

prised the following, viz., brush-making, basket-making, cigar-making, hive-making, tailor-work, joiner-work of every kind, book-binding, purse-making, tin-work of all kinds, felt-making, leather-tanning and dressing, the manufacture of gold-lace, locks, hardware and machinery, girdles and parts of watches, ropes, sacks, whips and wooden shoes, weaving of cloths and carpets, lace-making and tambour-work, tapestries and embroideries, netting, cork-cutting, comb-making, marble and stone work, the manufacture of toys of all kinds, &c. Certainly an extensive variety.

It is interesting to trace in detail the proportion of prison labourers to free artisans in a particular handicraft. Thus this proportion was 1 to 397 in tailoring, 1 to 179 in shoemaking, 1 to 157 in joiners' trades, &c.; 1 to 97 in braid-making; whereas it was 1 to 39 in woollen-weaving, 1 to 37 in basket-making, 1 to 27 in cigar-making, &c., 1 to 19 in book-binding, &c., and as high as 1 to 10 among comb-makers, brush-makers, pencil-makers. Further, 2,322 of the prisoners were engaged in prison at the same trade which they exercised previously to their committal; this is only between 14 and 15 per cent. of the whole,—rather a low proportion. It also appears that more than a third of the whole number of prison-workers was over 40 years of age, which is rather too old a period of life to warrant the expectation that they can, while in prison, acquire such expertness at a trade of which they were previously quite ignorant as to render them formidable rivals of the honest workmen. Indeed, all prison experience confirms the belief that it is only rarely a prisoner will give his mind to learn a trade so well as to be able to practise it thoroughly upon quitting prison.

It is this difficulty of applying a stimulus, a just, rational and wise inducement to the will of the prisoner to prompt him willingly to learn and practice labour at which our previous remarks were aimed. It is this will power in the criminal, this real life, this love of being useful, to which European systems, as well as American, at present in vogue fail to give opportunity of exercise. The natural relations of cause and effect are interfered with by prison rules, and labour is only prompted by fear of arbitrary punishment. Eye-service only, therefore, is obtained; not a *will* loving work and devising with care and thought how to be useful to self by being useful to others. The conditions of life which have made and sustained the criminal classes are continued within the prison walls, instead of being reversed. For what is a criminal's life while at liberty? Is it not simply this, that all his ingenuity and will power are exercised to escape labour as well as penalty, to obtain food, clothing, pleasure, money by ingenious evasion of the law of social life that men shall live by doing service to others. He wriggles and deceives, or forcibly and in darkness breaks through and steals for a living. A prison life which cuts off all freedom and makes him feel that society is bent on stealing all the labour it can from him, giving him neither reward nor hope, is just the same life to him with the individualism reversed. He will still shirk, he will still deceive if he can; and all his will, invention and thought are almost inevitably exercised toward that end.

If there be any right whereby society may infringe on the personal liberty of one of its members, it is surely this—not for the sake of vengeance or repayment, but for the good of the sinner, that it may make it next to impossible for him to evade the law of man's being without immediately and unavoidably bringing himself face to face with natural consequences. If, as suggested already, the criminal be given honest work to do, and every bit of food he eats made dependent upon his honestly earning it by labour performed with only the alternative of starvation to choose from, surely that is mercy which blesses alike him that gives and him that takes. It applies the needed stimulus of necessity to wake to action the life-power of will within the criminal. Add to this hope of bettering his own condition and by increased earnings bestowing comforts on others whom he loves within or without his prison walls, and he may thereby be made a man capable eventually of occupying at least an honest if not an honourable place in the world when permitted once more to enter it in freedom.

And when he leaves his prison he should go thence free in every respect, free from surveillance and free from soil. He has expiated, by his labour and his appointed punishment, his sin in the eyes of the law. No stain should attach to him more than to the man who, having been tried, has been acquitted. This is the law and the Gospel combined. Is it acted upon? If not, why not—if orthodox theories of the Atonement are to be maintained?

To descend to the practical question; is there, can there be, any danger to the honest workman in a permission of one in 10,000 to share his handicraft? Is it not childish in the extreme to fear or cry out against such opposition? In this age variety of occupation is constantly on the increase, and men can rise from lower to higher degrees of labour if they will. If labour for usefulness be their aim, amid so many discoveries in art and science, opportunity surely need not be lacking. All useful labour is always profitable in a degree, sufficient at least, to support an existence fitted to the maintenance of the faculties for labour. Not the least profitable of labour, to the world at least, is that labour of brain and heart which seeks ever to distribute and proportion labour so that each may work for the other and *all* for *each*. Freedom from restrictions upon any kind of occupation which commends itself as useful, is as much the right of

humanity as freedom of trade. No government of majorities or minorities has the right to impose fines either on labour or trade. Just in so far as this principle is recognized among our non-criminal classes, and strikes and combinations of labour or capital whether National or as a National Policy, become things of the past in proportion, will the rights of criminals, while in "durance vile," to the common privileges of manhood, labour, and the fruit of his labour be readily recognized. In so far as that root-principle is permitted to grow, flourish and eventuate in fruit, will prisons become reformatories, and prison-made men become useful to each other, to themselves and to the community.

