it is an unfortunate cerebral conformation, which, by the force of physical laws, gives an undue preponderance to certain of the human passions, at the expense of the moral sentiments. This, certainly, is a simple and easy solution of what has long puzzled sage moralists, and seems to have found great favor with a class of male and female philosophers, who have been urging on the progress of the race, of late years, by their physiological and psychological discoveries.

There is still another class of philanthropists, like Eugene Sue, and his kindred French Novelists, whose moral lessons form so large a share of our yellow-covered litera-

ture, who trace to the bad organization of society, itself, most of the crimes which it seeks to punish. They see wealth and poverty—Dives and Lazarus—side by side, the powerful trampling upon the weak, and vice spreading its nets on every hand, to catch the unwary, and they hold society responsible for these as the sources and incentives of crime.

Neither of these theories is probably wholly true, nor altogether false. Otherwise, if the first were true, we should have the solecism of men making war collectively, and in masses, upon the very habits which their instincts and inclinations, as individuals, were constantly urging them to sustain. If the second be a sound view, it would be difficult to reconcile, to the common mind, the seeming inconsistency of holding a man morally accountable for the accident of a physical malconformation of his organs. And if the last were correct, the administration of what is called justice ought to be suspended till society itself should be radically reformed. There is, however, enough of truth, in each of these theories, to furnish important hints in the investigation of this interesting subject.

If we take the example of a single child, it would not be difficult to analyze the general laws by which its character for good or evil is fashioned. We all know the power of education in developing, modifying, and strengthening its intellectual powers, as well as its moral qualities. We know, too, how strong are external influences and associations in forming what we call character. The children of one family in a neighborhood grow up refined, while those of another are never able, wholly, to surmount the vulgarities which they imbibe in early life. Though external circumstances thus help to educate the child, they may be aided or retarded, in their effect, by a dulness or quickness

consequent upon some peculiar organ in the condition of the brain. It is equally true, that, as a moral agent, there are passions and propensities in his nature, which, if not mastered or regulated by discipline, will, themselves, become his masters.

Upon what are purely external circumstances, as well as upon the means of temptation which influence these passions, society may exert a strong control. And, to that extent, it ought to be held responsible. It has no more right to suffer a child to grow up in the vices which ignorance begets, for the want of schools, than to compel him to steal food, as his only resort for the means of subsistence. If intemperance sows the seeds of crime in a community, the *right* to punish the crime is no less obvious than the *duty* that society owes to itself, and to its members, to suppress the distillery and the dram-shop. So, if idleness is found to be the inseparable companion of vice, and if that vice disturbs the peace or safety of society, the right, as well as the duty, of the body politic to counteract it, by enforcing some active employment, results from the very constitution of a state.

I am speaking, it will be perceived, of the alleged faults, on the part of society, in failing to furnish incentives to good, and to suppress the incentives to evil. It ought not, however, to be overlooked, that the machinery of government was never designed to regulate the personal and private duties of its citizens beyond their effect upon others around them. But, so far as there are general laws bearing upon the great causes of crime and poverty, society fails of its trust, if it neglect to exercise over these whatever control it can command. How the law shall interpose, is often a difficult question. Undoubtedly, the best, and by far the most powerful influence, is exerted upon the moral

condition of a state, through the medium of well-regulated families. The influence of the mother, for good or evil, over the young mind, is well-nigh omnipotent. If mothers were all what they ought to be, and what many of them are, I apprehend there would be little occasion to study how to punish crime in the young.

Next to that of the family, is the moral discipline of well-regulated schools. The maintenance of these is one of the admitted duties of a free state. But, unfortunately, experience has shown, that neither of these influences, as we find them, are adequate to eradicate crime. There are, in every community, counteracting causes at work, and it is in controlling these that society needs wisdom and energy. The family is often the school of vice rather than virtue. Home, instead of being, as it may be, though humble, the abode of peace and love, is, too often, the scene of filth and wretchedness, and domestic broils. And the children of both the rich and poor too often avoid the discipline of the school altogether, or suffer its influence to be destroyed by bad associations and perverse wills.

