















Digitized by the Internet Archive  
in 2007 with funding from  
Microsoft Corporation





AMERICAN CORRECTIONAL ASSOCIATION  
///

PROCEEDINGS.

OF THE

ANNUAL CONGRESS

OF THE

NATIONAL PRISON ASSOCIATION

OF THE

UNITED STATES )

HELD AT

BALTIMORE, DECEMBER 3-7, 1892.

278632  
13 . 10 . 32



PITTSBURGH:

SHAW BROTHERS, PRINTERS, 10 AND 12 SIXTH STREET.  
1893.



HV  
8987  
A5  
1892  
cop. 2



# OFFICERS FOR 1892-93.

---

## President,

\*RUTHERFORD B. HAYES,  
Fremont, Ohio.

---

## Vice-President,

ROELIFF BRINKERHOFF,  
Mansfield, Ohio.

---

## Honorary Vice-Presidents,

CHARLTON E. FELTON, Chicago, Illinois.	JOHN H. PATTERSON, Trenton, New Jersey.
JOHN MORRIS, M. D., Baltimore, Maryland.	CALEB J. MILNE, Philadelphia, Pennsylvania.
CHARLTON T. LEWIS, New York City, New York.	HON. SAMUEL H. BLAKE, Q. C. Toronto, Canada.
F. B. SANBORN, Boston, Massachusetts.	GEN. S. E. CHAMBERLAIN, Wethersfield, Connecticut.
LIEUT. COL. THOS. F. BARR, Washington, D. C.	L. C. STORRS, Lansing, Michigan.
HON. JAMES McMILLAN, Detroit, Michigan.	ALEXANDER JOHNSON, Indianapolis, Indiana.
E. C. McMILLAN, Fort Madison, Iowa.	JOHN G. THORP, JR., Cambridge, Massachusetts.
C. A. COLLIN, Ithica, New York.	DR. J. B. LINDSLEY, Nashville, Tennessee.
COL. P. F. Faison, Raleigh, North Caroline.	MAJ. THOMAS J. GOREE, Huntsville, Texas.
GEN. H. B. LYON, Eddyville, Kentucky.	REV. MYRON, W. REED, Denver, Colorado.
THEO. D. KANOUSE, Sioux Falls, South Dakota.	NELSON VIALI, Howard, Rhode Island.
GEORGE H. CASE, Lansing, Kansas.	GEORGE WEEKS, Waupun, Wisconsin.
G. W. COLBATH, Concord, New Hampshire.	REV. T. L. ELIOT, Portland, Oregon.
GEN. JOHN F. NORRISH, Hastings, Minnesota.	

\*Deceased.

**Secretary,**

REV. JOHN L. MILLIGAN,  
Allegheny, Pennsylvania.

---

**Assistant Secretaries,**

REV. LOUIS F. ZINKHAN,  
Baltimore, Maryland.

DR. ROLAND P. FALKNER,  
Philadelphia, Pennsylvania.

JOHN C. TAYLOR,  
Hartford, Connecticut.

---

**Treasurer,**

CHARLES M. JESUP,  
New York City.

---

**Directors,**

Z. R. BROCKWAY,  
Elmira, New York.

MARK L. CRAWFORD,  
Chicago, Illinois.

JOHN H. PATTERSON,  
Trenton, New Jersey.

FRANCIS WAYLAND,  
New Haven, Connecticut.

A. A. BRUSH,  
Hopewell Junction, New York.

CHARLES E. FELTON,  
Chicago, Illinois.

EDWARD S. WRIGHT,  
Allegheny, Pennsylvania.

R. W. McCLAUGHRY,  
Chicago, Illinois.

W. M. F. ROUND,  
New York City, New York.

H. F. HATCH,  
Arkansas.

EUGENE SMITH,  
New York City.

JOHN F. WEYLER,  
Baltimore, Maryland.

R. H. DAWSON,  
Montgomery, Alabama.

P. D. SIMS, M. D.,  
Chattanooga, Tennessee.

CHARLES H. REEVE,  
Plymouth, Indiana.

CAPT. JAMES W. POPE,  
Fort Leavenworth, Kansas.

A. E. ELMORE,  
Fort Howard, Wisconsin.

F. H. WINES,  
Springfield, Illinois.

HENRY WARNER,  
Hoboken, Pennsylvania.

JOSEPH F. SCOTT,  
Concord Junc., Massachusetts.

JOHN C. WHITON,  
South Boston, Massachusetts.

JOSEPH NICHOLSON,  
Detroit, Michigan.

JOHN W. WILLIS,  
St. Paul, Minnesota.

J. B. RANSOM, M. D.,  
Danmemora, New York.





The State of Prisons and Child-Saving Institutions  
in the Civilized World.

By the late Rev. Dr E. C. Wines.

Large 8 vo., 720 pages. Superbly printed. Cloth Binding.

Price \$5.00. Edition Limited. Send orders to

JOHN WILSON & SON,

University Press,

Cambridge, Mass.





# PROCEEDINGS.

---

## OPENING SESSION—SATURDAY EVENING.

THE National Prison Association of the United States held its Twenty-first Annual Congress for the year 1892, in the city of Baltimore, and assembled in the concert hall of the Academy of Music, on Saturday, December 3rd, at eight o'clock P. M.

DR. JOHN MORRIS, the chairman of the local committee, called the Congress to order.

Prayer was offered by CARDINAL GIBBONS, the Arch Bishop of Baltimore.

ADDRESS ON BEHALF OF THE LOCAL COMMITTEE;

BY DR. JOHN MORRIS,

*Ladies and Gentlemen of the Congress:* I beg to say in behalf of the people of Baltimore and the whole state of Maryland, that your coming to our city is esteemed a very important event and privilege. Twenty years ago you met here in the infancy of your organization, under the presidency of that excellent citizen and noble gentleman, Honorable Horatio Seymour. You now are presided over by an equally distinguished public man whom we have all learned by association to respect and honor—a gentleman who, like Mr. Jefferson, has dignified the presidency of the United States by his labors in retirement. In the meantime, you have added great strength to your organization by the combined

work of the chaplains and wardens of the penal institutions of the country. The chaplains are conscientious, earnest, practical men, whose labors and experience have been of great service. The wardens are strong, capable officers, fitted by their executive ability to give counsel and command respect.

In our own state, very striking reforms have been effected. At the time you met here, our jails and almshouses were dens of filth and in some instances of iniquity. The sexes were mingled, and white and black, male and female, occupied the same quarters. Now we have a very different condition of things. Decency, order and cleanliness obtain in all the institutions of the state. Much of this reform is due to the teachings and labor of your Association.

It is a very fact that crime has diminished in our midst; that whilst our population has increased during these two decades, crime has decreased. We have fewer criminals in our penitentiary and jails than we had twenty years ago.

We anticipate a great deal of benefit from your deliberations. You come to us now after many pilgrimages to cities in various parts of the Union—North, South, East and West—to give us the advantage of your wisdom and experience. We earnestly hope that your presence will give a new impetus to prison work and reform, as it has done in other communities. The number of persons in our state who have heretofore taken an interest in the improvement of prisons and prisoners, has been very small; not from a want of sympathy or heart, but from a want of knowledge of the condition of things. Every form of suffering has been provided for by private and public benevolence, while our penal institutions have been left to the care of a few individuals.

The jails are in good condition and almshouses of our state are now comparatively homes for the unfortunates; the insane are well cared for. Our penitentiary, which we hope you will visit, is a model institution. There are 670 inmates—patient, cleanly, industrious men, employed in useful industries. There is not a single sick man in the whole number. They are engaged in leather, wood, stone and iron work—all of which

will lead to their earning a competence after they return to society. This, we think, is the best result that can be obtained by prison reform.

Knowing that you have come here purely for the sake of the work, and with no other motive, we have provided no feasting or junketing. We will ask you to make a trip on our beautiful bay as far as Annapolis, to visit the Naval School in that ancient city. Carriages will be provided for a drive through our park, which, at this season is a miniature Vallambrosa.

Attorney General John P. Poe, who represented the Governor of Maryland, made an address of welcome, on behalf of the state.

ADDRESS; BY MR. POE.

*Ladies and Gentlemen:* The unavoidable absence of Governor Brown brings to me, as his substitute, the high privilege of opening the proceedings of this important Congress by extending to you one and all, a genuine Maryland welcome. This, we are proud to know, stands the world over, as the accepted synonym for the most sincere and hearty greeting, and the most generous and delightful hospitality.

We feel both gratified and honored that you have selected Baltimore as the place of your meeting and shall see to it that you take away with you the most agreeable recollections of your visit and the most abundant proofs of our deep and abiding interest in the cause which you have so much at heart.

Although you now come amongst us for the first time in the twenty-two years of your existence, the humane and benevolent work in which you are engaged, the lofty purposes of your Association and the spirit of genuine philanthropy which gives direction and force to your efforts, are well known to us. They stir our warmest sensibilities and enlist our profoundest and most active sympathies.

We have followed you with eager interest as year after year,

you have sought to solve in a wise, practical and effectual way, some of the most difficult problems that confront our modern civilization.

We rejoice with you in the large measure of good that has crowned your persistent and unselfish efforts and that stimulates you in the face of many discouragements, to press on to still higher and more satisfactory results.

We are glad of this opportunity to acknowledge the benefits which we have derived from your intelligent and disinterested labors; to thank you publicly for the splendid services which you have rendered to fallen humanity in your judicious and compassionate ministrations to the wretched, the guilty, the outcast and the forsaken, and to cheer you by every outward manifestation of confidence and support in the continued development of your blessed work.

Looking over the broad field which your operations are designed to cover, we realize the delicate and difficult nature of your task.

Your aim to introduce enlightened improvement and reform into the whole body of our criminal law, to render the practical administration of justice more speedy, certain and efficient and thus to reduce the area of crime, the enormity of guilt, the number of criminals and the need of punishment.

You take within the ample scope of your benevolence neglected, deserted and vicious children, and consider how influences that lead to good and virtuous lives may best be thrown around them for their safety and for the protection of society.

You seek to devise ways and means whereby those who have broken the law and been adjudged to undergo punishment for their crimes, may after their release from prison be saved from a continuance in the downward path that leads to fresh offences, repeated punishment and at last to hopeless depravity. You follow the condemned into prison and see how during the period of their incarceration they may best be cared for consistent with the demands of just sever-

ity, proper security and wholesome example. You survey, in short, the whole field of crime, punishment and reformation. You labor to correct abuses of prison discipline, to detect and put an end to vindictiveness, neglect and cruelty, to temper everywhere justice with mercy, and to hold out to the guilty the persuasive attractiveness of penitence and the inspiring hope of a future of usefulness, respectability and happiness. Surely these are high and noble aims. Surely the practical fruits of such aspirations and such labors are worthy of the warmest admiration and praise.

The people of Maryland feel their obligations to you, the ministers of such a tender and lofty philanthropy, for your thoughtful and diligent attention to these vital questions; and gratefully appreciating what you have thus far so well accomplished, pledge you their heartiest sympathy and encouragement in the work that is yet to be perfected.

Hon. Ferdinand C. Latrobe, Mayor of the City of Baltimore, welcomed the visitors on behalf of the City and spoke as follows:

ADDRESS; BY HON. FERDINAND C. LATROBE.

*Ladies and Gentlemen of the National Prison Association:*  
The agreeable duty has been assigned to me this evening to bid you welcome not only to Maryland, but also to the City of Baltimore. I can assure you that all the authorities can do to make your time pleasant, will not only be well, but cheerfully done. Coming as you do from all parts of the country, engaged as you are in a work for the benefit of humanity and numbering among your members so many well known and distinguished citizens, it is gratifying, as well as a compliment to our people, that you should have selected Baltimore as the place for your assembling. Until some change takes place in human nature, a certain percentage of every community will be violaters of its laws. For such the accepted punishment in civilized countries is confinement in prison for a period in proportion to the

degree of violation. Society, however, does not require cruelty to be added to the infliction of this punishment; nor does it deny to one who has fallen and been punished, a friendly hand to help him to rise again. As I understand it, the especial object of your association is to consider these two propositions: 1. To improve the methods of the treatment of those whom the law punishes. 2. To aid them, after paying the penalty, to again become respectable members of the community.

To realize how much has been accomplished in this connection we have but to compare both the prisons of England and America a few years back with what they are to-day. Then filth and dirt were the characteristics of a jail and the inmates, unless able to pay large fees exacted by jailors, were most inhumanly treated. Emerging from prison, after serving the full sentence of the court, every gate was closed to the former convict, except that on the road leading back to crime. Once a jail-bird, always a jail-bird; no repentance was accepted. No one said, "go and sin no more." All this has been changed, thanks to the efforts of those engaged as you are in this great work of humanity. The representatives of these workers for human good having come to us, it is most fitting and proper that they should receive an official welcome, and it is a great satisfaction to the people of Baltimore that you should have selected our city as the place of your sojourn and we extend to you again a hearty welcome to Baltimore.

Response and Annual Address by the President of the Association, General Rutherford B. Hayes.

ADDRESS; BY GEN. RUTHERFORD B. HAYES.

*Mr. President, Ladies and Gentlemen:* Fortunate, indeed, are the members of this society, organized, as they firmly believe, in the interest of humanity, to find themselves in hearty sympathy and accord with the best sentiment of the good people of the City of Baltimore. Perhaps no other

city treats with more tender regard its children of misfortune of all conditions. Institutions of religion and of education, libraries, works of art, monuments of patriotism, hospitals and whatever promotes intelligence and refinement are on every hand. With these advantages Baltimore has also the singular felicity of being forever associated

“In the verse that immortally saves”

with the National ensign, which our accomplished scholar and poet describes as the flag that is destined one day to become the most august flag that ever floated in any wind under the whole heavens.

Our Association is not a stranger in this city. Almost twenty years ago, January 21, 1873, the second annual meeting of the National Prison Association was held in Baltimore. It was presided over by Gov. Horatio Seymour of New York, and he delivered before it a very noble and most interesting address. It was short but dealt so wisely with the vital questions which society must consider, that since its delivery I have rarely been called upon to speak on the general subject without quoting from some of its weighty and significant paragraphs. He was a statesman of experience, large minded and philanthropic, and he presented in clear terms the claims of this Association upon public sympathy and support. He was confident and hopeful. He believed that convicts could be reformed by arousing their hopes and working upon their better instincts. The key to his faith was his own observation and experience. He said, “I never yet found a man so untractable that there was not something of good on which to build a hope. I never yet found a man so good that he need not fear a fall.” With this faith stated at once so generously and shrewdly by Gov. Seymour we come again to Baltimore. We know very well that with the poor, halting methods which are now at our command, and which society now permits to be employed, a large number of criminals will still remain the enemies of society. But we firmly

believe that if all our measures can be thoroughly penetrated with the spirit of the Divine Master that no fallen man or woman is beyond the reach of the merciful hand of the Eternal Father.

From the time of John Howard down to the present day prison reformers have never enjoyed a large measure of popular favor. They have never been gladdened by any sudden, rapid, sweeping success of any part of their work in any country. If we limit our view to any one place and to any single point of time we shall not be greatly encouraged by what we see before us. But with a more just and broader prospect we shall be stirred and cheered as we discover the beneficent changes which a few decades have wrought.

Take two examples. From the earliest days of prison reform the common jail has been an institution for the increase and perpetration of crime. A horror, a shame and a disgrace to any civilized people. A place where debtors, where the accused who are innocent, where men held as witnesses charged with no offense, where the insane and idiotic, where the young, and where casual law breakers are all herded together subjected to contamination by closest intimacy and contact with old and hardened criminals. These jails have been aptly described again and again as compulsory schools of crime at the public expense. In essence and in fact they are public crimes committed by society against itself. This monstrous evil by which thousands are trained for crime still exists. But the war upon it plainly begins to tell. On the picture that portrays the most hideous scenes and facts that are sanctioned by our criminal laws a streak of light has fallen. Within a few years—since we met in Baltimore twenty years ago—more jails have been built in the United States, of such construction, as to provide for the separation and classification of the inmates than were to be found in all the world before that time.

Another example is still more cogent; because the im-



provement is wider in its spread. Cruel punishments not long ago were deemed essential to maintain discipline in prisons. They were practiced in almost all prisons. No words can adequately describe their horrors. I would spare your feelings and my own. They were shocking beyond belief. And now they are disappearing. They are almost gone. The man who could inflict them would be shunned as more deeply guilty than the convict he had tortured. The sentiment grows and is almost universal in our prisons that cruelty brutalizes the wretched beings upon whom it is inflicted. The false and fatal notion that fear—the animal dread of bodily pain—is the main reliance in the treatment of convicts, is everywhere giving way to nobler sentiments and more humane practices. Our friend, Fred H. Wines, who has such a faculty for speaking wisely and tersely, said in his excellent speech at Cincinnati, “All human motives may, in the last analysis, be reduced to two, namely, hope and fear. Of these two, hope is by far the greater and more ennobling.” This sounds the key note of the reform of prisons and prisoners. Instead of relying on brutish fear the able and successful wardens of the famous prisons of our country make it their first aim to awaken and excite in the convicts under their charge a manly, elevating and inspiring hope. With this, and added to this guiding principle, the true prison reformer labors to introduce the spirit of the golden rule into the whole territory of duty embraced in the great subject of criminal jurisprudence. The prime object is the protection of society and individuals by the prevention of crime. The means by which we seek to attain this end are:

1. The speedy and certain arrest, conviction, and imprisonment of the guilty.
2. The reformation of convicts by the valid reclaiming forces: religion, education and skilled productive labor.
3. The permanent incarceration of all prisoners who are not reformed.

4. The most effectual means to prevent crime is an unceasing, conscientious and wise care in the training of the young.

In all of these paths the progress at any given period seems difficult and slow, but in a generation it is unmistakable and encouraging. Leaving to others the high theme—the influence of true religion, which, in every walk of life in all Christian lands, is perpetually and inseparably united to the welfare of mankind, I ask your considerate attention to a mere fragment of the argument which goes to the bottom of the real question, which is: How to prevent the formation of criminal habits, criminal tendencies, and criminal conduct in our American society? If you would prevent crime the way is open, plain, direct, sure. It is as powerful and almost as inevitable as gravitation. The stream rises no higher than its source. But if skillfully confined and conducted it rises to the level of its spring. The young—the young—their lives are the ancestors of all the mature lives that follow. Save therefore the young if you would rescue society from crime. With the young safe all good interests are safe. Here is the pinch of the task. The deeply interesting problem is what can be done? And the answer, brimful of hope, is to be found in another question, namely, what has been done and what is now doing, in a host of ways and places, which was unknown to former generations in our country? Shall I turn for information to the great religious bodies? To the Protestants of every name? To the Catholics? To the Hebrews? If I were to put to them the question what have you done—what are you doing for the great cause of child saving? They would overwhelm me with trustworthy statistics that I could not repeat to you in many hours. Let me restrict the question so as to include only that progress in the precious work of child saving which comes strictly within the plan and scope of all prison reform. It touches all hearts. It will reach all minds, all hands, all pockets. It is the duty—the opportunity—the hope of our time.

What a shining inventory it would be if I could read you a full list of all the benevolent, reformatory, educational and industrial institutions and efforts for the benefit of the young which now engage the attention of the good and the thoughtful in our country. It would remind us of the wide range of topics which must be studied by the wise reformer. We should find in it, "the children's fresh air funds" of the great cities; "homes for homeless children"; "the care of orphans"; "juvenile reformatories"; "industrial schools"; "ragged school unions"; "the boarding out system"; "the farm home"—but why continue the catalogue? It has no end. If you try to make it complete you will surely omit many blessed enterprises that on second thought, you will prefer first to name. The children from the schools that marched on Columbian day—how all hearts were moved by the sight of them. The Indians of the Carlisle school marching with their implements of husbandry—what a greeting New York and Chicago gave them. The instinctive wisdom of the popular heart easily discovers the true strategic point in the struggle for the improvement and progress of America and of mankind. It will be found wherever children—wherever the young are found. All good men and women delight to labor and to aid in the work that will win in that field. It lies at every door—is under every eye—and is near to every hand.

An able man of large experience has said nine-tenths of our convicts have been made criminals in character or intention, if not in overt acts, before they were twenty years of age. Therefore the training of the young is the most indispensable duty and chief business of every generation. Neglect the young and we enter the downward path. Diligently and wisely attend to the young and the temple of joy will open its doors to receive us.

I must not leave the discussion of our subject without attempting to spread before you a part at least of the answer to the question: With all that the law and voluntary societies have done for the improvement of criminal

jurisprudence in the United States why do we not see greater and better results? My reply is that among our people of American birth and parentage, a careful reading of the statistics for the past generation will show that crime has largely diminished and is still decreasing. Strike from the appalling catalogue of crime in our country all of the law breaking due to the immigration of recent years and the claims of Prison Reform in the United States will be amply vindicated. The crimes of Europe are laid at our doors. The traditional policy of the fathers of our country was liberal, generous, beneficent and wise, in the conditions that confronted our infancy in the family of nations. They sought, in familiar phrase, to make America the home of freedom and the refuge of the oppressed of every race and of every clime. In the past I have been extremely reluctant to depart even a hair's breadth from this traditional policy of the fathers. Confident and hopeful of the educational and regenerating power and influence of a republic where religion and conscience are free—where public schools abound, and where all are trained to rule under a government of the governed, I have heretofore stoutly maintained that our country, without anything more than a temporary inconvenience, can absorb, assimilate and enroll as citizens any number of aliens likely to seek our shores. But plainly, immigration, as it exists to-day, is the lion in the path of the progress of America. The facts and considerations urged upon our attention by intelligent philanthropists in Massachusetts, New York and other sea board states, showing that those states are constantly and heavily burdened, by the shipment to their ports, of chronic paupers, lunatics and criminals from abroad, have created a wide spread and earnest popular sentiment that immigration ought to be extensively and firmly restricted by effective National legislation. The importance and soundness of this conviction I can no longer call in question. Five millions of emigrants in each decade are now landed in America. A high authority, Mr. Wines, places the number of the

criminal and defective classes in the United States at one in a hundred of the total population. The proportion among the immigrants of recent years is believed to be much greater. It has been estimated as high as thirty in a hundred among the inhabitants of some of the European countries from which in late years the emigration has largely increased. Consider the awful significance of an increase of our criminal population, in a single decade of many thousands, by emigration from Europe alone. Formerly the love of liberty and the laudable desire to better their condition were the leading motives of emigration from Europe to America. Now employers of large bodies of men wanting cheaper labor, the agents of steamship companies, speculators in land in the thinly settled states, stimulated by their greed for gain and worse than all the increasing efforts of European communities to send to America their chronic paupers, lunatics and criminals have given to this question a gravity that has not before belonged to it. It has become an evil that deeply concerns every worthy element of our population. The naturalized citizen, as well as the native born, the day laborers no less than the well to do, are alike interested. The question belongs to no religious sect, to no political party, nor to the people of any particular employment or condition. All who love their country should unite and insist that the reform should be speedy, radical and efficacious.

