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“The Prison Has Failed”: The New York State Prison, In the City of New York, 1797–1828

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During the evening of April 4, 1803, convicts attempted to escape from the New York State Prison, in the City of New York (commonly called Newgate). This was not the first time that convicts resisted confinement at New York’s first state prison. During its first six years of operation, prisoners frequently rebelled, set fires, and tried to escape.¹ Although the historical record for this incident is fragmented—newspaper articles and a report to the New York State Legislature—it provides an opportunity to analyze prisoners’ responses to incarceration. Some inmates, such as Daniel McDonald, a convicted horse thief sentenced to seven years of hard labor, the alleged “ringleader” of the uprising, persistently resisted incarceration.² On the other hand, Isaac Lytle and other inmates refused to join the uprising. Lytle may have hoped that his good behavior would lead to an early release. Other prisoners, such as Comfort Carpenter, who was convicted of forgery and sentenced to life imprisonment at hard labor, perhaps aligned with keepers (guards) during the rebellion in hope of receiving a pardon that might reunite them with family and friends.³

McDonald and his cohorts may have spent days, weeks, or even months planning their escape. Between five and six in the evening, McDonald and a handful of prisoners set fire to one of the apartments—a room that confined at least eight prisoners. When keepers arrived to extinguish the fire, the men escaped from the apartment and rushed into the prison’s interior

The author thanks Thomas D. Beal and the anonymous readers for their comments and suggestions. He also thanks the New York State Archives and the Gilder Lehrman Institute of American History, whose funding assisted in the research and preparation of this article.

1. W. David Lewis, *From Newgate to Dannemora: The Rise of the Penitentiary in New York, 1796–1848* (Ithaca: Cornell University Press, 1965), 33–34.

2. New York State Supreme Court of Judicature, “Criminal Case Documents, 1797–1808,” New York State Archives, Albany, New York. *Commercial Advertiser* (New York), April 6, 1803.

3. New York State Prison of the City of New York, “Register of Prisoners Received, 1797–1810,” New York State Archives.

courtyard. A keeper reported that McDonald claimed that he was “unjustly imprisoned” and therefore “he would escape over the Walls of the prison.”⁴

In the prison’s courtyard, McDonald and his followers encountered another group of prisoners working as blacksmiths and nailers. These men “refused to join” the uprising. Some inmates went further; they pledged to protect keepers “at the risque [*sic*] of their own lives.” Rebellious prisoners climbed a scaffold in hope of scaling one of the prison’s exterior walls to regain their liberty. A keeper rang the prison’s bell to alert keepers and residents of the surrounding neighborhood that an uprising was unfolding. Keepers ordered prisoners “to desist.” Rebellious prisoners pelted keepers with “very abusive language” and “brick bats and hammers.” Keepers responded by peppering prisoners with bullets, and in time, regained control of the prison.⁵

Not all prisoners participated in the rebellion. Isaac Lytle attempted to avoid the melee. Lytle stayed inside his apartment and watched the unrest from a window. According to keeper John Bailey, Lytle “was uniformly a well behaved man, and did not discover the least disposition to join the riot, or to have any kind of concern with the rioters.” Lytle’s attempt to secure his safety by staying inside his apartment failed. When keepers shot at the escaping prisoners, a stray bullet penetrated his skull. Later that evening Lytle died.⁶

Other prisoners, such as Comfort Carpenter, refused to assist the rebelling convicts. Carpenter was a forty-seven-year-old white-male farmer from Rutland, Massachusetts. When two prisoners invited Carpenter to join the uprising, he declined. The two prisoners “seized” him. Carpenter escaped their hold. He “declared that he would die rather than be concerned in such an attempt to break the prison.” Undeterred, uprising prisoners “armed with knives and hammers, threatened vengeance to all who would not join them.” Carpenter and the convicts who refused to participate also armed themselves with knives and other tools from the prison’s workshops. According to keeper Bailey, prisoners Daniel Callahan, George Thompson, and James Dongherry pledged to protect him during the upris-

4. *Commercial Advertiser*, April 6, 1803.

5. *Commercial Advertiser*, April 6, 1803. “Annual Report of the Inspectors of the State Prison, in the City of New York,” in *Journal of the Assembly of the State of New York, Twenty-Seventh Session* (Albany: John Barber, 1804), 87.

6. *Mercantile Advertiser* (New York), April 7, 1803.

ing. After keepers and a militia company opened fire on prisoners, keeper Thomas Hartley declared:

Let me entreat you to desist from further violence; consider the danger you are in; you are sporting away your lives as of no value; see that poor unhappy being, who is now apparently breathing his last, and who was with you a few minutes ago; put a stop to your hazardous attempt now, and it may be a means of alleviating your future punishment.⁷

Hartley's words as well as the actions of Carpenter, Lytle, Callahan, Thompson, and Dongherry, suggest the powerful prospect the alleviation of punishment had on some prisoners' actions. Prisoners had good reason to hope that accommodating actions would lead to a pardon. Between 1797 and 1803, 137 prisoners, approximately twenty prisoners per year, received pardons.⁸ During the early years of the prison, when it was not crowded, keepers and inspectors used pardons to reward good behavior, not to make room for new prisoners. Surviving records suggest that none of the prisoners who aligned with keepers earned a pardon.

When keepers regained control of the prison, Lytle was dead and four or five mortally wounded prisoners died during the next few days, McDonald and his followers failed to escape, and prisoners who behaved as Carpenter, did not earn pardons. Keepers confined McDonald and his associates inside the prison's solitary cells on a sparse allowance of bread and water—their only disciplinary recourse until an April 1819 act that authorized whipping. In their 1803 annual report to the legislature, inspectors of the prison, who served as its governing board, began a brief paragraph about the uprising: "With much regret. . . ." Despite the carnage and challenge to their authority, inspectors publicly downplayed the uprising's significance by writing, "It is with much satisfaction . . . that although very great pains were taken to induce the remainder of the convicts to join those who thus endeavored to escape, they refused to be concerned in the enterprise."⁹

7. *Mercantile Advertiser*, April 7, 1803.