With these prolific sources of crime, it is in vain to hope to check the evil till the State shall come in and act, as it ought to do, the part of a wise and considerate parent. When it can take its children from the control of bad fathers and mothers, when it can subject them to the discipline of good schools and religious instruction, and remove them from the contaminations of vicious example, when it can give to all, the habits of industry, and the means of useful employment, then may it hope to see its laws respected, its interests prosperous, and its people happy.

Whatever question might be raised as to the expediency of interposing the sovereignty of the State in any particular case, to restrain the vicious from contaminating others, we

have only to apply the principle on this occasion to the condition of those who have been convicted of some actual crime.

If it shall be thought that I have been unnecessarily tedious, in endeavoring to establish truths to which there must be a general assent, my apology must be that these truths lie so nearly at the foundation of the whole system of schools of reform, like that which we are now met to dedicate, that I did not feel at liberty to omit them altogether, nor to assume them to be self-evident.

It is proposed, by schools like this, to remove those from the reach of temptation, so far as may be, who have been led astray by the undisciplined passions of youth, or the more resistless power of corrupt associates, by educating and training them to useful trades and employments, and thereby giving them the means of acquiring personal independence. It is proposed, by the discipline which awaits them here, to quicken the torpid action of conscience, by calling into play the moral sentiments which have been suffered to lie dormant. Here is to be held out, even to the desperate, the gladsome light of hope, while, in the degraded and down-cast, a consciousness of self-respect and self-reliance is to be cherished, which shall elevate them to the dignity of true manhood.

To this end, the law, under which this institution has been opened, has made provision whereby, substantially, all under the age of sixteen, who shall have been convicted of crime, shall find here rather a refuge from danger than a prison for punishment. It is neither to wear the name, nor to breed the moral miasma, of a prison. It aims, by discipline, to fit its inmates for the honorable duties of life, and to restore them back to society, to merit, and to share its rewards. Here religion, with its precepts and its promises,

will reach the intellects, and, may we not hope, touch the hearts of those who may be gathered here. Here the instructions of the schoolroom will open, to the minds of the ignorant, the blessings and delights of knowledge. Here, far away from the pestilential atmosphere of the drunkard's home, where the sound of the orgies of the dram-shop never reach,—where no theatre opens its pit or gallery to entrap the unwary by its fascinations,—away from the oaths and ribaldry with which vice holds revel in the dens and stews of the crowded city,—washed clean of the filth with which vicious poverty defiles its children, the boy may learn the new lesson of useful employment, and, at last, go forth with the habits of industry, of purity, and self-respect, to forget, in after-life, the sad experience of his childhood.

Such an institution, I repeat, is worthy of the State by which it has been founded. It is but in keeping with the genius of her other institutions for the relief, the education, and the elevation of her children. New York, it is true, had preceded her in the establishment of a penal institution for the reform of the young; and Philadelphia, almost simultaneously with Boston, had also, by several years, anticipated this institution, by houses of reformation and refuge.* But neither the houses of refuge in New York, nor Philadelphia, were properly state institutions. The states lent them their aid, but they were private enterprises, and managed by private corporations. If I mistake not, therefore, this enterprise is the first in our country, whereby a state, in the character of a common parent, has

* The House of Reformation, in New York, was incorporated March 29, 1824. The House of Refuge, in Philadelphia, was incorporated March 28, 1826, but no inmates were admitted to it till December 8, 1828. The House of Reformation, in Boston, was established under an act passed in the winter of 1826, and went into operation in August of that year.

undertaken the high and sacred duty of rescuing and restoring her lost children, not so much by the terrors of the law, as by the gentler influence of the school. And, though I have almost felt as if it would be a violation of good taste to weigh the expense, in dollars and cents, of redeeming a fellow-being from the blighting influence of bad associations and corrupt example, yet, in a mere economical point of view, this enterprise has a high claim upon public favor. I have never seen an estimate of the cost occasioned to any state, by the crimes committed within it, and the arrest, trial, punishment, and support of its criminals. But a moment's reflection would satisfy the mind of any one, that, in a government like ours, the charge which these impose upon the industry of the community must be heavy indeed. When, therefore, we remember that every one who shall here be reformed, is not only relieving the State from the expense of his support, but is adding his industry to the aggregate wealth which is to bear the burden, we shall see that, as a mere question of profit and loss, the State has a deep stake in the establishment and success of this institution.

