

the criminal *undervaluing* that of the honest citizen. It has been stated that the expense of our convict labor is only about 11 or 12 cents per day; whereas the fact is, that making allowance for the number of sick, infirm and decrepid, and those necessarily employed in the hospital in cooking, baking, washing, &c., whose labors directly contribute nothing to the support of the institution, the *available* labor of the prisoners must be made to yield at least 63 cents per day, in order to cover the actual expense of their maintenance, which the last year amounted to \$41,000, without reference to the interest of money upon the immense sums which the institution has cost the State for ground and buildings. If this interest was added, it would make the labor necessary to cover the whole expense, at least *one dollar* per day.

Either rate of wages, it is believed, much exceeds the average paid at private manufactories, considering the women and children employed therein at wages far below the lowest of the above rates. This is the extent of the cheapness of Penitentiary labor, and whatever it be, it does not allow the authorities of the institution to depend upon it; on the contrary they are compelled to observe a constant care and watchfulness to obtain the highest market-prices for its manufactures, in order to guard against loss, (which has sometimes happened, and, in the fluctuations of the market is always liable to happen,) and thereby prevent a resort to the State treasury, for the support of the institution.

It must therefore, be apparent, that the complainants suffer no injury from the *cheapness* of Penitentiary labor, unless the authorities of the institution wantonly and capriciously *undersell* its manufactures. This, it is believed, is not pretended—certainly it cannot be shown. On the contrary, there is more uniformity and fewer alterations in their prices and terms of sale, than are observed in regard, perhaps, to any other manufactures in our market. The labors of the Penitentiary, it is true, were unusually profitable the last year. According to the report of the Directors, the net profits, after defraying all expenses, were upwards of \$10,000; from which it is fairly to be inferred that the goods of the Penitentiary could not have been sold *under price* in the market. It may also be inferred, that the private manufacturers must have been well enabled, out of the profits of their business, to have paid the artificers employed by them a fair price for their labor. If they have not done so, it cannot be justly imputed to the operation of Penitentiary labor, although it may suit their purposes so to impute it: and we are of opinion that this is one of the principal sources of the clamor against the Penitentiary; the mechanics themselves, no doubt, sincerely believing that the labor of the Penitentiary does operate injuriously upon them.

If we have proved, as we trust we have, that the State derives no advantage from the *cheapness* of Penitentiary labor, over that of