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PENOLOGICAL PIONEERING IN THE WALNUT STREET JAIL, 1789-1799

Rex A. Skidmore

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Prisons and jails are integral parts of our modern culture. They play a significant role in the institutional treatment of violators of social norms. Penal institutions and methods of treatment vary from place to place and from time to time. Most of our prisons are modified replicas of institutions of the past.

One of the most influential of these early models in America was the Philadelphia jail located on Walnut and Sixth Streets. It had no official name. In this article it is called the Walnut Street Jail, the Walnut Street Prison or the Philadelphia Jail. It has played a significant role in the development of penology in America and abroad. During the years 1790 to 1835, many international dignitaries visited this prison, made careful observations and established modified replicas of it in their various countries. This famous Pennsylvania institution was not only important in the development of solitary confinement, which influenced the treatment of prisoners in America and particularly in Europe for many decades, being used today in some instances, but it also harbored numerous other penal reforms and innovations which established roots for present-day systems of treating criminals. A school was maintained there as early as 1798. At times all the prisoners were employed and provided a financial profit for the government. Religious services were sponsored in 1786. A board of inspectors was established in 1789. Pardons were granted to the industrious and "worthy." Industry, health, reformation and rehabilitation were the ideals sponsored in this jail—particularly during the years 1789 to 1799.

Although this jail is one of the most famous in penological history, no comprehensive account of it has yet been published. The purpose of this article¹ is to present a brief description, based

¹ This paper is mainly a result of a seminar in criminology conducted under the friendly and able direction of Dr. Thorsten Sellin at the University of Pennsylvania, 1940-41.

mainly on primary sources, of some of the penological innovations developed in this renowned Pennsylvania prison during its "golden age" between 1789 and 1799. Many of these pioneer practices have played a significant role in the development of penology in America and abroad and are presently advocated for the rehabilitation of criminals.

The act providing for the Walnut Street jail was passed February 26, 1773,² by the Honorable Richard Penn with the advice and consent of the representatives of the freemen of the province in general assembly. The first prisoners were taken there in January, 1776, and included 105 persons who were transferred from the old stone jail on High Street, which had served the Philadelphia area since 1723.

At first the jail was characterized by severe and inhuman treatment. Little attempt was made to reform the criminals. Segregation and classification were hardly known. Rations were poor and irregularly given. Escapes, riots and scenes of debauchery were common. The inmates were regarded as "bad" and "unhappy" creatures. They were offered little employment. Idleness, drunkenness, garnish, prostitution and gambling were concomitant companions of the corrupt keepers, the meager financial support of the institution by the county and the bodily punishments practiced in the jail. In general, it housed a conglomerate mixture of practices which are strongly denounced by penologists today.

A Pioneer State Prison System

The population in Pennsylvania was increasing rapidly. The Walnut Street jail was the largest and most commodious one in the commonwealth. Several Quakers and state leaders began to formulate a plan for a state penal system—and the Philadelphia prison became its cradle. On March 27, 1789, an act³ was passed by the general assembly which designated the Walnut Street jail as a place for receiving the more hardened offenders from all the counties of the state. The act⁴ of April 5, 1790, further strengthened the state system and also provided for the erection of a number of cells in the yard of the jail for the purpose of confining the more hardened and atrocious offenders to unremitted solitude and laborious employment. Accordingly, some sheds and structures were erected in the yards. Also cells for solitary confinement were built, both for the men and the women of the

² *Statutes At Large Of Pennsylvania*, Vol. VIII, p. 300.

³ *Ibid.*, Vol. XIII, pp. 243-51.

⁴ *Ibid.*, pp. 511-28.

state. Consolidation and centralization of administrative authority had made a start in Pennsylvania.

Plant and Grounds

Numerous novel ideas were introduced in the buildings and grounds of this prison. Condie,⁵ in 1798, carefully described the physical plant as follows: It occupied a lot of ground 400 by 200 feet, directly across from Independence Square. The principal building fronting on Walnut Street measured 184 feet in length and 43 feet in depth, having two wings extending at right angles for 95 feet. It had a ground floor and two additional stories. A 20-foot wall, attached to the buildings, surrounded the grounds. The main building had several congregate-type rooms, 20 by 18 feet.

