

# Ann Hinson: A Little-Known Woman in the Country's Premier Prison, Eastern State Penitentiary, 1831

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In all countries women commit less crimes than men, but in none is the disproportion of criminals of the two sexes so great as in ours.... Unhappily, the small number of crimes committed in our country by women, has caused a comparative neglect of female criminals. Public attention has hardly turned itself toward this subject, and yet none claims it in a higher degree.<sup>1</sup>

As Francis Lieber observed in 1833, when writing the above introduction to Alexis de Toqueville and Gustave de Beaumont's *On the Penitentiary System in the United States*, female prison inmates received little public attention. On this point, Lieber was correct. Without exception, women historically have been convicted of fewer crimes than men. This statistical fact, however, obscures the more subtle and pernicious point of greater significance. Fewer convictions of women offenders do not explain the neglect of female imprisonment in the Penitentiary for the Eastern District of the State of Pennsylvania (Eastern), the country's premier penal institution, during its first years. The consequences of this neglect are particularly evident in the case of Ann Hinson, one of Eastern's first female inmates.

The Pennsylvania State Penitentiary for the Eastern District, otherwise popularly referred to as Eastern State Penitentiary or the Prison at Cherry Hill, began receiving prisoners in 1829. Almost immediately it achieved international renown for a design and building that intended to keep inmates separate and silent, apart from the evil influences that, penal reformers believed, had caused the crimes which led to their imprisonment. While imprisoned alone in a cell, an inmate would work, sleep, and eat in solitude. Prisoners would see or speak to no one but their keepers, and they would be addressed by numbers assigned to them rather than by name. Under the separate and silent system of incarceration, authorities and reformers anticipated that an inmate would arrive at the same conclusion that a jury had reached when its members pronounced the accused guilty and the judge sentenced the individual to imprisonment. The Eastern inmate would come to understand the depths of his or her own transgression and never stray again.

Ann Hinson's imprisonment, and statements made about her activities while confined at Eastern, repudiate the claims that separate and silent incarceration would

produce, by means of sufferings principally acting on the mind and accompanied with moral and religious instruction, a disposition to virtuous con-

duct, the only sure preventive of crime; and where this beneficial effect does not follow, to impress so great a dread and terror, as to deter the offender from the commission of crime in the state where the system of solitary confinement exists.<sup>2</sup>

Hinson was the first woman, but not the last, to reveal the contradiction between theory and practice at Eastern State Penitentiary. The story of her incarceration and erasure from the historical record demonstrate the lengths to which advocates of separate and silent confinement were willing to go to protect their controversial system of imprisonment. Throughout its history Eastern's system of carceral discipline encountered challenges to its legitimacy. Hinson's presence and activities gave rise to, but did not receive adequate attention during the first investigation of the penitentiary and its administration, an investigation that began only five years after the prison had opened.

Evidence confirming Hinson's presence and activities at Eastern derives from a number of sources. Most of what historians might discover about her was generated by the penal authorities themselves, while other information resulted from a legislative investigation into activities alleged to have occurred within the prison while Hinson was there. None of the information in these sources can be corroborated, however. Unfortunately, Ann Hinson left no record of her activities. Despite these shortcomings, the record of Hinson's imprisonment demonstrates two points. First, discipline at Eastern State Penitentiary was not imposed in the manner that advocates and authorities claimed. Second, the record of Ann Hinson's and other women's imprisonment at the institution reveals that female incarceration, despite the lack of specific attention paid to it, would remain problematic for many years.<sup>3</sup>

Not only did nineteenth-century authorities and reformers neglect the importance of women in prison, but historians of penal practices in the United States also have tended to overlook female incarceration at Eastern.<sup>4</sup> Nicole Hahn Rafter, historian of women's imprisonment, has argued that the new penitentiary discipline that men encountered before 1800 was not extended to women until the 1830s. Rafter, however, considers the congregate system of imprisonment in New York as a universal model where female inmates became pawns in a heated dispute between Auburn and Sing Sing prisons. Neither institution wanted female inmates as their responsibility. Arguments against female incarceration in the New York penal institutions focused on the claim that women were particularly difficult prisoners. Each prison, Hahn Rafter concludes, "made strenuous efforts to ensure that females would be sent to the other location . . . female prisoners were the source of sexual mischief . . . they could not earn as much as men . . . they had gone beyond the pale of redemption."<sup>5</sup>

New York's approach, but not assumptions, clearly differed from Philadelphia's, at least concerning women. Eastern was not the first state penal institution where men and women were incarcerated in the same prison. Women had been among the inmates at the country's first prison for the state, the Jail and Penitentiary House on Walnut Street in Philadelphia, when it opened in 1790.<sup>6</sup> And when Pennsylvania's second state prison, the Penitentiary for the Western District in Allegheny County, opened in 1823, it too housed female offenders. Thus the "benefits" of imprisonment were extended to women in Pennsylvania prior to the 1830s. Eastern State Penitentiary was, however, the first institutional reform attempt to provide separate confinement for men and women convicted of criminal offenses.