8. New York State Prison of the City of New York, "Register of Prisoners Received, 1797–1810."

9. "Annual Report of the Inspectors of the State Prison, in the City of New York," in *Journal of the Assembly of the State of New York, Twenty-Seventh Session* (Albany: John Barber, 1804), 87.

Prisoners' actions illuminate the calculations that they made while incarcerated, and just as importantly, that they influenced the operation of the prison. The actions of prisoners, such as the men involved in the 1803 uprising, in addition to a transatlantic culture of prison reform, spurred New York reformers and politicians to design not only new institutions, but also new disciplinary regimes at New York's famous antebellum penitentiaries—Auburn (1818) and Sing Sing (1826). An analysis of the actions of New York's first prisoners contributes to the interpretations of the existing historiography of imprisonment in early national and antebellum New York State that focuses primarily on the thoughts and actions of prison reformers, policy debates, and a transatlantic culture of reform, by demonstrating that prisoners too influenced the incarceration regimes of state prisons.

Relying primarily on sources generated by promoters of incarceration, historians of early U.S. prisons often neglect to analyze sufficiently the actions of prisoners.¹⁰ As historian Leslie Patrick argues, "Throughout the literature, prisoners remain either abstractions or absent—they have become imagined subjects confined by silence, yet victims first of circumstance and finally of history."¹¹ Until recently, many historians have replicated reformers' abstract portrayals of prisoners, not as individuals, but as static, lifeless statistics in countless tables and graphs. For the most part, historians are only beginning to examine the individual lives and actions of the men, women, and children whom initial prisons confined, attempted to discipline, and purportedly aimed to reform.¹² Prisoners' varied responses

10. See, for instance, W. David Lewis, "Newgate of New York: A Case History (1796–1828) of Early American Prison Reform," *The New York Historical Society Quarterly* 47 (1963): 137–172; Lewis, *From Newgate to Dannemora*; David J. Rothman, *The Discovery of the Asylum: Social Order and Disorder in the New Republic*, rev. ed. (1971; New York: Aldine de Gruyter, 2002); Adam Jay Hirsch, *The Rise of the Penitentiary: Prisons and Punishment in Early America* (New Haven: Yale University Press, 1992); Rothman, "Perfecting the Prison: United States, 1789–1865," in *The Oxford History of the Prison: Practices of Punishment in Western Society*, eds. Norval Morris and David J. Rothman (New York: Oxford University Press, 1995), 111–130. Michael Meranze, *Laboratories of Virtue: Punishment, Revolution, and Authority in Philadelphia, 1760–1835* (Chapel Hill: University of North Carolina Press, 1996); Mark E. Kann, *Punishment, Prisons, and Patriarchy: Liberty and Power in the Early American Republic* (New York: New York University Press, 2005).

11. Leslie Patrick, "Ann Hinson: A Little-Known Woman in the Country's Premier Prison, Eastern State Penitentiary, 1831," *Pennsylvania History* 67 (2000): 372.

12. Larry Goldsmith, "History from the Inside Out: Prison Life in Nineteenth-Century Massachusetts," *Journal of Social History* 31 (1997): 109–125; Goldsmith, "'To Profit By His Skill and To Traffic on His Crime': Prison Labor in Early 19th-Century Massachusetts," *Labor History* 40 (1999): 439–457; Patrick, "Ann Hinson"; Myra C. Glenn, "Troubled Manhood in the Early Republic: The Life and Autobiography of Sailor Horace Lane," *Journal of the Early Republic* 26 (2006): 59–93; Rebecca M. McLennan, *The Crisis*

to incarceration illustrate their aspirations, as well as how their actions influenced the actions of politicians, reformers, and keepers, as well as how members of the public perceived carceral institutions.

In 1796, Quaker reformer Thomas Eddy and New York State Senator General Philip Schuyler visited Philadelphia's Walnut Street Prison. The ideas of British prison reformer John Howard, Italian legal theorist Cesare Beccaria, and Pennsylvanian reformers Caleb Lowmes and Benjamin Rush, each of whom were members of a transatlantic "culture of sensibility," influenced the design and disciplinary regime of the prison.¹³ Impressed by what they observed, Eddy and Schuyler drafted an act for the construction of New York's first state prison. They introduced the act to the State Legislature at a fortuitous moment. Earlier in the year, during his annual address to the State Senate, Governor John Jay invited his fellow politicians to ponder, "how far the severe penalties prescribed by our laws in particular cases admit of mitigation; and whether certain establishments for con-

of Imprisonment: Protest, Politics, and the Making of the American Penal State, 1776–1941 (New York: Cambridge University Press, 2008); Caleb Smith, *The Prison and the American Imagination* (New Haven: Yale University Press, 2009); Jennifer Graber, *The Furnace of Affliction: Prisons & Religion in Antebellum America* (Chapel Hill: University of North Carolina Press, 2011); Graber, "Engaging the Trope of Redemptive Suffering: Inmate Voices in the Antebellum Prison Debates," *Pennsylvania History* 79 (2012): 209–223; Michele Lise Tarter and Richard Bell, ed., *Buried Lives: Incarcerated in Early America* (Athens: University of Georgia Press, 2012); Erica Hayden, "'She keeps the place in Continual Excitement': Female Inmates' Reactions to Incarceration in Antebellum Pennsylvania's Prisons," *Pennsylvania History* 80 (2013): 51–84; Jodi Schorb, *Reading Prisoners: Literature, Literacy, and the Transformation of American Punishment, 1700–1845* (New Brunswick: Rutgers University Press, 2014); Jonathan Nash, "'This Scourge Of Confinement': James Morton's Experiences of Incarceration in the Antebellum United States," *The Pennsylvania Magazine of History and Biography* 139 (2015): 109–134; and Jen Manion, *Liberty's Prisoners: Carceral Culture in Early America* (Philadelphia: University of Pennsylvania Press, 2015).