Within the enclosure and near the east wall was the "penitentiary house" which contained the solitary cells. It was a plain brick building, about 40 feet in length, 25 feet wide and three stories high. Eight cells were located on each of the second and third stories. In every cell was a small window placed high up and out of reach of the convict. The doors and windows were constructed so as to admit as much air as the prisoner wanted. There was no provision for convenience of bench, table or even bed. A privy, consisting of a leaden pipe leading to the common sewer, was placed at one corner of each cell. These cells were finished with lime and plaster and white-washed twice a year. In the winter, stoves were placed in the passages to keep the cells warm. The walls were so thick as to render the loudest voice unintelligible. These cells measured eight by six feet and were nine feet high. Modified replicas of these cells are found in most American prisons today, although in the main, solitary confinement is used for disciplinary reasons only.

Several shops were erected in the enclosure and used by the inmates. Trees and flowers were planted in the yards to beautify and brighten the atmosphere. Similar flower-beds are located in many prisons⁶ today. The physical plant also included an infirmary for the sick, offices for the inspectors and

⁵ Condie, Thomas, "Plan, Construction, etc., of the Jail and Penitentiary house of Philadelphia. Accompanied with a handsome copperplate, representing an elevation and ground plan of the whole building, taken from accurate measurements," *The Philadelphia Monthly Magazine*, February, 1798, pp. 97-101. This is the best extant plan and minute description of this prison, during its era of renown and success.

⁶ For example, when a visitor enters San Quentin prison in California, during most of the year he observes a variety of beautiful, fragrant flowers in the main yard.

clerks, dining room, kitchen, a wash house, a bath for the convicts and a place of worship. Thus it is evident that 150 years ago, in this institution, many of the desirable physical aspects of present-day prisons were existent in simplified form.

New Administration System

During the period 1789-1799 there was a beneficent administrative change from the loose control of the jail by the sheriff and court officials to control by a board of inspectors which was finally given absolute authority over the affairs of the jail. With the strengthening of the power of the inspectors, many wholesome improvements in prison discipline resulted—a precedent had been established for the boards of control which govern today.

The first board of inspectors for the Philadelphia jail was provided by the law of 1789.⁷ The mayor and aldermen were to appoint six persons annually. Their duties included securing raw materials for employing the prisoners, selling the prison-made goods, investigating the conduct of the keeper and reporting to the mayor and aldermen any needed alterations in the buildings. The law of 1790⁸ provided that the mayor, two aldermen and two justices of the peace were to appoint annually six inspectors who were to serve for a year. Two of their number were to be acting inspectors and were to visit the jail once a week. The inspectors could make regulations for the jail but they had to be approved by the mayor and recorder. The mayor, aldermen and justices of the peace appointed the keeper, who was placed on a fixed salary.

In 1794⁹ the inspectors were given power to control the infliction of the punishment of solitary confinement. The statutes of 1795 provided that "henceforth all power and authority vested . . . in said mayor, aldermen and justices, or in the said mayor, shall be exercised exclusively by the said inspectors."¹⁰ Whereas prior to 1795 the inspectors had acted mainly in a supervisory capacity, they now assumed full control of the jail.

In February 1792 the board of inspectors adopted a set of rules¹¹ which provided for the following: The board was to

⁷*Statutes At Large Of Pennsylvania*, Vol. XIII, pp. 246-247.

⁸*Ibid.*, pp. 522-523.

⁹*Ibid.*, Vol. XV, pp. 174-81.

¹⁰*Ibid.*, pp. 355-57.

