

By 1842, the Penitentiary, hit hard by a general commercial depression and the depreciation of its textile production, had accumulated a deficit. Its directors appointed a committee to visit five penitentiaries in 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.

*Maryland Penitentiary Penal Commission.* After the Civil War, Maryland used a contract system of prison labor and, between 1880 and 1912, the Penitentiary returned its greatest profits to the State treasury. Rumors of corporal punishment and unsanitary conditions, however, led an investigative commission in 1913 to find that profits had been at the expense of the prisoners. Recommendations of the Maryland Penitentiary Penal Commission were enacted gradually into law and form the basis for the present correctional system. The Commission called for the State Use and State Account Systems to replace contract labor; a central board to govern State prisons; a Board of Pardons and Paroles; a prison farm; and a separate institution for women offenders. The Commission wanted local jails used only for pretrial detention, not for final sentence, and sought 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 who read prisoner mail and supervised 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.

*State Board of Prison Control.* 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.

In 1922, the General Assembly made the State rather than the individual counties and Baltimore City responsible for carrying out the death penalty. The stated intention was to centralize capital punishment at the Maryland Penitentiary where convicted felons under sentence of death would be hanged. This removed execution from the county or city jails as the law then provided, thus relieving the counties from the mobs that frequented hangings (Chapter 465, Acts of 1922). The law applied to offenses committed on or after January 1, 1923. It further directed the Warden of the Maryland Penitentiary to provide and maintain a permanent death chamber within the confines of the Maryland Penitentiary, where the condemned was to be held in solitary confinement.

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 1996 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.