13. For discussions of Pennsylvania's penal laws and early prison construction, see Benjamin Rush, "A Plan for the Punishment of Crime," ed. Negley K. Teeters (Philadelphia: Pennsylvania Prison Society, 1954); Orlando F. Lewis, *The Development of American Prisons and Prison Customs, 1776–1835* (Montclair, NJ: Patterson Smith, 1967), 16–32; Negley K. Teeters, *The Cradle of the Penitentiary: The Walnut Street Jail at Philadelphia, 1773–1835* (Philadelphia: Pennsylvania Prison Society, 1955); Meranze, *Laboratories of Virtue*, 131–171; and Ronald J. Pestritto, *Founding the Criminal Law: Punishment and Political Thought in the Origins of America* (DeKalb: Northern Illinois University Press, 2000), 13–28. In his 1764 *On Crimes and Punishments*, Beccaria argued that punishment should be proportional to the crime. John Howard's 1777 *The State of the Prisons* influenced the architectural designs and reformatory regimes inside the initial Pennsylvania and New York state prisons. G.J. Barker-Benfield's *The Culture of Sensibility: Sex and Society in Eighteenth-Century Britain* (Chicago: University of Chicago Press, 1992) refers to the development of British sensibility and its connection with prison reform. Barker-Benfield argues that prison reformers such as Howard drew "upon the culture of sensibility" to reach multiple audiences (225). In the context of the United States' commercial economy during the late eighteenth and early nineteenth centuries, Barker-Benfield claims, "the culture of sensibility was translated into philanthropy." Barker-Benfield, "The Origins of Anglo-American Sensibility," in *Charity, Philanthropy, and Civility in American History*, ed. Lawrence J. Friedman and Mark D. McGarvie (New York: Cambridge University Press, 2003), 73.

fining, employing and reforming criminals will not immediately become indispensable.”¹⁴ With Jay’s support, Schuyler persuaded State Senator Ambrose Spencer to introduce “An Act making alterations in the criminal law of this State and for erecting State prisons” in the Senate. Both the State Senate and Assembly passed the act.¹⁵

After the act’s passage, New Yorkers could read congratulatory pamphlets, reports, and newspaper articles about the state’s newest “benevolent” and “humane” institution, the New York State Prison, in the City of New York. The *America Minerva*, a New York City newspaper, welcomed the act’s passage: “We announce with great pleasure, that the judiciary bill has passed both houses of the legislatures of this State. Capital punishment is abolished, except in the case of murder & treason.”¹⁶ The act stipulated that only individuals convicted of murder and treason “shall suffer death” and outlawed public punishments such as whipping. The act mandated that individuals convicted of felonies, besides murder and treason, shall be sentenced to “hard labour” in a state prison. Lastly, the act appointed John Watts, Matthew Clarkson, Isaac Stoughtenburgh, Thomas Eddy, and John Murray, Jr., all influential men, to “a board of commissioners for erecting and building ‘a State prison in the city of New York.’”¹⁷

The architectural design and disciplinary regime of the first New York State Prison closely mirrored Philadelphia’s Walnut Street Prison. The regulations of each prison banned liquor and outlawed communication between prisoners and the outside world. Just as at the Walnut Street Prison, prisoners confined inside the New York State Prison were to be “cloathed in habits of coarse materials, uniform in colour and make, and be sustained upon inferior food at the discretion of the said inspectors, and

14. New York State Senate, *Journal of the Senate of the State of New-York, Nineteenth Session* (New York: John Childs, 1796), 5.

15. Lewis, *Development of American Prisons and Prison Customs*, 43–44; Lewis, *From Newgate to Dannemora*, 29–32; and Lewis, “Newgate of New York,” 139–142. For an overview of Eddy’s reform activities, see Arthur A. Ekirch, Jr., “Thomas Eddy and the Beginnings of Prison Reform in New York,” *New York History* 24 (1943): 376–391; Christopher Adamson, “Evangelical Quakerism and the Early American Penitentiary Revisited: The Contributions of Thomas Eddy, Roberts Vaux, John Griscom, Stephen Grellet, Elisha Bates, and Isaac Hopper,” *Quaker History* 90 (2001): 35–58; and Graber, “When Friends Had the Management It Was Entirely Different’: Quakers and Calvinists in the Making of New York Prison Discipline,” *Quaker History* 97 (2008): 19–40.

16. *America Minerva; An Evening Advertiser* (New York), March 26, 1796. *Collection of Penal Laws, and Laws Concerning the State Prison* (New York: Isaac Collins, 1799), 3–4.

17. “An Act making alterations in the criminal law of this State and for erecting State prisons,” in *Laws of the State of New-York, Nineteenth Session* (New York: Thomas Greenleaf, 1796), 294.

shall be kept as far as may be consistent with their sex, age, health, and ability, to hard labour.” Until the passage of an April 1819 act that authorized corporal punishment, unarmed keepers punished convicts who disregarded the institution’s regulations in “solitary cells . . . by keeping them on bread and water only.”¹⁸

The prison used a congregate model of incarceration in which prisoners worked and slept in groups. Prisoners labored together during the day, and at night, at least eight prisoners, often more after the prison became increasingly crowded during the 1810s and 1820s, slept in an “apartment.” Ringing bells, just as at Northern factories and Southern slave labor camps, divided each day into temporal segments. A bell rang at sunrise to awaken inmates. Prisoners then washed their faces and hands before eating breakfast. After breakfast, another bell rang to summon prisoners to labor inside the workshops. At mid-afternoon, a bell rang again to call prisoners to the mess hall for supper. After supper, prisoners returned to work. Then, in the evening, another bell rang to signal that it was time to eat dinner. After dinner, keepers marched prisoners back to their apartments for the night. The next day, and the next, and the next, all followed the same routine of aural and temporal discipline.¹⁹

Although legislators frequently changed the inspectors who served on the prison’s governing board, and keepers and contractors came and went, much remained constant inside the prison during its thirty-one years of operation.²⁰ Despite the increasing numbers of imprisoned men and women, officials expected prisoners to labor for the benefit of the institution. In addition, prisoners resisted confinement in subtle and not so subtle ways. In an effort to discourage inmate resistance, legislators passed an act on April 2, 1819 that authorized keepers to whip prisoners who disregarded the institution’s regulations, refused to work, resisted officials’ commands, or destroyed raw materials or finished goods. The act also encour-

18. “An Act making alterations in the criminal law of this State and for erecting State prisons,” 298.