¹¹Lownes, Caleb in William Bradford's *An Enquiry How Far The Punishment of Death Is Necessary in Pennsylvania, with Notes and Illustrations: To Which is Added, An Account of the Gaol and Penitentiary House of Philadelphia and of the Interior Management Thereof* by Caleb Lownes, Philadelphia, 1793, pp. 97-100.

meet on every first Monday of January, March, June, September and on the second Monday throughout the year; the visiting inspectors could call a special meeting at any time; there were to be two visiting inspectors, who were to visit the prison at least twice a week; these visiting inspectors were to check on all activities and details of conduct in the prison and report them to the board; the keeper was to hold the prisoners in safe keeping, provide work for them, keep separate accounts for them, and show the accounts to the board at their quarterly meeting; the deputies and assistants were to preserve cleanliness, sobriety and industry among the prisoners; four watchmen were provided for, two of whom were to be inside the iron gate all night long and make regular hourly rounds of the jail.

By 1793 Lownes¹² stated that the board of inspectors was meeting every two weeks. Also, the governor, judges of the supreme court, the mayor, with all the judges of the several courts of the city and county of Philadelphia, as well as the grand juries, were visiting the jail quarterly. He mentioned that this circumstance "greatly promotes the success of the plan, as it strengthens the hands of the officers, and encourages the prisoners to a propriety of conduct."¹³

During the yellow fever epidemic of 1793 the keeper, Mr. Weed, succumbed to the disease. His wife, Mary Weed, replaced him as the head keeper of the jail, and became probably the first woman jailer in America.

At a meeting of the inspectors, held in their room at the jail in May 1795 the administrative details for the keepers of the jail were recorded in colonial handwriting as follows:

That Mary Weed be the Principle Keeper & that her Salary be Three hundred pounds per Annum—and her duty shall be to inspect the Conduct of the Keepers and prisoners, shall receive the orders of the board & issue them to the Deputy who shall be amenable to her—

That Francis Higgins be the Deputy Keeper, & that his Salary be one hundred & fifty pounds per annum and his boarding in the House for the present—His duty shall be to take charge of the Women, Weavers, Hacklers and generally to take charge of the House and superintend the Conduct of the assistant Keepers who shall receive their orders from & be accountable to him—

That Abner Davis be an assistant Keeper who shall have charge of the Men in the Yard, Smith Shop & Nail Factory.¹⁴

Turnbull, who visited the jail in 1796, observed that the administrative personnel were "a jaileress, four keepers, one

¹² *Ibid.*, p. 82.

¹³ *Ibid.*

¹⁴ *Minutes* of the Board of Inspectors of the Walnut Street jail, May 5, 1795. Five original, hand-written minute books of the inspectors are located in the record room of Moyamensing Prison in Philadelphia. They give a continuous account of the affairs of the jail from May 12, 1794, to Nov. 23, 1835. The quotations from these *Minutes* are presented as found and have purposely not been corrected for spelling and punctuation.

turnkey and a clerk. The cook, scullion, barber and other attendants, are convicts, who are credited for their services in proportion to the time and labour they expend."¹⁵

In 1796 Mary Weed tendered her resignation to the inspectors, and the board accepted with commendatory thanks. During the three-year regime of this woman jailer, the Walnut Street prison was in excellent condition. There were few attempts to escape. Order and discipline prevailed among the prisoners. Industry and active employment were maintained. The solitary cells were used for punishing prisoners and for discipline. The inmates were so industrious that a report to the inspectors in August 1796 indicated that "the Convicts have in the aggregate earned £126.8.0 over and above every expense of their keeping, diet &c during the last Quarter & exclusive of the Profits in the different Manufactories."¹⁶

Classification of Prisoners

The number of convicts decreased after the laws of 1789 and 1790 went into effect. Proponents of solitary confinement consequently praised the system highly. Following are enumerations of the number of convicts sent to the Philadelphia jail:

1789.....	131	1795.....	116
1790.....	112	1796.....	145
1791.....	78	1797.....	114
1792.....	65	1798.....	122
1793.....	45	1799.....	14517
1794.....	92		

For the four years preceding November 1798, there were 3,698 vagrants¹⁸ committed to the jail and in the same period only 490 convicts. The vagrants remained in prison an average of thirty-six days.