One other topic and I will relieve your patience:

The full intent and meaning of republican—of free institutions, seems not to be yet understood, by a great many good people even in this country. The old world ideas still prevail among us. It is thought that government here, as in the despotisms abroad ought to perform all the duties, which society owes to itself or to its members. I would not disparage the importance of able executives or of wise legislators, but in America public opinion at last will govern, and the citizens are indeed the sovereigns. If republican government fails in America it will not be the work or the

neglect of any chief magistrate or of any congress. If failures come it will be by reason of the neglect of intelligent and prosperous citizens who are so swallowed up by the cares of business or the pursuit of comfort and pleasure that they are compelled to turn over public interests to the less occupied and less capable. This neglect has greatly increased of late years.

Organization is essential to the efficiency of power. With it convictions and ideas blossom into facts and realities. Without it they remain barren speculations. But as often happens with favorite popular tendencies this one is going to dangerous extremes. In actual practice it is stamping out personal independence, individual judgment and conscience, and the sense of responsibility to the claims of the most sacred duties. The tendency of power is always to the hands of the few—to irresponsibility and despotism. The individual member of the organization is gradually superseded and suppressed in the supposed interest of the organization itself. This is tantamount to saying that the arbitrary will of despotic leaders has taken the place of the legitimate aim of the organization. One of the capital defects of corporations, trusts, and labor unions is their secrecy. They do not take the public into their confidence. Secrecy often leads to crime. For example, consider the crime of embezzlement which has grown to be so common that we expect to see some marked case in every morning newspaper. It is mainly due to the omission of careful, constant and thorough inspection of the work and accounts of all sub-ordinates trusted with funds. This neglect does indeed lead men into temptation, and the managers of banks, railroads, and insurance companies must share in some degree in the guilt of the men under them. One remedy for this evil thus briefly sketched is found in voluntary associations of citizens interested in the welfare of their less fortunate fellow men where intelligent discussions are open, free and public—where the press and its representatives are always welcome—and where the effort and the tendency

are to counteract that indifference to the condition of the poor and needy, which is at last the enemy most to be dreaded in a free country, namely, the apathy of good citizens with respect to the evils which do not seem directly to concern themselves. With a vivid sense of responsibility to the Unseen, and a constant and living purpose to aid our fellow beings—especially those who most need our aid, we shall surely find the largest measure of gratification and happiness that belongs to this stage of existence.

I close by quoting the sentiment of a distinguished gentleman who is the executive officer of the Peabody and Slater Education Funds. Hon. J. L. M. Curry says; "As a man, a patriot, a Christian, I have labored for the education of the Negro. Nor have I been entirely unselfish. For I know we are bound hand and foot to the lowest stratum of society." I repeat: "We are laboring for the reformation of the criminal. For I know we are bound hand and foot to the lowest stratum of society."

Whittier—our best beloved poet says in his beautiful and familiar hymn:

"We bring no ghastly holocaust  
We pile no graven stone  
He serves Christ best who loveth most  
His brothers and our own."

## SECOND DAY—SUNDAY.

### MORNING SESSION.

The Sunday morning session of the Prison Congress was held in the Franklin Street Presbyterian Church. The annual sermon was preached by Rev. W. U. MURKLAND, D. D., pastor of the church, at 11 A. M., to a very large audience. He took as his text the two following verses of the Scriptures:

“And, behold, the angel of the Lord came upon him, and a light shined in the prison.” ACTS 12:7.

“Remember them that are in bonds as bound with them; and them which suffer adversity, as being yourselves also in the body.” HEB. 13:3.

\*The light which shined in the prison where lay the apostle, chained yet sleeping, was the light of a divine messenger sent to succor, to uplift, to enfranchise a prisoner at the very gates of death. The words of the Epistle are the sublime expression of a Christian sympathy which, like the Lord, its author, knows not the boundaries of time or place, which entered humanity first by love, then by contact, and then by salvation to the uttermost. The thought, therefore, which to-day I am to unfold from this providential picture and this divine command, is the illumination of Christian sympathy, of Christian intelligence, and of Christian purpose, which has already entered the cell of the doomed and the courts of the prison house, through the presence of devoted men and women who have heard the exhortation, “Remember them that are in bonds as bound with them.” The inspiring purpose of this National Con-

---

\*This sermon was preached without manuscript or notes, and is reproduced by request of the Association, as far as possible, in substance and in form, from memory.



gress is, I take it, to cast the sweet, clear light of heaven into the darkness of imprisoned iniquity, to unloose the shackles of ignorant authority and enthroned brutality and unreasoning vengeance, and thus, as far as consists with impartial justice and imperial right, to raise up the men, women and children who, having fallen, are lying bound hand and foot. May I not, as in a parable, follow out the successive steps of this sacred story and say, it is the duty of the messenger of the Lord to do to-day what the angel did that night in Jerusalem, to touch the prisoner on the side and cry, Arise up quickly. Gird thyself with truth and bind on thy unsaddled feet the preparation of the gospel of peace, and cast around thee the garment of a new character, inwrought by divine righteousness, and follow those who reflect the light of heaven because they see the face of Christ. And when he has passed through the wards of the prison, and stands at the iron gate which leads out into the city of a free world, that iron gate which had shut him in from liberty and hope, and which, until this movement of prison reform began to stir the thoughts and consciences of their fellow citizens, shut out every discharged prisoner, as with the clanging of an iron door, from human touch and work and bread, and so drove him back to the more pitiful gaol—that iron gate shall open of its own accord, and graduates of the reformatory and the rehabilitated criminal of the cell shall pass along the streets into the shops of honest labor, and into the homes of a prayerful Christian sympathy, that “remember them which suffer adversity as being themselves also in the body.”

The presence of this representative body in the house of God at the beginning of their work, is, I am sure, an official testimony of individual belief, “Except the Lord build the house they labor in vain that build it.” He it is that to the Hebrew seer revealed the thought, foreign to all the gods and all the literature of the ancient worlds. “From heaven did the Lord behold the earth; to hear the

groaning of the prisoner; to loose those that are appointed to death."

From what lips save those touched with a divine pity could arise the prayer, "Let the sighing of the prisoner come before Thee; according to the greatness of Thy power, preserve Thou those that are appointed to die."

And when He who is the interpreter of the Father, in whose face we see God, stood up to preach His first sermon and to inaugurate His public ministry where He had been brought up, He took for His text, "The spirit of the Lord is upon me, because He hath annointed me to preach the gospel to the poor. He hath sent me to heal the broken-hearted, to preach deliverance to the captive, and recovering of sight to the blind, to set at liberty those that are bruised." He is the preacher and His is the preaching which has inaugurated all the humane movements of our modern world. The leading spirits of prison reform have avowed again and again that the reformation of the criminal is a religious question, and that unless the workers in this uninviting field are sustained by the religious sentiments of the community, and upheld by the faith, prayers, sympathy and co-operation of Christian men and women, they may as well lay down their arms.

The greatest force in the world to-day is not steam, or electricity, or the press, or political party spirit, or education or wealth. It is the force of the Christian brain and the Christian heart in a united movement.

The final appeal of every great effort for the world's regeneration, for the removal of human misery, for the transfiguration of human sorrow, and for the salvation of the outcast, is to the intelligent awakened impulses of those who have caught the spirit of Him who came to seek and to save the lost. Christ enthroned in human souls is still the power of God and the wisdom of God; and the weapons of Christian warfare are now mighty, as in the first advance of Christianity against the entrenched wrongs of a pagan and brutal and despairing world, through God,

to the pulling down of strongholds, casting down imaginations and every high thing that exalteth itself against the knowledge of God, and bringing into captivity every thought to the obedience of Christ.

The province of the preacher on such an occasion as this is not presumptuously to unfold the methods or to attempt to solve the problems of prison reform, in the presence of those at whose feet he must sit as a learner. His function is to encourage every faithful worker with the divine prophecy of ultimate success, and especially to educate and quicken the Christian conscience of the community on an unwelcome and unfamiliar subject; which, perchance, has been regarded as without the pale of Christian duty and perhaps of Christian hope. How often for us the iron gate of the prison marks the limit of personal interest and personal effort! "All hope abandon, ye who enter here," is read over the door of the gaol and penitentiary as over Dante's infernal prison. The sentence of the law cuts as with the shears of fate every chord which unites us to the condemned. A man may steal, may ruthlessly squander the only revenue of the widow and orphan, and yet, if unsentenced by a court, may retain his place in society and sometimes in the church; but if he is convicted in the dock of stealing a purse or a pocket handkerchief, he is hopelessly ostracised and lost even to pity.

A man may defile the fair temple of God and yet be the toast of society. But if the woman whom he has ruined, in despair attempts self-destruction, she is imprisoned for the failure, and is pilloried forever. A man treats the wife of his youth with unceasing brutality, slowly murders her by secret torture, body, mind, soul; and if she is dumb before the law, he goes unwhipped of all justice. But if a poor drunkard, in a mad fit, strikes his wife, and she, in hot rage, appeals to the police, he is imprisoned, whipped in yonder jail, and is dead while yet alive.

The child of the drunkard and the unclean, conceived in

sin and shapen in iniquity, whose mother's motherhood has been slain by sin and then daily soaked in ruin, whose infant lips drew nourishment from a polluted and intoxicated fountain, who was then knocked and pounded and sworn into boyhood by a blackguard sire—I will not desecrate the name of father—and then driven or sold into crime by both parents at an age when our children are still nestling in our arms, or on our knees—such a child, to borrow a phrase from Dr. South, “not born into the world, but damned into it,” steals a loaf of bread or filches by command a few pence from a crowd, and is caught and sentenced, and is a criminal; and between him and your boy there is an iron gate reaching up to heaven that shuts him out as far from our homes as from pole to pole!

Which of you would adopt that boy and take him into your employ after he has spent a month in jail? You might have received or succored him before the sentence of the magistrate banished hope, and disrobed him of human sympathy, and respect and made him an outcast. But not now—he is a juvenile pariah.

That was a terrible, unpardonable outrage of punishment which in ancient and modern times branded a man's crime on his face or on his body indelibly. But the brand of scorn is as pitiless as the brand of fire, and the mark of the jail upon discharged prisoners, burnt into their souls by the loathing of all their kind, drives men and women to infamy. To rescue the child, to reform the prisoner, and then to rehabilitate the rescued child and the reformed prisoner; to restore to them self-respect, and as far as consists with gentle righteousness, to re-instate them in the privileges which they have forfeited by transgression; to do this, and to create a Christian enthusiasm for doing it, lie in the very heart of such an association as this. To gather the outcasts of Israel, to set at liberty them that are bound—is not this a divine work?

There has been another cry, loud and hoarse and deep from those who are in bonds, which has been heard by the

ear of prison reform and finally answered. It was for some show of justice in the indictment of the prisoner and in the adjustment of the penalty to the crime.

How many of this intelligent assembly know that, far into the first half of the present century, men were punished with imprisonment, practically for life, because they were in debt, because they owed a few dollars incurred for bread while unable to work, or because they had heedlessly incurred an obligation for others, or had made an unwise contract? For an innocent mistake, or through the grudge or revenge of a personal enemy, the iron gate shut in men and women by thousands. It shut out freedom, hope, comfort, until often the worthless bodies of the poor debtors were interred in pauper soil.

Do you know that at the beginning of this century there were two hundred and twenty-three offences whose penalty was death? The question of our Lord, "How much then is a man better than a sheep," was answered in Christian England derisively and in the negative. If a man stole a rabbit he was hanged for it. If he wrote a letter to extort money he was hanged. If he stole five shillings he was hanged. If he cut down young trees he was hanged. If he injured Westminster bridge he was hanged. If he escaped from transportation he was hanged. I remember reading from an old English journal a letter written by a shopman in London, stating gleefully how he saw a servant girl in his shop steal a trifle and did not then arrest her, but watched until she had stolen a handkerchief, and then seized her by the arms, and dragged her, piteously wailing for mercy from black death, around the corner to Newgate. He adds comfortably how he saw her hanged the following Friday.

The statute book has been revised and unjust capital offences eliminated. But there is still room for revision. One of your own body, a judge, will tell you how in his official visitation of a child-prison he saw a little boy, a mere child, incarcerated whose offence was this: He stole

five cents from his own mother to buy a loaf of bread to feed his starving lips. For this he was arrested and imprisoned. Law and justice are not yet made perfect.

There is another phase of prison reform which I mention last, but which first challenged public attention. It was the cleansing of the black holes called gaols, the unspeakable abodes of disease and filth and crime and torment and despair.

A gaol was a place where men and women and children were crowded together like cattle in a freight car, only without the light and air and food and movement of the train; but with rats and vermin and fever; where decency, shame and character were trodden into the mire of the earthen floor, made a cesspool by human sewerage; where seven devils entered the hardened criminal to seduce and pollute, and to make youthful offenders tenfold more the children of hell than themselves. In one English jail Howard found that the public sewer of the city ran uncovered through the midst of the gaol. In a place in Connecticut the prisoners were kept in the underground cells of an old mine, dripping with moisture, where the light of day never entered, where sin and violence held high carnival. In New York City, old and young, men and women, sane and insane, innocent and guilty, were huddled together, and drunkenness, debauchery, profanity and rioting reigned, and Christian hope and faith never entered.

I myself heard a distinguished French orator tell of a noble Huguenot lady, from whom I believe he was descended, who was confined in a dungeon so contracted that she could not lie down or touch her feet with her hands, and the rats unhindered gnawed one foot almost to the bone. But I will not even begin the tale of horrors which nearly every old dungeon might disclose. Rather let us hear the cry of John Howard, written in his diary only a few years before his labors were terminated by death:

“Do Thou, O Lord, visit the prisoners and captives and manifest Thy strength in my weakness. Help, Almighty

God! for in Thee do I put my trust; for Thou art my rock."

For it was only in Almighty God, who heard the groaning and sighing of the prisoners, was their help to be found. And only as men caught the spirit of Jesus Christ did light shine into the prison house, and only as men heard His voice and followed His commands did they remember those that are in bonds as bound with them, and that their own bodies were the same as those which were tortured in the dungeon.

Who cared for the prisoners? They were dead before their time. The counsel of the soldiers in the ship in which Paul was wrecked, was to kill the prisoners before the vessel struck, lest they escape. That was the summary judgment of the ancient world and of most of the Christian centuries too. Death, or a prison. Keep them, or kill them. Confinement, or execution. There was no other possibility. Only Jesus Christ has shown a third and a better way, and all the attempts to enlighten and reform and save the prisoners, and all the human alleviations of the prison house, and all the sacred enthusiasm to rescue and save the youthful offender, are the fruitage of that naked tree planted on Golgotha, and of Him who hung thereon because He loved righteousness more than heaven and sinful man more than human life, whose life and death and words contradicted at once the morality and the judgments of the world.

In a time like our own, when Christianity is on trial for its ability to solve the great social and personal questions in presence of which political economy and state craft and education and militarism confess their impotency, it is well to recall and accent the fact, that all we know of modern charity and human brotherhood and the true solidarity of the people, is the fruit of Christian teaching and Christian effort. The problems which are stirring the souls of men to-day do not concern the form of civil government but of practical existence. How are men to live and work

together and rear their households? What is going to bring about a true contact and a true relation between the men who are prosperous, well fed, unwounded, riding on their own beasts, and those who have fallen, wounded and bleeding and helpless by the way, stripped of clothes, food, health and liberty by the assaults of hostile forces?

There are many iconoclastic spirits at work in our own generation. The axe of destruction is laid at the side of many stately trees whose roots were nourished in past centuries. But the most insidious and dangerous adversary is that selfish demon, liar and deceiver from the beginning, which asks, now in callous indifference and now in sullen hate, "Who is my neighbor?" "Am I my brother's keeper?" What positive, aggressive force is to withstand and overcome these destructive tendencies? What is to be the conservative, creative force of the new era? What is the power of construction, of crystalization, which out of these warring elements, held in solution, shall evolve a nobler fabric, an edifice that shall endure until the earth shall burn and the stars grow cold?

It is Jesus Christ who has laid the foundations of the ever enduring City of God, into which all the glory and honor and multitudes of the nations shall yet be gathered. And among the shining statutes of that ideal commonwealth are written, Our Father which art in heaven. Whosoever doeth the will of my Father is my brother and sister and mother. He that is greatest among you shall be your servant. I came not to be ministered unto but to minister. Bear ye one another's burdens and so fulfill the law of Christ, the law which he ordained and illustrated. The whole need not a physician but they that are sick. I came not to call the righteous but sinners to repentance. For God so loved the world—the whole world—that He gave His only begotten Son that whosoever believeth in Him shall not perish but have everlasting life. It is more blessed to give than to receive. Regeneration, self-sacrifice, love, these are the creative, constructive forces



which are to build up a commonwealth which can never be moved, even when that which is now in part has passed away and that which is perfect is come.

Let us exalt this eternal fountain of light and hope to-day. He who shined in the prison where the Apostle lay asleep is the light which lighteth every man coming into the world.

There is not a charitable movement of our modern civilization which is not the child of Christianity. Take charity itself and the social forces which are organized to succor and to abridge human want and sorrow. It is the creation of Jesus Christ, soul and body, the thought and the word. That word occurring so often in the immortal lyric of Paul is the direct product of Christian thought and feeling. You cannot find it in a single classical author. It is not in the lexicons except as an ecclesiastical word. Its use in the Septuagint is to express sexual passion or the passionate feeling between friend and friend. That sweet benevolence which is the soul of our modern charity, is the offspring of religious feeling. It is the gift of Christ to humanity.

The word Humanity was newly minted, recoined and reissued, by the treasury of Christianity. Its former meaning was the human race, or higher culture. The feeling we embody to-day in that word, of tender sympathy and helpfulness to the poor, the imprisoned, to those who suffer adversity, was unknown in the world into which Christ came and preached. Aristotle called the poor man "an animated tool." Quintillian speaks of the "loathsome poor."

The man in the play of Terence who spoke those boastful words quoted by Cicero—"I am a man; nothing human I count indifferent to me"—a sentiment which the audience rapturously applauded, abused his wife because she had not killed a newly born infant. What was the life and suffering of a slave to anyone except himself? You remember how a patrician cast an awkward butler into the fishpool beyond the dining room, and watched the lampreys spring

up to dine upon their prey. Another courteously killed a slave to show a friend, who had never seen the sight, a man dying. Tenderness to human suffering is the gift of the Crucified One.

Take another illustration which bears directly upon a large part of the work of this association, the care for neglected and abandoned children. This is a direct gift of the Son of Man. Reverence for childhood is the legacy of Him who Himself became the infant of days. Who had dreamed that heaven should first touch earth, and that God and man should meet, in a Babe lying in the arms of a Virgin Mother? Henceforth childhood and motherhood became sacred. And as He grew to manhood and began to teach, He made a child the symbol and type of those who enter the kingdom. Yea, He told men it would be better to have a millstone tied around their necks, and to be cast into the sea than to offend one of these little ones. They are the court circle, the aristocracy of heaven. How strangely those words sounded in the ear of the Pagan world! What to it was the life or the death of a child? Kill, expose to hags and beasts, the unwanted or unsightly children—that was the teaching of Christ's contemporaries in the Roman world. At the imperial capital were two localities set apart for infanticide and the exposure of little children. There were laid night by night the superfluous offspring of the poor, the deformed or unsightly children of the rich, and every morning the old hags might be seen examining the harvest of the night, selecting the fair faced boys and girls to be reared for slavery and infamy, and sometimes bearing off the unshapely and monstrous to enrich the materia medica, in compounding medicines and philters from the infantile livers and brains.

Even to-day in the Celestial Empire the traveler counts the exposed infants in the city streets every morning. Four thousand of these little outcasts are, it is said, rescued by the Sisters of Charity every year. Ah! as you think of the darling ones that nestle and coo in your arms, that

light up the home as the satellites of Jupiter light up its dark night, and fill hall and chamber with the music of silver voices; who recall the awful darkness and sepulchral silence when those tiny lamps went out and the pouting lips were dumb, as if the sun had ceased to shine and the birds to sing; and then heard a voice above the darkness saying, Suffer the little ones to come unto me and forbid them not, for of such is the kingdom of heaven, and a light shined into the prison of your despair, beaming from the radiant forms of the little ones whose angels do always behold the face of the Father; do you wonder at the impulse born of Christian love to save the neglected, or perverted, or despised children? What nobler work can engage men and women than the rescue and redemption of the little outcasts, to deliver them from the pestilent environment in which they are born, and by a wise and faithful nurture and discipline to mould them into noble manhood and womanhood. For it is not the will of our Father in heaven that even one of these little ones should perish.

It was from hearts touched by the spirit of Christ that all modern or ancient prison reform, in its more exclusive meaning, took its origin and found its inspiration.

The simple English gentleman, John Howard, had learned by casual imprisonment in a troopship what were the heart and the lot of a prisoner. His journeys in Great Britain and throughout the whole of Europe were prompted by the command, Remember them that are in bonds as bound with them. The legislation inaugurated by him and Sir Samuel Romilly, and by others of like mind in England, in the closing half of the last century, and carried to its present completeness within our own times on both sides of the sea, was the answer of the Christian heart to the appeal at last heeded, Remember them that suffer adversity as being yourselves also in the body. Christ is the Saviour of the body. It is the temple of God. Destroy not thy brother for whom Christ died. Respect every image of the Invisible One.

The laws and methods and inspiration of prison reform to-day were inaugurated in the first accession of Christianity to civil authority. The first legislation of the world on behalf of the prisoners was under the first Christian Emperor, Constantine. He decreed that those accused of crimes were to be examined with all diligence, and those arrested must be confined in a humane manner. The cells must have air and light. Prisoners under accusation are not to be put in jails or scourged, but are to be placed under "military arrest," and in a prison open to the light.

The judge was not allowed to inflict capital punishment without the confession of the accused, or the sworn testimony of the accusers. "Let those who are condemned, whether to gladiatorial games or to the mines, not be branded on the forehead, that the majesty of the face formed in the image of celestial beauty be not dishonored."

Then came the laws (A. D. 340) forbidding the mingling of sexes in prison, and those protecting the modesty of virgins. The grievous intricacies of law were to be simplified by the light of Christianity (A. D. 342). "Let the formulas of ancient law, those captious syllables which are nets for good faith, disappear completely from all acts."

The Emperor Honorius commanded the judges to visit the prisons every Sunday, to see that the prisoners received ample nourishment, and were not fleeced by corrupt jailers or wardens.

More than fourteen centuries passed before such enactments again became the law of the Christian world, before deliverance to the captives and liberty to the bruised was preached in the name of Christ. For it was not the angel of the Lord but the Lord Himself whose presence brought light into the prison house, who began his ministry with expressed sympathy for the outcasts and the captives, and who, in unfolding the fundamental laws of the new kingdom of heaven on earth, told what men had said and what He now said. Ye have heard that it

hath been said, an eye for an eye and a tooth for a tooth. But I say, resist not evil. Ye have heard that it hath been said, thou shalt love thy neighbor and hate thine enemy. But I say unto you: Love your enemies, bless them that curse you, do good to them that hate you, and pray for them which despitefully use you and persecute you; that ye may be the children of your Father who is in heaven. The Son of Man came not to be ministered unto but to minister. A new commandment give I unto you, that ye love one another. The Son of Man came to seek and to save the lost. As my Father hath sent me even so send I you. And when the great assize has come, and we are prisoners at the bar of the King of Kings, and He ascends the throne of His glory, and before Him are gathered all nations, the words of final judgment, the final test of life shall be: "I was an hungered and ye gave me meat. I was a stranger and ye took me in: I was in prison and ye came unto me. Inasmuch as ye have done it unto one of the least of these my brethren, ye have done it unto me."