19. Thomas Eddy, *An Account of the State Prison or Penitentiary House, in the City of New-York* (New York: Isaac Collins and Son, 1801), 36–37. For analysis of aural discipline on Southern slave labor camps, see Mark M. Smith, *Mastered by the Clock: Time, Slavery, and Freedom in the American South* (Chapel Hill: University of North Carolina Press, 1997). For analysis of the temporalities of Northern workplaces, see David Brody, “Time and Work During Early American Industrialization,” *Labor History* 30 (1989): 5–46; and Herbert G. Gutman, “Work, Culture, and Society in Industrializing America, 1815–1819,” *American Historical Review* 78 (1973): 531–588.

20. Lewis, *From Newgate to Dannemora*, 34–38.

aged inspectors to establish a rudimentary classification system that aimed to separate frequent offenders from first-time offenders, young inmates from old inmates, and healthy prisoners from unhealthy ones.²¹ This was the world that W.A. Coffey entered after being convicted of forgery and sentenced to seven years hard labor in 1819.

Compared with other prisoners, Coffey was well-employed and well-educated. He worked as a lawyer and may have earned a university degree.²² Coffey's 1823 *Inside Out; or, an Interior View of the New-York State Prison*, one of less than a handful of texts published by former Newgate convicts, provided a firsthand account of his confinement. Unlike prison officials, Coffey found nothing about the prison to praise. He wrote to demonstrate eight points: "the prison has failed to promote the object of its institution"; its officers were "immoral"; prisoners "corrupted each other"; the prison failed to prevent crime; congregate convict labor was "generative of depravity"; convicts were "treated with the utmost inhumanity"; keepers abused their pardoning power; and the prison's finances suffered from a "want of integrity."²³ Coffey's book was discussed in the State Legislature and apparently read by some convicts, such as John Maroney.²⁴ It also alarmed inspectors who wrote in their 1824 report that it was "written with a revengeful and malignant spirit, and for the avowed purpose of bringing the prison into disrepute and to excite mutiny within its walls."²⁵

Before his imprisonment, Coffey thought he knew the world hidden behind the prison's "dreary" gate and walls. As an attorney, he may have learned about the prison by reading pamphlets and reports written by prison officials. He imagined the world inside the prison as "a horrid place, and I naturally expected to find every visage sad, every eye sunk, every cheek pale, and every heart among the convicts, uncommonly depressed." When he entered the prison, however, he learned that his imagination

21. *Laws of the State of New-York, Passed at the Forty-Second Session of the Legislature* (Albany: J. Buel, 1819), 87–88. Lewis, *From Newgate to Dannemora*, 46–47.

22. Daniel Rogers, *The New York City-Hall Recorder for the Year 1819* (New York: Clayton and Kingsland, 1819), 52–56.

23. One Who Knows [W.A. Coffey], *Inside Out; or, an Interior View of the New-York State Prison; Together with Biographical Sketches of the Lives of Several of the Convicts* (New York: James Costigan, 1823), x–xi.

24. John Maroney, *The Narrative of John Maroney, in the Prisons of New-York and Auburn, from 1821 until 1831; Or, Maroney's Meditations, While in the School of Wisdom* (Newburgh: Charles U. Cushman, 1832), 10. Schorb, *Reading Prisoners*, 177–180.

25. "Annual Report of the Inspectors of the State Prison, in the City of New York," in *Journal of the Assembly of the State of New York, Forty-Seventh Session* (Albany: Leake and Crosswell, 1824), 249.

was “entirely mistaken.” All he saw was “unbounded levity.” Coffey observed “Cheerfulness and contentment played upon [inmates’] cheeks; quietude of mind was visible in their actions. Depraved in the most shocking degree, they evinced everything unmanly, obscene and disgusting. . . . Imprisonment was divested altogether of its terrors.”²⁶

Keepers whom reformers portrayed as upstanding citizens who provided prisoners with virtuous examples to emulate, were not, according to Coffey, much better than the prisoners they supervised. Coffey blamed keepers for prisoners’ “unmanly, obscene and disgusting” behavior. Instead of being virtuous men, Coffey claimed that keepers drank, swore, gambled, and played pranks on prisoners. They “indulge[d] themselves in the most obscene and wicked conversations, with vulgar, profligate and abandoned convicts, to the manifest corruption of many within their hearing.” Coffey “not unfrequently” observed keepers “staggering, from intoxication, about their shops, abusing every convict whom they casually met, and venting their vulgarity without blushing or reserve.” According to Coffey, keepers, just as much as prisoners, required reform.²⁷

As Coffey’s observations suggest, it was difficult for convicts to avoid the internal politics of the prison because by the late 1810s the prison was crowded. The prison contained fifty-four twelve-by-eighteen foot apartments, designed to confine eight prisoners each. The prison, therefore, was to confine 432 prisoners at its maximum occupancy. In January 1805, less than ten years after it opened, the prison confined 428 prisoners.²⁸ Four years later, in December 1809, the prison housed 478 prisoners.²⁹ By the end of 1812, 486 prisoners were confined inside the prison. In 1816, with the nation in an economic depression following the War of 1812 (1812–1815), the prison confined 659 prisoners, most of whom committed property crimes, which meant that approximately twelve prisoners slept in each apartment.³⁰ After this highpoint, legislators authorized the construction of

26. Coffey, *Inside Out*, 21.

27. Coffey, *Inside Out*, 21 and 42–51.

28. “Annual Report of the Inspectors of the State Prison, in the City of New York,” in *Journal of the Assembly of the State of New York, Twenty-Ninth Session* (Albany: John Barber, 1806), 137.

29. “Annual Report of the Inspectors of the State Prison, in the City of New York,” in *Journal of the Assembly of the State of New York, Thirty-Third Session* (Albany: Solomon Southwick, 1810), 109.