As a result of the crowded population, the prescribed system of solitary confinement was not given an extensive trial. Vaux mentions "that not one-third of the criminals . . . could be accommodated at any one time in separate apartments. . . . Alternate seclusion and association were, therefore, indispensable, as a general rule; but frequent exceptions occurred . . . in which the prisoner, immediately on admission, was conducted to his cell, and remained in it until his discharge from prison."¹⁹

¹⁵ Turnbull R. J., *A Visit to the Philadelphia Prison*, 1796, p. 63.

¹⁶ *Minutes of the Inspectors*, Aug. 23, 1796.

¹⁷ *Report of the Commissioners on the Penal Code*, Harrisburg, 1828, p. 166, table No. 3.

¹⁸ *Sketch of the Principal Transactions of the "Philadelphia Society for Alleviating the Miseries of Public Prisons,"* Philadelphia, 1859, p. 9.

¹⁹ Vaux, B., *Reply To Two Letters of William Roscoe*, 1827, p. 7.

After 1790 a concerted effort was maintained, as is done in most prisons today, to separate the different types of inmates. At a meeting of the inspectors in May 1795 a committee reported that the prisoners in the east wing were confined in an indiscriminate manner and included the following: 26 persons awaiting trial; 15 servants, apprentices and slaves (nine black and six white); eight vagrants and five soldiers.²⁰ The committee reported that "the distress—the impolicy—and inhumanity of such an indiscriminate mixture of characters, is so strikingly obvious, that we cannot but earnestly recommend that measures . . . be immediately adopted for effecting a separation of the several classes."²¹

In June, 1797, the board of inspectors adopted a novel system for classification of all convicts, who were to neither lodge, eat or associate together, to be designated in the following manner:

Those of the Class No. 1 are to be composed of those prisoners who are sentenced to confinement only.—Those of the Class No. 2.—Prisoners whose characters and circumstances both before and after conviction induce a belief that they are not habitual offenders, those who may have committed an offense of considerable magnitude in the eye of the Law; yet evince a disposition to demean themselves in an orderly and exemplary manner, and generally such as on account of their youth or other circumstances the visiting Inspectors, with the concurrence of the Board may deem proper characters for this selection.

This division may with advantage be designated the term "select class"—

Those of No. 3—Prisoners whose characters being unknown or being known are not considered proper to be among those of the former description—Those who have nothing to recommend them either by their past life—society or connections but have received sentence without recommendation or any alleviating circumstances being forwarded either from the Court.—the neighborhood they come, or other respectable quarter, and have not evinced any remarkable disposition since their confinement.—This may be styled the "probationary class."

No. 4.—Prisoners who are well known to be old offenders, either in this or another state or County, or those not being of this description; are men of depraved morals, dangerous Characters, unruly dispositions or disorderly conduct, whilst in prison, and generally those who are objects of more particular care and watchfulness—²²

These four classes were accordingly employed and treated on a differential basis. Many current prison classification systems stem from early experiments such as this.

Discipline and Regulations:

In 1792 the board of inspectors issued a set of rules²³ which governed the affairs of the jail, with minor modifications, during most of its existence. Many of these regulations were of pioneer penological significance and form a part of the rules of many

²⁰ *Minutes of the Inspectors, May 19, 1795.*

²¹ *Ibid.*

²² *Ibid.*, June 16, 1797.

²³ Lownes, C., *Op. Cit.*, pp. 101-104.

penal institutions today. They are here presented in epitomized form:

1. Only officials, ministers, lawyers, and persons authorized by two inspectors are allowed to visit the prisoners.
2. Males and females shall work, eat, and sleep in separate apartments, and have no communication with each other.
3. The prisoners shall be constantly employed in labor suited to their individual differences.
4. Prisoners are to be punished for negligence or damage of goods.
5. Prisoners are to be punished for non-compliance with the regulations, profane cursing or swearing, or for any indecent behavior.
6. Convicts, prisoners for trial, servants, runaways, and vagrants shall be separately fed, lodged and employed.
7. Offenders shall be punished by solitary confinement and with a reduction in their food.
8. Prison officers are forbidden to make personal profit from sale of prison goods, and also forbidden to allow liquors to be introduced to the prisoners.
9. Prisoners on their first admission are to be separately lodged, washed, and cleansed, until it is deemed wise to let them mix with the others.
10. Gaming of any kind is forbidden.
11. Persons who exact a garnish, beg, steal, or defraud shall be punished, according to article 7.
12. Prisoners who behave well are to be rewarded by the inspectors.
13. Prisoners shall be shaved twice a week, have a hair cut once a month, change of linen every week, and wash themselves every day.
14. The prison shall be whitewashed at least twice a year and the floor kept clean by sweeping and washing.
15. The sweepings are to be removed every two weeks and the necessaries cleaned daily.
16. Cows, hogs, dogs and fowls are to be kept out of the yards.
17. The physician shall keep accounts of all his activities and report the same to the inspectors quarterly.
18. All prisoners are to attend divine worship, except those who are ill.
19. The turnkey, deputies and assistants shall be tradesmen so as to be able to help direct the prisoners' work.
20. All prisoners committed as vagrants, who have been convicts, shall be confined in the cells.
21. No provisions are allowed the prisoners other than the regular allowance.
22. Wardsmen shall be appointed to keep the prison clean.
23. Apprentices and servants are to be kept separate and the keeper shall notify their masters, who may pay for their keep, or supply it themselves.
24. The charge for maintenance of slaves shall be the same as for apprentices or runaways.

Confinement in the dungeons and cells was the primary means of discipline for the prisoners. By 1793, Lownes reported that only one man had refused to work. The treatment he received is indicative of the punishments for disobedience. He was confined

. . . in the solitary cells, where he remained some weeks, without labour, bed, or furniture of any kind, except a vessel to hold his drink, and another his mush, and a blanket. In this cheerless habitation, he spent many anxious hours, confined to the reflections inseparable from guilty minds—he was ignorant how long his present situation was to continue—he was without employment—nothing to amuse him—in a state of suspense and uncertainty, when the hour would arrive that was to restore him, or how he should atone for his offence.²⁴

Women, as well as the men, were placed in solitary cells for violation of the prison regulations.

²⁴ *Ibid.*, p. 88.

Health and Individualized Treatment of the Prisoners

During the era 1789 to 1799 the prison generally was maintained exceptionally well from a health standpoint. On his first admission a prisoner was lodged separately, washed and cleansed, and kept separate until the officers deemed it wise to allow him to mix with others. His clothes were fumigated and "laid by till his discharge. . . . Previous to commencing their daily labour, they are made to wash their face and hands, and in the summer months to bathe themselves, in a large bason [sic] in the court yard provided for the purpose. Towels are fixed in the different courts. Their hair too is cut decent and short once a month."²⁵

The law of 1790 provided for the establishment of an infirmary on the second floor of the west wing and also for the appointment of a physician to attend the jail regularly. Lownes²⁶ reported that the doctor visited the prisoners once a week, or oftener, as the occasion required, and afforded such assistance to the sick persons as their cases required. The new system evidently had a beneficial effect on the health of the prisoners, for Turnbull indicated that the physician's bill, which before 1790 amounted "to twelve hundred and eighty dollars a year, seldom exceeds at present one hundred and sixty; and excepting in cases of contagious diseases, not more than two prisoners have died from June 1791 to March 1795, a period of nearly four years."²⁷

Lownes²⁸ reported that the men were clothed in woolen jackets, waistcoats and trousers in the winter, and in linen during the summer. The orderly prisoners were allowed a better suit to attend public worship. The principal objectives in their style of clothing were usefulness, economy and decency. The women were dressed in plain gowns of wool in the winter and linen during the summer. Most of the clothing was spun, woven and made up in the prison.

The inmates had a meager selection of foodstuffs as compared with meals of prisoners today. In 1792, the following diet²⁹ was prescribed for each inmate: on Sunday, one pound of bread and one pound of coarse meat made into broth; on Mondays, Wednesdays, and Fridays, one pound of bread, and one quart of potatoes; on Tuesdays, Thursdays and Saturdays, one quart of

²⁵ Turnbull, R. J., *Op. Cit.*, p. 33.

²⁶ Lownes, C., *Op. Cit.*, p. 86

²⁷ Turnbull, R. J., *Op. Cit.*, p. 31.