Two years after Eastern opened, four women were sentenced to join the eighty-three men at the penitentiary.<sup>7</sup> They would be the only females incarcerated there just before what was arguably the most famous prison investigation of the nineteenth century. All four women—Amy Rogers, Henrietta Johnson, Ann Hinson, and Eliza Anderson—were of African ancestry. This was no coincidence, given the racial composition of the Jail and Penitentiary House at Walnut Street, the facility Eastern replaced. Because it was in bad shape, and no longer serving its original purpose as a penitentiary, the Walnut Street Prison was closed in 1835. Between 1831 and 1835, other women were sentenced to Eastern, but most of them were ordered to the Walnut Street Prison.<sup>8</sup> However, unlike the women who went to Eastern, female offenders incarcerated at Walnut Street Prison were not convicted for manslaughter.<sup>9</sup> Moreover, a few years earlier, three of the first four women had been previously imprisoned. Clearly, if one goal of imprisonment was to prevent individuals from committing additional criminal offenses, Eastern's predecessor had failed.

The four women arrived at Eastern on two separate occasions, first Rogers and Johnson in April, followed by Hinson and Anderson in December 1831. When Rogers and Johnson arrived at the penitentiary, Warden Samuel R. Wood simply noted in his *Daily Journal* they were "the first females received."<sup>10</sup> He did not indicate that two of the first four women had been imprisoned before; nor did he mention where the women would be housed or what instruction and provisions specific to their sex they would be given while incarcerated. In fact, he did not question that the women would receive prison sentences in the same institution as men. The early presence of women at Eastern State Penitentiary did not escape the Board of Inspectors' attention, however. As early as 1831, the inspectors expressed their anxiety about the prospect of women in the prison, declaring that it would be advisable to employ a matron to oversee them. On December 3 that year, the Board approved hiring a matron, but perhaps because there was already a female in residence who was not an inmate, Mrs. Blundin, an underkeeper's wife, they did nothing immediately about making the appointment.<sup>11</sup>

Ann Hinson (#100) had been convicted in Philadelphia Court of Oyer and Terminer for manslaughter. She was sentenced to Eastern with Eliza Anderson (#101), also convicted of manslaughter. For their crimes, Hinson and Anderson each received two-year sentences.<sup>12</sup> Unlike Eastern's three other female inmates, Ann Hinson figured centrally and explicitly in the investigation which best exemplified the inescapable but problematic presence of women in prison. By 1833 evidence of problems within the prison surfaced. Although the administration was responsible for the scandal, the women in question—an underkeeper's wife, Mrs. Blundin, and a female prisoner, Ann Hinson—were among the principal exemplars of the degraded status into which the penitentiary could plunge.

Even without the investigation, Ann Hinson's imprisonment raises numerous questions about the prison and its administrators' preparedness to accommodate females. The record reveals the rhetoric of improving the individual. In the first place, there are discrepancies over her health upon admission. When Hinson entered the prison, the physician observed that she, like the other three women, "arrived in good health." Just before she departed, however, the physician contradicted his earlier report, stating "without experiencing a single day's indisposition, number 100 [is] in good health though received in a miserable state of health."<sup>13</sup>

In 1831, Hinson should have been domiciled on one of the only three cellblocks that had been constructed, since female inmates were ostensibly sent to "the ladies corner" on cellblock two.<sup>14</sup> Later she was consigned occasionally to the second story of the fourth cellblock; where women were not supposed to be. She was not placed in cellblock four because the prison was overcrowded at this point. Rather, Hinson's relationship with Mrs. Blundin enabled her to become one of the earliest occupants in the prison's "best" accommodations.<sup>15</sup>

Cellblock four was completed in 1833, and it differed from those that had been previously designed by John Haviland, Eastern State Penitentiary's architect. It was one of the first two-story blocks at the penitentiary, and during these early years its features provided inmates with some of the best-serviced accommodations, not just in the prison, but throughout the country during the antebellum period. Few homes had indoor plumbing, as Eastern State Penitentiary did, primitive though as it was. A crude central heating system provided the cells with warmed air in flues at the sill of the doors on the gallery side, with fresh air supplied through exterior walls. Prison regulations required inmates to be confined in their cells for the duration of their sentence, except for the half-hour or so each day they were allowed to exercise in the yards adjoining their assigned cells. However, on the second story of a cellblock, it was not possible to design such an exercise yard. The upper story cells had no yards, and the cells were smaller than those on the first floor,

though inmates were allowed an additional, adjacent cell or bedroom. Second-story cells were also unlike the first story—which were unbearably hot in the summer, cold and humid at other times of the year. The high walls of the yard trapped humidity and prevented air from circulating, and the absence of cellars produced high humidity. When deliberating about building the fourth block, the inspectors asserted that the second story of this cellblock would be “drier, better ventilated, thus healthier.”<sup>16</sup>