When Jesus Christ was once asked by a lawyer, Master what shall I do to inherit eternal life? He referred him to the law: What is written? how readest thou? And he answering, said: "Thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy strength, and with all thy mind; and thy neighbor as thyself."

"Thou hast answered right; this do, and thou shalt live."

The lawyer began to feel the ground unsteady beneath his feet as he looked into the clear mirror of the law lighted up by the face of Jesus Christ; he did not see his own image very distinctly. The matter of loving one's neighbor as himself suddenly bulked largely. If he could only escape by a definition—"Who is my neighbor?" And Jesus tells a story, probably of real life, so inimitably, that we see it and feel it as the lawyer saw

it and felt it. And by this story the great Master of thought and language has given the freedom of the air to the white-robed angel of charity, to spread his wings in every air, to unloose compassion, to hallow suffering, to crown human sorrow with the aureole of sanctity, and to embrace all men in the brotherhood of a common need and a common helpfulness. Thy neighbor is every one that is near thee and that needs thee. Can you not see it all to-day? Right down from Bethany, where he was probably standing, wound the narrow path that descended three thousand feet, through eighteen miles of rocky precipices and dark gorges and robber-hiding places, to the city of palm trees. It was known even then as the "bloody way." Lying by the side of the path is a not unwonted sight, a man wounded, stripped, half dead. A priest happened to pass that way, perhaps hastening from his term of temple service to his home in Jericho. He sees the pitiful spectacle. Ah, me! another murder. Such crimes are on the increase. It is terrible. The poor man may have a wife and children waiting, alas, in vain, for him in his little house. I am shocked, distressed, perplexed. Really, I must try and stir up the magistrates to repress crime more vigorously. Why does God allow such things? I would stop and help the fellow, but I have just done my service in the temple for a whole month, and must hurry to my own family. Besides, the robbers may be still lurking near and may rob me. Or the Roman soldiers may come upon us together and arrest me for complicity in the crime. I must not be quixotic. He is a stranger and dying, if not already dead, so that I would only risk myself and do him no good, and then I must remember I am a priest and would be defiled by a dead body, and rendered unfit for my regular work. I will just cross over to the other side. How he reasons with himself! And then the Levite came, a holy man too, and the same thoughts passed rapidly through his mind, and deciding all was

the reflection that his ecclesiastical superior, a priest, had seen the same sight, and he cannot do better than follow his example; and so he passed by on the other side.

And lo! a stranger, a Samaritan, is riding by and suddenly comes upon the poor wretch, and looks upon his bleeding face, and compassion wells up from the very depths of his soul. Poor fellow! he has fallen among thieves, he will die in the road unless something is done. And he gets down from his beast, and tears up some of his clothes for bandages, and opens his store for the journey, and washes the gaping wounds with wine, and pours in the healing oil, and binds them up, and lifts the man upon his own beast, and brings him to the inn, and watches the sufferer all night, and in the morning charges the host with his care, and gives him two days' wages in advance, and pledges his credit for further advances. "Take care of him; and whatsoever thou spendest more, when I come again, I will repay thee."

When Jesus had finished the tale, the lawyer had more than his answer. He had no more questions to ask. The silent depths of human nature were stirred. The question is no longer, who is my neighbor? but to whom am I a neighbor? For he is my neighbor who needs my help—whoever he be and wherever he dwell—even if he be an enemy fallen among thieves. And he who is the Good Samaritan of the world says to each of us, go, and do thou likewise.

And the neighbors are those near our own door. They are poor, suffering, dying. They have fallen among thieves who have robbed them of childhood's innocence, of woman's purity, of man's honor, of the free air, of beckoning hope. They are lying in our way. We meet them by chance, or rather by the concurrence of a divine providence which weaves the web of every life. On such a chance turns the issue of many a battle where more than blood is spilt. The finger of God points to them. Jesus Christ is watching, recording all. Will you pass by on

the other side? That is so easy to do. To help is so hard. But a soul created in God's image can obey.

"So nigh is grandeur to our dust,  
So nigh is God to man,  
When duty whispers low 'Thou must,'  
The soul replies, 'I can.'"

What the active workers in such a movement as this Congress represents have a right to expect from every Christian community, is intelligent sympathy with the work, the moral support of an educated public sentiment, and the creation of an atmosphere of hopeful feeling in which the rescued and the reformed may breathe and live again.

Even if Christian men and women would shut their eyes to these public movements, they cannot afford to rest in the agnosticism of Cain, "Am I my brother's keeper?"

The question of crime and its punishment, and of the criminal, touches the most virtuous in their children, their servants, their property and their homes. The inhabitants of our prisons and our reformatories are not all monsters. They were once innocent; they are not altogether depraved now. They have risen out of our own communities. They are the creations of conditions which now exist. They reflect the color of our civilization, for which, at least in part, we are responsible. Let us create such a sentiment, such a conscience, that the guardians of the prisoner shall be delivered from all political suzerainty; that the clear search light of impartial investigation shall flood every cell; that enlightened officials shall be upheld in every humane experiment to reform the prisoner, by isolation from crime and association with virtue, by the discipline of education and of labor, by hope as well as fear; to recognize and learn the eternal lesson, the wages of sin is death, but the gift of God is eternal life through Jesus Christ. God bears with us in infinite love and patience. This globe of ours is one of the least sent spinning into the grooves of space by a Mighty Arti-



ficer, a single golden grain on the field of that firmament which the Mighty Husbandman has strewn with golden grain. But it bulks largely in the thought of God, in the vision of the celestial principalities and powers. It is known throughout the universe, to the very outposts of immensity, as the World of the Fall. It is also known, oh! thank God, as the World of the Cross. It is the only straying sheep that the rejoicing Shepherd bears heavenward on his shoulders. I say unto you, that likewise joy shall be in heaven over one sinner that repenteth, more than over ninety and nine just persons, which need no repentance. Should not earth reflect the joy of Heaven?

The poet of our century, who now, alas! sleeps in the Minster of the West, sang long ago,

“The old order changeth yielding place to new,  
And God fulfills Himself in many ways,  
Lest one good custom should corrupt the world.”

but to us the distance seems so great to that,

“far-off divine event  
To which the whole creation moves.”

It is far off, but we may reach it sooner than we think, and by crossing lines which are to us invisible. The Arctic circle seems to the child and to the untutored man a huge band across the surface of the globe, and the waters of the Atlantic and the Arctic oceans to be separated by a gigantic belt.

But when I sailed to the North Cape a few years ago, and passed into a new division of the globe, I found that an invisible line, defined by two solitary headlands, one projecting from the shoulder of the continent and the other rising island-like out of the sea, was the Arctic circle.

I saw no change in the waters of the sea or in the firmament above our heads. The gallant ship gave no sign of passage. But we were on another ocean, whose waves dash against the pole and guard its eternal secret.

We were following the course and borne upon the bosom of the same mighty stream, which took its source in the southern basin of the western hemisphere, and tempered the whole face of the eastern.

So shall pass—so is even now passing—this old world of ours into new circles and into new conditions, borne upward and onward by the warm current of divine feeling which took its spring in Bethlehem and in Calvary.

These are the two names and the two thoughts with which I close. These two familiar words mark out at once the motive and the hope for the salvation of the lowest. Incarnation and Redemption by the Son of man, these speak to everyone that is born and to everyone that has fallen. The coming of Jesus Christ into humanity has taught respect for every human soul and every human body. "Forasmuch as the children are partakers of flesh and blood, he also himself took part of the same, that through death he might destroy him that had the power of death."

He knows the feeling and the worth of a child, even the lowest. He knows the dignity of man even when fallen. His sympathy, like the light, shines into the cell of the prisoner. The meaning of the coming Christmas tide appeals to every noble heart. Christ is in the race, to abide, to save. There is good will from heaven to every man. God touches man first of all in the manger of Bethlehem.

Nearly fifty years ago, when the care for the imbecile and the idiotic first laid hold of the scientific spirit, a young man from this country went to Paris, to learn in the school recently established there how to succor and uplift those in the prison house of despairing imbecility. When he returned to his home he advertised for the most hopeless victim of mental and bodily weakness, and there was brought to him one who, or, shall I say, which, answered every condition. A child that was simply animated flesh, unable to walk, to stand, to sit, to talk. He could only lie in dumb imbecility. The young

man put him on his own bed, lay by his side every day for an hour to awaken dormant life and feeling, if any existed, by the touch of another life. For six months his toil was unrewarded. One day as he lay by the 'inbecile child, being very weary, he omitted to read as had been his custom while watching his companion. Suddenly the child stirred, and when the physician turned to him, the child touched his lips with his fingers. He missed the reading—the sound of the human voice. The dead had begun to live. Life and intelligence came out of their grave, evoked by a human touch and a human voice, and by a divine patience. That first sign of dumb feeling was the beginning of an education, which at last made the idiot child an intelligent boy, able to speak and to read, and to answer historical questions before an audience, in which stood the distinguished prelate who tells the amazing story.

Respect the lowest, the weakest, the most hopeless. He is the image of Christ in discolored clay. For when the angel of the Lord comes upon him a great light shines into the prison, a hand smites him on the side, a voice cries, "Arise quickly," and the shackles of despair fall off, and the light shines through the awakened prisoner, until he himself becomes a fountain of light, a luminous pillar in earth and in heaven.

I think it is this possibility of renewal even for the most desperate criminal which ought to inspire every heroic worker in the jail and in the reformatory. There is a divine light which can illumine the darkest cell. The angel of the Lord can interpose on the very eve of death, and save the soul bound with two chains, and sleeping between two soldiers. The word which we preach is the only word that gives life and renewal. The divine sayings which we bear on our lips or read from our bibles, are the only words ever spoken or written from the beginning of the world, which carry life in their breast. They are the seeds of regeneration and resurrection, and they can grow in the darkest, rankest soil.

Do you remember that story in Christ's life which is excluded by many critics from the sacred text as not canonical, and yet admitted by them as a genuine chapter in the earthly life of Jesus, so truly is it in line with the whole purpose of His work? It occurs in the beginning of the eighth chapter of the gospel of John. The Scribes and Pharisees, the ecclesiastical authorities, brought to Jesus, as He stood in the court of the temple, a woman who by their law, was a criminal, guilty of a capital crime, and under sentence of death. But they thought they could use her while yet alive to close the lips and to degrade the character of Jesus. If He condemned her He was a pitiless judge, if he excused her He was a friend of sin. "Master, this woman was taken in adultery—in the very act—what sayest Thou? With Moses, shall she be stoned?"

Jesus stooped down, writing with his finger on the ground as though he heard them not. But they would make Him hear.

"He that is without sin among you, let him first cast a stone at her;" and He stooped down and wrote again on the ground. "And they which heard it, being convicted by their own conscience, went out one by one, beginning at the eldest."

The Saviour and the criminal now stand alone. "Hath no man condemned thee?" "No man, Lord." "Neither do I condemn thee. Go and sin no more." Think you she went away to sin? Nay, the light hath shined into the prison of her heart and the chains have fallen from her soul. There is only one strong cord left. It is love binding her to Him who saved her from death. But you say, so few are saved! Jesus is nailed to the cross and on either side is a criminal. He saved only one. The other perished incorrigible. But one, feeling the power that went out from Him to save, hearing the God-like words, "Father, forgive them, for they know not what they do," thinks in his heart there may be pardon for me.

A light shined in the prison of his soul, and said "arise quickly." "Lord, remember me when Thou comest into Thy kingdom."

And He remembered him that was in bonds as bound with Him. Himself, suffering adversity in the body, rolled back with His nailed hands the portals of everlasting life. The iron gate of death opened of its own accord for the redeemed criminal to enter Paradise that very day, and to walk with Christ the streets of the celestial Jerusalem.

The walls of that city are garnished with all manner of precious stones, but some of these stones, jasper and sapphire, and chalcedony and emerald were broken stones, pieces of fractured glass, rejected, cast out upon the dust heap, trodden under foot of men. Such were they.

But now! In one of the noblest minsters of the old world there is an illuminated window, that stands almost unrivaled for delicate beauty of color and form and tracery. The story runs that it was the work of an apprentice whose genius had never been disclosed before. The architect of the cathedral had gone to another land to supervise another building. Cast out and trodden under foot was a mound of rejected colored glass, broken and destroyed in the furnace. Upon these despised fragments fell the eye of the youthful genius, and his hand wrought them together as with fair materials, and wove all into the myriad-colored majestic picture, through which for centuries the daily sun has been streaming in glorious forms of light and beauty, cast down upon and flooding the cathedral aisles!

"Know ye not that the unrighteous shall not inherit the kingdom of God? Neither fornicators, nor idolators, nor adulterers, nor effeminate, nor abusers of themselves with mankind, nor thieves, nor covetous, nor drunkards, nor extortioners, shall inherit the kingdom of God. And such were some of you; but ye are washed, but ye are sanctified, but ye are justified in the name of the Lord Jesus, and by the Spirit of our God."

A mighty hand, the hand that once affixed to the cross could yet open Paradise, and re-create the criminal by His side, all in a moment of time, can take the broken, angular, discolored fragments of rejected, outcast human life, the brittle glass fractured by birth, or circumstances, and stained by darkest crime, and insert each, piece by piece, in the framework of His own eternal purpose, until the masterpiece is complete. And through this human window, this transparency of redeemed humanity, shines the unsetting light neither of the sun nor of the moon, but of the Lord God Almighty and of the Lamb, streaming down in richly colored splendor upon the faces of the celestial intelligences, upturned in wonder and in adoration !

## MINUTES OF THE CHAPLAINS' ASSOCIATION.

The Chaplains' meeting on December 3d, the opening day the of Congress, was informal.

On Sunday, December 4th, by appointment of the Executive Committee of the Prison Congress, the Chaplains' Association conducted a public service in the large hall of the Y. M. C. A. building, on Charles street, at half-past two in the afternoon. President HICKOX was in the chair. The Rev. Dr. E. A. LAWRENCE, Pastor of the First Congregational Church of Baltimore, assisted in the devotional services, and after the singing of a hymn, President HICKOX read a paper upon "Prison Service."

We regret that we have not received this paper in season for its insertion here. We can say of it, however, that it called in a very forcible way for the best men in all departments of prison work. The prison must be manned everywhere by men of the best natural gifts and the best education and experience. This paper also called for the best means and the most advanced methods of instruction, so that the prisoner whatever education he does get in the prison, shall get the very best there is.

Warden FRENCH, of the State Prison, Michigan City, Indiana, was the next speaker. He said:—

*Mr. Chairman:* I am not a chaplain, but a warden of a prison, and yet, notwithstanding I am a prison warden, and this is a chaplain's meeting, I do not find it out of place to be here. If there are any two men engaged in prison work who ought to be friends, it is the warden and the chaplain. The warden cannot do his work to the best advantage without the assistance of the chaplain, nor the chaplain without the assistance of the warden. If the two can work together there is an opportunity to do good among these unfortunate creatures.

I was invited to speak without knowing what was expected of me, so I simply waited until I came to the

meeting and heard Brother Hickox's address, which has given me some suggestions. The field is a very broad one—almost endless in its nature and importance. I listened also to the address of our worthy President last night, which hinted at many things touching on the threshold of our boundless work. And the sermon to-day supplemented what we heard last night. I come here under the influence of these addresses.

If you will bear with me for a few moments, I have decided, on the spur of the moment, to speak on a few things which stand in the nature of aiding both the warden's and the chaplain's work.

Having said a few words upon the construction of our prison, and also upon the responsibility of the state for the misconduct of the young, the speaker asked:

What should the state then do with the large body of prisoners when they come in? Classify them. How? Into three classes. The first would be the old and hardened class for which there is little or no hope; put them into the harder parts of the prison. The second class would be the middle class, those standing on middle ground, not to be classed as novices, nor yet hardened criminals; give them a better opportunity than the first. The third class would be the novices, the young men who have staggered by accident out of the path of virtue and rectitude.

What is the state's duty to the last class?

The state may say this: "You have come to me as an unfortunate. You may have been without a proper friend or guardian. Your parents may have been vicious, they may have died and you drifted without parent to guide you. I will become your friend. You may not have been given an education; I will offer you an opportunity to get the elements of an education. You may not have been taught a trade; I will teach you a trade." So we take up this young man. We prove our friendship for him by becoming his friend. We give him the elements of an education which he should have had in his youth, by establishing a



prison school. It is such a school as those in which we are teaching our youth, with a black-board, a chart and the three Rs.

I have been astonished to see a great, woolly-headed negro standing at the black-board, smiling like a child, because he had counted up a column of figures that counted eleven. He was only a great, overgrown child. When he came to leave the school, he cried like a child from gratitude. I have seen a man forty years of age sitting down for the first time in his life to scribble a letter to send home to his wife, mother or child.

Coming back to this young man, we do not put him down to hard labor for the purpose of earning money to put into the state treasury. We should not look upon our prisons as places for gathering shekels to put into the state treasury. We should establish some useful trade to teach him habits of industry. We take him on until such time as we have fastened upon him the grappling hooks of something better and fixed him in the right direction. After a while we find he is ready to go back into the world. Now to-day, in my state, I am ashamed of it, we give him fifteen dollars and take him to the door of the prison and turn him loose, with no one to go into the world with him. It may be that before he finds the wherewithal to clothe and feed himself he may be dragged into crime again. After being a friend to this young man, after having supplied him with an education, after having taught him a handicraft, and fixed him in the right direction, the state ought to provide an officer to go with him, to take him outside, find him employment and put him at it. Let the state unfold to him the fullest opportunity to show whether he is a man or innately bad.

I shall then work for reform all the time, both from the chaplain's and the warden's standpoint. Let these officers work together.

General BRINKERHOFF, of Mansfield, Ohio, Vice-President of the National Prison Association, next addressed the meeting as follows:—

Of all the prison workers I expect I am the least qualified to talk intelligently to a gathering of prison chaplains. I am not a warden. I am not a prison chaplain. I have never been a prison officer, and I have no special qualifications probably to give even a suggestion to these gentlemen as to what they ought to do, if to have such qualifications I am expected to have experience, because I have no experience. My only qualification is that I have been in prisons. I suppose there are not more than two or three persons on the American continent who have been in as many prisons as I have. I have visited all the typical prisons in the United States and the Dominion of Canada. So I think I know something about prisons.

I have been a student of this subject for many years, and the more I study it the broader it becomes, and the more absorbing are the questions which are involved in it, and the more important it seems to me. I have come, Mr. Chairman, to feel that the most important question before the American people to-day—the most vital to the perpetuity of the republic—is the prison question. There are some political questions in which I am deeply interested. I am one of the original pioneers in the discussion of tariff reform, and I think it is one of the most important questions ever before the American people, and yet I don't believe it begins to compare with the importance of the prison question.

The Secretary asked me to say something in regard to the relation of the prison chaplain to the discipline of the prison. I have had no time to prepare anything, and as I turned the subject over in my mind, I felt that I could not say anything, but after listening to that magnificent sermon to-day, I thought about it again. I asked myself, "What does the secretary mean by asking me to talk upon the relation of the chaplain to the discipline of the prison? What does he mean by it? Does he mean that the average American thinks when he thinks of a discipline of a prisoner—the preserving of order?" So I went to Webster's dictionary to find out what discipline meant.

Webster sums the whole business up in this way. "The meaning of the word discipline is, education, instruction, culture, correction, chastisement."

I thank the Lord the word "chastisement" is placed last. I think the time is coming, when at least so far as the application to our prison life is concerned, it may be left out altogether. Taking this broad definition of the word "discipline," what relation has the chaplain to the discipline of the prison? If this word "discipline" means—and who doubts it—education, culture, training, drill, it seems to me in that light the chaplain is very close in his relation to the discipline of the prison.

We go into these prisons and here we see these people gathered in from society. Here are five hundred, one thousand or eighteen hundred, as we have in our penitentiary in Columbus, Ohio, whom society has taken out of itself and placed in "durance vile," behind bars and bolts, for what? For vengeance?

Penology, as it is now taught, and was not twenty years ago, when Mr. Brockway read that magnificent paper of his at Cincinnati, does not look upon these persons in that light. They are there for the protection of society. Before that time in the main, and largely now in the estimation of the average American mind, these people are in there for punishment. The law of retaliation prevails in the minds of the people, and that they are not sent there merely for the protection of society. At the bottom of the whole business in Penology is a correct starting point, and that is that society has no right on earth to send people behind bolts and bars except for its protection. It is not for punishment, nor to inflict pain, but to place that man in prison, and to use methods in regard to that class of men that will promote that one feature—the protection of society. How?

Some poet, I don't know who, says, "Square thyself for use. The stone that is fitted for the wall is not left by the way."

Here are these stones coming into the prison unsquared; they are not fitted for the wall, and they have been left by the way. One thing we ought to do when they come into prison. Our business is to fit these people for the wall. Herein comes the work of the chaplain more than anybody else, if he is the right kind of a chaplain. I don't believe that any prison is equipped as it ought to be unless it has some one in that prison, whether we call him chaplain or not, who is a man of God, a man who has within him the spirit that we heard in that sermon to-day, by which those people are to be reached. I myself would not attempt to run a prison unless I had with me a chaplain who was that kind of a man.

Now a chaplain is not simply a preacher, in my judgment. I think that the preaching part of a chaplain's work in the prison is by no means the largest work he has to do. I believe the chaplain's work is to know the men who are in prison. He must know them individually. He must enter into their joys and sorrows. He must be able to befriend them, and they must feel that he is a friend. It is a great thing to be a good preacher in prison. I don't believe there is an audience in the world more critical than a prison audience. I believe we cannot get a man too large for a prison chaplain; and a great trouble in our country to-day in regard to our prisons is, that the chaplain's work is not appreciated. The result is we get chaplains very often who cannot command an audience outside. How can they succeed in prison? Yet I have known instances of men who were not good preachers who had a hold on the prisoner simply because the prisoner felt that they were there from a love of humanity; men that looked upon prisoners not as mere dogs, but as fellowmen of like passions with themselves.

We have got to get rid of the idea that the prisoner is a class by himself. The prisoner is a man, just as you and I are. He is under the same influences and subject to the same temptations as we are. I never look upon a

prison audience but I think to myself, now if you had been under the same circumstances as these men, untrained, uneducated, uncultured, with no opportunity whatever for advancement or training, you might have been where they are. I feel that by the grace of God and my environment I am what I am. Now let us go to these men in prison with that kind spirit; and we want in these persons in the office of chaplain, first of all, Godly men. We want the spirit of the Gospel in these men who come into our prisons as the missionary goes into the heathen lands.

The chaplain cannot do much if he have not the good will and the help of the warden. He must cultivate the warden. If the warden is adverse to him, he must conduct himself in so noble a manner that the warden cannot help being won by it. It will come bye-and-bye. All men can be reached with perseverance and patience.