²⁸ Lownes, C., *Op. Cit.*, p. 84.

²⁹ *Ibid.*, p. 104.

Indian meal made into mush. In addition, one half pint of molasses was distributed to every four prisoners on every Tuesday, Thursday and Saturday.

The prisoners were called to their meals by the ringing of a bell. Turnbull described a meal-sitting thus :

We saw the men sit down to their supper, and I do not recollect a scene more interesting. At one view we beheld about ninety fellow creatures . . . They were seated agreeably to classes, or rather, the shoemakers, stonecutters, nailers, carpenters and weavers, formed each a distinct class. During the time of eating, we witnessed no laughing, nor even an indecent gesture; but a perfect and respectful silence reigned along the benches.³⁰

Under the reform laws of 1789 and 1790 improvements in sleeping facilities were as follows: "The prisoners are lodged in beds, with sheets and blankets on bedsteads; the beds are filled with red cedar shavings. We have found this regulation greatly conducive to cleanliness and decency. The former practice of prisoners sleeping in their clothes . . . was destructive to the health of the prisoners."³¹

Most of the above mentioned policies applied only to those convicts who were not in the solitary cells. The treatment of those sentenced to solitary confinement was summarized by La-Rochefoucauld-Liancourt:

The person sentenced to solitary confinement is shut up in a kind of cell, whose floor is eight feet by six, and its height nine feet . . . Every precaution is taken to preserve health . . . The prisoner sleeps upon a mattress, and is allowed a sufficient quantity of clothing . . . He sees the turnkey but once a day, to receive a small pudding made of Indian corn, together with some molasses; nor is it till after a given time that he obtains, upon his petition, the leave to read. During his whole confinement he is never allowed to walk out of his cell, even into the passage.³²

Pioneer Employment Systems

Employment of inmates is generally advocated by penologists at present. The Walnut Street jail cradled many interesting experiments in this area.

With the passage of the law of 1790, employment of the convicts was shifted from the public streets to the yards and buildings of the jail. Lownes reported that the prisoners were encouraged to labor, and "a number were employed at carrying stone, and other laborious work, at the building of the solitary cells."³³

Lownes, in 1793, recorded that "the men are employed according to their abilities and circumstances. The procuring suitable and sufficient employment, was for a considerable time a great

³⁰ Turnbull, R. J., *Op. Cit.*, pp. 41-42.

³¹ Lownes, C., *Op. Cit.*, pp. 84-85.

³² LaRochehoucauld-Liancourt, Francois A. F. duc de, *On the Prisons of Philadelphia*, by an European. Printed and sold by Moreau de Saint-Mary, Philadelphia, 1796, p. 10.

³³ Lownes, C., *Op. Cit.*, p. 84.

difficulty, but there is now a sufficiency of productive and suitable labour for all, and a great number more than are now in prison."³⁴ The principal employments were: shoe-making, weaving, tailoring, chipping logwood, grinding plaster of paris, beating hemp, sawing and polishing marble, swingling flax; picking oakum, wool, cotton and hair; carding wool for hatters, and sawing wood. The women were employed at heckling, spinning, sewing and washing.

A separate account was kept for each prisoner. Each was charged with the costs of prosecution, his diet and clothing and credited by his labor. The credit, if any, was given him at discharge, either in money or clothes, at the discretion of the inspectors.³⁵ Some of the industrious prisoners received balances of ten pounds, and some of them appropriated a part of their earnings for current support of their families.

The famous Dr. Benjamin Rush, in 1794, visited the new prison and observed:

The prisoners about fifty from the whole State . . . All busy and working at, first, carving marble; second, grinding plaster of Paris; third, weaving; fourth, shoemaking; fifth, tailoring; sixth, spinning; seventh, turning; eighth, cutting or chipping logwood.³⁶

The inspectors controlled the prices paid the convicts for their labor. In January, 1795 the board agreed that the price for sawing stone should be twenty pence per foot for the white and twenty-two pence per foot for the black.³⁷ Similarly, specific prices were allocated for other work done. In the same year the inspectors adopted the following as wages: "The first Cook shall be allowed 3/3 per day, his Assistants 2/6 each, Carpenters 4/-, drudges 3/-, Women Cooks 1/6, Washing 1/6."³⁸ Since the wages were relatively high in comparison with the charges to the inmates, which were one shilling for the men and nine pence for the women daily for subsistence, the board passed a resolution that no "convict be paid more than half the Balance of his Account when discharged."³⁹ The remainder was applied to prison maintenance.