But Ann Hinson’s “privileges” only began with the location of her cell. Eastern State Penitentiary was not conceived with women in mind, and a female presence in the predominantly male institution was not systematically addressed. Not only were there no specific facilities for women, neither their labor nor their “rewards” were considered. According to Warden Wood, a man was assigned labor to be performed in his cell,

if he have [*sic*] no trade, or one that cannot be pursued in his cell, [he] is allowed to choose one that can, and he is instructed by one of the overseers, all of whom are master workmen in the trades they respectively superintend and teach. Thus work, and moral and religious books, are regarded and received as favours, and are withheld as a punishment.<sup>17</sup>

The first four women at Eastern State performed domestic labor, either cooking or washing clothes. This work would take them into the penitentiary’s public sphere, an act that the administration allowed, but one that was strictly prohibited in the legislation that established the early correctional institution. Although no legislative provisions mentioned women’s domestic activities, Ann Hinson joined Mrs. Blundin in cooking for the institution. And as a result of access to public space, such activities would become part of the investigation.<sup>18</sup>

According to the sentence handed down by the court, Ann Hinson should have been released from Eastern State on December 10, 1833, precisely two years after she arrived there; but she could not leave on that date because the court ordered her to be “sentenced to give bail or security in the sum of \$100, which not being able to do, [she was] obliged to remain.” Warden Wood’s remarks in his *Daily Journal* tersely recorded that upon delivering her the news, “Prisoner number 100 [Ann Hinson] cried bitterly all day.”<sup>19</sup> Wood, however, seemed determined that Hinson should leave the prison. When he discovered that she did not have the funds to pay the bail, he “called Judge Gibson” about their situation on December 11 and by December 16 he had “obtained security and discharged them.”<sup>20</sup> As the investigation would reveal, Warden Wood had good reason for not wanting Ann Hinson in his penitentiary any longer.

This investigation of Eastern has received considerable attention because of what it revealed about the abusive treatment of male inmates, reported

cases of one's insanity, and the suspicious death of another. Little known, however, is the fact that at least two women, Mrs. Blundin and Ann Hinson, figured prominently in the controversy that led to the investigation. Mrs. Blundin came to Eastern with her husband when Warden Wood offered him employment as underkeeper. She did not hold an official position, but she did perform key duties within the prison. According to Philip Hahn, another penitentiary employee, "when female prisoners [arrived], she [Mrs. Blundin] put them through the bath-house—visited them particularly—the one that did the washing."<sup>21</sup> Despite this seemingly innocuous description, almost from the moment she arrived at the penitentiary, Mrs. Blundin aroused controversy, possibly because she had not been hired officially by the administration, and she was the only non-inmate female who lived on the premises. Recently Michael Meranze, the only historian to note Blundin's role, convincingly has argued that the underkeeper's wife was attacked by the use of "common misogynist imagery...[portrayed] as a diseased, vicious, and power-hungry woman, contemptuous of [Warden] Wood, of propriety, and of the honor of the state."<sup>22</sup>

Ann Hinson's alleged activities while an inmate at Eastern State have received no attention among historians. It might be argued that misogyny converged with racism to render Hinson invisible and therefore even more depraved in the historical imagination than Mrs. Blundin or any of the other individuals charged in the scandal. The neglect of Ann Hinson's presence in the penitentiary and the testimony condemning her behavior have perpetuated the belief that female inmates in predominately male prisons were inherently culpable and beyond the pale of reform.

Members of the legislative investigation of 1834-35 produced two reports, each refuting the other. The majority report, authored by Mr. Penrose, exonerated nearly all of the accused parties, and presented very little testimony to contradict its conclusions. The minority report, authored by Robert McElwee, a member of the legislative committee, focused on how officers were appointed and the manner in which they carried out their responsibilities. Recounting testimony before the legislative committee that had been appointed to investigate Eastern, the minority report provided extensive information about the administration of the prison. Ann Hinson received considerable attention in McElwee's minority report, as she figured centrally in the injudiciousness of Mrs. Blundin that contributed largely to bringing about the investigation.