A chaplain can have order in the prison by consent of the prisoners, and order by consent is far nobler than order by force. You can maintain order by force and a club, but it is order that reigns no where. Personal chastisement is not the best maintenance of order in prisons. I don't believe you can inflict physical torture upon a full grown man and do him any good. I don't believe order maintained by physical torture is wise, and there are a few prisons in the United States, and I am sorry there are but few, where the discipline has outgrown physical torture. I do believe that the state ought to see that the chaplain is one of the most important men in the prison, and he ought to receive recognition and pay for his services in a way which will justify a man of large abilities in that office.

Warden JAME MASSIE, of the Toronto Provincial Prison, next addressed the meeting, as follows:

I could not say very much in five minutes, but I shall try to say something just to the point.

In the prison I have charge of we have no chaplain. I don't wish to be understood that I depreciate the services

of the chaplain. Sometimes I wish I had a man who would enter into the spirit of the work with me, give himself up wholly to the work and assist me with many of those who come into my charge. It is an excellent arrangement and I would be sorry to see it disturbed.

When the prison was first opened, the subject was under consideration, when our Prison's Aid Association stepped forward and said to the Provincial government, "If you will allow us we will take charge of the services within the Central Prison." This offer was readily accepted. The state put a sum of money to pay for conveyances to bring teachers to the prison every Sunday morning, and that sum is still granted to them. One-third of it goes to Roman Catholics and two-thirds to the Protestants. The Roman priest comes to the prison, takes his men into the chapel, and holds the service of the mass. He comes again on Monday evening and on Saturday evening, goes into our school room, takes as many of his men as can be seated. Sometimes he has confession, and sometimes exercises, in the catechism and doctrines of the faith. He pursues the same course on Saturday evening. These services have much influence for good among the men. I am exceedingly indebted to the present priest, who is a man that has given himself wholly to the work. We work in perfect accord, I being present at the Roman Catholic services. There is a perfect understanding between us, to this result that whereas I used to have a large number of misconduct reports among the Roman Catholics, I now have a very small number, and for all this I give the credit to the Catholic priest of securing for me better obedience and discipline in the prison.

Our present morning service is conducted at half-past ten o'clock. Our chapel is so accommodated that the seats may be reversed and the teacher may take five, ten or fifteen and seat himself in front of them and speak to each one individually. He comes into contact with the men and understands them. They sometimes tell him their troubles. He sometimes assists them with matters outside.

We have services at three o'clock in the afternoon under the management of the ministerial association. All branches of the Christian Church except the Roman Catholic take their turn in these services. The secretary of the association appoints a man to come to the prison, if this man cannot come personally he sends a substitute. We have men sent to us who have charge of the best congregations of that state. The men like a man who can reach their sympathies, tell them of the love of Christ, and stimulate them to good deeds and nobler thoughts during the working hours. These are the whole of our services.

In large institutions where there are from three to five hundred prisoners, I hold that the chaplain becomes an absolute necessity. He should be thorough in his work and not a perfunctory individual. He should be a man whose soul is in the work. In the prison I have charge of (with four or five hundred population), I give my whole attention to the work. I perform the duties of a chaplain to them. I visit them in sickness, and do my part as well as I can. I can reach my men better than any other man can. In connection with my own work, I strive as far as possible to have the subordinate officers in sympathy with me. I have men with me who are in perfect accord with myself. I take them very often on parade and teach them how they ought to conduct themselves—how important it is that their own deportment should stamp itself upon the men in their care. If a man is a slave to chewing tobacco or any other vice, I get him to stop it and get into harmony with myself. If your men have troubles get into their sympathies. Do not get down to their level, but lift them up to yours.

This discussion was continued until 4.30 P. M., when, under other auspices, Mr. ROUND, of New York, continued the service with an address upon the work at Burnham Farm.

## MONDAY SESSION.—

On Monday, the third day, the chaplains held their first regular work-day session, Chaplain W. C. GUNN, of Iowa, and Chaplain CORCORAN, of Indiana, being the leading speakers. It was evident from the reports of work they made, and from other testimonies that followed, that in the prisons referred to, the Catholic and the Protestant, and the nondenominational chaplains, are all working together harmoniously. So far as we know this is the general rule throughout all the prisons represented in the National Prison Association. Chaplain CORCORAN has been in the ministry but a short time, and is a co-chaplain with chaplain ALBERT, whose turn to attend the National Congress came a year ago. Chaplain GUNN has been sixteen years in the service. During the last ten or twelve years it appears that he has found places for over five hundred ex-prisoners. His experience in this department of a chaplain's work is very encouraging indeed, as he reported it. His rule is, whenever possible, to get such a man into a family, and in all cases where the ex-prisoner is a minor, he has especially labored for this object. He has tried to get his wards into Christian families, and he has urged that the family should take the ex-prisoner with them to church wherever they went, and as far as possible adopt him and care for him as one of themselves.

In subsequent discussion it was argued that in general this is the true way, and that a Christian household is one in which the least possible caste or class-feeling prevails. The model Christian household is one which abolishes all caste, and aims to make the most of every one, whether a child or an alien. It was argued that the custom of city life, and of the more artificial forms of family life everywhere, of having at least two tables, one separate for the family, and at least one other for the servants, is contrary to the simplicity of the gospel rule, wherever it can possibly be avoided. One result of such a division in a house-



hold is that what is looked upon as the lower part learns to domineer over the so-called upper part. In city life the servant girl is often in many respects the despot of the house. Another result illustrates the principle that a house divided against itself cannot stand. And another result is that one of the strongest influences to lead men to respect themselves and to help them into lives of virtue is lost.

Chaplain GUNN reported some instances of extraordinary interest in connection with these five hundred and thirty men for whom he had found situations. Some of them have had very large success in money making. One of them is worth a very handsome fortune to-day. Perhaps many others are. Some of them have traveled very widely over the world, and in repeated instances they are now earning large salaries from their labor.

#### THE REVIEW OF THE YEAR.

Later in the day the review of the year was presented. The review mentioned first, as of special interest to the chaplains, the loss which prison reform, and especially the chaplain's service, has suffered this past year in the death of Colonel GARDINER TUFTS, of Massachusetts.

This annual review took note of the earnest discussion of our American Reformatory system that has been published this year, both at home and abroad. A part of this discussion has been in the line of severe censure. Some of this censure has come from English sources. We are glad to gain wisdom from any quarter, and probably we have much to learn from the large and perhaps flattering experience of our English friends. But some of the strictures made upon us from across the water may possibly be explained by a lack of intimate acquaintance with our circumstances and conditions.

A part of this discussion, and perhaps the ablest part of it, the review said, has been carried on in our American magazine literature. This discussion in itself may be regarded

as favorable to our cause. We believe our main positions are right, and if so, discussion, although unfriendly, must in the end build us up. Some quotations have been made by our critics from our own reports and similar prison documents. For this also we are grateful, and we have only to regret the inaccuracy at some points with which the work was done. It is to be presumed that this inaccuracy was accidental; and yet, we would suppose that magazines of high literary standing would take pains to be truthful in quotations. These errors are possibly of small consequence in themselves, and not of great interest to the public, and yet the review called attention to them in passing.

Continuing, the review said that this criticism seemed to be destructive rather than constructive. The writer had looked through many of these articles, searching for practical suggestions, but had been disappointed. One critic had proposed that a larger application of the probation principle be made to offenders before they were sent to prison. This is entirely in line with what has been advocated in the Chaplains' Association in former years. But as far as the management of those actually in prison is concerned, these critics seemed, to the review, to have suggested little that would be helpful to an earnest prison warden anxious to improve his present work. The review did not believe that we should now abandon the improved methods of to-day simply to go back to old methods, or that we ought to do so. The principle of prison reform as held by the chaplains, is, "treat your neighbor's son in prison as a reasonable man would wish his own son treated if he were a prisoner." This principle the prison chaplains want to see applied faithfully. They are willing that all defects in the best prisons should be pointed out, and all faults when pointed out ought if possible to be corrected.

The next topic that came up in the review was the "Spoils System." This system as applied to our prisons

is indeed exciting increased indignation over the land wherever it prevails. It is no harder for a chaplain to be thrust out of a place on account of his political opinions than for any other officer. Perhaps it may not be so hard; and yet, when the spoils system reaches so far as to inquire whether a chaplain is a democrat or republican, the act is perhaps especially conspicuous and notable. And yet, as the Chaplains' Association is led to suppose, this has been done repeatedly in recent years.

In such a case it is of course difficult for the chaplain to lift up his own voice in protest. The world might say it was the loss of a place that moved him, rather than honest indignation against a wrong. The association of chaplains, however, can protest. And they do so. If there is any man who deserves the condemnation of society, we certainly think those men deserve it who deliberately degrade prison administration, and rob prisoners of an efficient administration, by making important positions within the prison to depend upon political favor, instead of fitness for the work and experience in it. And we respectfully submit that no minister of the gospel should consent under any circumstances to take a place which has been rendered vacant in that way, without such an utterance on his own part as will show that he abhors the iniquity of the system itself.

Another event of the year, prominently noticed in the review, was the growth of the International Convention of Christian Workers. This wonderful organization has just held its seventh annual meeting in the city of Boston. It has published minutes of its annual meetings for several years, and few books of recent origin can be worth more to the prison chaplain than one of these annual reports. The society workers embrace in their sympathy every department of labor among men that needs to be enlightened by the love and power of the gospel. The prisoner has a prominent place in their meetings and discussions. The chaplains can find great help by attending these meetings,

and perhaps would do well to open some direct correspondence with the executive committee of the convention, with regard to the religious needs of prisons and prisoners, and the common aims of the convention and the chaplains.

The last topic of the review was the increased confidence which the past year inspires. Chaplains ought to lift up a higher standard for their work everywhere. This thought was emphasized by reference to certain public discussions of the work of army chaplains. The prison chaplain and the army chaplain in some respects have very diverse tasks to perform. But there are some respects in which all chaplains, holding government appointments, and serving congregations and constituencies to which, at first they are not personally related and to which they are not personally responsible, just as the ordinary pastor is responsible to his congregation, have similar difficulties and similar perils. A considerable number of the denominations of the land have recently had their attention called to the institution of the army chaplain. And the army chaplain is to-day undergoing a somewhat rigid scrutiny, as regards his efficiency. This scrutiny of the army chaplain may prove helpful to prison chaplains.

But at all events, now is the time for prison chaplains to raise a higher standard of consecration and of efficiency for their work. The prison chaplain certainly ought to be worthy of more respect than he has sometimes enjoyed. Those that honor God, God will honor; and we shall have honor from God in our work, just in proportion as we honor Him in our work. If we are in our positions for the sake of a place, we do not deserve any honor from any one. If we think more of holding our positions than we do of doing God's work in our positions, we do not deserve any honor.

We need to make it our great business to carry Christ into the prison. We can do this, and we ought to do it in such a way that political leaders will be convinced that a real minister of the gospel cannot be bought with a

salary. He must have given him all the scope and confidence needed for his work, or else he will not undertake it in that way. He must have opportunity to give his message and do his work within the limits of the position offered him, or he must find his pulpit and his sphere in some other way.

#### TUESDAY'S SESSION.—

On Tuesday, December 6th, after the routine business of the day had been transacted, a paper was read upon "The Golden Rule Prison," which was as follows:

#### THE GOLDEN RULE PRISON.

Prisons are called in these days by many different names; the penitentiary, the house of correction, the jail, the reformatory, etc. We do not think the name alone makes any great difference. A prison is a prison, and if it is a real prison, no fine language, no new name, no stilted phraseology, can essentially change it.

But if we wish a descriptive word for a prison, suppose we say "The Golden Rule Prison." Has any one the right to limit the application of the golden rule? If a man's own son were sentenced to prison, would not the father immediately interest himself to learn what kind of a prison that was? Would not his interest be a righteous one? If that be so, how can any man consent that any prison should be anything less than a Golden Rule Prison? That is, a prison in which every prisoner, if possible, is treated as any reasonable man might desire his own son to be treated, if he could imagine him convicted of crime and sentenced by the court to a place of detention.

If a man found his own son sentenced to prison, are there not certain things that he would think it right to demand of the state? Let every one answer by putting himself in the place of such a father. Would he not ask

that the bodily health of his son should receive careful attention? Surely the state has no right to put a prisoner into a plague-stricken building, or into any damp, unhealthy place unnecessarily. The state has no right to give him bad food, or to limit him to insufficient food. It has no right to destroy his eyesight, or to drive him insane, or to dwarf, or unbalance and permanently injure his mental faculties.

Secondly, the state has no right to treat a prisoner unnecessarily in a way to injure his industrial efficiency, as by the teaching of loaferish habits, or in any way, needlessly crippling his tact, or his ability to earn a living.

Thirdly, such a father would say still more earnestly, take care that you do not make my boy worse than you found him. For the state needlessly to take a youthful prisoner and deliberately put him into a school of crime, or into any environment which would naturally tend to break down his moral character, is certainly one of the most unchristian things that the state can do.

This is not saying that the state may not put any prisoner into hardship, or subject him to great privation. All this we take it the state may do for the proper protection of good citizens. There is no reason why a prisoner might not be set to breaking stones if he had the strength to break them, or if that strength can be developed in him. There is no reason why a prisoner should not be compelled to wear stripes, if the discipline of the prison require it. But we speak of such hardships as can be avoided by a wise administration and by expenditure not disproportionate to the ability of the commonwealth. We speak of such hardships as injure physical health and cripple a man in his tact, or his faculty to earn a living, or as tend to break down his moral character.

Let us then endeavor to describe, with a little detail, such a prison as a good father might reasonably ask us, the community, to provide for his erring son, on the principle that we should be very willing to do by others as we would be done by.

(a). This place into which the prisoner comes, is under perfect subordination to one master, and enjoys a discipline which is firm, wholesome, minute and friendly.

(b). The clothes that are given him are comfortable and decent.

(c). The room to which he is finally assigned is scrupulously clean, and is for his sole use. It is comfortable in temperature, it is sweet in its atmosphere; it is ventilated and light enough in the day time for whatever he is expected to do there.

(d). The food which is given him is wholesome, although plain, sufficient, and neatly served.

(e). It is a place of unremitting industry. An ideal prison would have no idler in view from morning till night. Every man therein would have some serious occupation all day long. But no prison can come up to that ideal, for instance, with a scant number of overworked officers. Prisoners, it must be remembered, work without pay. They work without the inducements which are essential everywhere, and even among the best of men, to great enthusiasm. The task of making a prisoner work is often one of the hardest. The inertia of prisoners in this matter, commanded to work under the peculiar conditions we have just described, exceed the belief of men who have had no experience to instruct them. It is no uncommon sight in a prison, when work must be done at once, to see an officer, despairing of getting it done by the men that ought to do it, undertake it with the greatest effort himself, alone.

One officer put in charge of too large a number of men, cannot overcome this inertia. There must be enough of officers in proportion to the number of prisoners, to make it practicable for those officers to get the work out of those men, if the prison is to teach one of the most important lessons that a large part of the prisoners need to learn. For if a prisoner goes out of prison having been lazy and a shirk all the time of his incarceration,

and without having learned the lesson of doing an honest day's work, he goes out utterly unfitted to begin an honest life, whatever he may have learned about books or trades.

It should be said also that no officer can be kept within the walls of a prison ten or twelve hours a day, on full duty, and still maintain the energy he needs, in order to make even fair men, not to mention the lazy or the shirk, work industriously, when they are without the natural inducements of labor.

(f). The wholesome moral tone of the prison we are now describing, strikes the prisoner at once. It is not only a place of industry, it is a place of good talk. Profanity and vulgarity are rarely heard, at least where the most diligent officers can be expected to control men. Economy and honesty and thrift are taught by everything that the prisoner sees about him. Everywhere ambition and aspiration are appealed to and find some scope and reward.

(g). The Sabbath day in particular, is a great day in this prison. It is a sacred day in the prison in every respect in which good government can make it a sacred day out of the prison. It is most scrupulously a day of rest. It is with great care made a day when the accidents of life, and the mistakes of life, and the artificial relations of even the prison, are forgotten as far as possible.

(h). From the highest quarters and from a large body of good men, there are a multitude of courteous and refining influences steadily filtering down into all the place.

(k). In the treatment of this man from this time, all the self-respect which he still retains is carefully cherished. Degrading clothing is not put upon him without some serious reason. In the cutting of his hair or in shaving, nothing is needlessly ordered which offends his own sense of personal dignity. The administration aims to respect whatever remnant, small or large, of manhood there may still be in him, and with a view to his reformation. The



truth of this principle is made evident partly by the effect of any other course upon the prison keeper. The officer who is willing to be simply a police guard of prisoners, without any effort to lift them up, invariably degrades himself. A prison officer who can treat men coarsely who still preserve anything of the image of God, tends himself toward the level to which he would reduce them.

The strain of prison life upon prison officers who are inside the walls for ten or twelve hours a day, at the best is severe. The only possible way to escape an evil influence from it lies in their effort to lift up the prisoner. Say what any one will of the turpitude of prisoners, whoever knows them intimately, and learns to make fair allowance for previous disadvantages in their life, and who considers fairly the criticism of the Lord himself upon many men who make broad their phylacteries, knows that a large part of prisoners are very much like a large part of men outside of prison. Any man who is willing to get his living by making himself simply a keeper of such men, without interesting himself in their aspirations, or doing anything to lift them up, or help them along, inevitably falls in the course of years towards that very level of character which he affects to despise. This follows by a law, as inevitable in its operation as the law of gravity. It is a "natural" law that whoever darkens his fellow-men, darkens himself. Whoever ministers in any way to the degradation of his fellow-men, ministers to his own degradation. A prison that has for its corner stone "Once a prisoner, always a prisoner," the unreformability of prisoners, tends toward a corrupt condition. The only way to preserve manliness and character, anywhere in a prison is to administer that prison in the line of the reformation of the prisoners.

(2). The good will of the prisoner toward the administration, if possible, is secured. A man cannot be reformed until he is made hospitable to the influences that must reform him. He must be reformed with his will, not against his will.

(*m*). Having brought a prisoner into a hospitable condition, the next thing is to apply the great influences which are adopted to change his evil nature. "Keep the men sweet and pour in the light." Faithfully followed, this maxim tends to reform prisoners and yet avoids "coddling" them. If in bestowing kind treatment upon prisoners, the object is to gratify a foolish sentimentalism, or to flatter them, or even the hope of making them more easily governed the prisoners are injured and the public incensed. But if the honest and prime object of kind attentions be to make a way for the light to shine in, and if that object be consistently kept in view, so that the favors are promptly and firmly withdrawn as fast as the light is definitely rejected, then the prisoner learns anew that the way of the transgressor is hard, and intelligent public approval is not sacrificed. It must be kept in mind that a prisoner is essentially like a non-prisoner. To change him from the bad to the good requires the same influences exactly that help other men to be good; the same influences in abundance, and sweetness, and power.

(*n*). In the Golden Rule prison, the prisoner is made to feel as quickly as possible that he is on his own feet, and has his destiny largely in his own hands, and to that extent will himself be wholly responsible for his failure or his success. He is in prison on a very long sentence; there is a board that alone can shorten that sentence somewhat, if he will furnish them the evidence that he is a changed man; but they will not cut off any part of it until he does convince them that he is so far changed at least, that he can be trusted to obey the laws and get an honest living out in the world. He is, if possible, convinced at the start, and still more convinced the longer he stays in prison, that he cannot get out by "fooling."

(*o*). Such a prison recognizes the average prisoner's need of mental occupation and education. If possible, every man who goes out of prison should be able to read and write.

(*p*). An industrial education is also needed for a large part of prisoners. When a prisoner has once formed the purpose of leading an honest life, it strengthens him to give him also whatever trade, or part of one, will help him to do it.

(*q*). Moral and spiritual education are the crowning part of this work. This means something more than merely hearing preaching. This discipline must be brought to bear upon the prisoner by all the officers, and from every separate and different part of the premises. Everywhere, and every day in the week, the prisoner needs to feel this uplifting power. The whole work of all the officers needs to be vital with it, and illustrative of it, and subordinate to it. Whatever work a prisoner may be engaged in, he needs that this influence should be brought to bear upon him by the officer who is over him. It should permeate the whole place, so that from the moment the prisoner enters the prison he is face to face with it, and cannot escape from it. The services in the chapel on the Lord's day, alone, cannot reasonably be expected to accomplish the end. The whole life of the institution needs to be in line with these influences. The great business for which every officer in the reformatory is there needs to be the business of reforming prisoners.

(*r*). It will be seen that a prisoner coming into such a place, if he has previously lived in bad surroundings, comes into a new atmosphere. Just as an invalid is taken out from unwholesome conditions, if he has been exposed to them, when he comes to a proper place for treatment, so a prisoner coming into this prison is taken from a bad moral atmosphere and is brought into a new life that is in every respect pure and sweet.

(*s*). The Golden Rule prison has constantly in view the going out time. Everything is shaped to fit the prisoner for that day and strengthen him for its coming.

(*t*). At the time of his going out, and afterwards, the prisoner is followed with all the encouragement and aid that is necessary and practicable.

(u). If the prisoner-at-large after all his training still makes a failure, he is liable to come back, upon the simple order of the board that allowed him to go out on probation, and continue his training, and even work out his whole sentence, where at least he will be supported at a minimum of expense and inconvenience to society.

In a word, this prison ensures the safety and the peace of society most conscientiously by keeping the offender under strict guard until it is believed to be safe to allow him again at large; and on the other hand, it does its utmost to restore the offender to his liberty at the earliest consistent day, reformed and in his right mind, and better qualified than when he entered the prison to be useful and happy and honored in society.

This prison treats the welfare of society as a supreme trust of the institution, and at the same time regards the prisoner tenderly, intelligently, and strictly as a brother. And so it applies on both sides the principle which it believes of universal application, that we should do by others as we would have them do by us.

This paper was listened to carefully and the main positions of it were approved by the meeting.

#### WEDNESDAY'S SESSION.—

On Wednesday, December 7th, officers were elected as follows: Rev. GEORGE H. HICKOX, of Jackson, Michigan, President; Rev. WILLIAM J. BATT, of Concord, Mass., and Rev. W. C. GUNN, of Iowa, Vice-Presidents; Rev. WILLIAM J. BATT, Secretary.

The following resolutions were adopted:

WHEREAS, Since the last annual meeting of the Prison Congress, one of its members, Colonel GARDINER TUFTS, who was especially friendly to religious work in prisons, has been removed by death. Therefore—

*Resolved*, That we gratefully acknowledge in this way our obligation to all such men, and that we put on record our humble tribute to the wisdom and the worth of Colonel Gardiner Tufts, of Massachusetts.

WHEREAS, It is reported to us, upon evidence entitled to respect, that Chaplains are sometimes removed from office for political reasons, and for the promotion of personal ends of political leaders. Therefore—

*Resolved*, That we earnestly protest against such a grievous wrong to prisons and to prisoners, and such a degradation of the pastoral office, which is nowhere of more vital importance than in the prison.

And second; That we earnestly and respectfully represent to all clergymen, that no minister of the gospel should consent to accept an appointment to such a position, made vacant in this way, without such an expression from himself as will show that he repudiates the system which such politicians seek to profit by.

