PENITENTIARY.

Recommendations for Future Legisla tion and for Changes in Ruling the Convicts.

(Daily, January 8th.)

A. N. Gilbert, superintendent of the Oregon state prison, has filed his biennial report with Gov. W. P. Lord, and the same is now in the hands of the state printer. Mr. Gilbert makes the prison-all the ditching, grubbing his report in clear cut, plain language, and his recommendations based upon the needs of the prison, as ascertained through his experience during the past four years is of great value.

The report is as follows:
"To his excellency William P. Lord,
governor: I have the honor to submit herewith my biennial report as superintendent of the Oregon state prison, covering the period from Jnauary 1, 1897, to December 31, 1898, inclusive.
"The usual statistical information,

financial and otherwise, will be found in the appended tables, all of which are full and complete. The special session of the legislature, convening on September 22, 1898, appropriated, for the maintenance of the penitentiary, the sum of \$86,592.66; this amount was distributed and expended as indicated by the following table: "Prison Account. "Appropriation for 1897-1898

TOT LOS LOS	25.1111
"Salary of superintendent	3,000.0
"Salary of wardens	4,425.0
"Salary of teamster	1,800.0
"Salary of bookeeper	2,400.0
"Salary of shop guards	10,700.5
"Salary of nightwatchman	5,400.0
"Salary of prison inspector	1,000.0
"Balance of funds unexpend	led:
"Keeping of prisoners and	5 F 5 G
general expenses	5,116,6
"Guards .,	52.0
"Firewood	1,245.8
"Rogues' gallery	18.8
aplantela lighting	20.0

"Total\$86,592.60 "Expenditures for 1897-1898, as per quarterly reports to secretary of state:

"March 31, 1897\$ 9,995.57

18.81

June 30, 1897	9,315,12
"September 30, 1897	11,186.82
"December 31, 1897	9,780.14
"March 31, 1898	9,229,54
"June 30, 1898	10,774,27
"September 31, 1898	10.886.94
"December 31, 1898	8,950.99
"Salary of prison physician	1,800.00
"Keeping of prisoners and	
general expenses	40,644.82
"Firewood	4,492.88
"Rognes' gallery	347.31
"Electric lighting	4,462.14

*Total\$86,592.66 "The items of receipts and expenditures, as seggregated,, show no material change from former reports. extraordinary expenses have been incurred, and there has been no particular reduction, save in the item of clothing for discharged convicts, a subject referred to hereafter.

"The fallure of the legislature to organize in 1897, and act on the suggestions and recommendations contained in my report at that time, renders it necessary to repeat largely from the report made for that session.

"Prison and Prison Grounds. "With no extravagant or extraordinary expenditures, the building and grounds have been kept to the highest standard possible. No public institution like our penitentiary (which, in addition to its age, is faulty in construction, and has a swampy location) can ever be brought to that point of excellence and perfection that the people of the commonwealth have the right to demand and expect. "Farm and Garden Lands.

"The expenses incurred two years ago in ditching, tiling and grubbing the lands belonging to the prison have resulted in the stoppage of land renting; and the returns from these new fields of farm and garden products are beyoud the amounts required for prison consumption. With this new acreage added to former fields, the penitentiary has sufficient land adjoining the prison. I would recommend that the sixtyfive acres bought for the use of the prison several years ago, and lying four miles southeast, be transferred to the reform school; that institution using part of it now, should have control of the whole, relieving the penitentiary of its care.

"Prison Brick Yard.

"No brick has been made on the prison yard since 1805. The state ought to make some provision by which brick would be made at the prison yard the coming season. There is on hand now about 5,000 brick, and the demands of the various institutions cannot be met with this number. There should be appropriated a sum of thoney sufficient enable the superintendent to manufacture, otherwise authority should be given to lease the yard and labor, provision being made to furnish the state all brick wanted, at a fixed rate.