Among the more infamous, and known, aspects of Eastern State Penitentiary were charges brought against the administrative staff of the penitentiary. According to the majority report, which clearly states the charges, parties were accused of

(1) engaging in licentious and immoral practices, indecent conversations, gross personal familiarities sexual intercourse, and spreading "a filthy disease" (venereal disease); (2) embezzling and misapplying public provisions and public property and public labor "to the private and unauthorized use and advantage of various persons connected with the institution;" (3) inflicting cruel and unusual punishments at the warden's orders upon refractory convicts, viz., "Seneca Plumy who, in the depth of winter, was tied up against the wall attached to his cell, by the wrists, while buckets of extremely cold water were thrown upon him from a height, which partly froze his head and person, and he was shortly after discharged as incurably insane; and the case of Matthias Maccumsey, in whose mouth an iron bar or gag was so forcibly fastened, that his blood collected and suffused upon his brain, and he suddenly died under the treatment;"

Charges that have not heretofore received attention, and therefore remain unknown, included:

(4) engaging in "known practices and habits inconsistent with the object and principles of a penitentiary and its system, subversive of its order, regularity and security...[viz.] given of large entertainments within the prison, by the warden, carousing and dancing late at night at the apartments of the said wife of Richard Blundin, within the walls, frequent intoxication, habitual intercourse with lewd and depraved persons, and irregular hours also on the part of the said wife of Richard Blundin, and with the knowledge and connivance of the warden;" (5) participating in the "frequent and illegal practice in the treatment of convicts by the warden, of departing from, and in effect disregarding the sentences of the courts of justice: relaxing their severity, commuting their inflictions, or evading their real meaning; thus substituting his individual caprice or discretion for the decisions of the law, and defeating the regularity and precision which ought to characterize the penitentiary system."<sup>23</sup>

In keeping with the dominant view, the investigation concluded that Warden Samuel Wood should be reprimanded, though he would be allowed to retain his position. Mrs. Blundin was required to leave the premises of the prison. Ann Hinson was never heard from again.

The minority report demonstrates that information about Ann Hinson's conduct in the prison assumed a prominent place in the controversy over the prison administration's sordid activities. Because this, [otherwise referred to as *McElwee's Report*], revealed many details about the alleged improprieties committed by several inmates and penitentiary personnel, its author wrote to Roberts Vaux, the distinguished member of the Philadelphia Society for Alleviating the Miseries of Public Prisons, expressing his apprehension that the report would be suppressed. McElwee stated that "[m]uch exertion has been made use of to prevent me from reading an adverse Report." A man of principle, McElwee "conceived[,] however[,] that I would on solemn duty to the

Committee as well as to myself and humanity, to report [*sic*] my opinions on the matter."<sup>24</sup>

In response to the allegations against the prison administration, a number of witnesses brought to light some details of Ann Hinson's purported conduct. Various individuals, who either worked in the prison or were inmates, confirmed one of the alleged improprieties committed by Hinson, testifying that she resided on cellblock four. Her residence on cellblock four defeated "the regularity and precision which ought to characterize the penitentiary system."<sup>25</sup> William Mayall, who was an officer at the penitentiary between May 1833 and January 1834, informed the legislative committee that "*Anne [sic]* was locked up in 4th block part of the time—I was there—the rest of the time in 3rd block. She was let out after one of the others was put in: two occasionally went to the front, and as one was returned the other went."<sup>26</sup> Judge Charles Coxe also confirmed the location of Hinson's cell on the second story of the fourth cellblock.<sup>27</sup>

Ann Hinson's labors were not carried out in the solitude of her cell. One of her assignments at Eastern was to cook for the sick inmates who presumably occupied second story cells on block four.<sup>28</sup> She seems to have been "privileged" in other ways as well. Despite the requirement that a prisoner be confined to his or her cell for the duration of incarceration at Eastern, except for exercise and bathing, Hinson seems to have been one of several exceptions. Obviously Hinson had to leave her cell in order to perform her assigned tasks. Silas Steel, an employee at Eastern was unwilling to testify before the committee. In his testimony about Hinson, Steel disclosed that she traveled regularly outside of her cell to perform an assigned task. Once Steel could be convinced to testify, he told the committee, "Under the apartments of Wood, Ann Himes [*sic*] No. 100 cooked, for one."<sup>29</sup>

Rarely, and for obvious reasons, did ex-prisoners testify against the authorities or favored inmates. William Parker, however, who spent fifteen months at Eastern, did testify. While appearing before the committee, he detailed various infractions committed by the parties named, and provided them with a lengthy description of Hinson's activities:

*Anne [sic]* was sent by Mrs. Blundin, as she the prisoner told me, to get a candle lighted—I was then in Mrs. Blundin's kitchen washing up her dishes—which is the kitchen adjoining the one in which I did the prisoners' work. Anne stood out in the yard, and knocked at the window—I thought it was Mrs. Blundin or some of the officers, and I opened the window. On opening the window I discovered a coloured woman with a lamp in her hand—I was very much frightened—asked her if she was hired, or a prisoner, for I knew of no coloured woman being hired about the front building—she told me her name was Anne—that she was a prisoner—and that she was on Wood's side of the house. I asked her how she dared to come there, knowing

it to be contrary to the rules of the institution—she said Mrs. Blundin sent her to get a light. I gave her a light and told her if she ever came back again, I would inform Mr. Wood of it. I saw her repeatedly after that—on Wood's side—could not help seeing her without shutting my eyes.”<sup>30</sup>

Apparently cooking for the sick was not Hinson's only duty. According to William Griffith, an overseer in the shoemaking department, she cooked “for the parties.”<sup>31</sup> Not only did Hinson cook for the parties, some witnesses testified that she attended them as well. Griffith vividly described scenes of debauchery within the prison walls. Once again, Hinson's allegedly ignoble activities came to light:

Mrs. Blundin gave a dance party inside the walls. It happened on a night that I was on duty till 10 o'clock—how many were there in the forepart of the evening I am unable to say—at 10 o'clock. Mr. Wood came up and told me that if I wished to go down and see how they were coming on in the front part of the building, he would spell me awhile.—I went down—I found at least thirty persons there, male and female, they were dancing to the music of the violin—a black woman played the violin for them, not an inmate of the Penitentiary—a black woman by the name of *Anne*, *think* [*sic*] No. 100, a convict, was present when I first went down. She appeared to be sitting looking on—dressed in a calico dress with a turban about her head. There was pretty plenty of drinking going on—some of the females I found to be pretty well intoxicated—I saw them drink.”<sup>32</sup>

Whether or not she consumed alcohol at the party might be disputed, though various witnesses testified that Hinson seems to have had fairly regular access to liquor. “On one instance, Mr. Bacon came—the men found *Ann*, No. 100, or 101, lying drunk in the kitchen, when they went for the supper or dinner,” William Griffith also told the committee.<sup>33</sup> William Mayall, who had been an officer at Eastern also informed the committee that Hinson had access to liquor, stating “*A colored woman* also was let out every day and went down to the front. I believe she was cooking or doing something down in Mr. Wood's part—don't know her number—I sometimes had the locking up of that woman when brought back. I thought sometimes she was a little touched with liquor.”<sup>34</sup> If nothing else is revealed with certainty from these testimonies, it is clear that the penal regime of anonymity and impartial treatment of the inmate at Cherry Hill was fiction. Some inmates and keepers knew the identities of other inmates, and some inmates were more favored than others.<sup>35</sup>

This exceptional treatment of Hinson is explained, in part, by her relationship with Mrs. Blundin. Perhaps the best example of Mrs. Blundin's alleged “injudiciousness” with respect to inmates, especially Ann Hinson, was

Judge Coxe's testimony before the committee. Coxe told the committee about his communications with inmates who revealed the various unsanctioned activities that occurred inside the penitentiary. One episode included a scandalous example of Hinson's transgressions that appear to have occurred with Mrs. Blundin's consent:

There was a light mulatto man convicted I think at Chambersburg or Carlisle of a rape—he was occasionally taken from his cell and used by the Warden as a servant—I speak of my own knowledge, I have seen him. This man made a communication to me, charging Mrs. Blundin with improper conduct, intemperance, giving him spirituous liquors, of larcenies of the property of the institution and of the warden—he said she was the greatest thief he ever knew. He charged her with indicating to him a way by which he could escape from the Penitentiary by showing him the way a convict named Hamilton had escaped; that she had procured him an interview between him and a female black convict who was acting as a cook for Mr. Wood and the sick, in Mr. Wood's apartments; that she had offered to leave them together and that he from fear had declined it; and that she, Mrs. Blundin had made lascivious overtures to him, and spoke in unqualified terms as to her character as a strumpet; I do not mean to say that he said he had ever seen her commit such an act, but he called her such names. He alleged that he had on several occasions had personal interviews with this black female convict when no one was present in the passages and on the stairing of the institution.<sup>36</sup>

Ann Hinson's story in its entirety, however, will never be known. The committee never called her to testify. Apparently, however, before leaving the prison she provided information to which Judge Coxe had access, but he considered it "too indecent to repeat."<sup>37</sup> Even Coxe, who was one of Warden Wood's most determined adversaries, chose not to make the point that the institution and its employees did nothing on behalf of the female inmates, and he was content to leave his most potentially valuable witness in obscurity. By so doing he left her circumstances as a woman in a predominantly male prison neglected.