Add to all this, in adopting the present measure, she did but follow the lead of public feeling. The subject was first directly brought before the Legislature in the winter of 1846, by the petitions of many of her citizens, and among them, the chief justice of her court of common pleas. When, in addition to that, we recal the fact to which I have already alluded, that donations, in aid of the measure, from a single individual, of more than \$22,000, were so freely and so honorably offered, we may confidently assume, that, in planting this institution, the government carry with them the sympathies of their best citizens.

It was felt, that a school like this was imperatively

needed. With a population more dense than that of any of her sister states ; with a metropolis ranking, in point of numbers, among the first class of the cities in our country ; with cities and villages scattered all over her territory, and teeming with active life, gathering within its crowded masses those poisonous seeds of vice, which, by some strange law of our nature, germinate most surely where men do most congregate ; with hosts of foreigners crowding to our shores, and bringing with them the habits and associations of foreign lands ; with intemperance, that great mother of poverty, and vice, and crime, spreading out her lures on every side, Massachusetts could not be true to herself, to the spirit of the age, or the cause of humanity, if she longer withheld this as a means of counteracting these influences.

Whoever has been familiar with our criminal courts cannot have failed to mark the increase of crime of late, especially among the young. I doubt if a term of these courts passes, in our larger cities, in which children, and those, too, of a tender age, are not arraigned before them. Often and often is the heart pained at the spectacle of boys, with the open and ingenuous countenances that give so much of its charm to that age, and with all the interesting associations which cluster around childhood, standing up amidst old and hardened villains, and receiving, like them, the sentence of an ignominious punishment.

What number of children, under sixteen years of age, are thus condemned in a year, in this Commonwealth, I have not statistics to determine. We can, at best, only approximate their true number. It is stated, by Beaumont and De Tocqueville, in their report upon the penitentiary system of our country, that, of all the convicts in the United States, one in every ten is under

the age of twenty years. That proportion does not hold good if we confine our inquiry to our own State's prison, which was found to be about one in every sixteen of the two hundred and eighty-seven, which were confined there in 1846.

In a report made to the Legislature, preliminary to its action upon the subject of this Reform School, it is stated that, during the year 1845, there were ninety-seven children, under the age of sixteen years, convicted and sentenced to houses of correction in Massachusetts, exclusive of the counties of Suffolk, Norfolk, Hampshire, and Barnstable. In the county of Suffolk, as appears by a Report of the City Prisons of Boston, there were, during eight months of the year 1847, one hundred and one boys committed to the House of Reformation, and, during six and a half months of the same year, fifty-five, under the age of twenty years, were committed to the House of Correction in that city. If, therefore, we were to assume that at least three hundred boys are, every year, sentenced to prison for crime, in this Commonwealth, it would probably be found to fall below, rather than exceed, the actual number. It ought, moreover, to be borne in mind, that, as the law stood until the establishment of this school, there was no alternative, except in the city of Boston, by which a boy could be imprisoned save in the Jail or House of Correction. The choice was between idleness and profligacy in the one, and labor and hopeless corruption in the other.

I do not believe the judge exists, whose feelings as a man, would not shrink from pronouncing a sentence, fraught with such fearful consequences, upon a boy, though he stood before him a convicted felon. He could not fail to read, in nine cases out of ten, the future life of that boy. Shut up in the receptacle of the drunken and the dissolute,

of the petty thief and the low villain, human nature could not hope to surmount the fatal, the deadly contamination.