"Convict Labor. "The prisoner must be employed, and with four years' experience and observation in the prison, I have concluded there is no better system for the employment of the convict than the lease quader rules and regulations looking to the protection and care of the men) and can say nothing better than to report what was said two years ago: The leasing of convict labor within the prison walls, with proper hours of Inbor and just treatment of prisoners, under the supervision of the management, together with the control of the necessary free and expert em-ployees, cannot be too highly recommended by me. I have no hesitancy in naying the lease system is the best for the state, and under proper supervision by prison authorities, nothing is betfor the convicts. In carrying out the provisions of the present lease there has been no conflict of authority. The prisoners have, as a rule, been contented and obedient, rather prefer-ring to be at work in the shops than to be idle in their cells. Not a single case of insubordination, nor serious trouble of any kind, has occurred among the for the governor to have other games for the employment of these men. The wool, flax, leather and wood industries, together with wood building, might, under conditions, require the labor of convicts, and some authority should be given for leases to any of these enterprises that might require such la-

"Trusties.

"During the olennial term the num-ber of trustles selected have decreased from 348, so designated in my last report, to 177, in this. The demand for outside labor has not been as great as It was when I first assumed charge of and tiling having been done, the requirements to keep the work up were

"Of the 177 prisoners selected, four proved unfaithful to the promises made, and ran away. Three were re-captured, leaving only one, who has disappeared entirely. This small per centage of loss is a compliment to the good judgment of the prison officials, whose duties it has been to pass upon the prisoner, as to whether he will be faithful to the trust or not. Many of these prisoners have had before them a service of three, four and as high as five years, and it requires manhood and courage to resist the temptation presented by the hope of liberty. I have never regarded a state peniteutiary as a reformatory; the laws, and the courts that enforce them, have another and clearly defined object in sending convicted persons to the penitentiary; any reformation is purely incidental to good discipline, and the rigid enforcement of rules and regulations, to which you may add the trusty system. It places the convict on his honor for days, months and years, it makes him feel that someone sees in him yet a spark of manhood, and that there still remains hope for his ultimate good citizenship.

"Discipline. "The high order of discipline established, on taking charge of the prison, has been maintained during the past two years, and with less friction between officers and men. The education of the prisoner, as to his duties, the firm and impartial enforcement of every rule and regulation for the govern-ment has done much to establish an amicable feeling between employes and prisoners, and to reduce punishments to a minimum.

"Female Prisoners.

"Two years ago I strongly recommended some change for the betterment of the condition of women convicts. The same conditions that existed then remain unchanged. During the term we have had in the prison four women. One has been discharged, two sent to the asylum, one remaining now in the prison walls. None of these women have been outside the prison since they came; subject; practically, to solitary confinement, without fresh air or out-door exercise, their con-

"I would renew my suggestion made two years ago, that some provision be made for the care of women convicts at the state reform school. No other preparations for their safe keeping would be required than are now at the school. Their labor could be utilized in the kitchen, laundry or sewing room, they would be under the care of a matron, and the prison would be rid of a class of prisoners over whom men improperly have control. A

"Sickness. "Measures adopted looking to the sanitary improvement of the prison have resulted in a reduced sick list, as compared with that of two years ago. Acting on the recommendation of Dr. E. Philbrook, physician - in charge, changes in the sewerage and water supply for drinking purposes have been effected, allke beneficial to the officers and prisoners.

"Clothing for Discharged Convicts. "The average cost, per prisoner, for lothing for discharged convicts, during the first two years, was \$8.07; this cost was maintained during this biennial term up to July 1, 1898. At that time went into the market and bought cloth and furnishing goods and for the last six months' have turned out prisoners better clothed by 50 per cent. at an average cost of \$5.371/2 per convict. The cost of a new tailor-made suit, including hat, shoes and underwear, is \$6.95. The general average was reduced by the use of such clothing as was worn into the prison and still in good condition. No single change in prison management has brought about such satisfactory results as this. The prisoner's measurement is taken a month before the date of discharge, giving time for the completion of a well-fitting suit, turned out in a workmanlike manner, giving satisfaction alike to the prison management and the convict.

"Discharged Prisoners." "The fallure of the legislature to make specific appropriations, four years ago, for the transportation of convicts to their homes, and for a cash payment on discharge, resulted in all convicts being discharged without these favors.

"To many citizens of the state this may appear very serious, and that, perhaps, a grievous wrong has been done the convicts. Careful observation of prisoners on their discharge, however, discloses the fact that nearly all do quite as well under these, conditions of dismissal as they do with money and transportation in their pockets. The worthless, tramp, vagabond prisoner is just as well off with his pocket empty as with \$5 or \$10 of the tax money of the people in it. There are provident and improvident men in the prison as well as out of it.