Despite the portrayal and use of Hinson as a symbol of depravity in the testimony before the legislative committee, the unmediated record reveals that there was more to her story than officials disclosed or cared to recognize. Although never having served time previously in a penitentiary, Hinson had encountered trouble with the Philadelphia legal authorities. She was committed at least twice to the Vagrants' Ward of the Jail and Penitentiary House prior to imprisonment at Eastern State.<sup>38</sup> On closer inspection of the fragments that reveal details about her life, it becomes apparent that Hinson had lived as close to propriety as was possible for an African-American woman of

her social class. When Hinson arrived at Eastern, Wood recorded certain vital statistics in his *Daily Journal*. He did not indicate, though, that Hinson could read, that she was married, and that she had one child.<sup>39</sup> That Hinson fulfilled these requisites of civil society did not merit attention by the authorities. Neither Wood nor the institutional documents disclose the fate of Hinson's family. Moreover, none of the records indicate that Hinson indulged in spirituous liquors before imprisonment, a point the authorities assiduously recorded. On the other hand, documents by officials such as Warden Wood would lead an impartial observer to believe that Ann Hinson always had been predisposed toward criminality. Many questions arise about Ann Hinson's "education," about her life before prison, and about her life and motivations for her behavior once in prison. These questions, like much of this history, suggest that the record and authorities' actions have only served to reproach rather than to instruct the inmate—especially, it would seem, if the inmate was African American and a female.

Although the testimony by various people who had been associated with Eastern State portrayed Hinson as lacking in decency, the same testimony also revealed the inappropriate state of affairs as conducted by the authorities at Eastern shortly after female convicts arrived. Perhaps other prisoners in block four remained confined in their cells as the law required, but clearly by the early 1830s, shortly after the penitentiary opened, some inmates were no longer separately confined and isolated entirely from the influences of the larger world.

The 1834-35 investigation was the first, but not the last, to reveal abuses by the prison administration in the treatment of Eastern State Penitentiary inmates.<sup>40</sup> These inmates, however, suffered punishments that could not escape the attention of the outside world. The partly suppressed details of Ann Hinson's alleged conduct in Eastern suggest not only that certain improprieties did occur, but also that women in and associated with the prison would be singled out for special condemnation. Moreover, the Prison at Cherry Hill clearly held little potential for reform, especially when its administration was itself involved in iniquitous activities.

Perhaps because of this unknown fragment of the 1834-35 investigation, and shortly after its conclusion, the penitentiary's administration and advocates sporadically took steps to change some conditions for female inmates. Not until 1836, however, did the institution hire a woman to supervise female inmates, when "Harriet B. Hall came and took her place as overseer of the Female Department on the 18th of December."<sup>41</sup> Ann Hinson's presence clearly informed the future for women incarcerated in the Penitentiary for the Eastern District of Pennsylvania.

The imprisonment of Ann Hinson at Eastern State Penitentiary during its earliest years reflects many of the problems that arose to necessitate an investigation of the country's premier penal institution. Yet, because Eastern

State Penitentiary's advocates were more concerned with the prison's success than they were with the success of its prisoners, the institution failed to achieve its founders' objectives. This shortcoming was especially true for Ann Hinson, and others who came after her.

The history of penal practices is and has been written almost exclusively from the perspective of those in a position of authority and those who were sympathetic to the use of imprisonment as a method to reduce criminal activity. 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. Prisoners themselves did not help matters. Deliberately, perhaps, they left little to be discovered about their views on incarceration or about what they believed to be the causes of their criminality. Although Ann Hinson was literate, she left no account of her experiences at Eastern. Furthermore, Judge Coxe's refusal to bring forth Hinson's full testimony and other prisoners' perspectives demonstrates that inmates' views were more rigorously challenged and dismissed than the views of those in positions of institutional authority or philanthropists sympathetic to the aims of separate confinement. Yet Eastern State Penitentiary would be insignificant were it not for the women and men sentenced to separate confinement behind its massive façade.

## Notes

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1. Gustave Beaumont and Alexis de Toqueville, *On the Penitentiary System in the United States, and its Application in France; with an Appendix on Penal Colonies, and also Statistical Notes* (Philadelphia: Carey, Lea and Blanchard, 1833), p. ix.

2. Norman Johnston, with Kenneth Finkel and Jeffrey A. Cohen, *Eastern State Penitentiary: Crucible of Good Intentions* (Philadelphia: University of Pennsylvania, 1994), p. 32, quoting from *Letter, Report and Documents, on the Penal Code, from the President and Commissioners Appointed to Superintend the Erection of the Eastern Penitentiary, Adapted and Modelled to the System of Solitary Confinement* (Harrisburg: S.C. Stambaugh, 1828), p. 13.