*Resolved*, That we again extend thanks to the Prison Congress for the privilege of holding our annual session as a part thereof. We are glad of the opportunity of being instructed by wardens eminent in their work, and by specialists eminent as prison reformers, And we estimate very highly the importance of the confidence of prison wardens and prison commissioners and prison reformers in our work.

*Resolved*, That in urging religious work in the prison, we disclaim any purpose to seek merely the personal advancement of chaplains. We wish to promote religious work itself, regarding this as the vital thing, whether performed by the chaplain or by other prison officers. And we here record our conviction of the comparative futility of all formal religious services in prison, when the administration of the prison is not really and actively in sympathy with them.

The minutes of the entire meeting were approved and the association adjourned *sine die*.

GEORGE H. HICKOX, *President*.

WILLIAM J. BATT, *Secretary*.

## SUNDAY AFTERNOON.

A meeting was held at the Maryland Penitentiary on Sunday afternoon at 3 P. M.

Mr. G. S. GRIFFITH, President of the Maryland Prisoners' Aid Society, presided.

Rev. LEE S. MCCOLLISTER, of Detroit, Michigan, read a portion of the 1st Psalm, and offered prayer.

Rev. LOUIS F. ZINKHAN, Secretary of the Maryland Prison Society, led the singing, aided by the prison choir.

### ADDRESS OF EX-PRESIDENT HAYES.

Ex-President HAYES addressed the meeting as follows:—

*Mr. President, Friends:* To interrupt, as I must now do, the timely and healthful course of feeling stirred, I am sure, by the music to which we have listened, is something that one would avoid, and yet I could not say no to our friend Mr. Griffith, if even for the short period of an unwelcome interruption, I could make these proceedings more interesting. There is a gentleman to follow me, my friend, Judge Wayland—we are both "Exs"—I am an ex-President and he is an ex-Lieutenant Governor of Connecticut; and a man of high intellectual calibre. When I was a law student, some fellow-students remarked as a man of noted intellectual power passed one day, that if they could only squeeze one-third of that man's brains into their heads, they would be fully equipped, intellectually, for life's battle. I doubt not but if some such operation could be performed upon Judge Wayland's head, other men might be benefitted thereby.

It occurs to me that among a few cardinal truths to which I would call your attention, none could be more important than that you should always, in whatever

circumstances you are placed, seek to win friends. Not false, but true ones; friends who are strong in virtue, and the association with whom would tend to make your lives better.

To have friends, it is necessary to be friendly. You men should especially make a friend of your warden and of those who by their efforts would benefit you and lift you up. I have received many applications from young men asking advice as to what they had better do to win success in their business enterprises, and this fact presented to me the thought how very important it is to win friends.

#### ADDRESS OF JUDGE FRANCIS WAYLAND.

Judge FRANCIS WAYLAND, Dean of the Law School of Yale University, then addressed the prisoners:—

He said that the representatives to the Prison Congress had met in the City of Baltimore to discuss the interests of prisoners. By their deliberations in the past much good has been accomplished. To illustrate the change which has been wrought in prison life, he cited the fact that he appeared before them as their friend, without any cause for fear, in striking contrast with the first religious service that was ever held in a Massachusetts state prison some fifty years ago. At that first service a cannon loaded with grape shot stood by the preacher and the prison officials stood by with a lighted match, with instructions that at the first demonstration by the prisoners the cannon should be fired and they would trust to providence for the rest. The speaker told how he had served as a director of a state prison, and something of his experience in spending a night in prison. The object of the Congress is to try to aid them to grow strong in the traits of true manhood. He supposed the prisoners were deeply interested in the deliberations of the Congress, and he took pleasure in extending to them a hearty invitation to attend, but if they did not, their excuse for absence would be considered amply sufficient.

## ADDRESS OF MRS. D'ARCAMBEL.

Mrs. D'ARCAMBEL, of Detroit, said:—

You have just been singing the song, "Throw Out the Life Line," and as I came into this room I read just below this pulpit the words, "God is Love," and as I looked out upon your faces here I thought it was God's love that puts it into our hearts to come here, hoping to throw out a life line to you. As I listened to the words of the speaker preceding me, my mind went back to Michigan where the Word of God is preached Sunday after Sunday and has brought life and hope into the hearts and lives of my dear boys there. It has been twenty-six years since the establishment of our home for discharged prisoners at Detroit, and 675 boys have gone out from it, sixty per cent. of them (I know, for I am in correspondence with at least that many), are leading better lives for having found the right way while in prison. They are leading decent, respectable, hopeful lives. My dear boys, for I may call you boys, for I have called hundreds by that name, how I wish you were all walking the streets as free men to-day.

I do not say all come out of prison better men—some come out even hardened—but it is because they do not listen to the Word of God, because they have not taken the precious promises into their own little room; and by reading them learn to love their brothers. My time is short—there are others to speak to you, but I assure you no one can speak to you with a deeper love in their hearts for you than I have. As you go back into your cells, carry with you God's love, be men, try to do right, and God will bless you.

The meeting adjourned, after singing the hymn "God be with you 'till we meet again."



## SUNDAY EVENING SESSION.

The Sunday evening session was held in Ford's Opera House, President HAYES in the chair. Prayer by Rev. W. H. BRODHEAD, of Denver, Colorado.

Rev. Dr. H. L. WAYLAND, of Philadelphia, made an address on "The Obstacles to Prison Reform."

### DR. WAYLAND'S ADDRESS.

*Mr. President, Ladies and Gentlemen:* I feel a sincere diffidence in asking your attention to a few words upon a subject with which you are all far more conversant than I. I perhaps ought to have declined the invitation with which you honored me, and should certainly have done so, but for the fear that this action might be interpreted as implying a lack of interest in the great humane work in which you are enlisted.

I shall speak briefly upon The Obstacles to Prison Reform. I shall not touch upon the obstacles existing in the nature of the prisoners, but shall limit myself to those which are found in the community at large.

Although it is needless, as far as you are concerned, yet for my own guidance, I will raise the inquiry, What do we mean by Prison Reform? We do not mean merely a reconstruction of the prison buildings, nor a replacement of the officials, nor the enactment of new laws. We use the word *prison* in the largest sense, as embracing the whole of our penal machinery: prisons, officials, legislatures, governors, boards, cells, workshops. There is among all intelligent students of prison science but one opinion as to the object of imprisonment, namely, that the purpose of the prison is not to punish, but to promote the safety and

welfare of the community, and that this safety and welfare can be subserved, in the most economical and effective manner, by the reformation of the imprisoned. Humanity, patriotism, economy, speak with one voice. Prison reform then consists in removing from the prisons everything which conflicts with this design, and in making the whole prison system an instrument for the permanent reformation of the criminal.

But here, as in every good thing, we find ourselves confronted by obstacles. First among these is *Indifference*, or what I might call *Negative Selfishness*. We are disposed to say, "This is no matter of ours. These men are not *our* brothers, *our* sons; they do not live in our neighborhood; they do not belong to our church; they do not move in our circle. Why should we trouble ourselves?" We do not realize that these men belong to a great and increasing criminal class, who menace our homes and our lives, and who, as has more than once happened with the fairest cities of christendom, may easily menace our civilization and our existence. We do not realize that, in mere money, they involve an annual charge of \$400,000,000, a sum worse than wasted, a sum which, turned into other channels, would mean employment for all our mills, demand for our products, wages and bread for a million homes.

And for all this immense annual waste, we are not compensated by any reduction in the dimensions of the evil. All we can say is that perhaps crime does not increase as rapidly as if there were no prisons. To all these considerations, we are blindly, selfishly, cruelly, indifferent.

We are indifferent to the fact that every one of all this great class of criminals has a human heart capable of infinite happiness or infinite sorrow; that every one of them was destined by the Creator for goodness, for happiness, for exaltation; that every one of them is a son—perhaps the son of affection and of hope; that not a few of them are husbands and fathers, the centre of a home, or

of what was once a home, in which are a wife and children who ought to have looked upon him with pride and affection. Where else in the world are there such wrecked possibilities?

This indifference is at once the cause and the consequence of *Ignorance*. We do not *feel* because we do not *know*, and if we do not know, the fact is to us as if it did not exist. We do not *know*, because we do not *care enough* to inform ourselves. Ignorant, having never studied the subject, we are led astray by false and foolish theories. As a former generation looked upon the prisoner as a being to be chained and tasked, and some times lashed, as an object for condemnation and punishment; so there has sprung up, as the offspring of a good thought carried to excess, a morbid disposition to look upon the prisoner as a sufferer to be pitied, and sometimes as a hero to be flattered. The comic writers have associated this disposition with prison reform; and, as in the memorable scene in David Copperfield, have made this exaggerated morbid tenderness the occasion of casting scorn upon one of the most humane and beneficent of reforms.

In our ignorance, we allow ourselves to believe that the criminal is merely a victim of ancestry and of surroundings, that he is forced to his life of crime by an inexorable necessity, that criminality is a disease, perhaps transmitted, perhaps contracted; that the criminal is not guilty, but only unfortunate; that he is not an object of condemnation, but only of commiseration.

It is not necessary to ignore the influence of ancestry and of surroundings. But it is necessary to bear in mind that every man is the resultant of three factors: of his ancestors, of his surroundings, and of his individuality. We are made what we are by our fathers, by our circumstances, by ourselves. No man can be forced into crime. Ancestry and surroundings may powerfully dispose one towards it, and may make a life of virtue supremely difficult; but we must never lose sight of those instances in

which the man's own self has triumphed over circumstances and over ancestors. Criminality, like intemperance, may become a disease; but it was first a fault, a vice.

The responsibility for the criminal must be divided between his ancestors, his home, society, himself. It is one of the most tremendous facts in human life that by every action, by every impulse, by every thought, by every temptation resisted or victorious, we are fashioning, not only ourselves, but those who may come after us in remote generations. On the other hand, a bad ancestry, though it may make life harder, yet is no ground of despair; and he who fights against inherited tendencies to bad, though he may gain but an imperfect victory, and though he may go through the strife bearing many a scar, is yet entitled, in the sight of good men and of angels and of God, to more honor than he, who, inheriting only tendencies to good, made no fight, bears the marks of no wounds. It is hard for him who has been surrounded by drunkenness and oaths and uncleanness, who has breathed from his youth an atmosphere of the saloon and of the slums, it is hard for him to lead an upright life; but—thank God—it is not impossible.

Another obstacle to prison reform lies in what I may call *Positive Selfishness*. We do not look on with indifference alone. We want to make all we can out of the criminal. We want, as a prime object, to make the prisons self-supporting so as to lessen our burdens. Undoubtedly self-support is a good thing. But self-support is secondary. There are considerations which are primary. Self-support should never be an object at the expense of justice and humanity and the best interests of the community. I do not need to recall to your mind the hideous picture of the convict-camps which was brought before this body in a former year by our brave, heroic friend, the friend of humanity, Mr. Cable. The \$100,000 which one of our states receives annually from contractors is dearly purchased when it involves the maintenance of the convict-camp and the degradation of the prisoners.

We want to make all we can out of the prison for our party; and so men are put in, because they can carry their ward, their town, their county; and good men are turned out or kept out to make room for the "workers" and the "boys." In a penal institution in one of the middle states, the warden, a man of national reputation, recently resigned or was retired; the impression prevailed in the public mind that his action was enforced because he could not be used by the politicians. If it were so, and if the interests of the reformatory and of the young offenders were sacrificed, I do not hesitate to pronounce it infamous, no matter what party was responsible. The spoils system is infamous everywhere, in the post office, in the census bureau, in the custom house; but in these it involves only a certain amount of inconvenience or money loss to the community. When the spoils system takes possession of those departments which concern the public health, which concern humanity, which concern morals, when it dictates who shall be quarantine officer and who shall hold office in the state insane asylum and who shall be the superintendent and warden in the penitentiary and the reformatory, then the spoils system is stained with blood, and an enemy of the human race. I rejoice in the brave words which have been spoken for Civil Service Reform by the eminent gentleman who is later to address us this evening. And I recognize with gratitude the great impetus given to this grand and momentous reform by the honored man who presides over this body, while he was holding the highest civil station known among men.

Another obstacle to prison reform lies in *Self-Righteousness*. As we think of the men who are behind the bars, we gather our garments about us, and we thank God we are not as other men, or even as these prisoners. We think that they are very bad, and that we, at least comparatively, are very good. Under the impression of their sinfulness and of our superior righteousness, we feel that we are divinely called to the work of punishing them. Perhaps

we feel an impulse toward that vengeance which is the expression of abnormal and distorted sense of justice. We feel that they are unworthy of pity, of consideration, of indulgence. That they be kept alive; that they be not starved, that they be supplied with the absolute necessities—this is all that they are entitled to. We forget that *guilt* is the product of two factors, of conduct and of knowledge. We forget that in the eye of infinite justice, it is more tolerable for those who are most deeply stained with crime, often, than for the men of decorous life, because the one *knew not*, and the other *knew*. We forget to consider what we might have been, if our descent and our circumstances had been as theirs. We forget what infinite merit perhaps their struggles, though ineffectual, may have in the eye of the All Goodness.

There is a strange disposition to condone the crimes which are gigantic, provided they be successful. We punish the man who steals a loaf; we hail the man who by monopolies and "corners in wheat" makes the loaf smaller and coarser in a hundred thousand homes. If a man steals a bar of iron, we railroad him through to the penitentiary; if he steals an entire railroad, we say, "A financier; let us ask him to dinner; perhaps he will let us in on the ground floor." I cordially hope that the labors of this Society will result in the reformation of some of the present occupants of the cells of the burglars and pick-pockets, so that room may be made for the greater criminals who steal whole principalities of land, whole railroad systems, whole states, and who move in the first society, and on Sunday morning sit in the broad aisle.

We must dismiss from our minds the notion that it is our business to sit in judgment upon the moral desert of the criminal. We punish him, first and chiefly, because his acts are harmful to society. When we can be assured that he is no longer a menace to the community, then he may with safety be set at large. But judgment belongs to God.

Another obstacle to prison reform is *Self-conceit*, a notion that we have attained to the ultimate wisdom, that no one has anything to teach us, that our buildings are perfect and our system faultless. In the city in which I reside, I suppose if a man on Chestnut street were pointed out as a person who had his doubts about the wisdom of high protective or prohibitory duties, and about the unquestionable superiority of the solitary system as practiced in the Eastern Penitentiary (which consists in putting 1,100 prisoners in 700 cells), people would look at him with mingled wonder and alarm; and some respectable, compassionate descendant of William Penn would accost him with the kindly words, "Friend, what is the number of thy padded cell?"

Nothing is so fatal to the attainment of excellence as a conviction that we have reached the serene heights, beyond which is nothing but vacancy and the stars. Ruts are the enemy of the human race. One great advantage of revolutions often, is that, though but for a little time, they lift men out of ruts, and sometimes shatter the ruts.

With you, I heartily rejoice in the new era which has opened on us in the establishment of reformatories, not alone because the idea is new, not because it is a getting out of the ruts, but because this is the line along which lies, I believe, the great future of prison reform.

Many of these obstacles I might have summed up in the one word, *Conservatism*, by which we mean a compound of ignorance, timidity, conceit, and selfishness; and it is very curious that conservatism always exercises itself in retaining whatever is bad. Its tendency is downward.

Another obstacle to prison reform lies in our *Narrow Views* of the *Function of Government*. We think that the state has nothing to do with crime until crime has blossomed and borne fruit, and sowed its seed for another crop.

We allow a man and woman to set up a manufactory of paupers, and thieves, and prostitutes and criminals.

When the harm is done, when the children have grown to manhood and to womanhood, and to crime, then we sleepily rub our eyes, and say, "Something must be done. The horse was gone several hours ago; therefore let us get a bran new Yale lock and a chain bolt." While the father and the mother carry on a *home* industry, we no less diligently foster the *wholesale* manufacture of criminals. We permit, we encourage, the saloon, which is making robbers, murderers, anarchists; and, occupied with our farm and our merchandise, we put the government of the city into the hands of the saloon, and the saloon kindly relieves us of all further care or responsibility, and runs the city, the state.

The best prison reform would be a reform that should make prisons needless. The best method of reforming criminals would be to reform them before they become criminals. Whatever checks or prevents the making of criminals, and prisoners is a part, a large part, of prison reform. The greatest prison reformer of our age was Charles Loring Brace who kept thousands of boys in New York City out of prisons, and reduced almost beyond belief the number of arrests of the young in the metropolis.

And as prison reform should deal with the prisoner before he has become a prisoner or a criminal, so it should deal with him after he has ceased to be a criminal in the eye of the law. It should surround him at his release with helps; it should open to him opportunities; it should shield him, or enable him to shield himself, from his old associates and to change his surroundings. It is poor economy to let all the benefit of the long imprisonment be lost for lack of that sublime quality which bears, and endures, and waits, and hopes, and is never discouraged. What unlimited forbearance God has had with the human race; what a succession of experiments He has tried; what resources He has enlisted. How has He made one appeal after another, culminating at last in the supreme effort which was embodied in Bethlehem and which con-



quered, amid agony and blood, upon Calvary. What unlimited patience had our parents with us! How did they guard my step and yours! "Why do you tell that child the same thing twenty times over," said the husband of Susannah Wesley, as she was teaching her son John. You see, he was a man, and a minister, and did not know very much, "Because," she replied, with the unwearied pathos and wisdom which belong only to a woman, "because nineteen times are not enough."

We try once, and the experiment fails, largely through our own fault. We are almost ready to give up, but under some good impulse, we try once again. Still unsuccessful, we say, "It is of no use; reform is an iridescent dream. The gospel of infinite patience has no place in prison reform." And so our impatience grows to *Despair*, which is perhaps the crowning obstacle to prison reform—despair, which is made up of selfishness and sloth. Our despondency we make an excuse for relieving the pressure of duty, for sitting down, feeling that we have done all we can, that nothing further can even be hoped for, that our consciences are clear. And so, while we despair, wickedness is hopeful, is thriving, is triumphant. The word *Despair* should be banished from the vocabulary of every friend of prison reform, by every friend of the human race.

Are these obstacles insurmountable? No, for they have been surmounted, though not by worldly motives, not by ambition, not by scientific curiosity.

The experience of mankind, the teachings of practical penology and alienism, all confirm the profound utterance of the Apostle Paul, "The greatest of these is *love*." Love is the great power in the moral universe. Love bears, suffers, hopes, trusts, is never discouraged, never despairs, and, in the end, conquers all. But a week or two ago I was reading an account given by two teachers in a school for imbeciles, in New Jersey. They delineated their experience with children, (though men in years), imbecile, repulsive, disgusting, and sometimes with the ferocity

almost of demons. These had been reformed, transfigured, until they had become the object of affection and even of pride; and the testimony of the teachers is: "The secret of it all is our love for them; their love for us."

The Superintendent of the Department of Women, in one of the Pennsylvania Insane asylums, said to me, "A patient was brought in, who was wholly ungovernable in her fierceness. I said to one of my assistants, 'We can do nothing with her, until we make her feel that we love her.' Some time after that, she was very ill. I sat up with her night after night. She was conquered; she became docile, affectionate, and comparatively rational."

All prison reform tells the same story. It is love, from which it springs, reflecting the divine love, which will yet achieve miracles, which will cast out from the breast of the criminal the demons of selfishness, lust, hatred, and will raise him to the image and stature for which the Creator designed him, till he becomes, in some degree, a reproduction of the Divine Man.

This heaven born passion will give wisdom, will supply resources, will strengthen resolve, will stiffen resolution, will suggest expedients, will guarantee success.

Under its inspiration, let us try and strive, and toil; let us never be silent; let us never be inactive; let us never fold our hands, until at last they are crossed upon our breasts; and then let us, if God will, pursue, it may be in some distant realm, our God-like and Christ-like efforts for the uplifting of the fallen, of the lost, of the criminal.

## A FEW WORDS ON PENOLOGY BY AN OUTSIDER.

Mr. CHARLES J. BONAPARTE, of Baltimore City, made the following address:—

When I received a very courteous and flattering invitation to address this Congress, I was also invited to choose my own subject. This choice was the less embarrassing because whatever I might choose, I could feel assured that most of my hearers would know more about it than I do. We should remember, however, that it is sometimes desirable for a critic not to know too much. What he says may serve a useful purpose, especially in a country governed in last resort by public opinion, if it leads those who do know to better appreciate the crude fancies, doubts or misgivings of the ignorant. Therefore, in my brief trespass upon your attention this evening, I shall indicate a few ideas on penology which occur to one, generally interested in the subject, as a good citizen and an indifferent Christian, but knowing no more about it than any ordinarily well informed member of the community might be expected to know.

There are three ways in which we may deal with a bad man. In the first place, we may get rid of him altogether by death or exile. This system naturally commends itself to primitive communities. In all early societies we find an enormously long list of capital crimes, and besides these, a great number of punishments, which are capital in everything but name. A man is killed no less effectually if you cut off his hands or put out his eyes and then make no provision for his support than if you cut off his head; nor is it a less effective, although a less economical and less humane method of disposing of him, to send him to a distant place of banishment or a foul and infected prison under conditions which make it reasonably certain that he will die of typhus fever very soon. Moreover, in the early history of most nations, some form of exile was a favorite punishment for offenses which the moral sense of the times

does not deem worthy of death: Aristides had to be ostracized because he was so alarmingly and offensively respectable. There is more to be said in favor of this plan, both theoretically and practically, than some of us are ready to admit. It is eminently scientific: those who adopt it deal with the criminal just as we are taught to deal with glandered horses or cows suffering from pleuropneumonia; and, although I am not aware that the bacillus of homicide or the microbe of larceny has yet been isolated, I have seen a good deal written about crime as a disease; and, if it is a disease it is certainly both dangerous and contagious. But, what seems to my mind more important is that our forefathers preserved an endurable degree of security for life and property without penitentiaries and almost without police; and this was due, in no small measure, to the fact that among them, that product of modern enlightenment, the professional criminal, was hardly known. It was scarcely credible that a man could be convicted of several serious offenses, successively when, if he was not, as he probably would be, hung for the first, he was practically certain to contract some one of the maladies then endemic in prisons before he could be tried for the second. As a mere deterrent to crime, capital punishment, whether inflicted openly or covertly, is probably the best penalty known, and it has also the serious, although now generally under-rated advantage of affording a legitimate outlet for the instinctive hostility of the race towards its natural enemies. When a man of ordinary conscience and feeling hears of a gross violation of right, he feels a strong itching to "get at" the perpetrator, and if lawyers or politicians or humanitarians or all three combined balk him of a reasonable satisfaction to this craving within the limits of the law, he will soon be found loading up his shot gun with slugs or invoking the irregular, but sometimes salutary jurisdiction of Judge Lynch.