John Howard.

CONDITIONS OF SALE.

In the *Official Gazette* (Quebec) of the 6th ult., we find the following conditions attached to the sale of a house and lands at Beauharnois; after setting forth the measurement of the land, etc., it stipulates for the following provision for "the said Pierre Pitre and his wife":—

1. "The enjoyment during their lifetime of the south-west half of the house comprising two apartments, and the enjoyment in common with the purchaser, of the kitchen, garret, cellar and dairy, to go and come in and out of the other buildings, and on the said lands, and to lodge therein the cattle which they may use.

2. "To furnish and pay to the said Pierre Pitre and his wife, during every year of their lifetime, the following life rent, deliverable by quarters of three months in advance, to wit: thirty bushels of good wheat of good quality and merchantable, ground to flour and to be delivered in their granary, two fat pigs well fed weighing two hundred pounds each, including the lard, three bushels and a half of salt, thirty pounds of good fresh beef, one pound of pepper, twelve pots of good Jamaica rum, one pound and a half of good green tea, fifty pounds of good maple sugar or good brown sugar, twenty pounds of good smoking tobacco for the said Pierre Pitre, twenty five pounds of good soap; to furnish the stuff, and repair the clothes of the said Pierre Pitre and his wife when needed, to pay them the sum of one hundred and sixty *livres*, *ancien cours*, in one single payment, on the first of November of every year, to keep and clothe them, to have their clothes made, to provide them with sheets and bed-covers suitably and decently, to give them twenty pounds of good candles, one good milk cow kept winter and summer by the purchaser, to be delivered every year, on the first of May and returned on the first of November for wintering, the calves to be the property of the purchaser; which said cow shall be replaced by the purchaser when she may become too old, or infirm, or die; to furnish them all the wood necessary for their ordinary use to warm them and bake their bread and to heat their rooms in winter; and in the event of the said Pierre Pitre and his wife going to reside outside of the said parish, to furnish them twenty-five cords of wood either tamarac, spruce, ash or elm, chopped and split and piled in advance at their door, to pay for a girl to wait upon them when the said Dame Pitre will not be able to do so herself easily or when she may require it; in case of sickness to take good care of the said Pierre Pitre and his wife, to bestow attendance upon them and furnish them with suitable remedies, also the assistance of a priest and the services of a physician to be paid by the purchaser, to provide them with a good horse harnessed to a vehicle suited to the different seasons of the year to attend to their business, to go to church and pay their visits, which horse will be wintered and pastured in good condition by the said purchaser, and to pay for and provide them place in a pew at the church during their lifetime.

"Upon the death of the said Pierre Pitre and his wife, to have each of them buried in their parish cemetery, with a service for each in presence of the body if possible, or *in memoriam* to cost six dollars, also similar service upon the anniversary, to have twenty five low masses said for each of them at the end of one month from their death, and twenty five masses each at the end of a year from their death for the repose of their souls.

"Upon the death of either the said Pierre Pitre or his wife, the said life rent shall be diminished by one half, except as regards the cow, harnessed horse and vehicle, the wood, candles, and the services of a girl, and upon the death of the other party the said rent shall wholly cease."

It may perhaps be regarded as beyond the province of a civilian to criticise so venerable an institution as "The Law," but remembering that old Fagin could only plead his age in mitigation of sentence, one may feel inclined to question the wisdom of our ancestors in the present instance. It is said that such conditions are not uncommon, but perhaps it would be better if they were more so, as possibly they go a long way towards bringing the whole system into contempt.

Every part of a legal document must be supposed to mean something, and the law thus tries to put some meaning upon every word—a process which often ends in making it all amount to nothing.

The law is also said to distribute things into two kinds—real and personal; though we should personally be really sorry to have our things to be distributed by the law, for if we did, we should not expect to see much more of them. Things real are such as are fixed and immovable, which cannot be carried out of their place, such as the Joly Ministry, which will not resign, and regards itself as the real thing to carry on the government. Lands are called things real, because they cannot be moved; but goods are called personal, because they can be moved, as landlords sometimes find out to their cost.

In short, the law is a kind of conundrum, and looking at the verbiage frequently to be found in a legal document, it is cheering to think that a man's Will is not void for want of the usual legal phrases; and it is therefore not necessary for a testator to read up all the old learning on the subject of "to wit," "whereas," "hereinafter," and the other terms which constitute the peculiar elegance of legal literature.

The transfer of property from one to another, (a process in which the law delights,) is called alienation, which frequently brings the client to mental alienation, and this is sometimes the accomplishment of the law, or, at least, the characteristic of those who rush blindly into it.