30. “Annual Report of the Inspectors of the State Prison, in the City of New York,” in *Journal of the Assembly of the State of New York, Forty-First Session* (Albany: J. Buel, 1818), 345. Lewis, *From Newgate to Dannemora*, 40–41.

two new prisons—Auburn and Sing Sing—to decrease the number of prisoners confined at Newgate, and eventually led to its closure in 1828.

Inmates formed a community and cultivated a culture of opposition inside the apartments. They told stories, boasted of previous exploits, and formed relationships. They also sang, gambled, swore, argued about politics and other subjects, traded tobacco, and wrestled. Coffey slept in a room with eleven other prisoners. By the light of a “dull lamp,” he observed some convicts engaged in “close conversation” while sitting around a “greasy table.” Others sat scattered throughout the room on benches, straw beds, and the floor.³¹ “Confined together, and having continual opportunities, of unrestricted conversation,” Coffey wrote, “it is natural that the convicts should consummate friendships with, and imbibe the principles of each other.”³² One of Coffey’s apartment-mates, a man convicted of highway robbery, boasted that he had committed “the most *manly* crime in the prison.” A jury convicted Coffey’s “bed fellow” of perjury. Together, they slept upon a bed of “filthy straw, worn nearly as fine as bran, lying in one corner of the room.”³³

Other sources corroborate Coffey’s claims about inmates’ activities in the apartments. John Maroney, who was sentenced to the prison in 1821, wrote that the apartments confined “as many as fourteen men.” Inside the apartments, prisoners’ nighttime “conversations not unfrequently turned on their former projects of villiany [*sic*]—of their hair-breadth escapes—and their future intentions.”³⁴ Likewise, in their annual reports to the legislature, inspectors lamented the ruinous effects of congregate nighttime confinement. In 1814 they observed, “while eleven or twelve prisoners are compelled to sleep together in each room, reformation, the object of punishment is not so likely to be obtained as in a greater degree of separation.”³⁵ According to inspectors, nighttime congregate confinement spread vice, disease, and vicious habits. In short, inspectors feared that pris-

31. Coffey, *Inside Out*, 69, 162, 104.

32. Coffey, *Inside Out*, 54.

33. Coffey, *Inside Out*, 105.

34. Maroney, *Narrative*, 10.

35. “Annual Report of the Inspectors of the State Prison, in the City of New York,” in *Journal of the Assembly of the State of New York, Thirty-Eighth Session* (Albany: H.C. Southwick, 1815), 215.

oners' nighttime interactions transformed the prison into "a school of vice and profligacy."³⁶

During the day, inspectors expected prisoners to work. Male prisoners produced goods for private contractors inside the prison's workshops. At the end of 1802, the prison incarcerated 372 male prisoners. Of these, 179 worked in the shoemaking workshop as shoemakers, binders, cutters, and closers. Another nineteen prisoners worked in the prison's nail workshop. While the remaining 159 men, minus three prisoners in solitary confinement, twenty-two in the infirmary, and four "invalids unfit for labor," worked as blacksmiths, carpenters, coopers, tailors, weavers, oakum pickers, furriers, gardeners, barbers, clerks, engravers, and assistants to the prison physician.³⁷ The labor tasks expected of male prisoners remained consistent while the prison remained in operation.

In the workshops, male convicts often outnumbered keepers by fifty or sixty to one. Inmates often avoided work when keepers were not looking. "Whilst the keepers were out," Maroney observed, "dice, cards, and chequers were introduced; wrestling, dancing, singing, and fighting, were practised."³⁸ Imprisoned men even stole raw materials and finished products that they traded to civilian contractors and workshop foremen in exchange for "tobacco, snuff, cheese, butter, pickles, onions, and not unfrequently, ardent spirits."³⁹ As Maroney's observations suggest, inmates cultivated and maintained cultures of opposition inside the prison's workshops.

Male prisoners frequently disrupted the prison's coerced-labor regime. Just as servants and enslaved laborers, prisoners resisted coerced labor by working slowly, sloppily, and destroying material. Coffey claimed that weavers burned and destroyed cloth with "unnecessarily powerful acids."⁴⁰ In his 1812 report, Head Keeper Nicholas Roome reported that he confined the following prisoners inside solitary cells: John Grant "for setting fire to

36. "Annual Report of the Inspectors of the State Prison, in the City of New York," in *Journal of the Assembly of the State of New York, Forty-Fourth Session* (Albany: J. Buel, 1820), 252.

37. "Annual Report of the Inspectors of the State Prison, in the City of New York," in *Journal of the Assembly of the State of New York, Twenty-Sixth Session* (Albany: John Barber, 1803), 104.

38. Maroney, *Narrative*, 5.

39. Maroney, *Narrative*, 7.

40. Coffey, *Inside Out*, 138. Lewis, *From Newgate to Dannemora*, 40. McLennan, *Crisis of Imprisonment*, 45–46. McLennan, *Crisis of Imprisonment*, 45. Graber, *Furnace of Affliction*, 49. Prisoners in the Massachusetts State Prison at Charlestown and Philadelphia's Walnut Street Prison also resisted coerced labor. Goldsmith, "'To Profit By His Skill and to Traffic on His Crime,'" 439–457. Meranze, *Laboratories of Virtue*, 189–191. Manion, *Liberty's Prisoners*, 16–17 and 29–30.

the brush shop” and “for cutting and destroying all the pieces in the looms in the upper weave shop”; Thomas Wilkinson for “refusing to work and threatening” keepers; John Jackson “for refusing to work”; and nine other prisoners for confining and threatening keepers, and “burning the shops, in order to effect an escape.”⁴¹

In addition to refusing to work, imprisoned men occasionally rebelled inside the congregate-labor workshops, which provided spaces for mass organization as well as tools prisoners could wield as weapons against keepers. On June 13, 1799, fifty to sixty shoemakers “seized the keeper” and “furnished themselves with hammers and axes, from the carpenter’s shop and the nailery, and proceeded to force the outer gates.” Large piles of firewood blocked the gates and prevented their escape. Approximately 300 soldiers, including artillery, arrived at the prison to suppress the insurrection.⁴² In addition to attempting escapes, prisoners set fires that damaged the prison’s industries. Five years after an 1804 fire, Prison Agent P.H. Wendover wrote that it “was productive of much injury to the business of the prison, both by the loss of labor, and damage to a large amount sustained to the stock on hand.”⁴³