"One hundred and forty-two of the 314 prisoners discharged, carried away, of money saved from sent by friends, \$1,141.78, average of over \$8 to the and an average mas. I think a few hundred dollars should be appropriated for discharged prisoners, from which the su-perintendent could supply their wants, but neither \$5 nor \$10, or any fixed amount, should be given. Transportation of discharged prisoners to any locallty is no part of the state's duty toward convicts.

"Escapes.

BINNAL PRISON REPORT

men working in the foundry. A system of prize money, awarded by the lessees, for honest and faithful work, adds much to the contentment and comfort of the prisoners. I am of the opinion that the law should be amended so as to extend the authority of the governor to make other leases.

PENITENTIARY

men working in the foundry. A system of present management. Charles Kennedy, No. 3587 Jent from Washington county, and should be amended so as to extend the authority of the governor to make other leases. The foundry and carried from the works. foundry, and carried from the works drills, with which he successfully removed a plate from the back of his cell, and throug, which he escaped to the to of the building, whence he lowered himself to the wall below thereby securing his freedom. Every effort has been made for his return, by the offers of liberal rewards, the general offers of liberal rewards, the general distribution of his photograph and full description, but as yet no reliable in-formation or trace of his whereabouts has been secured.

"F. ncati nal en l Religious Work. "The religious meetings are held ev-ery Sunday and are voluntarily presided over by the clergy of the city. These talks are made to prisoners only, no visitors being admitted.

"The library has been much improved by the addition of new books and by the rebinding of over 200 vol-umes that had been taken from circulation on account of their bad condition. A new catalogue has been printed, in which are listed 1,920 volumes, being 1,340 miscellaneous, 270 school books and 310 bibles and testaments, to which must be added a large number of periodicals and magazines, contributed monthly, by religious and charit able societies.

"Much credit is due the prisoner who has the library in charge, for its healthy condition, and for the general circulation of the books among the prisoners; A tabulated statement showing the specific result of the work done is submitted, and speaks well for the literary tastes and habits of the

prisoners Public Road Work. "The public highway runs through the penitentiary land for three-quarters of a mile, and within a stone's throw of the building. A worse piece of road could hardly be found in the state, and it appeared to have escaped even the tinkering road work usually done in the state by the ever-changeable super-visor. The location of the road was parallel to Mill creek, and in winter time the water was oftentimes three feet deep in many places, so that it was almost impossible to get over it. "To improve this section of the road

was considered a part of the duty of the prison management, notwithstanding it was the public highway, since the state was benefitted as much as the traveling public.

"First, a civil engineer was employed to run levels, fix grades and locate waterways; and, with this scientific information, the work began by digging ditches on either side of the proposed roadway, leaving betwen each a thirtyfoot space for road-bed. To bring this road-bed up to the required grade 3,780 yards of dirt were hauled, and 1,160 loads of gravel completed the job. "No better piece of dirt and gravel road can be found in the state. cost in labor was 213 days with team, and 1,023 days' work of men. The day labor of the men was as good as the ordinary read workers return for their money, that of the teams being far better, as twice as much gravel was hauled at a load as a farm team would

pounds. "March 11, 1895, I asumed charge of the state prison with a population of 362. March 31, 1896, the maximum number of 412 was reached, it then declined to 302 on October 4, 1898.

carry, an average load weighing 6.700

"I assign two reasons for the decline of the number of penitentiary inmates. First, that of the trusty system, by which the terms of men sentenced are, in effect, commuted to one-half, thereby working them out of the prison. Second, to the law recently enacted, by which the sheriff receives compensation in a salary instead of fees. Onerating under fees the compensation of the sheriff depended on the diligence with which arrests were made, and, having made the arrest, a conviction followed as a matter of self-protection. and the prison was kept filled. A saiary does not hold out such inducements, hence the population is always at a minimum.

"Officers and Employes. "The prompt and efficient manner in which the specific duties of every officer have been performed, is a matter for compratulation.