The second system of dealing with our criminal brethren amounts substantially to treating them as valuable, but dan-

gerous beasts of labor. They are securely tied up and forced to work, not with any hope of bettering their condition by labor nor from any appeal to their conscience or better feelings, but simply under pressure of fear. The galley slave chained to his oar or the convict miner working with ball and chain day and night in the recesses of the earth, were regarded and handled much as we might regard and handle lions and tigers, were it practicable to compel these to use their strength for our benefit. Although this plan keeps the criminal alive, there is in it no thought of reformation for him; on the contrary, its tendency is to make him every day more of a brute and less of a man. He is not killed, only because it does not pay the community to kill him. His labor under the lash is worth more than the pittance needed to satisfy his bare animal wants at least sufficiently to sustain life for a time. From a purely commercial point of view, in the eyes of the mere political economist and provided the sole object of human society be to accumulate wealth, much can be said in favor of this principle of treatment; especially, if it be practiced in the spirit of Cato's well known advice to prudent farmers, to get rid of worn out slaves with the other rubbish of their estates, and if the convicts are starved or killed off when it is no longer profitable to feed them.

In modern times, a third system has been devised founded upon the theory that a bad man can be and ought to be made a good man by the very process which may also at once appease popular indignation caused by his behavior, and strengthen others when tempted to imitate him.

I have said whatever of good I could say of the other two systems, but, in addressing my present audience, I can more fruitfully point out what seem to me limitations upon the applicability of the third then dwell upon its merits. Of these limitations the most obvious is that it cannot be applied to all men. There are some whom no form of penal discipline will ever make estimable or useful or even harmless. Their number is doubtless far less than we might

suppose at first sight, but such men exist and we must provide for them. A time must come when, in justice to its worthier members, society is bound to no longer endure a being at once loathsome, dangerous, costly and corrupting. It is a defiance of common sense and a caricature of charity when a man who has passed most of his life in one prison after another for offenses involving great suffering to innocent people, vast injury to the vital interests of society and profound moral turpitude is let loose again to do once more what he has already so often done and been fruitlessly punished for doing. A community which tolerates an abuse so absurd and shameful is an accomplice in the crimes which only its laziness and folly render possible.

Nor must we forget that, after all, the end of punishment is to punish. A prison should not be a hell, but it fails of its purpose if it is too pleasant for a purgatory. In a very interesting paper read at one of the previous meetings of this Congress, I found some well-reasoned remarks upon the moralizing and reformatory influence of a good diet. To recognize their force, one need not be an expert in penology; there are few indeed who feel as virtuous when hungry as after eating enough, and not too much, of what agrees with them. But is it just or consistent to tell a man, "Thou shalt not steal, even to get thy dinner," and, after and because he has stolen to see that he always has a good dinner? Is it right for the tax-payers to feed a rascal to the limit of his appetite, while so many honest men go every night supperless to bed? Does this tend to make vice odious, or to breed reverence for the law?

Again, it is a grave error to overlook that innate hatred of wrong doing and of guilty men, to which I have already alluded, and which is an essential element in every healthy human mind; yet this is often done. In the numerous discussions which arose among philanthropists and physicians as to the merits of execution by electricity when this was first attempted, it was invariably assumed that to

obtain the minimum of suffering for the criminal put to death was necessarily a good thing. Two or three hundred years ago just the contrary would have been thought by all thoughtful men. Rulers and law-makers of those days wished and tried to make executions painful, partly, no doubt, because they supposed that this would tend the more surely to prevent crime, but in great measure because of the grim pleasure it gave them to insure a bad time for bad people. We must not suppose human nature changed because those times are past; the instinct which prompted such sentiments and such laws, though fortunately tamed and chastened, is, yet more fortunately, not dead; and it must be allowed a vent within the law, or, as I have already suggested, it will prove too strong for the law. Nor can we summarily adjudge it condemned by the Gospel; is it altogether unchristian, when one sees money-changers in the temple, to reach out for a whip of little cords?

Those who left me free to select my subject, at least share the responsibility if I am tempted to close what I have to say by an intrusion on the province of the speaker to whom we have all just listened with so much pleasure. To my mind the greatest, indeed the one great, obstacle to prison reform in the United States is that so many persons who ought to be and often have been in prison are, not only out of prison, but actively, if inconspicuously engaged in the government of the country. Among us a common Botany Bay is the lower end of the political arena; we reform (or further debauch) no small proportion of our convicts by making them our rulers. One who knows how much of the routine but needful work of our inferior politics is habitually done by our criminal classes, is not surprised that the interests, the wishes, the prejudices of these classes should receive respectful consideration at the hands of our legislatures, if not of our courts. In this field, as elsewhere, he who would make things better is met at every turn by apathy, indifference and even hostile-

ity, among those who hold power in our midst. To improve our prisons, we must first of all change the men who establish and control them, and purify the customs and traditions which put these men where they are; in short, to reform our prisons and their inmates, we must first and thoroughly reform ourselves.

After prayer by Rev. Dr. ESCHBACH, the Congress adjourned until Monday morning.



### THIRD DAY—MONDAY.

The Congress assembled in Sutro's Hall at 9:30 A. M. and was called to order by President HAYES.

Prayer was offered by Rev. GEORGE H. HICKOX, D. D., of Jackson, Michigan.

President HAYES said: No introductory words are necessary for me in opening the business sessions of the Congress. Of course there are some faces absent, but we have no need to mention their names. They are too well known and too dear to us to be forgotten. Upon the whole, we see here a goodly number of those who have met with us for the past twenty years. We trust that this Congress will be as useful as any we have yet held.

Mr. F. H. WINES moved that a committee be appointed to audit the secretary's accounts. The motion was seconded by Captain E. S. WRIGHT.

Committee appointed:—Major R. W. McClaughry, General Superintendent of Police in Chicago, and Colonel John Whiton, Superintendent of Suffolk county House of Correction, Boston.

A committee on nomination of officers was appointed as follows:—Frederick H. Wines, Roeliff Brinkerhoff, Col. P. P. Faison, Z. R. Brockway and W. F. Spaulding.

A committee on time and place of next meeting was appointed, consisting of Capt. E. S. Wright, J. W. Pope, R. W. McClaughry, Col. Whiton, and Judge M. D. Follett.

#### REPORT OF THE STANDING COMMITTEE ON CRIMINAL LAW REFORM.

Report of Standing Committee on Criminal Law Reform was made by Prof. FRANCIS WAYLAND, Dean of Yale Law School, New Haven, Conn. He spoke as follows:—

The Standing Committee on criminal law reform invite your attention to a brief consideration of some of the causes which tend to promote the increase of crime in this country.

Your committee cannot hope to present any new thoughts on this comprehensive subject, nor can we even promise to present hackneyed thoughts in new forms of words.

In previous sessions of the National Prison Congress, many, if not most of the questions concerning criminal law reform have been ably and exhaustively treated and hardly any aspect of the general subject has entirely escaped attention. Some propositions have been urged and emphasized again and again. Some reforms have been advocated as of vital and emergent importance, and this not in one session merely, but year after year, with ever increasing earnestness of appeal.

And yet we need not be surprised that slow progress has been made in the adoption, or acceptance; even, of these ideas. It is only within a recent period that the cause which we represent has received a fair hearing or has been deemed to be a suitable subject for scientific treatment. There are still those who sneer at us as rosewater sentimentalists, while a few characterize our reformatories as "prison hotels," where the inmates repose in the lap of luxury, fare sumptuously every day and by no means envy the lot of the outside laborer, living on poorer fare, clad more scantily and sleeping on a harder bed.

We need large exercise of patience and faith—patience with our critics and faith in the final triumph of our principles.

Meanwhile it only remains for us with unabated earnestness and undiminished hope to urge upon the attention of the public the methods by which, in our judgment, crime may be lessened and the community adequately protected, trusting that, at no distant day, the wisdom of these methods will be amply vindicated and the generous sym-

pathly and co-operation of our fellow citizens fully secured.

Let us now proceed to the consideration of our topic—and first among the causes which tend to promote the increase of crime, we put *unrestricted immigration*.

As was well said at a recent meeting in New York, "We stand to-day face to face with the portentous fact that there are yearly pouring in upon us nearly half a million persons, largely made up of those alien to us in thought and speech and blood, half of whom are without occupation of any kind; nearly all of whom represent only the rudest forms of labor, and many of whom are not only indigent, but are paupers to the extent that they become a charge upon our charity. This state of things constitutes a danger, indeed the greatest danger which threatens the Republic." \*

The year 1892 shows a large increase in immigration over 1891, and with the increase in quantity we have a decided falling off in quality. While the numbers are smaller from Great Britain and France, they are larger from Hungary, Russia and Poland. The contrast is still more striking and impressive if we compare 1892 or the last fiscal year, with 1882. We find, then, that for this decade, the decrease in the number of immigrants from England, Wales, Ireland and Scotland, was 35 per cent., from Germany nearly 48 per cent., from Sweden and Norway nearly 37 per cent. During the same period the number of immigrants from Italy increased 90 per cent., from Poland 697 per cent., from Russia 416 per cent., from Austria and Hungary 174 per cent.; while the falling off in immigration from all quarters in the same decade was only a little over 21 per cent.

The startling inference from these figures and from facts easily within our reach, cannot be evaded. We are, and for years have been receiving the very dregs of European

---

\* Frederick Taylor. Reported in N. Y. *Tribune*, Nov. 26th, 1892.

society, the scum of European cities, the destitute, the ignorant, the nihilist the anarchist, by scores of thousands annually.

An eminent American who has served his country, at home and abroad, with great distinction, very recently spent some days in a small German town. His landlord expressed much surprise on learning that he was a native of the United States. He had never seen one before. "Why," said he, "almost all who have gone to your country from this region have been worthless or wicked. We were rejoiced to be rid of them, and yet they write from their new homes that they have been well received, and not a few of them are reported to be holding office."

A considerable proportion of the industrious and only moderately ignorant find employment on our railroads and other public enterprises. The residue settle down in our large cities, where the idle and shiftless add to the burdens of the taxpayer, the vicious and criminal are welcomed by congenial comrades, and the anarchist finds fit audience for his blasphemous drivel.

All the results of this disposition of the newcomers are most harmful. The unemployed and improvident soon succumb to their surroundings, and drift into the ranks of the law-breakers; the imported criminals quickly adjust themselves to their changed relations, receiving and imparting fresh lessons in villany, while those who have secured employment have only lowered the rate of wages and added to the surplus of the laboring population.

In a word, we have strained out the Chinese gnat at the Golden Gate and swallowed the European camel at the Narrows.

But we have by no means exhausted the catalogue of ills resulting from unrestricted immigration. The new arrival becomes the instant prey of the unscrupulous politician, and the more ignorant or vicious, the more swift the surrender. The process of naturalization in our principal centres of population is a shameless fraud. The crim-

inal recently escaping from deserved punishment in his former home or released from prison on condition that he comes to our shores, votes—and votes often,—by the side of the honest citizen who pays his taxes that he may enjoy the adequate protection of a good government, and thus helps to make the laws which he hastens to break.

Can there be a more serious menace to our liberties than the presence and power of such an element as we have described? But though the evil is patent to every one who will give the subject a moment's reflection, though it is assuming, year by year, more alarming proportions, we have been too much engrossed in President-making, the division of party spoils and similar feats of statesmanship to take the matter into serious consideration.

If, of late, immigration has received a temporary check, it has not been from dread of a contagion which endangers the life of the nation, but of a contagion which endangers the life of the individual. Let us however, be thankful that we have been, for a season, somewhat disinfected, morally as well as materially, without analyzing too critically the method or the motive. Meanwhile let us dare to hope, if we can, that our national legislators will condescend to give their early attention and their best wisdom to the adequate solution of a problem which holds in its grasp the honor and the prosperity of our beloved country.

Another prolific cause of crime following closely upon the heels of unrestricted immigration is *the saloon*.

For it must be borne in mind that a largely preponderating percentage of our distillers and brewers and the proprietors and patrons of our saloons are of foreign birth or parentage.

We are well aware that no topic which can be discussed before an American audience is so threadbare as this. From the pulpit, on the platform, in the columns of the newspaper, sacred and secular, by volume and treatise and tract and leaflet, with fiery invective, with solemn warning,

with persuasive appeal, with pathetic remonstrance, the great and growing dimensions of this monstrous curse have been, for a generation, impressed upon a public which has been, by turns, excited, interested, patient, listless, wearied, callous. And yet the fact remains that no survey, however brief, of the chief causes of crime can afford to ignore the saloon. For here criminals are made and screened. Here is the habitual resort of habitual criminals; here the good become bad, the bad worse, the worse infamous; here deeds of darkness are planned, and the instruments selected and equipped. Here the novice in crime, with senses stupefied and conscience paralyzed, is dragged to his doom. Hither the incautious stranger is lured, drugged and robbed; hence reeling home, maddened by firewater, the inbruted husband maims or murders his wife and children. Here the youth learns his first lesson in gambling, and has his first introduction to prostitutes. Here, surrounded by obscene pictures, listening to foul conversation, hearing vice glorified and successful crime applauded, the innocent boy becomes in a few months a hardened tough—the terror of his neighborhood. Here young girls, the pitiable victims of saloon temptations, are made the ministers of wickedness, and here nocturnal orgies are celebrated over which his Satanic Majesty might—and perhaps does—preside with sincere satisfaction, breathing a familiar atmosphere and recognizing allies after his own heart.

But does the law afford no relief? There is grim irony in the very question. The saloon hob-nobs with the police whom its agents have appointed, smiles at and with the magistrate whom it has placed in office, rejoices in a mayor of its own selection, fears no hostile legislation from the Solons whom it has sent to the state capital, and knows only too well that if there has been miscalculation as to the number of legislators needed, the executive veto will not be withheld when demanded by the power behind the throne.

Behold, then this compact, homogeneous, thoroughly dis-

ciplined phalanx of crime-producers, animated by one purpose, aiming at one object, moving as one man. If money is wanted for political purposes, or to secure the services of competent counsel, or to be expended in the dark and devious ways not unknown to criminal lawyers, the barrel is filled to the brim and more barrels will be ready when required. Police, witnesses, jurors—who can tell what others?—are—well, never mind what. Enough to know that, somehow, many lawbreakers are not arrested; many are arrested and never tried; many are convicted for whom “straw bail” was furnished and who are neither found nor pursued; some are sentenced and subsequently pardoned.

On the whole, are not the respectable forces of the community called upon to make a combined effort for the suppression of this gigantic evil? Surely the friends of law and order, if all counted, are in the majority. Will they not, in view of the nation's peril, confront the common enemy in solid column? Will not the conservatives consent to become a little more radical? Will not the radicals abate something of their extreme demands? Or shall the powers of darkness, hereafter as heretofore, find themselves opposed only by warring factions, under different and disagreeing leaders?

Meanwhile the unchecked enemy still stalks abroad, growing, day by day, more defiant and more dangerous, and the state seems in a fair way to realize the favorite dream of the professional politician—government of the saloon, by the saloon, and for the saloon.

In the report of your Committee read at the meeting of this Congress held at Pittsburgh, October, 1891, attention was called to the necessity of “child saving legislation” as a means of diminishing the number of our criminal population. We endeavored at that time to show that those born of vagrant, vicious and drunken parents, as well as the children of conceded criminals and the little waifs of society without homes or suitable persons to care for them

should be snatched from their perilous environment and rescued from lives of wretchedness and crime. It was contended that the welfare of the State is immediately and vitally concerned in the destiny of these unfortunates and that the public has suffered quite too much and too long from our culpable neglect of a plain duty.

Let us now enforce these appeals by a few illustrations: They shall be, in every case, incidents which have occurred since our last meeting. We think it will be made to appear that our adult professional criminals have need to look to their laurels. There is certainly danger that they may be "out-classed."

A little more than a year ago, a servant of the Long Island Railroad Co., reported to the Brooklyn police that his employers were being extensively robbed of coal, eggs, fruit and other merchandise, and pointed out what he believed the rendezvous of the thieves, to wit: a recess or cave in a high railroad embankment. The place was watched, and at the right moment the police descended upon the gang, capturing five boys, only two of whom were out of their teens. The robbers' retreat is thus described: "The cave was a unique affair, and the officers were compelled to creep on their hands and knees to enter. The interior was by no means uncomfortable. The ceiling was eight feet from the floor which was boarded, as was also the roof. Over the roof was a heavy coating of tin, surmounted by oil cloth; the whole covered by a thick layer of earth and absolutely waterproof. A large milk can served as a stove, and after the fire was well started, the boys would remove their stove pipe which ran out of doors, so as to escape detection."

The boys confessed their guilt.

The following despatch from Binghampton, N. Y., appeared in a New York paper, July 25th, 1892. "It has just leaked out that the Broome Co. Bank was robbed last Friday by two small boys. The lads entered the bank at noon when only two men were present. One asked the



time of day, and while the banker's attention was drawn away, the other lad sneaked behind the counter and secured a box containing \$200. They were arrested and \$50 of the money recovered. The remainder of the money had been spent and given away by the boys who were 9 and 10 years of age."

The following case came to light recently, in a town in Ohio: The hero, Walter Forsyth, seems to have displayed for his years, considerable criminal activity. Within a few months he had headed a youthful expedition to the house of a neighbor, resulting in the destruction of several hundred dollars' worth of household goods during the temporary absence of the owner. A few weeks later he was discovered in a saloon in the act of tapping a till and was finally captured while leading a successful raid upon a restaurant. The narrative from which we quote is embellished with a portrait of this precocious and picturesque ruffian, who had reached the ripe age of eight.

In October, 1892, a New York saloon keeper discovered that he had been robbed during the night of \$150 worth of liquors and cigars, and of watches and jewelry valued at \$110. The burglary was traced to John O'Brien, aged 18, and his brother aged 14. John was found in bed, drunk. The boys confessed their guilt.

"What do you do?" asked the magistrate of the older brother.

"Nawthin."

"Who supports you?"

"Me mother."

"How?"

"By takin' in washin."

On the 11th of November, 1892, three boys, aged respectively 8, 9 and 10 years, were before the Police Court in Williamsburg, Long Island, charged with till tapping. It appears in evidence that they entered the store when it was in the custody of a girl aged 13 years. While one of them stood guard over the girl with a revolver, threatening

to blow out her brains if she stirred or gave an alarm, the other two went through the money drawer, securing about \$16 and all escaped. They were arrested in a low theatre while rapturously applauding the performance of a play called "The Black Detective." The money was returned by the parents; the storekeeper declined to prosecute and the boys were discharged.

On the 19th of November, 1892, four boys, whose ages ranged from 13 to 15, were arranged before the Police Court of Jersey City on the charge of robbing a jewelry store on election night. The evidence was direct and positive, the accused virtually admitting their guilt.

It is incidentally mentioned that the mothers of the boys were in court and wept when they heard the evidence—"tears, idle tears."

A New York Journal of November 28th, 1892, contains the following criminal items: A boy of 16 is arraigned and committed on the charge of arson. The evidence seems conclusive not only that he committed the crime in question, but that he is the "fire bug" of whom the police have for several weeks been in hot pursuit.

A boy of 14 robs his employer of \$45 and escapes with his plunder.

Four boys of ages ranging from 7 to 14 confess to having committed a burglary, under circumstances which preclude the idea that it was their first offense.

On the 30th of November, 1892, several boys, the youngest 11 and the oldest 15 years old, organized as a gang under the name of "The Young Dare-Devils," were before the Police Court of Harlem, N. Y., charged with robbing show cases standing in front of stores on a leading thoroughfare of the town. One of them, when arrested, had some of the stolen goods concealed on his person, and all pleaded guilty. The depredations had been wide-spread, serious and long continued. Some of the boys had been previously arrested for theft.

It should be stated that these incidents have been

selected at random and without search. They might be multiplied almost indefinitely.

Now is it conceivable that a single one of these wretched little creatures had ever known the blessings of a respectable—we will not say a Christian—home; had ever felt the benign influences of a proper training? Nay, more, is not the inference irresistible, that all their associations from infancy had been such as to conduct them, directly, into the highways of crime? When they graduate at an early age from their Devil's Training School, can we wonder that they display a precocity in wickedness which is appalling? It is idle to talk of reclaiming them. Humanly speaking, they are already ruined, body and soul, beyond hope of redemption. What, then, shall be done? The answer is obvious. Take them in hand before they have any other taint than the inevitable taint of heredity. It is, of course, an outrage that the state stands idly by and permits the inter-marriage of paupers, vagabonds, prostitutes and felons, thus becoming a party to the wholesale manufacture of probable criminals. But it seems hardly rational to contend, in this stage of 19th century civilization, that the state has no right or power to prevent the probable from becoming the positive criminal, that it is compelled to wait with folded and helpless hands, until the child whom it might have saved is brought within the reach of existing laws by some overt act of wickedness. Such a theory of the limitations of the state is monstrous. If the bugbear of a paternal government terrifies us into such a lame conclusion as this, our condition is indeed hopeless. The peril sternly confronts us. The remedy is in our own hands. It is simply, as we endeavored to point out a year ago, to take such children as we have described from the custody and contamination of their parents or keepers and after caring for them during their helpless infancy, transfer them to the fostering care and humanizing atmosphere of real homes and to the influence and associations of Christian civilization.

The discussion of the report was opened by Rev. F. H. WINES. He said:—

*Mr. Chairman:* With regard to the first of the causes referred to in Judge Wayland's excellent paper—"The Influence of Immigration on Crime"—much thought has been expended. The effect of immigration on the volume of crime in the United States is a subject on which I hope to have something to say definitely on Wednesday. I expect to present for the consideration of the Congress some facts which will show what proportion of the criminals are of foreign parentage, what of each nationality, and the number of Americans. Therefore, I shall not touch on that question at present. Judge Wayland in his closing remark referred to a remedy, the necessity of preventing by law marriage between criminals and paupers. I do not see how the state is to interfere in the regulation of a relation of such as marriage. I should like our friend to explain to us what precise steps he would advocate that the state should take; and secondly, how he is to prevent the birth of children outside of the marriage relation. I should like a little more clear and definite information on this subject.

Judge WAYLAND: The remedy is not absolute, only approximate. The habitual criminal should be confined for life, the habitual pauper also, and the habitual and incorrigible drunkard at least until a committee decided him to be well enough to be released. That would dispose of that phase of marriageable persons of the community. I recognize the full force of what Mr. Wines has said. Keep them apart; it will go a great way toward preventing the advent of children into the world.

F. H. WINES: Would the gentleman favor any legislation such as I have heard advocated as to the qualification of persons applying for marriage licenses?

Judge WAYLAND: I think such legislation would be ineffectual.

F. H. WINES: I think his remark was open to miscon-

struction, if the remedy goes so far as to require the proof of certain qualifications—

Judge WAYLAND: It is not a subject which one cares to discuss with great amplitude to a mixed assembly.

General BRINKERHOFF: I want to call attention to one single point. I think the last phase of the subject as discussed in the paper is of great importance. In regard to the children—these small people that have gone into crime—I think there is where we must put our larger efforts. There are already our reformatory schools and institutions, excellent in their way, but they do not go far enough. They should be more like kindergartens, which I think do the greatest amount of good and are most needed in this work. The children need to be trained under Christian teachers. This class of work is making a new city of San Francisco, and therefore I simply want to call your attention to the most potent influence in a public way toward preventing crime—the kindergarten. It seems to me that one of our principal objects ought to be to get the information that is imparted by this committee, in the hands of the right people. No one of our representatives in Washington are as well posted as they ought to be. They ought to receive the information presented in the latter part of that report. How can we get that information to them, and disseminate it abroad in such a way that it shall spring up and bear fruit unto everlasting life? My suggestion is that that report should be published, and that each member receive a copy. I know of no city of any size in this country where education like that of the kindergarten might not be carried on effectually. I assume a pauper is a man or a woman who has demonstrated the fact that he cannot gain a livelihood.