The specter of arson haunted the prison. In 1812, prisoners “deliberately and willfully set on fire” one of the prison’s “principal workshops.” The fire destroyed the workshop, “consum[ed] a considerable amount of materials and valuable tools,” and compelled Prison Agent William Torrey to request an additional \$15,000 in appropriations from the Legislature.⁴⁴ In 1815, inspectors began to advocate for “more rigorous discipline” to punish inmates who committed arson. They also proposed replacing a wooden building used to store raw materials and the goods inmates produced in the prison’s north yard with a stone one because of their “constant apprehension” of arson.⁴⁵

41. “Annual Report of the Inspectors of the State Prison, in the City of New York,” in *Journal of the Assembly of the State of New York, Thirty-Sixth Session* (Albany: Solomon Southwick, 1813), 239.

42. *Commercial Advertiser*, June 14, 1799. *Mercantile Advertiser*, June 14, 1799. *The New York Gazette and General Advertiser*, June 14, 1799. *The Weekly Museum* (New York), June 15, 1799. W. David Lewis briefly discusses “revolts” in his *From Newgate to Dannemora*, 33–34.

43. “Annual Report of the Inspectors of the State Prison, in the City of New York,” in *Journal of the Assembly of the State of New York, Thirty-Third Session* (Albany: Solomon Southwick, 1810), 188.

44. “Annual Report of the Inspectors of the State Prison, in the City of New York,” in *Journal of the Assembly of the State of New York, Thirty-Sixth Session* (Albany: Solomon Southwick, 1813), 237.

45. “Annual Report of the Inspectors of the State Prison, in the City of New York,” in *Journal of the Assembly of the State of New York, Thirty-Ninth Session* (Albany: J. Buel, 1816), 124, 128.

Keepers also expected imprisoned women to work. Women attended the sick, washed and sewed inmates' uniforms, cooked, cleaned, and spun wool. Despite the centrality of women's labor to the operation of the prison, white, male, middle-class officials frequently denigrated female inmates.⁴⁶ In his 1812 report, Torrey described female convicts as "the very refuse of society: They are ever complaining; very refractory; and, of course, very much under prison punishment; their work never has, and perhaps never will, be made productive."⁴⁷ In 1815, prison agent Alexander Coffin, Jr., claimed that imprisoned women were "a great expense and no profit."⁴⁸ Contrary to officials' claims, women's work of cleaning was important because inspectors argued that reformation could only occur in a context of cleanliness, and cleanliness was one of the primary goals of women's labor.⁴⁹ Women cleaned the workshops, yards, chapel, dining area, and halls of the prison. They moved freely from the women's and men's sections of the prison. Cleaning provided women with opportunities to form relationships with male prisoners. If they desired, women could leverage these relationships to their advantage while imprisoned and after their release.

Sylvia Van Rantz, a twenty-six-year old enslaved black woman, whom a New York County jury convicted of grand larceny, used the mobility that accompanied cleaning to her advantage. While cleaning the prison, she maintained a relationship with John Robertson, a twenty-six-year old free black man whom a New York County jury also convicted of grand larceny. Van Rantz and Robertson were convicted and sentenced on the same day and spent two years incarcerated inside the prison.⁵⁰ Upon their release, they apparently left together. Van Rantz's owner placed an advertisement in the *Mercantile Advertiser* to offer an eight-dollar reward in hope of recapturing her. The advertisement claimed that Sylvia wore "a dark calico gown with yellow spots and leaves, a dark homespun gown and petticoat,

46. Historian Jen Manion notes that officials at Philadelphia's Walnut Street Prison expressed a similar disdain for imprisoned women. Manion, *Liberty's Prisoners*, 36–40.

47. "Annual Report of the Inspectors of the State Prison, in the City of New York," in *Journal of the Assembly of the State of New York, Thirty-Seventh Session* (Albany: H.C. Southwick, 1814), 197.

48. "Annual Report of the Inspectors of the State Prison, in the City of New York," in *Journal of the Assembly of the State of New York, Thirty-Ninth Session*, 129.

49. For the larger context of cleanliness in the early nineteenth-century United States, see Suellen Hoy, *Chasing Dirt: The American Pursuit of Cleanliness* (New York: Oxford University Press, 1996), 3–28.

50. New York State Prison of the City of New York, "Register of Prisoners Received, 1797–1810."

the last of which she received from the State Prison.” Her owner speculated that “she went off with a seafaring negro man, named John Robertson, who came out of the State Prison on the same day with her.” He closed his advertisement with a warning: “All persons are cautioned against harboring or employing her at their peril.”⁵¹ The advertisement’s description of Van Rantz and Robertson, two ex-prisoners who traveled together, suggests that imprisoned men and women could form and maintain important relationships with one another.

Prisoners not only formed relationships with one another; some prisoners attempted to befriend Reverend John Stanford who was appointed chaplain on July 30, 1812.⁵² On December 13, 1817, prisoner Timothy Bulluegh wrote a thank you letter to Stanford. Bulluegh thanked Stanford for encouraging him “to open” his mind and heart. Bulluegh admitted that although he had “sinned greatly,” while incarcerated he had “bent the knee to my Creator and besought his forgiveness for my manifold transgressions.” Despite the “bitter grief & jest” of his fellow prisoners, Bulluegh decided to dedicate his life to God. He closed his letter with a request: “I would beg of you to visit, to comfort, and assist me, to lend me the aid of your wisdom and experience to bear my lot without murmuring or repining untill [*sic*] it shall please God in his mercy to loosen the chains of bondage, and permit me to worship his name, in the midst of my unfortunate, and disconsolate family.”⁵³

Although prison officials and some inmates respected Stanford, many inmates refused to listen to him.⁵⁴ For instance, on December 9, 1818, Stanford recorded in his diary, “Preached twice in State Prison, with very little satisfaction.”⁵⁵ Stanford also noted that when he visited the prison

51. *Mercantile Advertiser*, September 8–10, 1802.

