

Report on
expediency of
erecting a pe-
nitentiary.

milk; dinner, a soup composed of vegetables, and no meat; and supper, I think the same as breakfast; in certain days they are allowed a little cheese, and on sundays a small portion of meat in their soup. Of these I prefer the Glasgow plan, because they give enough to support life in health, and that the food is unpalatable, adds to the punishment which is just what was required. It has been objected to this, that if you don't feed men well they cannot work so hard, consequently cannot make so much money. The answer to this is, that a penitentiary is for the punishment of crime, not a manufactory or a source of revenue, or so only incidentally; for if it is necessary for punishment to resort to solitary confinement, you must support the culprit and get no work whatever from him, and nobody would argue against supporting discipline in this manner because the state lost a certain number of shillings and pence thereby.

In Auburn silence and incessant labor are obtained by the very simple expedient of a board skreen at the back of the workshops, with holes bored in it, so that a man never knows whether one of the officers of the prison may not be standing within a yard of him, looking at him, and listening to him. In Glasgow silence is compelled by a machine set a going by a tread mill, which makes such a tremendous racket that no conversation can be carried on, in as much as so far from hearing what his neighbour says, a man cannot hear himself speak. I prefer the Auburn mode as being more simple and as efficacious.

In Glasgow there are, I believe, tasks—In Auburn, none; a man must work his whole time, and be punished if he does it negligently; the latter is the most disagreeable, therefore the best.

In Glasgow the surplus of their earnings is given to them on their leaving the prison, on the plea that if you turn them out penniless you give them a strong temptation to recommence their career of iniquity. In Auburn the whole goes to the state.—I would prefer a medium, give them as much as will support them for some days, and carry them to such a distance as they may not be known, where they may earn their living by the trade they may have learned during their confinement.

In Glasgow, I believe, they give moral and religious instruction and education to such as require it, particularly Juvenile delinquents. In Auburn they confine it to a sermon on Sunday. I prefer the latter mode.

A Penitentiary is not a school for education, if that be done at all, it should be done in a house of refuge, when their punishment is at an end.

It has been objected to penitentiaries, that they do not reform the people who are sent to them; this is acknowledged by the people of Glasgow, and scarcely denied by those of New-York; but punishment is meant to deter, not to reform, as any indictment will inform you; or if reform is contemplated, it is only a secondary intention.

It is enough that you inflict a punishment to which humanity cannot object, and that you gain all the advantage of example without bloodshed, and if you make the culprit no better, you certainly make him no worse, which can't be said of confinement as practised at present.

The last objection I shall mention is the one which has arisen in New-York, and is coming hither; viz. that the state being able to manufacture cheaper, and therefore it will injure the manufacturer's interests; an interest which, though I believe I know as much of this country as any man in it, I have never yet been able to fall in with.

This is exclusively an agricultural country, and we have in the mother country, and the West Indies, a market for agricultural produce, which it will be long before we can affect, much less supply; what flour we send to England would not furnish each of His Majesty's subjects within the realm, a single meal; therefore we require to foster no manufacturing interest to consume our produce, and so long as the farmer can get as much for his wheat as he does, and finds no difficulty in disposing of all he can raise, it can be no objection with him that by any means he gets all his manufactured goods at half the price he at present pays."

The objection referred to in the latter part of the foregoing letter, is of recent origin; and should your honorable house deem it sufficiently weighty to induce you to postpone the commencement of a Penitentiary for another year, the committee would respectfully

ly recommend that a bill be passed appointing commissioners to collect information on so important a subject, and at the same time to procure plans and estimates of the expense of the contemplated building. For this purpose a small grant of money will be necessary, and the committee have no doubt that your honorable House will provide the sum required.