3. The story of Ann Hinson's imprisonment is one of four vignettes drawn from a longer paper about women at Eastern State Penitentiary between 1831 and 1862, presented by the author at the Pennsylvania State University in 1995. For a fuller discussion of women's imprisonment at Eastern State see Leslie C. Patrick-Stamp, "Women in Eastern State Penitentiary" and "Prisoner Romance, 1862" in Marianna Thomas Architects, *Eastern State Penitentiary: Historic Structures Report* (Philadelphia: Eastern State Penitentiary Task Force of the Preservation Coalition of Philadelphia, 1995), vol. I, pp. 126-33, 151-52.

4. The scholarly literature on imprisonment in Pennsylvania includes Harry Elmer Barnes, *The Evolution of Penology in Pennsylvania: A Study in American Social History* (Montclair, N.J.: Patterson Smith, 1968, repr. 1927); Negley K. Teeters, *They Were In Prison: A History of the Pennsylvania Prison Society, 1787-1937* (Chicago: John C. Winston, 1937); Negley K. Teeters and John D. Shearer, *The Prison at Cherry Hill: The Separate System of Penal Discipline: 1829-1913* (New York: Columbia University, 1957); Blake McKelvey,

*American Prisons: A History Of Good Intentions* (Montclair: Patterson Smith, 1977); Norman Johnston, et al. *Eastern State Penitentiary*; Michael Meranze, *Laboratories of Virtue: Punishment, Revolution, and Authority in Philadelphia, 1760-1835* (Chapel Hill: University of North Carolina, 1996). One source that does acknowledge women inmates at Eastern State Penitentiary, though not at length, is Eugenia C. Lekkerkerker, *Reformatories for Women in the United States* (Groningen: J. B. Wolters, 1931), 62-3. Female inmates were transferred from Eastern State Penitentiary to the State Industrial Home for Women in Muncy, Pennsylvania, in 1923.

5. Nicole Hahn Rafter, *Partial Justice: Women in State Prisons, 1800-1935* (Boston: Northeastern University Press, 1985), pp. 5, 13.

6. François Alexandre Frédéric, duc de La Rochefoucauld-Liancourt, *On the Prisons of Philadelphia: By An European* (Philadelphia: Moreau de Saint-Méry, 1796), 43.

7. Board of Inspectors, "Population for Each Year: December 31, 1829 to December 31, 1927," *Annual Report of the Eastern State Penitentiary for the Year Ending May 31, 1929*. Hahn Rafter calculates that there were twenty women in the prison when a matron was hired. *Partial Justice*, p. 15.

8. When the Walnut Street Prison was closed in 1835, black men and women outnumbered their white counterparts, totalling 107 white and 113 black males and 11 white and 33 black females. Philadelphia Society for Alleviating the Miseries of Public Prisons, Acting Committee *Minutes*, August 13, 1835, Philadelphia: Historical Society of Pennsylvania, January 19, 1795-December 15, 1835.

9. Figures for female imprisonment are as follows: 1831, seven black women and one white woman; 1832, seven black women; 1833, four black women, one white woman, and two women for whom no description was given; 1834, four black women and four women for whom no description was taken. In those instances where no description was given, the women were either sent to the Philadelphia County Prison or to the Arch Street Prison. Inspectors of the Jail and Penitentiary House, *Prison Sentence Dockets, 1831-35* (Philadel-

phia: City Archives).

10. Records of the Department of Justice, Bureau of Corrections, Eastern State Penitentiary, Record Group 15, *Warden's Daily Journal*, April 30, 1831, Volume I (1825-1855), (Harrisburg: Pennsylvania State Archives), no page numbers.

11. Board of Inspectors, *Monthly Minutes*, December 3, 1831.

12. Records of the Department of Justice, Bureau of Corrections, Eastern State Penitentiary, Record Group 15, Population Records: Descriptive Registers, 1829-1857 (Nos. 1-3742) (1 vol.), 1858-1875 (Nos. 3743-4777), Harrisburg: State Archives. The fact that Hinson and Anderson were sentenced on the same date in the same court on the same charge suggests they had been involved in the crime together. Additional documents from this case, unfortunately, are not extant.

13. Records of the Department of Justice, Bureau of Corrections, Eastern State Penitentiary, Record Group 15, Report, Physician, 1829-1831, 1 volume, no page numbers. The physician's report for April 1831, also claimed that Eliza Anderson, number 103, "arrived in good health," though in December 1833 he wrote that she was in "improved health." Thanks to Catherine Elizabeth Thompson (Bucknell, 1998) for having located this and other documents revealing discrepancies in the "Physician's Reports."