52. John Stanford, “Engagements with Public Institutions &c.,” in “Thomas Naylor Stanford Papers, 1773–1860,” Rutgers University Special Collections and University Archives, New Brunswick, New Jersey. Lewis, *From Newgate to Dannemora*, 39. For an overview of Stanford’s activities at the prison and New York City’s other public institutions, see Graber, *Furnace of Affliction*, 54–62.

53. December 13, 1817 letter from Timothy Bulluegh to John Stanford, in the “Thomas Naylor Stanford Papers, 1773–1860,” Rutgers University Special Collections and University Archives.

54. Charles G. Sommers, Stanford’s memoirist, demonstrated the high-esteem in which Stanford was held: in 1812, “Mr. Stanford was unanimously elected to that office [prison chaplain] by the board of Inspectors, and continued as the able and indefatigable minister of Christ in that institution [the New York State Prison, in the City of New York] until its removal from the city to Sing-Sing, in 1828.” Sommers, *Memoir of the Rev. John Stanford, D.D.: Late Chaplain to the Humane and Criminal Institutions in the City of New-York* (New York: Swords, Stanford, and Co., 1835), 163.

55. Entry dated December 9, 1818, in John Stanford, “Diary, 1816–1818, Volume 1,” in “Papers, 1794–1834,” New-York Historical Society.

on August 4, 1822, an “incident occurred that extremely Discomposed my spirits all day. Still, the Lord helped me to preach his holy & blessed word in the Chapel, morning and afternoon.”⁵⁶ In his diary, Stanford also mentioned visiting a woman confined in the prison’s solitary cells because it was “unsafe to admit her with other females.” Unlike other prisoners whom Stanford wrote about, this “miserable prisoner” refused to speak with him. He claimed that “she appeared to have very little feeling, although she had been confined alone 10 months.”⁵⁷

The unnamed imprisoned woman was not the only prisoner to reject Stanford’s message. Maroney recalled that Stanford’s words made “no impression on my hard and flinty heart.”⁵⁸ In his 1824 report to the Board of Inspectors, Stanford claimed, “During the time of worship the unfortunate prisoners have paid that attention, and conducted with that propriety which could reasonably be expected.” Stanford also observed, however, that prisoners “more inured to vicious habits, and hardened in iniquity, care for none of those things [religious instruction], and therefore set with cool indifference.”⁵⁹ Similarly, Coffin argued that despite Stanford’s “exertions to cure [prisoners’] moral diseases . . . the hearts of a majority of them appear to be steeled and impenetrable to the sublime precepts of the gospel of Christ, and even to the common moral duties, which as men, they owe to society.”⁶⁰ By refusing to listen to Stanford’s sermons and spiritual advice, prisoners subtly resisted the institution’s disciplinary regime.

As noted earlier, prisoners often resisted incarceration in more tangible ways. Prisoners set fires frequently in hope of escaping or disrupting the prison’s operations. For instance, Edmund Barnes, Joseph Ambler, James Stanford, William Wicker, William Griswold, John Rosenkrantz, and an unnamed prisoner shared an apartment with one another. Around 10:00 PM, on Monday, May 7, 1804, they attempted to escape. When a keeper returned Barnes, Ambler, Stanford, Wicker, Griswold, Rosenkrantz, and

56. Entry dated August 4, 1822, in John Stanford, “Diary, 1822–1824, Volume 3,” in “Papers, 1794–1834,” New-York Historical Society.

57. Entry dated June 7, 1826, in John Stanford, “Diary, 1825–1827, Volume 4,” in “Papers, 1794–1834,” New-York Historical Society.

58. Maroney, *Narrative*, 11.

59. “To the Board of Inspectors of the State Prison of New York, Southern District, City of New York, 1824,” in “Annual Reports,” in John Stanford, “Papers, 1768–1862,” box 1, New-York Historical Society.

60. “Annual Report of the Inspectors of the State Prison, in the City of New York,” in *Journal of the Assembly of the State of New York, Forty-Fifth Session* (Albany: Cantine and Leake, 1822), 90–91.

the unnamed prisoner to their apartment, the men overpowered the keeper and tied him up. One of the men, armed with a knife, stood guard over the keeper. The other men “tore down a chimney used for insertion of a stove pipe, and crept through the aperture to the garret where they set fire to the building.” Barnes, Wicker, Ambler, and Griswold escaped. Keepers later located Rosencrantz, Stanford, and the unnamed prisoner hiding in another part of the prison. Apparently, after keepers located Rosencrantz and Stanford, the men confessed that they hoped to escape after keepers had extinguished the fire.⁶¹

The testimony of the unnamed prisoner helped keepers piece together the event. The unnamed prisoner claimed that he, Barnes, Ambler, Wicker, Griswold, Rosencrantz, and Stanford had spent the past week planning their escape. The convict claimed that they set fire to the prison to create a diversion that would allow them to escape undetected. The prisoner who testified got cold feet. While in the garret, he told Barnes “he had done wrong.” Barnes responded by declaring that “he would perish in the flames or get his liberty.” Authorities, though, quickly recaptured him, Ambler, and Wicker. Only Griswold regained his liberty.⁶²

As early as 1801, only four years after the prison opened and following two recent inmate insurrections, Eddy criticized the prison’s congregate cells—a common lament of all future prison officials. “Had the rooms for the prisoners been so constructed as that each should lodge but one person,” he argued, “the chance of their corrupting each other would have been diminished, and escapes would have been more difficult.”⁶³ Likewise, in an 1818 letter to British reformer William Roscoe, Eddy observed, “unfortunately the rooms, in all our prisons are calculated for eight to fourteen prisoners, so that when they are lodged together at night, they have full opportunity to corrupt each other, and most frequently come out of the prison more hardened and depraved than when they entered it.”⁶⁴ The actions of prisoners encouraged Eddy and other officials to rethink the design of the prison. They also led the Society for the Prevention of

61. *Morning Chronicle*, May 9, 1804. *Chronicle Express* (New York), May 10, 1804. This was the fire that P.H. Wendover bemoaned five years later. See footnote 43 above.