"An important duty and responsibility rests upon every employe, and the fact that we have had but one escape, no abuse of prisoners, and that no fatal alternations have arisen, is evidence of the honesty, integrity, loyalty and temperate habits of the officers and guards. I commend all, but wish to mention Warden Brophy, whose vigilance and watchful care, night and day, have made the above results possible There ought to be an additional employe, one whose business it should be to show the visitors through the prisen. This duty is now done by the officer of the day, and done to the neglect of his other daties and prison discipline. Visitors have complained, and justly, too, that they have not received proper attention. The prison authorities should be pregared to entertain visitors propof close the institution against

"Danger of Fire. "I wish to present to you, in plain and emphatic terms the danger to which the prison and its inmates are subject on account of fire. In the base ment, and very center of the prison, is the whole cooking department. The ranges, stoves and bake-ovens are all there, with all the surroundings of wood extending to the tower, 100 feet above. A former superintendent wrote of this woodwork and tower as being the prison.' Were a fire started in the basement, the prison would go like a tinder box, and every prisoner would be cremated. There would be no escape, as each prisoner, at night, is under a separate lock, and even wough he was released, the only avenue of escape would be through the center of the building, which would be a burn-

"All precautions are taken to prevent the occurrence of such a calamity. New rubber hose has been purchased, eplachig the worthless cotton on hand; additional water pipes have been placed in the building with convenient taps: yet, with all 'these appliances, a fire well under way could not be con-"Escapes. a fire well under way could not be con-"Only one convict escaped from the trolled. The only remedy is the build- "In the management of the prison it

ing of a new community dining room with kitchen, thus eliminating from the main building, not only the danger of fire, but also getting rid of the offensive odor of the kitchen, which permeates the whole building.

"The penitentiary building never had a heating system. A plant, consisting of a boiler, from which hot water and steam is forced through the building under a pressure of 60 to 80 pounds (and most all the heat thrown away) is the 'system.'

"An entire new heating plant, mod-ern in kind, including new boiler and boiler-house, should be provided. The building should be sufficiently large to hold bath tubs, affording facilities for the proper bathing of the prisoners—something the prison never had.

"The mode of feeding the prisoners in the cells ought to be changed, by

providing a community dining room. In the interest of economy and cleanliness this should be done, if for no other reason.

"The roof of the prison building ought to be replaced by a new one.

"New Legislation: "Had the state of Oregon a prison built on modern plans and designed with reference to the introduction of the 'advanced ideas of penology,' then some change in the management of convicts might be made that would be beneficial. The division of prisoners into three grades, and each grade distinguished by color of uniform, and confined in separate cell rooms, with pro-motion from the lower to the higher grade for meritorious conduct. I am satisfied, would be for the betterment of the prisoners. In this prison it would be impracticable, since the construction of the building would not admit of separating convicts, one class from the

other.

"The effect of a trial of his system would, I am satthis system would, isfied. result beneficially, upon the moral character, as well as upon the general conduct of the prisoners, having a tendency to reduce punishment to a minimum, and to improve, in a general way, the discipline of the institution. It would be an opportunity given for the better element of the prison population to make some advance to bettering their condition—an opportunity many would avail themselves of-while the incorrigibles, the trash of the prison, would remain behind at the bottom. This division, and promotion carry, of course, better clothes, better quarters and better

"By the enactment of a parole law, to be carried out by the prison authori-ties, in connection with the governor of the state, results could be reached equally beneficial to the prisoner, as that of the graded system, the pos-sibility of a parole being an incentive to the prisoner to live within the law and place himself in a position to be released, either conditionally or absolutely. Under this parole system many prisoners might be released from prison, such release being based on the record and character that has been established in prison, as judged by the prison authorities, and on the social relations and conditions of the applicant. &

accidental prisoner and the technical prisoner are no better men by the service of five years in prison than by the service of one, and society is no better protected by the confinement of such prisoners within the walls of the prison than by being on

"The practice of making trustles in this prison-although without the authority of law-is in, effect, the parole, plan, except that the prisoner is not permitted to leave the prison grounds. Under the parole system, men who are not criminals might be returned to their families and to society, becoming a help and protector to one and; at least, no injury to the other. There is one class of prisoners to whom no such favors should be extended, and that is the habitual criminal, and they are recognized in any prison in the land. "For the protection of society and for the lessening of judicial labor, every prisoner who is found within the prison walls for the third time should remain

"New legislation for the prison, on the lines indicated, would result in the lessening of prison population, and in the retention within the prison walls of class, who, as free men, are a continual menace to society and educators to the youth of our state in the commission of crime.

"Conclusion.

there all his life.