Every generous feeling revolts, when we read of the boy, of seven years of age, sentenced by an English court to seven dreadful years of punishment for a petty larceny, and yet too often it is more in the seeming than the fact, that such a sentence is more cruel in its effects than one for as many months. The boy steals a few shillings, he goes to the House of Correction for a few months, and comes out ready and fitted to enter a wider field of crime, and to merit a higher grade of punishment. And thus, before the expiration of the first protracted sentence of the one, the other is ripened for certain destruction. The first boy comes out into the world with all his old associations broken asunder, while the other has cultivated new associates with new arts to aid him on his way to ruin. It is not, however, to defend the propriety of a sentence, like that of the English court, that I have indulged in these remarks, but to show that there are terrors in any sentence of a mere boy to a House of Correction, almost as dreadful as the ruin of an immortal soul.

How few regard the fact as they ought, that the fate of a fellow-being for eternity may hang upon the question, whether and how the child shall be punished for a guilty act!

If the correction is paternal, if the rod that inflicts the blow be tempered by a father's love, there are few natures so obdurate that they will not yield—the child is saved, and society has gained a useful citizen. But let the forms of law be resorted to, let infamy and disgrace be burned into the soul with the mark which justice sets upon the offender, and rarely does that mark become obliterated. All that is

valuable in man perishes, and the records of another world, alone, may unfold the consequences of that sentence.

And yet, so long as there is crime, there must be punishments. So long as the young, in the precocity of guilt, will violate those laws, upon the maintenance of which the existence or happiness of society depends, so long must the young be made to feel that the way of the transgressor is hard. All that we can hope for, and, perhaps, all that we ought to desire, is, that punishment, in such cases, should be, as far as possible, parental in its character, and reformatory in its tendency. It should be, in short, what the discipline of this school is designed to be. Here the State stands forth, not with the rod of a tyrant, but with the subdued severity of a faithful parent. Justice and mercy will here meet together, and humanity will rejoice over these children, snatched, like brands from the burning, from the temptations that had led them astray from virtue.

If the purposes, for which they are brought hither, should be accomplished, may we not hope that they will be relieved from the legal infamy by which those, who have been convicted of certain crimes, are disqualified from testifying in courts of justice, that they may find an honest life a surer passport to public confidence than an executive pardon?

The auspices, under which this institution has gone into effect, furnish strong assurances of its eventual success. Its locality was selected with judgment, sagacity, and good taste. In the midst of a community, eminent for its morals, in a region unsurpassed for its elements of health—its salubrious air, and its pure water—upon an estate embracing and surrounded by objects of interest and beauty, and though sequestered from the confusion and excitements of a crowded thoroughfare, yet easily accessible to all portions of the State, few spots could surpass it in its

advantages for such an institution. Nor have the commissioners who selected it stopped here. The work which they undertook, they have carried on to all reasonable perfection. The edifice in which we are assembled, combining, as it does, indications of a generous taste in its exterior proportions, with fitness and adaptation in its interior arrangements, will stand a monument of the faithfulness and ability with which their trust has been executed.

The measures adopted by its trustees in, among other things, the selection of its Superintendent—so vital to its success—form an additional guaranty to the public, that, if the experiment fails, it must be from causes intrinsically incident to such a work, and not from any want of interest or capacity on the part of those to whom its concerns have been confided.

May the work go prosperously on! May the priceless, immortal souls that are to be subjected to human discipline through this institution, be purified from the stains by which they have been polluted, and set free from the bondage of vice in which they have been enslaved!

We commend this school, with its officers and inmates, to a generous and grateful public, with the trust that the future lives of the young who may be sent hither for correction and reform, may prove the crowning glory of an enterprise so auspiciously begun.

Let it not, however, be supposed that difficulties and disappointments are not to be anticipated in carrying out this enterprise. We have no right to expect that the laws of human character and conduct are to be suspended here. Experience has, too often, shown that motives which are adequate to control one mind are powerless in their action upon another; and that, with the paths of honor and success, and of disgrace and ruin both before them, men are

found choosing the latter, under impulses and influences often too subtle to be analyzed.

And such, doubtless, will be the history of those who will be congregated here. While, with their lessons of sad experience to warn them, some will persevere in the paths of danger and destruction, from which the law has sought to turn them, others will listen to the new lessons of kindness and wisdom, which will be taught them here, and take their stand, at last, among the honest and honored in the land.