62. *Morning Chronicle*, May 9, 1804. *Chronicle Express*, May 10, 1804.

63. Eddy, *Account of the State prison or Penitentiary House*, 28.

64. Samuel L. Knapp, *The Life of Thomas Eddy; Comprising an Extensive Correspondence With Many of the Most Distinguished Philosophers and Philanthropists of This and Other Countries* (New York: Conner & Cooke, 1834), 211.

Pauperism in the City of New York to observe in its 1822 *Report on the Penitentiary System in the United States* that inside the nation's prisons, prisoners had formed "a distinct and independent community." Prisoners had "their watchwords, their technical terms, their peculiar language, and their causes and objects of emulation."⁶⁵ Thanks to the actions of prisoners, many reformers, politicians, and members of the public began to argue that the initial state prison did not reform criminals or prevent crime.

Although inspectors had lamented the internal construction of the prison, particularly its apartments, and requested greater power to punish convicts for years, one of the most significant inmate uprisings occurred in early June 1818. During the uprising, "a number of convicts . . . attempted to escape." Following the initial uprising, convicts "refused to do any kind of work."⁶⁶ The striking prisoners "manifested a refractory disposition, refusing to comply with the rules and regulations of the prison, singing bawdy songs, blackguarding the people as they passed by, and even offering violence to their keepers."⁶⁷ An artillery regiment arrived to help keepers regain control of the prison. After artillery fired at the inmates, they ended their strike, and keepers confined between thirty-seven and sixty of the "ringleaders" in iron chains.⁶⁸

According to inspectors, the uprising "literally threatened [the prison] with total destruction [*sic*]." Inspectors argued "that a more energetic discipline in the government of the state prison has become indispensably necessary." Inspectors encouraged legislators to pass new laws that would "make the state prison a terror to evil doers."⁶⁹ In April 1819, legislators responded to inspectors' pleas by passing an act that encouraged the classification of inmates and authorized the whipping of disobedient convicts, "not to exceed thirty-nine lashes at any one time."⁷⁰ The uprising of 1818 and the

65. Society for the Prevention of Pauperism in the City of New York, *Report on the Penitentiary System in the United States* (New York: Mahlon Day, 1822), 26. For an overview of the Society for the Prevention of Pauperism's activities, see Raymond A. Mohl, "Humanitarianism in the Preindustrial City: The New York Society for the Prevention of Pauperism, 1817–1823," *The Journal of American History* 57 (1970): 576–599.

66. *The New-York Columbian* (New York, New York), June 6, 1818.

67. *The Albany Argus* (Albany, New York), June 9, 1818.

68. *New-York Columbian*, June 6, 1818; *Albany Argus*, June 9, 1818; and *Mercantile Advertiser*, June 6, 1818.

69. "Annual Report of the Inspectors of the State Prison, in the City of New York," in *Journal of the Assembly of the State of New-York, Forty-Second Session* (Albany: J. Buel, 1818), 338.

70. *Laws of the State of New-York, Passed at the Forty-Second Session of the Legislature* (Albany: J. Buel, 1819), 87–88. Lewis, *From Newgate to Dannemora*, 45–47. The 1819 act did not completely discourage inmates' resistance to incarceration.

1819 act passed in its wake indicate that inmates influenced the prison's regulations and its daily operation. Despite the new act, prisoners continued to resist confinement, attempted to escape, and staged uprisings.⁷¹

Throughout Newgate's thirty-one years of existence, inmates frequently took control of the congregate apartments, workshops, and common spaces to form communities and cultures of opposition. According to reformers, prisoners' culture seduced "criminal youth." "Vicious as may be their preconceived principles and habits," Stanford wrote, "it cannot otherwise be expected but that both will be highly cultivated by their associating with men more expert and rooted in crime than themselves." In hope of preventing young criminals from listening to seasoned criminals, Stanford claimed to have taken "every favourable occasion to give them my best advice." The culture prisoners created made him "deeply lament that the internal construction of the prison is such, as illy to admit of classification; and without this, little reformation of any kind, can be expected, while the labour of the keepers is ten fold the more heavy upon their heads."⁷² Prisoners used the architectural design of the first New York state prison to maintain their own distinct cultures and communities. Prisoners resisted incarceration to maintain their individual identities and to form collective identities that challenged officials' goals.

Legislators authorized the construction of Auburn and Sing Sing state prisons partly in response to the actions of prisoners confined at Newgate. Prisoners pushed reformers, legislators, and members of the public to view the prison not as a place of potential reformation, but as a place where old offenders schooled the young in the criminal arts, and where men formed gangs that would later commit crimes. Auburn and Sing Sing were built partly as a response to the actions of the state's first inmates, where reformers and politicians implemented an incarceration regime based upon solitary confinement at night, and silent congregate labor during the day. Keepers at Auburn and Sing Sing employed brutal corporal punishment to enforce discipline and maintain order. Austin Reed recalled his multiple incarcerations at Auburn during the 1840s, "Them was the days when the prisoners' backs was cut and lacerated with the cats [cat o' nine tails] till

71. McLennan, *Crisis of Imprisonment*, 44.

72. "To the Board of Inspectors for the State Prison of the City of New York, Southern District, 1823," in John Stanford, "Papers, 1768–1862," box 1, volume entitled "Annual Reports," New-York Historical Society.

the blood came running down their backs. Many was the nights that the prisoners returned to their cells with their backs cut and hacked up with the cats, and cursing and damning their makers and uttering hard and horrible oaths.”⁷³ Retribution had clearly replaced reformation as the goal of incarceration. The famous New York prisons of the antebellum era were conceived, planned, and built in response to the actions of the state’s first prisoners. The men and women imprisoned at Newgate were critical, yet underappreciated and often overlooked, influences on the construction, regulations, and operation of New York’s antebellum state prisons that continue to confine convicts today.

73. Austin Reed, *The Life and Adventures of a Haunted Convict*, ed. Caleb Smith (New York: Random House, 2016), 173–174.