

the northern states and investigate their manufacturing departments. The Committee on Prison Manufactures (1842) concluded: first, solvency of the Penitentiary required maintaining a large, productive prison population, which had been dwindling since an 1836 law provided for negroes to be sold out of state for a second offense; second, debate continued over the merits of manufacturing on the State account plan or hiring the convicts out to contractors; and third, working men forced to compete with prison labor might cripple prison industries.

After the Civil War, Maryland turned totally to the contract system of prison labor. Between 1880 and 1912, the Penitentiary returned its greatest profits to the State treasury. Rumors of corporal punishment and unsanitary conditions, however, caused the appointment of an investigative commission in 1913 which found that profits had been at the expense of the prisoners. Recommendations of the Maryland Penitentiary Penal Commission were enacted very gradually into law and form the basis for the current correctional system. The Commission called for the State Use and State Account Systems to replace contract labor; a centralized board to govern State penal institutions; a Board of Pardons and Paroles; a prison farm and a separate institution for women offenders; use of local jails only for pretrial detention and not for final sentence; State control of juvenile reformatories; passage of an Indeterminate Sentence Act; and classification of prisoners, with incentives for good behavior.

The Maryland Penitentiary Penal Commission also furthered educational programs for prisoners. The Penitentiary library began in 1844 with books donated by Dorothea Dix among others. Religious instruction had been provided from an early date by outside clergy, the Prisoners' Aid Society, and other groups. In 1905, an institutional chaplain was hired, whose duties included reading prisoner mail and supervising the library. By 1907, prisoners were encouraged to take approved correspondence courses, and in 1913, after the Commission's investigation, night schools for illiterates were started using prisoners as teachers.

By 1916, the State Board of Prison Control began to oversee the Maryland Penitentiary and House of Correction, and to phase out contract labor after the Penal System Commission of 1914 advocated changes similar to those recommended by the Maryland Penitentiary Penal Commission, (Chapter 556, Acts of 1916). That same year prison labor came full cycle with passage of a law authorizing the use of prisoners to work on the public roads, bridges, and highways, the spectacle of which back in 1804 had led to the building of the Penitentiary (Chapter 211, Acts of 1916). The contract labor system continued until 1935 when federal legislation outlawed the interstate sale of goods produced in prison, forcing Maryland to establish *State Use Industries* (Chapter 213, Acts of 1937).

The Maryland Penitentiary is by far the oldest State correctional institution. Not until 1874 was the Maryland House of Correction authorized. Originally sentences to the House of Correction were for not less than three months nor more than three years. Vagrants, the habitually disorderly, and habitually drunk were subject to commitment. Inmates were to be kept at useful employment, not hard labor, and good behavior could lead to remission of sentence (Chapter 233, Acts of 1874). Due to shorter sentences, the House of Correction also had difficulties keeping prisoners working. Prisoners worked on the institution's farm, were hired out to neighboring farmers, and as early as 1915, were working on the roads of Anne Arundel and Howard counties, as well as manufacturing under the contract labor system.

The twentieth century saw a flurry of prison construction: the Maryland State Penal Farm (later to become Maryland Correctional Institution at Hagerstown) in 1931; Women's Prison of the State of Maryland at Jessup in 1939; Patuxent Institution at Jessup in 1951; Maryland Correctional Training Center at Hagerstown in 1966; Maryland Correctional Institution at Jessup in 1981; Roxbury Correctional Institution at Hagerstown in 1983; Eastern Correctional Institution at Westover in 1987; Maryland Correctional Adjustment Center at Baltimore in 1989; and a new prison that will open in the fall of 1995 near Cresaptown, south of Cumberland in Allegany County. The State assumed additional responsibilities in 1991 when it took control of the Baltimore City Jail and reorganized it as the Baltimore City Detention Center under the Division of Pretrial Detention and Services.

*A State System of Parole and Probation.* Development of Maryland's system for parole and probation was propelled by the need for prison reform around 1913 and later by the problem of prison labor after 1935.

From its opening in 1811, a person sentenced to the Maryland Penitentiary could be released only by pardon of the Governor or expiration of sentence, unless the prisoner died or escaped. No remission of sentence existed as an incentive for good behavior. In 1870, the Governor was authorized to commute a death sentence to confinement in the Penitentiary or banishment, issue conditional pardons, or remit a sentence of confinement under specified conditions (Chapter 306, Acts of 1870).

In 1894, Maryland became the second state after Massachusetts to use probation as a correctional remedy. Courts were authorized to release first offenders convicted of noncapital offenses upon consideration of "the