But the solicitude with which both are cared for here, is in unison with the spirit of God's providence with the world at large. As the rain falls alike on the just and the unjust, so the law spreads its sheltering hand over the good man in his walks of usefulness, and the very felon in his cell, to shield them alike from outrage and oppression.

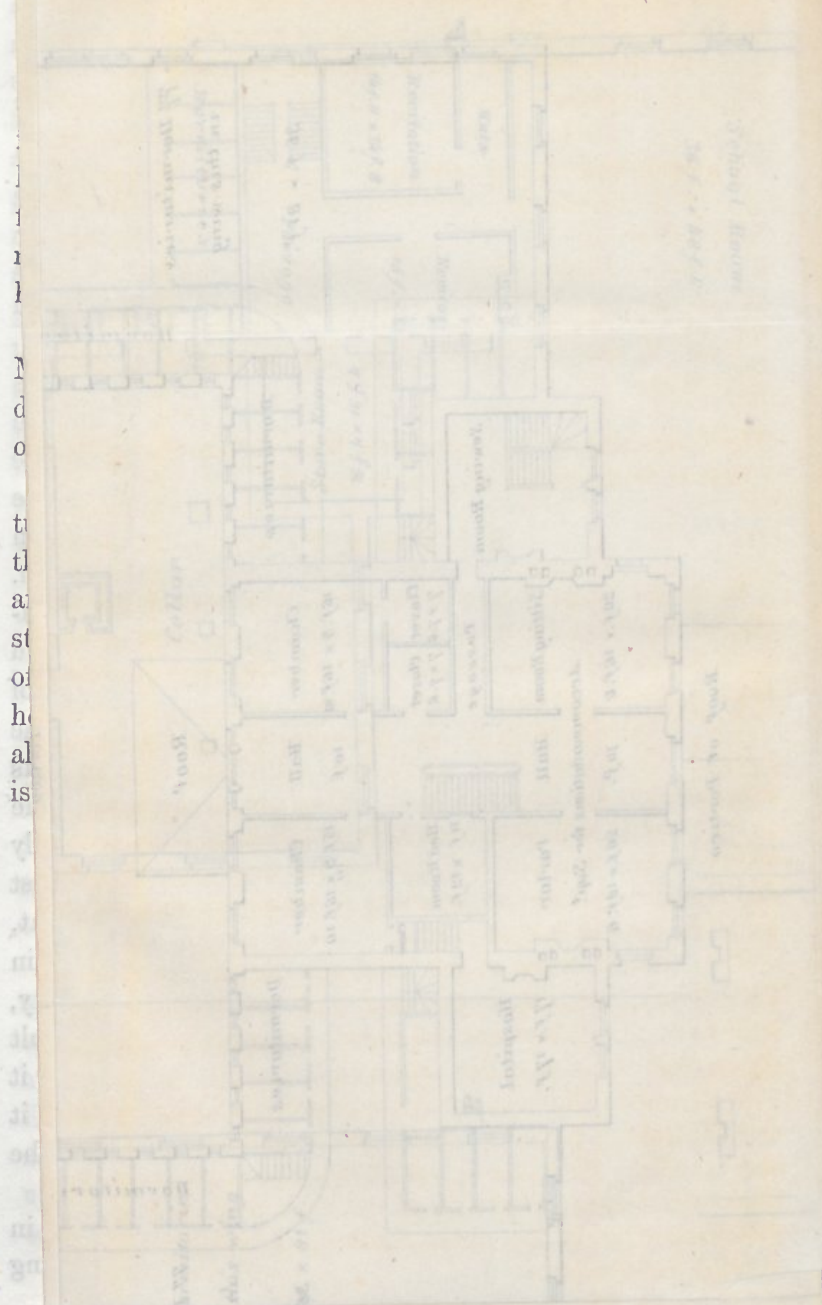
There is something in the very conception of an institution like this, which is calculated to impress upon the mind a sense of the dignity, the majesty, and the humanity of that great, unseen, impalpable agent, which we call the law. Though scarcely conscious of its presence till its power is resisted, we see it guiding and governing the affairs of a whole nation; and, at the same time, tenderly caring for the safety of the most friendless orphan amongst its children. It waits upon power in the halls of the great, and it enters and watches by the bed-side of the beggar in his hovel. It speaks in tones of stern rebuke to the guilty, but, at the same time, guards him as jealously from insult and abuse, as if he had never gone astray. And though it may shut him out from the light of heaven, for a season, it holds out, even there, the bow of hope to the vision of the prisoner.¹