Your committee, however, are assured, by American gentlemen of the highest respectability, that the present clamour in the United States against States prisons has been raised by a few persons, for party and political purposes, and that nineteen-twentieths of the people are perfectly satisfied with the present system. With this assurance, and the firm conviction that a penitentiary will prove highly beneficial to the province, the committee do not hesitate to state that they are in favor of appropriating a sum sufficient to erect the necessary buildings immediately. The committee cannot with certainty, name the sum that will be required; but judging from the cost of other public edifices in the province, they are of opinion that ten thousand pounds will be ample.

The prison can be so constructed as to admit of such additions as the future wants of the province may require; and, therefore, it is quite unnecessary to proceed, at first, upon a very extensive plan. To meet this view of the subject, the committee have prepared a bill which accompanies this report.

The committee cannot close their report without expressing their opinion as to the most eligible place for erecting the projected building. The town of Kingston and its vicinity present numerous advantages.

It is well protected by an effective Garrison and extensive fortifications—the situation is healthy, and land can be purchased at a moderate price. In addition to these recommendations, the materials for building are abundant, and of the most substantial kind, and the inexhaustible Quarries of stone, which exist in every direction within the township of Kingston, will afford convicts that description of employment which has been found by actual experiment to be the most useful in Institutions such as your committee recommend.

All which is most respectfully submitted.

H. C. THOMSON,
Chairman.

Committee Room,
House of Assembly,
February, 1831.

Kingston Bank Commissioner's Report.

To His Excellency Sir John Colborne, Knight Commander of the most honorable military order of the Bath; Lieutenant Governor of the province of Upper Canada, Major General commanding His Majesty's forces therein, &c. &c. &c.

Kingston
Bank commi-
sioners report.

In presenting their annual report to Your Excellency, the Kingston Bank Commissioners have to regret that their efforts to settle the affairs of the late bank have not been more successful.

During the past year several debts have been referred to arbitration in the manner pointed out by the fourth clause of the statute, and the decision of the arbitrators will be found in the paper marked A. On reference to statement No. 4, attached to the commissioners report of last year, it will be seen that the amount of claims against the late bank was £7158 12 7½. Since that period the sum of £34 10 0 has been allowed to different individuals, and the commissioners have redeemed demands against the institution to the amount of £1295, leaving a balance against the institution at this date of £5898—see statement marked B. The sum now due on awards is £3080 13 and there are other outstanding debts to the amount of £5650. Of the latter class of debts the greater part are decidedly bad, and the remainder doubtful.

During the operations of the year, the commissioners have received only forty shillings in current money, and they are therefore again compelled to solicit from the Legislature a small sum to discharge the contingencies of their office.

An estimate of the amount required for this purpose, the commissioners attach to their report; and they trust that the Legislature will readily perceive the justice of their claim.

All which is most respectfully submitted.

Kingston, January, 1st, 1831.

H. C. THOMSON,
JOHN STRANGE,
ARCHD. McDONELL

(A.)

List of debts due the late Bank and which have been determined by arbitration since last report.

	Amount demanded by the commissioners exclusive of interest.			Amount demanded by Debtors.			Amount of award.			To whom awarded.	REMARKS.
	£	s.	d.	£	s.	d.	£	s.	d.		
J. L. Heermans,.....	118	0	0	120	0	0	47	0	0	Bank,.....	Claim Stock,
Robert McDowell,.....	10	0	0	32	0	0	22	0	0	Debtor,....	do
Henry Graham,.....	886	0	0	298	0	0	588	0	0	Bank,.....	Acc't. settled, claims various
Thomas Murphy,.....	59	5	0	40	0	0	27	10	0	do,.....	Stock
John Grant,.....	40	0	0	40	0	0	0	0	0	do,.....	do.
Thomas Coleman,.....	33	13	9	40	0	0	0	0	0	do,.....	do.
Lewis Day,.....	345	0	0	120	0	0	225	0	0	Bank,.....	do.
	1491	13	9	690	0	0	909	10	0		
							22	0	0		
										In favor of a Debtor,	
										In favor of the Institution	
							887	10	0		

Kingston, January 1st, 1831.

JOHN VINCENT, Clerk.