"In closing this report I desire to thank your excellency for your hearty and cordial support in the administration of prison affairs. While the sole management and control of the prison has been in my hands. I have ever been thankful to you for wise and timely suggestions, hearty and sincere sup-

"Every officer and employe has been in harmony with the management as to the policy of government and discipline, joining in every effort to educate each prisoner that he is entitled to and the prison affords and it rests entirely with that the convict whether he receives it or not; that, for violation of the rules of the institution certain punishment is prescribed and is sure to follow. The idea sought to be advanced has been one, not of sympathy or sentimentalism, but rather of rigorous training, calculated to educate the criminal to the enlated to educate the criminal to the knowledge that rules are made for government, and they must be complled

"Under the laws of our state the penitentiary is designated as a place for the punishment of the violators of the law, and any ministration of prison government for the mitigation of this punishment, instead of its enforcement, is wrong. The idea of penal servitude, and that is, service in the penitentlary, is not that the prisoners must be regarded as 'unfortunates' and petted and coaxed until they deem themselves entitled to treatment on their own terms, as pensioners of the state, instead of punishment as offenders against society and its laws. "The punishment prescribed by law is confinement within the prison walls, with a loss of citizenship, denial of the society of mankind, comforts of home and freedom; and any other punishment is brought upon the prisoner in the same way as the first-by his own

A WAR INCIDEN

How a Besieged Army Obtained Drinking Water-After a Rain Soldiers Went Down on their Hands and Knees and Drank Water in the Horses Hoof Tracks.

From the Press, Milroy, Ind.

To-day Mr. Sefton is 55 years old, a prominent farmer, the head of a large family, and notwithstanding the ill effects of army life, is emjoying excellent health.

There was a period in Mr. Sefton's life during the war which makes an interesting story. He was a member of the 35th Ills. Infantry which was often to the front in close business. The life of every soldier is a hard one, and Mr. Sefton's case was no exception. "We were in Tennesses, penned in on all sides. Our 'rations were very scarce," said ha, "and we had begun to go on 'quarter allowanea."

It was in the middle of August, the wells of the community were nearly all dry, and we were some distance from any stream, consequently we had great difficulty in getting water for cooking and drinking purposes. One night there came a hard rain, and the next day we were started on the march. The sun shone hot, and our piodding along was very tiresome and oppressive. Every one of us had only a little water to drink, and sa the rain was not enough to replenish the wells or streams, our canteens went empty. We were hurried on, and the only way to quench our thirst was to go down on our hands and knees and drink from the hoof tracks made by the horses. Of course the water was muddy and very filthy, but it was a case of this or die from thirst.

"Some of us were taken sick from the steets of this, and I was one of them. I was laid up for several weeks in a field hospital from fever. Many times afterward I became afflicted with different allments. My kidneys of the pills are used.

One of the first to offertheir survices for the country in the Civil War, was A. R. Selton, of Milroy, Rush County, Ind. He made a good record, and when the great difficulty was settled, was honorably discharged.

To-day Mr. Sefton is 56 years old, a prominent farmer, the head of a large family, and notwithstanding the ill effects of army life, is enjoying excellent health.

There was a period in Mr. Sefton's life during the war which makes an interesting story. He was a member of the 38th Ills. Infantry which was often to the front in close business. The life of every soldier is a hard one, and Mr. Sefton's case was no exception. "We were in Tennessee, penned in on all sides. Our 'rations were very scarce, "said he, "and we had begun to go on 'quarter allowance."

It was in the middle of August, the wells

has been my aim to conduct it in a TWO YOUNG BANDITS way that a second visitation would by no means be agreeable or desirable. There has been no inhumanity.
Discipline has been enforced with
vigor. No favors have been shown or
privileges granted. Hundreds of prisoners have been unknown in the walls. except as they were seen daily to walk the path of duty, serving out honestly and faithfully the punishment that is a penalty for their crimes. The minority belong to another class; they are habitual criminals, vicious in character and habits, and their lives have been spent without control or restraint.

Free Pills. Send your address to H. E. Bucklen & Co., Chicago, and get a free sample box of Dr. King's New Life Pills. A box of Dr. King's New gale 1 marits, 20th last.