It will be so here. That Law, uttering the will and in the name of a whole community, brings hither the young

and the wayward, for correction and restraint, while, like the mother who kisses while she chides, it holds out to them the encouragement of hope, and the assurance of favor, if they will but deserve it. It does more; it rears for them this refuge from temptation. It offers them this landscape, and spreads out before them these pleasant fields, and bids its own servants to watch over their temporal and eternal interests, to fit them to share the common heritage of a free and virtuous community.

For this, has the Commonwealth, through her Chief Magistrate and her honored civil officers, come hither, this day, in the spirit of that mission that suffers not that any of those whom God has given her should be lost.

In the name, then, of a wise humanity, we bid this institution God-speed! Let it be like Bethesda's pool, in which the lame and the diseased were washed and healed, because an angel had come down and moved its waters. Let it stand to other times, and to coming ages, a monument of the munificence of an unknown benefactor of his race, if he will, and of the faithfulness with which the noblest of all charities—a free government—has been hitherto administered by this, our beloved, our "model" Commonwealth.



REPORT OF THE COMMISSIONERS

FOR

ERECTING THE STATE REFORM SCHOOL.

To His Excellency GEORGE N. BRIGGS, Governor, and the Honorable Executive Council of the Commonwealth of Massachusetts :

The Commissioners for erecting the State Reform School Buildings at Westborough make their second

REPORT:

In the discharge of their commission, they have caused to be erected buildings designed to be sufficient for three hundred boys, with a superintendent and steward, their families, and the other necessary attendants and teachers.

The buildings stand on an eminence, sloping southwardly, towards Chauncey Pond, about forty-eight rods from it, and seventy-eight feet above its level. They are all connected, and so constructed as to enclose an area, or court, for a playground, which is one hundred and eighteen feet long, and eighty-four feet four inches wide, in the centre of which is a shed for shelter to the boys in foul weather.

The external walls of the buildings are one hundred and sixty feet in front, and in the rear; and two hundred feet on each side. The wings are two stories, the centre building three stories, and two towers five stories high.

In the centre building, are apartments for the superintendent and his family; rooms for other persons employed; the chapel; and the office, which, being lighted from the court, gives opportunity for constant inspection of the boys while at play. Opposite the office, in the centre building, are seven solitary dormitories for discipline.

In the east wing, are apartments for the steward and his family, the kitchen, washing and ironing rooms, sewing rooms, store rooms, hospital, and dormitories for boys. In the west wing, are two large school rooms with contiguous recitation rooms and dormitories, as in the east wing.

In the rear, the second story is one large room designed for a workshop, with a movable partition, that no more room may be warmed than is occupied. It is reached by stairs from a corridor opening on the court. The first story is occupied by the refectory, which is connected by a door with the kitchen; by an arched passage-way ten feet wide, affording an entrance from without to the court, and closed by gates; by a room for coal and wood; a bathing-room, in which are facilities for cold and warm bathing, and for regular ablutions; and the water-closets, which all open into, or are connected with, a drain, that takes all the wash of the establishment to a reservoir for compost built at some rods distant.

The dormitories are for one bed each, and are four feet wide, eight feet long, and seven feet high; the doors all open upon the large hall appropriated to them, and the upper half of each door is composed of vertical iron rods, giving opportunity for oversight and ventilation; each dormitory has a ventilating flue, communicating with the attic, and so with the external air, through Emerson's ventilators. Those dormitories which are on the side next the court have sliding windows of 6×8 glass, with cast-iron guards corresponding to the sash of the window.

For those boys who do not occupy dormitories, bunks, standing in the hall, in front of the dormitories, will be used, an attendant occupying a bed in the same hall.