Mr. ROSENAU: Pauperism as such is not a criminal offense; how can we incarcerate paupers?

Judge WAYLAND: Abolish outside assistance, and send him to the almshouse. Keep him there until he shows that he is capable of earning a living. Let those people

understand that when they go to the almshouse, they go there to stay, and begging from door to door will soon become absolutely unknown.

Secretary MILLIGAN: I suppose we might get up a bill to pension aged paupers; such a bill was introduced in England. It would be a new feature and pensions seem very popular here.

W. P. LUPTON: There is a point right here that I would like to suggest as a source of criminality among the rising generation; and that is the lack of trades. That is one of the principal causes of crime in the United States.

An able man in charge of one of our workhouses, stated that with an experience of 1300 inmates, a large number had made the statement to him that they were there by reason of having no trade. Our trade organizations make it hard for boys to be taught trades, and our legislatures are afraid to pass laws to make it easier. They are afraid of the political influence of organizations that do not want boys to learn trades.

General FOSTER: We have a political condition of things in this country peculiar to the American people, but we must accept the conditions that we have, trying of course to improve them as we may; but it seems to me the point the gentlemen has taken with regard to the boys is not well taken. The boys are criminals before they are of the age to learn a trade. The only way to do with many of them is to take them in charge, prevent it as far as possible, and it can be prevented in a great many ways. It can be prevented by law. The American people can do by law what is necessary to protect themselves. Every able-bodied man in this country can find work, even if they have not learned a trade. No man or woman in the United States but can earn a living if they try.

Mrs. DALL: I wish if General Foster knows the way for every man to get work he would tell it to us. I live in Washington and I know 300 able-bodied, honest men who would like to earn a living, and who are hunting

work. Where can they get it? They know no trade, but would be glad to work. I wish I could see a congress that would provide work for the unemployed.

General CHAMBERLAIN: I can say this and no doubt my brother wardens will agree. Not one out of a hundred of the men who come to us have been taught trades, if so, they would not have been criminals. They say again and again, if I had been taught a trade I would never have been here. These men were not criminals in youth. They tell me a great many things that they would not tell generally—tell me the early struggles after they have gone through the public schools and failing to obtain a livelihood, little by little, have yielded to temptation, and become criminals and gone to prison. We have at least sixty per cent. who are more weak than wicked; they have no will power. While in prison, they make very good men. They form good resolutions and when they get out they break them. A few words about the saloon. It plays the most important part in crime. It requires heroic treatment. I would have drink free and men found drunk put under restraint, and the rum seller to support the man's family. Make it unprofitable and you will soon find it unpopular.

Judge FOLLETT: Now I wish to stand here as an advocate of the poor man. I am a poor man myself. I think the criminals among boys do not come from the poorest classes. There is much failure in family discipline, and children should not be taken from their parents or homes. Christian men should go to them there. There are numberless industrious men who have tried and cannot get work, and so are forced into crime.

General FOSTER: I do not know of the men.

A DELEGATE: I have been a poor man all my life and have thought much of these questions we are aiming to solve. We should get the boys into Christian homes.

A DELEGATE: Where will you find the Christian homes?

A DELEGATE: You will have trouble to find Christian homes willing to receive boys of this class.

Dr. PROUDFIT: One of the greatest sources of evil is the publication of pernicious and cheap literature; could not this be stopped?

Mrs. General FOSTER: The discussion in which we find ourselves is highly interesting and cannot fail to do us all good, and yet, as I have listened to it, it has seemed to me that we were running wide of the question presented to us by the admirable report of Judge Wayland. Among the many questions of interest to this illustrious company of prison officials, is the one of criminal law reform, and it seems to me we ought to hold ourselves to a discussion of this theme, and not to attempt the wide and almost limitless questions which relate to crime itself, but its causes and the general amelioration of the condition of dependent classes.

As a philanthropist and a Christian, I have been cheered by the close sympathy here displayed between the necessary severity of the law and its better half—equity. I have been reminded of the text that “what the law could not do in that it was weak, Jesus Christ with his gospel accomplishes.” However, it seems to me that at this time, we ought closely to confine ourselves to the suggestions of the able Chairman of the committee.

Germane to this question is the suggestion made by a delegate on this floor, that the state should restrict marriage in the criminal and pauper population. While I appreciate and have long realized the danger to the state from the criminal classes, which are such by heredity, as well as by environment, I think we have not yet sufficiently studied the problem as to be ready to say the law may put its hand upon a citizen and prohibit inter-marriage.

I do not say that such a course would not, in many instances, be an advantage to this and succeeding generations, but I do not think our people are yet ready for so drastic a remedy.

I think this prison congress is greatly indebted to Judge Wayland and his committee for the able suggestions made, and I hope we shall confine our discussions to their sug-



gestions, and not, at this time attempt to cover the whole field of the causes and remedies for crime.

Rev. Dr. BAIRD: I regard this as a very important subject. Is not a great deal of the present criminality amongst the youth the direct result of the misapprehension amongst a great many people that you must not teach a boy that it is a sin to steal, because it is mixing church and state? We must recognize that our nation is founded on the Christian religion. No recognition of any particular sect and no union of church and state. Do we not recognize the moral law taught on Sinai? This is not a question for politicians simply—it is a question of the people. Forty millions are taught to remember the Sabbath Day to keep it holy. Ten thousand of the best men in the community are told, "You must break the law." A young man asks me to recommend him for a situation. He has been taught that it is a sin to work on the Sabbath. He soon learns that he must give up his position or work on the Lord's day. The result is the next step is to break the law. His moral sense is utterly broken down. I have in my scrap book one or two hundred instances where criminals began by bringing vile books in the house. I hope this subject will lead to reflection on the part of many and the passage of laws that will tend to lessen crime.

Judge WAYLAND: The Committee is neither omnipotent nor omniscient. We make certain suggestions and then leave them to you for thought. To me there is nothing impracticable in the suggestions of the report presented to you this morning, and I think, it covers most of the questions asked here. I agree with much that has been said and I believe that any honest, industrious man can find a way to earn his livelihood. Many of the foreigners that are pouring in upon us are only common laborers and yet they find work.

The debate here closed, and after the reading of some local announcements and invitations to visit various places of interest, by Secretary Milligan, the Congress adjourned.

## AFTERNOON SESSION.

The Congress was called to order at 3 P. M., and owing to the absence of the President, was presided over by Mr. JOHN H. PATTERSON, of Trenton, N. J., one of the Vice Presidents of the Wardens' Association.

At this, the meeting of the Wardens' Association, the annual address by the President, Captain JOSEPH NICHOLSON, of Detroit, Mich., was presented.

Owing to the enforced absence of Captain Nicholson, his address was read by Captain E. S. WRIGHT, and was as follows :

### CAPT. NICHOLSON'S ADDRESS TO THE WARDENS' ASSOCIATION.

*Gentlemen:*—The Wardens' Association for the Registration and Identification of Criminals, was organized at Detroit, March 8, 1887, nearly six years ago and started out with the approval of "the Press," and of every good citizen, having any knowledge of its object.

For some time I have been haunted with the query, "whither are you drifting?" To which I can only answer, "Into the Quick Sands of Sentimentalism."

The indifference of Prison Managers generally, to anything non-political, makes them like a "Ship in the Doldrums," relying on veering puffs to carry them through.

This seeming indifference cannot be congenial to many of them, but the ascendancy of their party to power, so far has outranked all other considerations; hence the difficulty of getting a full and complete membership.

In order to avoid any lack of interest in appointees to prison management, we appealed to the Governor of every State and Territory in the Union to urge co-operation in

perfecting an organization that offered to fill a much needed want, in a scientific study of penology and its kindred questions.

We backed our appeal with facts that could not be gainsaid, together with full information of our plans, showing beyond question what such an organization with full ranks would prove to be. No response to our appeal.

We question no man's right to the enjoyment of personal opinion in all matters of no public concern, but the public welfare, the peace and safety of the community are of paramount importance to all other considerations, and everything inconsistent with their being strictly enforced and preserved from attack, from any source or cause, must yield. No popular or strained exhibition of sentiment, nor any system of pampering with crime under the guise of philanthropy, can be accepted by the masses, who largely earn their bread by the "sweat of their brows."

Scientists are striving to probe the whole question of penology to the bottom, and thereby find a remedy for even a partial cure.

The Wardens' Association for the Registration and Identification of Criminals, offers a key to the great problem, by showing the crime producing causes, whether inherited, inbred or imbibed from environment, which would remove all guess work in prescribing for its treatment.

The "Bertillon" system for the registration and identification of criminals, is widely different from any of the clap-trap schemes of detective agencies. It is the result of profound thought on scientific principles. It has stood tests of the most searching nature, and it is offered to the public free of charge, as a powerful factor in checking the growth of crime and an aid in all reformatory efforts.

It is a self evident fact that the avenues through which those criminally inclined find freedom for movement, must be closed, or the growing increase in the numbers of criminals and crimes will not be checked. No broader

avenue or one more free from restraint exists than the one made by the inability to identify criminals after the first offense. Of the persons actually guilty of crime, only a limited per cent. are convicted. Each and all know that there are no certain means used or available to identify them after arrest or conviction. Means of disguise by them are practically unlimited, and with this knowledge convicts continue criminal life after arrest and discharge.

The adoption of the "Bertillon" system of identification would close this avenue successfully; and once closed, means to close others would become doubly available.

United action by a majority of prison managers would speedily give us a law in every state, and by Congress, making this system available.

And now, after nearly six years of faithful effort to bring all the wardens of the United States into our association and secure their active co-operation in furthering its work I must confess that we have failed. I deeply regret the failure. I attach no blame to any one except myself; I am forced to the conclusion that some one more magnetic than myself should take the helm.

I thoroughly appreciate the honor conferred upon me by the association in continuing me so long in this position, and am deeply grateful for the same.

I beg I may now be permitted to take my place in the ranks, where I shall ever loyally follow any leader who will conduct us to success.

JOS. NICHOLSON.

When Capt. Wright had finished reading the communication containing the resignation of Capt. Joseph Nicholson, he offered a motion to dissolve the Association of Wardens and offered to return to the body of the National Prison Association as individual members. He said that the organization had practically failed in the object for which it was intended and that the members felt that they could do more good to the cause by their disintegration.

We ask that no officers be elected to fill our places, but that we take our place in the ranks of the association.

Much objection was raised to this plan and considerable discussion followed.

Gen. S. E. CHAMBERLAIN: I trust whether the existence of this organization is continued or not that we can occasionally have an informal meeting of the association where we can sit down and discuss the different systems of prison discipline, privileges, rights, etc., and exchange ideas and experiences. We wardens meet as strangers from year to year, we do not get acquainted. We listen to some professor who gives us a theory on prison matters. Our time is always limited at these conventions. We seem to be barred out from them. I should be very glad indeed if we could meet at the headquarters or in our rooms and exchange views. I know the system of one state frequently differ from many others. A warden must expect to be a target. We have little encouragement in our duty and little opportunity to gain new ideas. So far we seem to be deprived of that privilege.

Capt. MASSIE: Now to those who are younger than myself as wardens, let me state to you why this organization was formed, and why I should exceedingly regret that it should cease. It is a very common thing for criminals when the state of Michigan becomes too warm, to emigrate to a cold climate and sometimes when it gets too cold they move to the South. We discussed the matter in Detroit and we felt it would be helpful to adopt a system that would afford every facility for detecting the criminal, no

matter what disguise he took, and thereby protect society against him. With the view of benefitting society the association was formed. We felt at its very beginning almost, that we did not receive that support that we thought we had a right to expect. Many held to the opinion that if the prisoner paid the penalty of his crime, that thereafter he should go free. That is quite right, I admit, if he has committed the crime through indiscretion. If he had fallen but once it would be unfair that he should be followed by a system that would detect him as a criminal all over. Such a man would not follow crime as a calling. The reason why Capt. Nicholson asks that the Wardens' Association be disbanded is just simply that he feels after making the utmost effort that it has been received coldly and he has been obliged to relinquish it. I should fail in paying a tribute to a man that is due to him if I did not say why the association was formed and why Capt. Nicholson thinks it wise to resign it. There are many subjects that can only be discussed among ourselves, different localities differ in many things, and experience is gained that the older can impart to the younger. After twelve years of meeting with this association, I can assure you I have profitted very much by interchange of opinion. I therefore hope that my friend on my right will withdraw his motion.

Gen. BRINKERHOFF: I sympathize fully with the last speaker. They can either keep up their organization intact, or they can organize particular special meetings. I would like to attend. The Warden's meeting was one of the most important in 1884, and all derived benefit from listening to the discussions on prison management. I think it ought to be continued. In our National Conference of Charities and Corrections we have settled this point. We did it fully last year at Denver. We gave them a sectional meeting. In an organization which is only one third as large as the National Conference, there is no reason why they could not meet as an Association alone, but that we

want the privilege (as learners) of hearing them exchange views. Keep up your organization and be a section of the National Prison Congress.

Mr. CRAWFORD: May I ask what is the proposition before the house? I would like to pay all due respect to Capt. Nicholson's report, but I would like to know if the Wardens' Association is to cease to exist. I move that a committee of five be appointed to formulate a plan and lay the proposition before us as whether it is deemed wise to remain an organization separate and distinct. I move that we act on Capt. Nicholson's report alone.

PRESIDENT: Is there a second? (seconded) The motion is that the resignation of Capt. Nicholson be received and his report printed.

Motion put and carried unanimously.

Hon. A. E. ELMORE: I am a member of the Wardens' Association. It is really the nucleus of the whole association. I hope the committee of five will be appointed.

Mr. CRAWFORD: With all due respect to Capt. Nicholson's paper, the proposition introduced by Capt. Wright I am opposed to.

Mr. POPE: I move that this whole matter be referred to a special committee appointed by the chair.

The motion was put and unanimously carried.

The Committee appointed by the Chair consisted of: Mark L. Crawford, of Chicago; William Hill, of Allegheny, Pa.; Major R. W. McClaughry, of Chicago; James Massie, of Toronto, and E. C. McMillin, of Fort Howard, Iowa.

Gen. BRINKERHOFF: I rise to a point of order. In the order of regular business the time has come for the reading of Capt. Wright's paper.

#### CAPTAIN WRIGHT'S PAPER.

Capt. WRIGHT, Warden of the Western State Penitentiary, Allegheny, Pa., next addressed the Congress on the subject of "Some Features of Prison Discipline."

It is admitted that the records show an increase in serious crime and a growing disregard of the sacredness of human life; from this it is argued that existing methods of repressing crime are not as effective as the requirements and importance of the case demand.

Be the causes what they may, and of this we are not called to say a critical word, it is apparent that exigencies, arising in times of tumult and disorder, are not provided against by our governmental regime.

Law and order must be supreme or the life of the nation is imperiled. Selfishness must be subordinated to the higher claims of civilization. This country, more than any other, should be able to arrange and control its own internal affairs; and any means devised by lawful authority to maintain the peace, should receive loyal and manly support from every well-wisher of his country.

It must, however, be apparent to every one that contrary feelings and sentiments held by a portion of the population may become a danger to society. This is not an extreme view, if the prison and criminal records be taken as evidence. Beyond the records of crime, other evidence shows that many unworthy and undesirable immigrants have been sent here. In many cases, by public authorities of the countries whence they came. Of their antecedents, we know but little; of their aims, we hear too much. The paupers and criminals thus sent to us are very largely the cause of our increased prison and pauper population.

We are not able to treat this increasing number of felons with a stern and unbending discipline, such as they have felt in many cases elsewhere, for the details of control cannot be arranged in the same unbending way. It may be possible to secure uniformity in the criminal laws; and when a central bureau of identification has been established by the National government perhaps prison discipline may be controlled by business principles and be less spasmodic than hitherto. Equal and exact justice would seem best administered if the novice in crime received a lenient sen-



tence and a confirmed offender the severity of the law, combined with surveillance for life.

It is generally understood that the prisons of Great Britain and Ireland are steadily diminishing in population, but the causes for this remarkable result are not clear to all. The credit should be given to a system adopted about fifteen years ago, placing all the prisons under a centralized control for each country, with exactly the same rules and regulations governing control, labor, food and clothing. Every item seems to be cared for, and the discipline is rigid and stern.

It is the general belief that serious crime has diminished but it is apparent that the vast number of petty offenders and habitual criminals has created much uneasiness, and severer treatment for such seems probable, as it is thought to be the only satisfactory solution of the matter.

Some of the details would be very unsatisfactory here, but they are treated as of little consequence there. The food-ration for prisoners is very limited in quantity, as compared with similar issues here. Every ration to each man is weighed and measured. An officer is held responsible that there is no addition or reduction to the quantity fixed in the printed dietary. Every inmate has a copy of the rules, and knows what he will receive. The food varies with each class of labor, behavior and condition. It is bluntly stated that the amount of food is small, but it is claimed to be more than many hard working free men are able to procure for themselves and their families.

Punishments are frequent and severe. The most objectionable form is the use of the lash, but this is out of the question here; it is repugnant in every way. A system of classification gives certain marks each day, for diligence and progress; these have a small cash value to the prisoner when he is discharged, and may be a nucleus of funds available to reach a new home. In this he is also helped by a prisoners' aid society, if he so desires; or, the money will otherwise be given to such a society and be paid to

him in small sums, on condition of his good behavior, until it is received by him.

There is uniformity in treatment; a special diet for every condition of labor; rewards and punishments are equally impartial. Labor is severe, and the hours much longer than with us. Prisons are very clean; there are many officers; and the prisoners work just as zealously to keep up the small results accruing to them from their obedience and labor as in all other places of confinement.

I have touched upon the fact that there is a feeling of distrust that the prevailing system of leniency in Great Britain for minor crimes, especially, has been a great mistake. Over a million of arrests are reported for 1891; of these 255,314 were committed to prison, but, as many were repeated crimes, in the same year only 137,000 persons were committed. Of these, 12,380 are reported as felons and 10,100 as habitual petty offenders. This class, it is claimed, is a menace to society. Earnest men say, "Why hesitate to seclude a class defined as a constant danger to civilized life?"

Doctor Sutherland, surgeon of the Balbirnie prison, Glasgow, has written a paper on this, from which I quote, in substance, for the logic applies to many points on this side of the ocean just as forcibly as on his. He says: "Statistical returns mirror the nation's condition, and by comparisons we are able to take stock of ourselves." In the year, 1 in 149 of the total population were sent to prison for petty crimes. It was in this number they were to seek for those who were non-producers and "see what could be done to restore them, if possible, to the ranks of the industrious from which they had slipped, and were of themselves unable to return." He fixed the criminals of the year at 30,000, or 1 in 1,260 of the population. "This percentage was an exceedingly small one, but it came from a class who make crime their business and vocation in life. It was one full of pitfalls and risks, but the successful felon ran them, and, without toiling, lives on the whole commu-

nity." The annual bill paid by the nation was but little short of eight million pounds; it was paid without a murmur. But there was a growing feeling that while there was a satisfactory reduction in the returns of serious crime, it was counterbalanced by the increase in petty offenders. "Assuredly, as in the past, debauchery, vice, poverty, ignorance, insanitary dwellings and irrational treatment of criminals had been fosterers of crime; it was equally true that compulsory national education, elevating influences, increased comforts, reform of criminal procedure, sanitary reform, including the destruction of rookeries and the scattering of the broods, the diminution of one-roomed houses, in which, with few exceptions, the decencies of life were not possible, must be credited with much of the improvement." For the worst class of inebriates, refractory and incorrigible, there was ample room in some of the all but unutilized workhouses up and down the country, or in some prison or part of a prison set apart for the purpose.

The history of American prisons shows constant progress in the treatment, and clemency has marked the course of justice; yet it has to be admitted that crime and vice have increased in greater ratio than the population of the country. We are then brought to this conclusion, that prison discipline must be placed on sterner and more repressive lines to be deterrent. The conditions are such that the benefits of centralization are not applicable, nor are some items of administrative control and discipline, without a change in existing laws.

We do not need any change in the grand lines of the law passed in 1779, which Howard helped to frame. It will be remembered that its details call for separation when at rest, labor in association combined with education and religious instruction, so as to promote the growth and practice of every Christian and moral duty.

To accomplish the end and aim of wholesome laws, every one arrested on a criminal charge must be looked after from the moment of arrest. There are too many points at

which persons arrested upon charges of crime are morally deformed before they reach the places organized to control and reclaim. Idleness and associations in the station houses and jails, before trial, give chances for instruction in vice and immorality far beyond the injury received by the average man after sentence. It is very easy to avoid such evil association after trial, but who can give a guarantee it is not too late?

We have too many prisons, such as they are. The old form of county prisons has ceased to be necessary since conveniences of travel are universal and distant points are easily reached. Instead of county prisons of many kinds, a few district prisons, regardless of county lines, governed and organized in the same way as the state prisons, should take their place. The change would be at once a relief and check to much moral corruption. Some of the county prisons could be used for female prisoners, the criminal insane, or as police stations.

To render crime undesirable, it must be made unsafe and unprofitable. The police of the entire country should be so formed and organized that there would be uniformity in the methods enforced for controlling crime.

One feature of importance, as a deterrent, strongly recommended abroad, is the annual register containing such details of re-convicted criminals as may be reported in the year's returns to the central office. These are only issued for the principal officers of the police and prisons—they are not for sale. Another book similarly issued gives distinctive marks on confirmed criminals; both are doubtless helpful in aiding the police to check the habitual offender in his career.

A better, and certainly a more scientific feature, is the system of criminal anthropology devised by M. Alphonse Bertillon, chief of the bureau of identification in France. This has been often described, and its uses and benefits have been tested in many prisons and cities in this country. It was a great pleasure to hear him speak of his work,

and, while it was very modestly told, he was evidently pleased to speak of the number of countries in which his system is now used. He was especially proud of its progress in this country, and the pictures of several of our prison officers with whom he is well acquainted, through correspondence, are placed before his desk. I hope that arrangements may be made to secure his personal explanation of his system at Chicago next year. It may not be uninteresting to say that the offices of M. Bertillon are very large, fitted with many things that are interesting to those who are connected with prisons using his method of identification and registration. He has a copy of a new Act of Parliament, in which the English Home Secretary is given authority to introduce the Bertillon system under regulations to be established, but, for some cause, the law has not been carried into effect.

May we trust that a recommendation of the National Prison Association, made last year, for the creation of a national bureau in the Department of Justice will soon become a reality, and then an annual register of re-convicted criminals could be readily and cheaply provided. It could be printed for the sole use of the heads of the police in the large cities and all the prisons.

When prisoners are released, the danger line is again reached by the man who desires to be an honest citizen. I would strongly commend all agencies and societies for their help in procuring work, or shelter until it is secured. But the best we can hope for the man is that he has the manhood to help himself after very brief assistance, or else the prison has not been successful in its task.