These pills are easy in action and are This is the robbery for larges Ir is now under particularly effective in the cure of Jesse James Jr. is now under indict-Constipation and Sick Headache. For ment and arrest in Kansas City. Malaria and Liver troubles they have Under Sheriff Williams, who has b en been proved invaluable. They are working on the case guaranteed to be perfectly free from every deleterious substance and to be purely vegetable. They do not weaken by their action, but by giving tone to the stomach and bowels greatly invigorate the system. Régular size 28

been administered with unyielding

firmness."

druggist.

SAD NEWS .- Ex-Gov. Z. F. Moody last night received a brief telegraphic message notifying him of the demise of his brother, Wm. F. Moody, at his home in Philadelphia, having passed away at 4 p. m. yesterday. Deceased was 71 years old, and his death came as a result of a surgical operation. Six years ago he spent several months in this city, visiting his brother, since which time he has not been on this coast. He was a wealthy coal dealer of Philadelphia, where he lived for a long term of years.

cents per box. Sold by Dr. S. C. Stone,

ONE INSANE-Sheriff W W. Withers, of Lare county., assisted by Fred Fiske as guard, came down from Eugene yesterday, bringing John Drury, a farmer of Pleasant Hill to the insone asylumf or treatment. Drury is a native of Missouri, aged 55 years, and this is his second commitment to the asylum. He was extremely violent, and gave the officers a great amount of trouble while being escorted to the

BUCKLEN'S ARNICA SALVE. The best Salve in the world for cuts, er sores, tetters, chapped hands, chilbruises, sores, ulcers, salt rheum, fevblains, corns, and all skin eruptious, and positively cures piles, or no pay required. It is a guarantee to perfect satisfaction or money refunded. Price 25 cents per box. For sale by Dr. S.

REFORM SCHOOL BOYS CONFESS TO TRAIN ROBBERY.

The Crime for Which Young Jesse James, Jr., Is Under Indictment -The Booty Located.

TOPEKA, Kans., Jan. 7.—The Journad today prints a sensational story to the effect that two Topeka boys. To these corrective punishment has Seth Rosebrook and Chad. Stowell, scarcely 18 years of age, who were arrested during the fall festival last September for holding up a fermer. and who were sent to the Hutchinson reformatory, are responsible for the Missouri Pacific hold up and express robbery at Leeds, Mo., on September

claims that young Stowell has made a written confession and has divulged where the booty, some \$11,000, is hidden in the woods about seventy-five miles east of Kansas Cly.

La Grippe Successfully Treated. "I have just recovered from the second attack of la grippe this year."

gavs Mr. Jas. A. Jones, publisher of the Leader, Mexia, Texas, "In the latter case I used Chamberlain's Cough Remedy, and I think with conablerable success, only being in bed a little over two days against ten days for the former attack. attack 'I am satisfied would have been equally as bad as the first but for the use of this remedy as I had to go to bed in about six hours after being struck with it, while in the first case I was able to attend to business about two days before getting 'down.' " For sale by Luup & Prooks, druggists.

ANOTHER ATTACHMENT.-Thes. Taylor & Co., wholesale liquer dealers of San Francisco, yesterday filed an attachment on the stoos of goods and the fixtures of Feter Reader's seloon. The action is brought to secure payment for goods furnished, and for several accounts against the defendant assigned to the plaint;if. The papers were served at 1 o'clock yesterday morning, Sheriff F. W. Durbin being called out at that early hour to make the service. It is reported that Mr. Reader will make a satisfactory settlement with his creditors within a few days.

Passports and stamped paper in Cuba are things of the past. The inhabitants must greatly enjoy the rapid transition to freedom.

prisoner that he is entitled will receive the best prison affords and Clearance Sale



We thank the people for their patronage during the past year; and commence the new by giving each and every customer a genuine bargain. Come here for your DRY GOODS AND CLOTHING. A large line of Ribbon Remnants, 10 cents each. Besure and see them.

hildren's Union Sults, worth 50 cents, for 25 cents a suit. Lad es' Union Suits, worth 75 cents, for 50 cents a suit

Large lines of heavy Outing Flannels and Table Lineus Gloves from 10 cents up. Embroideries and Laces 1 cent a yard up. Handkerchiefs from 1 cent up. Ladies fine shoes worth \$5 a pair for \$1.25 a pair. All at

Friedman's New Racket!

Corner Commercial and State Streets, Salem.