In each wing, two rooms, of the size of the dormitories, are appropriated to water-closets, fitted with apparatus to cleanse and carry off to the common drain all the deposits. These are designed for night use only.

The foundations of the buildings are of stone, the walls of brick, the roof slated; the work has been done, as was proposed, in a neat, plain, and substantial manner. Very little has been done for mere ornament, as may be seen on inspec-

tion, but nothing has been, designedly, omitted, which affects the practical value or the permanence of the buildings. It is not probable that they will be found incapable of improvement; for no foresight can provide for all contingencies, or anticipate all wants. The commissioners have already found one important defect, which no one of them thought of beforehand. The sash of the outside windows was made for glass of seven by nine inches, and the iron guards were made to correspond. Experiment proves that boys can escape through that space. It became necessary to provide a remedy, and arrangements are making to cover each window with a wrought-iron netting. This is an unexpected, an unwelcome, but a necessary addition to the expenses already incurred.

When the last report was made, it had not been entirely decided what course should be taken to furnish water. Since then, reservoirs have been built in the ground, sufficient to save all the water which falls upon the buildings; a pipe has been laid to the well at the farm-house, and arrangements so made as to use the water of the deep well at the building, for some purposes. These were the cheapest methods which could be devised, and may, it is hoped, answer the purpose. But it will not be surprising, if experience should prove them to be not entirely satisfactory. As a matter of economy, at least, it was thought best to try them.

The commissioners have furnished the buildings for the superintendent's and steward's families, and for one hundred and five boys. The school-room has been furnished with desks and chairs of an approved model, each pupil having a chair; each desk accommodating two pupils, and being made open at the ends, for books, and having on the top an inkstand permanently set. The room is warmed by Clark's ventilating stove. Few school-rooms can be found more inviting in appearance, or better fitted for use. In regard to all the other furniture, the intention has been to get that which is, at the same time, neat, comfortable, well made, and durable.

A few things only remain to be done before the duties required of this commission will have been fulfilled, and time will show how well, or how ill.

The commissioners regret that they must ask another appropriation; but, notwithstanding their great anxiety and endeavor to avoid it, they have not been able to do so without sacrificing the interests of the institution, which they would regret still more.

The amount appropriated by the resolve passed

April 16, 1846, was	\$10,000 00
Of this, the commissioners for selecting a site and procuring plans expended, for their per- sonal expenses, and in payment of Mr. Mel- vin, for plans,	483 32
Leaving a balance of	9,516 68
In addition to this sum, by the resolves passed April 9, 1847, another appropriation was made, of	35,000 00
By a resolve passed April 1, 1848, a further sum was appropriated, of	21,000 00
Making in all the sum of	\$65,516 68

which was placed at the disposal of the commissioners for erecting the State Reform School Buildings, and which they have wholly expended, as follows, viz:—

By paying Mr. Daniel Davies the amount of his first contract, for erecting the buildings,	\$52,000 00
And additions thereto,	2,755 90
By paying Elias Carter and James S. Savage, in part of their expenditures, as superintend- ents, appointed by the commissioners, to su- perintend the erecting, finishing, and fur- nishing the buildings,	10,760 78
	\$65,516 68

It thus appears, that, for the balance due for expenses already incurred, and those bargained for, no money remains at the disposal of the commission.

They have already incurred expenditures, or made contracts, to the amount of nearly \$5,000, without including any thing for their own personal expenditures or compensation. They believe that an additional appropriation of six thousand dollars will cover every thing which their commission requires them to cause to be done. They ask that that sum may be placed at their disposal, as other appropriations have been.

Respectfully submitted, by

A. D. FOSTER,

ROBERT RANTOUL,

Commissioners.

Boston, February 7, 1849.

They have already incurred expenditures of nearly \$5000 without including any money for their own personal expenditures or compensation. They believe that an additional appropriation of six thousand dollars will cover every thing which their commission requires them to cause to be done. They ask that that sum may be placed at their disposal, as other appropriations have been made in the past.

Respectfully submitted by
A. D. POSTER
ROBERT RANTOUP

Commissioners
Boston, February 7, 1942
New North Street, Boston, 7881, U. S. A.

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