The agreement for the most valuable types of labor, such as stone-cutting, sawing marble and the cutting of nails, was made between the inspectors and the employers. For jobs involving spinning, cabinet makers, joiners, etc., the jailer usually made the contract.

³⁴ *Ibid.*, p. 85.

³⁵ *Ibid.*, p. 90.

³⁶ Biddle, L. A., *A Memorial, Containing Travels Through Life of Benjamin Rush*, 1905, p. 148.

³⁷ *Minutes of the Inspectors*, Jan. 7, 1795.

³⁸ *Ibid.*, March 11, 1795.

³⁹ *Ibid.*, March 20, 1795.

A manufactory for cut nails, built in the south-west corner of the yard in 1795, was highly productive for several years. Turnbull recorded that:

Next to the manufactory is a blacksmith's shop; while in other parts of the yard are erected small sheds, where the occupations of sawing marble, cutting stone, &c. were pursued in their respective branches. In short there was such a spirit of industry visible on every side and such contentment pervaded the countenances of all, that it was with difficulty I divested myself of the idea, that these men surely were not convicts, but accustomed to labour from their infancy.⁴⁰

At a meeting of the inspectors at the prison in June, 1798 the following report was given by Richard H. Morris and William Lane, which summarized the labor activities and aims:

That the Manufactory of nails is conducted with much spirit and care, and demand for nails is so increased that they are sold in much greater quantities than are daily manufactured . . . there having lately been sold five or six Tons of nails.—

The Manufactory of Shoes has been much extended in consequence of the employment offered to the Agent by different persons in the City & it seems probable that it will be so productive a labor, as to Justify the employment of more hands in this branch of Business especially when it is considered that many of the Convicts thus employed are but apprentices who will be taught a trade by which they may hereafter maintain themselves & become useful members of Society; there are now twenty-five men employed in this business of which number nineteen are apprentices. The Weaving business is also much extended; there being at this time five Looms at work in the management of which nine persons are employed in weaving &c. for persons in the City & County and who have raw materials now in the Keepers care sufficient to employ them for two months,—The Agent has lately employed three men Convicts, in the manufacturing of Spikes & large nails.⁴¹

During this decorous period of the Walnut Street jail, several types of modern prison labor systems, in modified forms, were established including the contract system, piece-price system, public account system and state-use system. With regard to employment, this Philadelphia prison was sometimes self-sustaining and in this early era surpassed most of our modern-day institutions in excellency.

Early Schools and Educational Movements

Contrary to most present-day accounts which indicate that schools were first started in prisons in America in about 1827, education was sponsored in the Walnut Street jail in the latter part of the eighteenth century. Education was informally begun soon after the law of 1790 was passed, when on Sunday afternoons the time of the prisoners was "spent, by many of them, in reading; proper books being furnished for that purpose."⁴² By 1798 reports indicate that a formal school had been established. In February the committee which had been appointed to arrange a plan for disposal of the time when the prisoners were not at work "produced a specimen of the Writing executed

⁴⁰ Turnbull, R. J., *Op. Cit.*, p. 6

⁴¹ *Minutes of the Inspectors*, June 5, 1798.