14. Teeters and Shearer, *The Prison at Cherry Hill*, p. 86.

15. David G. Cornelius, *Eastern State Penitentiary Historic Structures Report: Building Systems: Addenda and Errata* (October 18, 1994) p. 6, n. 22 citing Johnston, *et al.*, *Crucible of Good Intentions*, p. 50 and McElwee's *Report*, p. 229. The Reports of the Overseers also suggest that Hinson had been living on a block where women were not supposed to have been housed. Cohen, "Appendix—Monthly Minutes of the Board of Inspectors (Feb. 1, 1834): Annual Report of BC. Demetz and Blouet," pp. 367-69. At this early juncture in Eastern State's history, there were more cells than inmates, numbering 114 cells and 87 prisoners. Jeffrey A. Cohen and Michael E. Schuldt, "Eastern State Penitentiary Population and Number of Cells," in Marianna Thomas Ar-

chitects, *Eastern State Penitentiary: Historic Structures Report* (Philadelphia: Eastern State Penitentiary Task Force of the Preservation Coalition of Philadelphia, 1995), vol. I, p. 68.

16. Cohen, "Appendix—Monthly Minutes of the Board of Inspectors (September 1, 1832)," in Thomas, *Eastern State Penitentiary: Historic Structures Report*, p. 362.

17. *First and Second Annual Reports of the Eastern State Penitentiary of Pennsylvania*. Made to the Legislature at the Sessions of 1829-30, and 1830-31, "Second Report," 9; "Appendix B. Extract from the Warden's Report to the Board of Inspectors, referred to the in First Report," 13. (Philadelphia: Thomas Kite, 1831).

18 *Laws of the General Assembly of the State of Pennsylvania* (Harrisburg: Office of the Reporter, 1829), Passed at the Session of 1828-29, pp. 341-54; and [Thomas B. McElwee], *A Concise History of the Eastern Penitentiary of Pennsylvania, Together with a Detailed Statement of the Proceedings of the Committee, Appointed by the Legislature* (Philadelphia: Neall & Massey, 1835), McElwee asserts, "I can not find ... any thing said about the cooks and other domestics, though such are employed." (p. 11) Hereafter referred to as McElwee, *Report*. Mr. Penrose, *Report of the Joint Committee of the Legislature of Pennsylvania, Relative to the Eastern State Penitentiary at Philadelphia* (Harrisburg: Welsh & Patterson, 1835), p. 8, states that Mrs. Blundin "was employed at a stipulated sum, to be paid to her husband, to superintend and conduct a certain part of the cookery for the prisoners." Penrose's *Report* also goes to great lengths to justify the indisputable fact that inmates were "frequently employed" in various tasks that took them outside of their cells and into the company of others. Penrose, *ibid.*, pp. 18-22.

19. *Warden's Daily Journal*, December 10, 1833.

20. *Warden's Daily Journal*, December 11 and 16, 1833.

21. McElwee, *Report*, p. 170

22. Meranze, *Laboratories of Virtue*, p. 308. Meranze devotes a few paragraphs (pp. 306-308, 311) to Mrs. Blundin's conduct and its significance to the investigation.

23. Penrose, *Report*, pp. 5-6.

24. Thomas B. McElwee to [Roberts Vaux],

March 27, 1835. Vaux Papers, Historical Society of Pennsylvania, March, 1835. Vaux's career as the model philanthropist of the nineteenth century is cogently summarized in Meranze, *Laboratories of Virtue*, pp. 1-2, n. 1-3.

25. Penrose, p. 6.

26. McElwee, *Report*, p. 229.

27. *Ibid.*, p. 197.

28. *Ibid.*, pp. 161, 197, 229.

29. *Ibid.*, p. 161. Although Steel mistakenly referred to Hinson as Himes, having identified her as "Prisoner 100" confirms he was speaking of the same individual mentioned throughout.

30. *Ibid.*, p. 205.

31. *Ibid.*, p. 173

32. *Ibid.*, p. 172.

33. *Ibid.*, p. 184. Italics original.

34. *Ibid.*, p. 228.

35. Although throughout the testimony provided to the legislative committee, various individuals are identified by name rather than number, the best example of the

administration's departure from regulations will be found in inmate William Parker's testimony. *Ibid.*, pp. 203-26.

36. *Ibid.*, p. 197

37. *Ibid.*, p. 244.

38. Inspectors of the Jail and Penitentiary House, Vagrancy Docket, reel 3, folio 488 (September 28 - October 28, 1827) and reel 3, folio 158 (May 18 - June 18, 1829). In both cases, Hinson, then known as Caldwell, had been committed as an "idle and disorderly" person.

39. Eastern State: Population Records—Description Registers.

40. At least two other legislative investigations occurred during the first 100 years of Eastern's operation, one in 1897 and another in 1903. For brief summaries of these investigations in the secondary literature, cf. Teeters and Shearer, *The Prison at Cherry Hill*, pp. 107-108 and Barnes, 380-82.

41. Records of the Department of Justice, Bureau of Correction, Eastern State Penitentiary, Reports, Overseers, January 2, 1836.