⁴² Lownes, C., *Op. Cit.*, p. 87.

by some of the prisoners (that are formed into a School) which affords a pleasing prospect of our rendering them essential service in this Way.’⁴³

The best account extant of this early school is found in the *Minutes* of the inspectors which indicate that in July 1798 a committee reported to the board that classes had been established in reading, writing and arithmetic and the necessary desks and books had been obtained. The committee indicated that considerable progress was being made by the convicts, that some who were totally ignorant were now able to read well and to cipher. The committee also added:

. . . The Zeal and inclination manifested by almost all the prisoners to acquire knowledge & become perfect evince at one view the double effect of securing their time in obtaining what will be always of infinite service to them as individuals, and the benefit derived to the institution by diverting their attention from objects unfortunately to [sic] common to men in their situation;—
The improvement of the Blacks is . . . a source of high gratification . . . all of them (who have been any length of time at school) can spell—& Read & many of them write & are in a fair way of great improvement.⁴⁴

Religious Services and Literature

Soon after the law of 1790 was passed religious services were conducted weekly in the jail. In 1791 the inspectors reported that “Bibles and other books of practical religion, have been provided for the use of the prison; the clergy of the different denominations in the city and suburbs, perform divine service once a week, commonly on Sunday mornings.”⁴⁵ In 1793 Lownes declared that “it is a regulation of the house, that all the prisoners assemble on that day (Sunday), for the purpose of public worship; on which some one or other of the Ministers of the different religious denominations attends. . . . The prisoners are generally desirous of attending, and always conduct themselves with decency and attention, and some appear to be benefited.”⁴⁶

The religious routine was altered slightly by 1796. Turnbull⁴⁷ recorded that all means were used to promote moral and religious improvement in the prison by the introduction of useful books, and the procuring of regular divine services. These services consisted of a sermon and a lecture on subjects suited to the situation and the convicts. Turnbull indicated that all the convicts, both male and female, were compelled to attend these services except those in the solitary cells.

⁴³ *Minutes of the Inspectors*, Feb. 27, 1798.

⁴⁴ *Ibid.*, July 27, 1798.

⁴⁵ Teeters, N. K., *They Were In Prison*, The John C. Winston Co., Philadelphia, 1937, p. 49.

⁴⁶ Lownes, C., *Op. Cit.*, p. 87.

⁴⁷ Turnbull, E. J., *Op. Cit.*, p. 53.

Pardons

Pardons had been granted previously to many inmates as a partial means of rehabilitation. They became even more numerous under the reform system. However, fewer of those pardoned were convicted and returned to the prison. In 1793 Lownes recorded that of nearly 200 prisoners who had been pardoned by the governor since the new law was passed, "only four have been returned."⁴⁸ He also described the process of obtaining a pardon:

If the prisoners conduct with propriety, they attract the attention of the Keepers and Inspectors; who make enquiry into their circumstances; encourage them to bring forward recommendations from respectable citizens that they have lived with, or have had a knowledge of them; and, if it should appear proper, or prudent, they are recommended to the Governor for a pardon.⁴⁹

Conclusion

Within the walls of the Walnut Street prison were harbored some of the beginnings of modern penal reforms. There a school was established in 1798. Its administrators sponsored a system of industrial employments, which, when the jail was not overcrowded, netted a financial surplus for the institution. Solitary confinement was begun as a means of punishment, and this experiment led to advocacy of this system at home and especially abroad in Europe. As early as 1789 the power of the control of the jail was removed from the sheriff and local justices of the peace by the inauguration of a separate governing body—a board of inspectors, which over a period of years gained absolute control. Industry, health, reformation and training were sponsored in this jail. Pardons were granted to the "industrious and worthy." The whole system of penal treatment, instigated by the Quakers and practiced in the Walnut Street jail in the 1790's, was an attempt to rehabilitate the prisoners—a forerunner of advanced penological thought today.

Regardless of the flagrant evils prevalent in the latter part of its existence,⁵⁰ this prison will continue to be regarded as one of the most famous in American penology—for it harbored numerous novel reforms and ideas. It formed the basis for the development of the Pennsylvania system of prison discipline and it cradled experimentation in penal practices which have played a significant role in the growth of modern penology.

⁴⁸ Lownes, C., *Op. Cit.*, p. 92.

⁴⁹ *Ibid.*, p. 85.

⁵⁰ On Oct. 19, 1835, at 3 A.M. the Board of Inspectors met at the Walnut Street Jail and assisted in transferring all the prisoners to the New County Prison, after which the old jail was no longer used.