As a condition precedent to success in prison administration and reform, a good staff of officers is required. Good officers, like all specialists, are scarce; they have to be educated to the work slowly—step by step. No country recognizes this more than England, and great care is taken in making selections for positions. As the service is permanent, there are many who have filled their positions

a long time and in steadiness of control; this is doubtless helpful. Like everything else connected with the work, an officer's life is one of unbending rule, but no more than military or naval service, in which many have acquired habits of order and discipline.

Conditions of prison control vary greatly in the different sections of the United States, and no general lines seem likely to be laid down that can be absolutely followed as they read. But any line of treatment which provides for steady and deterrent discipline, must carry with it a recognition of the fact that the nearer prison treatment agrees with the conditions of free labor, then there will be fewer causes of discontent. In free shops, the employer pays for labor done, the workman keeps himself. So when prisons pay as strict attention to all details; credit for every hour of labor and charge for every hour of idleness—and not till then, will the problem reach a proper solution. Upon this basis a true classification should be made and useful labor given.

The best description given of the average foreign prison is that "a prisoner is now housed, clothed and fed in a better position than that of many who have not forfeited their liberty and depend, for their daily support, on steady and severe toil." To this may be added that the prisoner, in many places in Europe, is very glad to spend a small sum, earned by hard work in many long hours, in the purchase of food as the ration issued is very much below the amount needed for such work.

Life in the old world reaches lower down in the scale than in this newer land. As far as conditions of detention are concerned the foreign prisons are certainly superior to the homes of many poor people who have never been tempted to commit crime. We have no poor so utterly and permanently poverty-stricken as the peasants of the agricultural districts in various sections of the continent, and the lower grades of the laboring classes of the larger cities of the United Kingdom. This fact was a cause of

much perplexity in reaching a reasonable solution as to the growth of crime in this country. Our poor are mainly so because of vice and waste. For all who honestly strive to earn a living, and patiently endeavor to do so, there is no doubt as to the country where it will be found. To repress crime we must adopt a system of concentrated effort; in the same earnest way that a recent threatened attack of disease was met, so should crime be isolated and its victims placed under control and surveillance until cured.

Rev. J. L. MILLIGAN: Mr. President, I think an item touched on in Capt. Wright's paper is worthy of consideration and that is getting rid of that entailed miserable condition of affairs that has come from England, the county jails. The making of the district prison and the doing away of the county prison has some difficulties. The pride of the county is touched—the taking away of the prerogatives of each county. I have no doubt a large number of you have thought of these things. It is one of the most important questions. There are those who claim that crime in England is reduced in the last decade. They do not punish as they used to, and when they do arrest, offenders are frequently let off with a fine, or when young with a "do not do it again, and be a good boy" I could speak on other points in that paper, but this comes close to my ideas as to what is desirable to be done in the United States.

General CHAMBERLAIN: It is as simple to me as if you had two pails of water. If to-day we could by some act transfer every one of England's subjects that are in our prisons, there would be a decided decrease in our prisoners.

Father JUSTIN, of the Catholic Protectory of N. Y.: During three years in Europe in meeting public men of every class the question came up of what was our way of governing our people, "We govern ourselves."—was my answer. I do not agree with the idea that we have more criminals, I believe we have less. I believe the criminal classes in Europe are more dangerous. You and I and

everybody else wants to know why. I do believe that those who are really criminals—those men that do not want to reform—are in larger number. A man that makes a slip a little kindness will bring all right.

I saw those poor fellows in their isolated cells that were only allowed to peep out, and I said: "well, this is real prison discipline." We believe nine-tenths of our criminals can be saved, that is why I feel honored in being here.

Rev. Dr. W. F. SLOCUM: I trust some action may be taken. I do believe that with organized, definite movement a great deal could be done.

Mr. SPALDING: I want to say a word about cage prisons. Those great manufacturing companies make just what the public calls for and just what will sell. Educate the public sentiment up to a higher point and then the jail building companies will go to work and build better. Gentlemen, I do not think we want very much to tinker up the old county jail, but to have district workhouses where every man can earn his own bread that is sent there.

Dr. SLOCUM: Some of us have experience in this matter of cages—four and eight are sometimes placed together. Boys of all ages awaiting trial occupy them.

General BRINKERHOFF: I rise to a point of order. There is no resolution before us. I move that this matter be referred to the Executive Committee.

Motion put by the President and unanimously passed.

Colonel BEASLEY: Now, in regard to the question of cages. As I understand the gentleman on my left, the iron cages are for the safe keeping of criminals. In them at least the innocent are kept separate from the guilty and the young children from the criminals. That is the step which we should take in the nineteenth century.

General BRINKERHOFF: I fully concur in all that. I agree heartily with Colonel Beasley in regard to the separation of criminals. You cannot make much progress until we do reform the county jail. That is the black



beam in the whole business. There is only one way—the way to reform it “is to reform it.” Construct the county jail so that each prisoner in it shall be so that no other prisoner shall see him or know him or make his acquaintance. We have had such a jail in the City of Mansfield eight years. A prisoner can stay there six months and not make any acquaintances.

Mr. G. S. GRIFFITH: What is the cost of such a jail for about twenty-five prisoners?

Gen. BRINKERHOFF: \$40,000. But it would not necessarily cost that much. One thing you want—“a Board of State Charities” and a law submitting every plan to that Board. I am chairman of the Board of State Charities in Ohio. We have such a board in Indiana, Minnesota and Illinois. I can tell whether you have a Board of State Charities though, there is only one in the entire South. We must educate the public sentiment. I am considered a jail crank. We have got to find some way to educate our people up to it. We will soon have them all over. We are making an impression on the “people.” There is no way but to “educate the King.” When I look back fifteen years, I can see that there is progress all along the line.

Mr. G. S. GRIFFITH: I am very glad this subject has been introduced, and am anxious that it shall be discussed.

Mr. SPALDING: The way to separate your boys from the older men is to keep your boys out of the jail. If the boys who have homes are allowed to remain in their homes, they are almost absolutely certain to report for trial. It seems to me that this is not receiving the attention that it ought to receive. We do the boys two wrongs—one when we send him to jail and allow him to be contaminated and a greater, when we remove from him the terror of the unknown. But when he has been in jail even 24 hours, you have done him an infinite wrong—you have taken from him the wholesome terror of the jail. He says, “I have been to jail—it is nothing—what do I care.”

Capt. MASSIE: I think we have gotten away from the subject altogether. We have travelled all over—and I to understand that this is the question of prison discipline.

Mr. M. L. CRAWFORD: What is the most humane—the best way to discipline a boy who persistently violates prison rule?

Captain WRIGHT: Give him some interesting work and promise if he'll do that work he can have his dinner—the boy feels it when you take the feed away.

Captain MASSIE: In the prison I have charge of we call them all boys. It makes very little difference whether the boy is fifteen or whether he is eighteen. We try to find something for a boy to do that he can take an interest in. Some boys that come to us are very worthless and have been allowed to run wild. Answering the question of my friend Crawford: I should use all means of persuasion and kindly treatment, and if that utterly failed, I should spank the youngster.

Father JUSTIN: We make a boy understand that he has got to do his duty and that he gets credit for it. A little birch is very helpful, and we have found it better than depriving a boy of his dinner.

On motion, adjourned till 8 P. M.

## MONDAY EVENING.

The Congress was called to order at 8 p. m. in the Friends' Meeting House, President HAYES in the chair.

Hon. CARROLL D. WRIGHT, United States Commissioner of Labor, Washington, D. C., spoke on "The Relation of Economic Conditions to the Causes of Crime."

### THE RELATION OF ECONOMIC CONDITIONS TO THE CAUSES OF CRIME; BY CARROLL D. WRIGHT, A. M., UNITED STATES COMMISSIONER OF LABOR.

The criminologist, in his search for the causes of crime, cannot, in the nature of things, accept any blanket theory. The fall of man and the doctrine of total depravity may satisfy his theological views as to the origin of evil, but they cannot satisfy his sociological views. He must, as a criminologist, be able to develop specific causes more or less in harmony with his theology. He cannot be a criminologist without being scientific. He must study anthropology—the biology of the human race—and through this study he will classify, scientifically, the causes of crime. His theology will teach him the results of a criminal career, and these results will be in accordance with his theological views; but his scientific classification must be based upon his scientific researches. He will find that, to some extent, men are criminals through their psycho-physical organization, and such a criminal commits crime without regard to his environment. Prosperity, or the lack of prosperity, good or bad training, under all conditions, a man with an abnormal psycho-physical organization of a certain type not only commits crime, but defends it. Another type of man, even with a normal psycho-physical organization, commits

crime, through the influence of environment, or of an uneducated and an untrained conscience, or of a conscience naturally dull. The recent researches into the relation of the formation of the brain in certain parts to criminal tendencies are among the most valuable studies of scientific men, yet should their researches prove beyond doubt that certain brain formations lead directly to criminal courses, such demonstration could not fully account for all criminal lives, in all degrees. If they did there would be no use of wasting time over the discussion of the influence of heredity, environment, economic conditions, or of any of the other causes which, related or unrelated, lead men to criminal courses.

Whatever cause the scientific criminologist may find, and even establish, it is true, and must always be true, that a weak conscience will be lulled by necessity or desire to the point of criminal action, and that conditions surrounding a man will at times stimulate such action. Personally, I am very much in sympathy with the views of scientific criminologists, and with some of the views expressed by the celebrated Doctor Despine. I am rather out of sympathy with the idea that a criminal becomes such through the loss of moral attributes which he once possessed; with the idea that he started in life a comparatively good man, but that he has wilfully, maliciously broken the laws of the state. I believe the criminal is an undeveloped man in all his elements, whether you think of him as a worker or as a moral and intellectual being. His faculties are all undeveloped, not only those which enable him to labor honestly and faithfully for the care and support of himself and his family, but also all his moral and intellectual faculties. He is not a fallen being; he is an undeveloped individual. The reverse of this idea leads men to adopt many illogical conclusions, and also leads them into considering all the convicts of a state as belonging to the same class. Notwithstanding these statements I believe it is true that men even with fairly sound consciences can

and do become habituated to the idea of crime through their necessities or their environment, and even degenerate from a reasonably good life to a bad one. Such conditions have much to do with the commission of crime.

So while the scientific view of crime attracts me more than any other, I am yet aware that the penologist must govern himself by the doctrine that men commit crime, or refrain from it, as they wish; that crime is the result of some craving, some want, some unsatisfied desire, and that the basic action or motive of crime is to be found in some physical or mental condition. Whether it suits our views or not, therefore, we are obliged to consider the criminal as acting under free will, and while we need not lose sight of all the scientific conditions which are alleged as primarily necessary to constitute criminal action, we must deal with the criminal as a free, moral agent; as one committing his act to satisfy his want or desire, which he feels he is unable to satisfy through the ordinary or legitimate conditions. Hence the discussion of economic conditions in their relation to the causes of crime becomes legitimate.

All great social questions, on careful analysis, resolve themselves, in more or less degree, into some phase of what we call the labor question, and certainly the causes of crime, in a sociological sense, cannot be studied without considering the status of man in the prevailing industrial order; for among all the causes for criminal action, or for the existence of the criminal class, we find that economic conditions contribute in some degree to their existence. This, however, is only a phase of criminology. It is this phase which has been given me as a subject for discussion.

The world has seen three great labor systems,—labor under slavery, labor under the feudal system, and labor under the wage or the prevailing system. Crime was not so fully recognized under the slave and the feudal systems as it has been under the modern system of labor. Ownership came naturally through conquest. Possession was the clear title to property. Conflict and conquest were the

prime causes of private ownership. Hence under slavery crime assumed a different relationship to the body-politic than it assumes under the modern system, where the right of free contract prevails. The feudal system was only an advanced phase of slavery, and so intermingled were the conditions that it is sometimes difficult to clearly define the life of the individual man under the two. These conditions existed prior to the general adoption of the wage system, and in the study of the relation of labor conditions to criminal conditions the earlier systems of labor become interesting. The peasants under the feudal system had no hope, for they had no land and no chance of bettering their condition. With no comforts or even necessities of existence, life was to them a perpetual hardship. These conditions continued in many countries, the result usually being seen in vast herds of thieves, robbers, and vagrants that desolated the land. Even in the time of Henry VIII., and during the course of his reign of thirty-eight years, no fewer than seventy-two thousand persons were executed for crime. History has not begun to tell the story of the sufferings of labor prior to the advent of the modern industrial system, or of the necessities which drove men into criminal lives. All were in misery, with the exception of a few who constituted the families of the feudal lords. All the conditions surrounding labor were abject. Pauperism, as we understand it, was unknown, to be sure, because all were paupers. Pauperism, therefore, did not attract legislation, and crime, the offspring of pauperism and of idleness, was brutally treated; and these conditions, which betoken an unsound social condition, existed until progress made pauperism, and crime as well, the disgrace of a nation, and it was then that pauperism began to be recognized as a condition which might be relieved through legislation. Of course, intellectual growth began to have some influence. This is illustrated by one of the statutes of England passed against laborers during the worst days of her feudal labor, upon the complaint of lords and commons, and men of the

Holy Church, who in their complaint state that "they do come there in great routs and agree by confederacy that every one shall aid every other to resist their lords with strong hands. And so they seemed, partly by law and partly by force, to resist all claims due of their bodies and of them as land-tenants." These efforts, marking the first results of intelligence among the laborers, constituted probably the first strikes for industrial progress in history. They were contemporaneous with those great upheavals on the continent which are traced up through the Anabaptist revolt and along up to the revolution of '89, when the French nation sought to rid itself of the lingering burdens of feudalism; but it was through all these efforts in the great countries of Western Europe that the distinguishing features between prosperity and poverty became prominent. Carry industry to a country not given to mechanical production or to any systematic form of labor, employ three-fourths of its inhabitants, give them a taste of education, of civilization, make them feel the power of moral forces even to a slight degree, and the misery of the other fourth can be gauged by the progress of the three-fourths, and a class of paupers and resultant criminals will be observed.

We have in our own day a most emphatic illustration of this in the emancipation of slaves in this country. Under the old system the negro slave was physically comfortable, as a rule. He was cared for; he was nursed in sickness, fed and clothed, and in old age his physical comforts were continued. He had no responsibility, and, indeed, exercised no skill beyond what was taught him. To eat, to work, and to sleep were all that was expected of him; and, unless he had a cruel master, he lived the life that belongs to the animal. Since his emancipation and his endowment with citizenship he has been obliged to support himself and his family, and to contend with all obstacles belonging to a person in a state of freedom. Under the system of villeinage in the old country it could not be said that there were any general poor, for the mas-

ter and the lord of the manor took care of the laborers their whole lives; and in our southern towns, during slavery, this was true, so that in the South there were few, if any, poorhouses, and few, if any, inmates of penal institutions. The South to-day knows what pauperism is, as England learned when the system of villeinage departed. Southern prisons have become active, and all that belongs to the defective, the dependent, and the delinquent classes has come to be familiar to the South.

To the industrial system, therefore, which was changed by the Civil War, the presence of some features of crime in the Southern States must be traced. The Civil War was, indeed, a labor war, whether it was instituted as such or not. The slave of the South could not compete with the skilled artisan of the North, and the conditions in the former had to give way to the conditions in the latter section of the country. The progress of the wage system, the increasing intelligence of the men who work under it will, as time advances, correct these crude conditions. They do not cause them: they only bring them into prominence. But so far as the modern industrial order superinduces idleness or unemployment, in so far it must be considered as having a direct relation to the causes of crime. I believe, however, that whatever tendency in this direction exists under the modern industrial order is of far less degree, not only in extent, but in severity, than under the conditions which were superinduced by the industrial order which preceded it.

In a treatise written by Richard Hakluyt, of England, in 1584, on the religious, political, and commercial advantages to be derived by England from the attempted colonization of America, entitled "A Discourse on Westerne Plantinge," recently discovered, and published for the first time in 1877, by the Maine Historical Society, the familiar question of how to employ the unemployed was discussed by the author, and in terms which remind one forcibly of the oft-repeated fears and the chimerical schemes of reformers of the present time.



In urging upon his government the undertaking of voyages, Hakluyt uses this language (the spelling being modernized), after referring to the prosperity of Spain and Portugal:

"But we, for all the statutes that hitherto can be devised, and the sharp execution of the same in punishing idle and lazy persons for want of sufficient occasion of honest employment, cannot deliver our Commonwealth from multitudes of loiterers" (tramps, we call them) "and idle vagabonds. Truth it is, that through our long peace and seldom sickness, two singular blessings of Almighty God, we are grown more populous than ever heretofore; so that now there are of every art and science so many that they can hardly live one by another; nay, rather, they are ready to eat up one another; yea, many thousands of idle persons are within this realm, which, having no way to be set on work, be either mutinous and seek alteration in the state, or at least, very burdensome to the Commonwealth and often fall to pilfering and thieving and other lewdness, whereby all the prisons of the land are daily pestered and stuffed full of them, where either they pitifully pine away, or else at length are miserably hanged, even twenty at a clap out of some one jail. Whereas if this voyage were put in execution, these petty thieves might be condemned for certain years in the western parts." And then follows a glowing picture of results, which the writer concludes as follows: "There need not one poor creature to steal, to starve, or to beg, as they do."

The quotation refers to a time only a quarter of a century prior to the permanent settlements on our coast, while in 1629 John Winthrop, the first Governor of Massachusetts, before he left the old home, stated, among others, these reasons for leading emigrants out of the overburdened England which Hakluyt described:

"This land grows weary of her inhabitants, so as man, who is the most precious of all creatures, is here more vile and base than the earth we tread upon, and of less price

among us than a horse or a sheep. Many of our people perish for want of sustenance and employment; many others live miserably and not to the honor of so bountiful a housekeeper as the Lord of heaven and earth is, through the scarcity of the fruits of the earth. All of our towns complain of the burden of poor people, and strive by all means to rid any such as they have, and to keep off such as would come to them. I must tell you that our dear mother finds her family so overcharged as she hath been forced to deny harbor to her own children,—witness the statutes against cottages and inmates. And thus it is come to pass that children, servants, and neighbors, especially if they be poor, are counted the greatest burthens, *which, if things were right, would be the chiefest earthly blessings.*”

These conditions of labor, as I have already stated, were all attended with a great volume of crime, and it was crime, to a large extent, which grew out of individual physical wants. Guizot has said that labor is a most efficient guarantee against the revolutionary disposition of the poorer classes. He might have added that labor, properly remunerated, is an efficient guarantee against the commission of crime. Certainly hunger leads to more crime of a petty nature, perhaps, than any other one cause.

In the study of economic conditions, and whatever bearing they may have upon crime I can do no better than to repeat, as a general idea, a statement made some years ago by Mr. Ira Steward, of Massachusetts, one of the leading labor reformers in that state in his day. He said: “Starting in the labor problem from whatever point we may, we reach, as the ultimate cause of our industrial, social, moral, and material difficulties, the terrible fact of poverty. By poverty we mean something more than pauperism. The latter is a condition of entire dependence upon charity, while the former is a condition of want, of lack, of being without, though not necessarily a condition of complete dependence.”

It is in this view that the proper understanding of the subject given me, in its comprehensiveness and the development of the principles which underlie it, means the consideration of the abolition of pauperism and the eradication of crime; and the definitions given by Mr. Steward carry with them all the elements of those great special inquiries embodied in the very existence of our vast charitable, penal, and reformatory institutions, "How shall poverty be abolished, and crime be eradicated?" The discussion is a very old one, and neither modern professional labor reformers, nor philanthropists, nor criminologists, nor penologists have any patents upon the theme. The progress of the world may be read as well by statutes in the humanity of law, in the existence of prisons, in the establishment of charitable institutions, and by the economic conditions which surround labor, as by written history; for, as the condition of labor rises, pauperism and crime must fall in the general scale.

To say that pauperism, and crime as an attendant evil, follow the unemployed more mercilessly than the employed, would be to make a statement too simple in its nature to invite serious consideration. Yet the history and the statistics of labor and the conclusions resulting from their study in their relation to pauperism and crime present most interesting and valuable features. Criminal conditions, the evils we are considering, have always existed, no matter what the social or legal status of men; under the most favorable as well as under the most unfavorable conditions; under liberal and under despotic government; in barbarous and in enlightened lands; with heathenism and with Christianity; under a variety of commercial systems: and yet they are, in a philosophic sense, a rebuke to a people living under constitutional liberty.

Employment of the unemployed will not crush pauperism and crime, not even if every able-bodied man in the country could be furnished with work to-morrow. Universal education will not. The realization of the highest hopes

of the temperance and labor reformers will not. The general adoption of the Christian religion will not. But all these grand and divine agencies working together will reduce them to a minimum, and make that community which tolerates them indictable at the bar of public opinion, the most powerful tribunal known. Physical agencies, without all the higher elements, can do but little. The early history of this country and the history of all countries where civilization has made any headway teach this truth.

The proposition that pauperism and crime are less frequent in cultured communities will not, I suppose, be debated. It is true that the intelligent, skilled laborer is rarely found either in a penal or a charitable institution; nor is the person who has the elementary education sufficient to enable him to read, write, and make his own calculations so liable to become a charge as the one who has not these qualifications. I am, of course, aware that the full accuracy of these statements is oftentimes questioned; yet it is statistically true that enough of knowledge to be of value in increasing the amount and quality of work done, to give character, to some extent at least, to a person's tastes and aspirations, is a better safeguard against the inroads of crime than any code of criminal laws. I must, of course, consider this point as a fact, and shall not weary you with the oft-repeated arguments and the usual array of figures used to convince legislators that it is wise economy to foster our educational institutions. This being conceded as to intellectual or mental acquirements, including elementary book-learning, how does the fact affect the matter under consideration? Simply that the kind of labor which requires the most skill on the part of the workman to perform it insures the laborer most perfectly against want and crime, as a rule.

This statement is fortified by such statistics as are available. Of 4,340 convicts, at one time, in the state of Massachusetts, 2,991, or 68  $\frac{1}{4}$  per cent., were returned as

having had no occupation. The adult convicts numbered at that time 3,971. Of these 464 were illiterate; and the warden of the State Prison, for the year in question, stated that of 220 men sentenced during that year, 147 were without a trade or any regular means of earning a living.

In Pennsylvania, during a recent year, nearly 88 per cent. of the penitentiary convicts had never been apprenticed to any trade or occupation; and this was also true of 68½ per cent. of the convicts sentenced to county jails and workhouses in the same state during the same year.

In Mr. Frederick Wines' recent report of homicide in the United States in 1890 it is shown that of 6,958 men, 5,175, or more than 74 per cent. of the whole, were said to have no trade. The full statistics relating to convicts in the United States, when Mr. Wines makes his full report, will, I have no doubt, corroborate these statements.

These statistics represent the conditions in other latitudes, and show what is true everywhere, that it cannot be claimed that any very desirable working material can be found among convicts. If we except the large number that are unable to work, we shall by no means find workers remaining. We shall find some with trades, able and ready to work, but the greater number unpossessed of a self-supporting occupation, and many unwilling to work. I believe that the unfitness for productive labor, whether it springs from lack of a trade or occupation, or from personal antipathy to work, is a great and predisposing cause of both pauperism and crime.

Furthermore, it is true, so far as the statistics which I have been able to consult demonstrate, that during periods of industrial depressions crime of almost all grades is increased in volume. The difficulty of demonstrating this feature of my subject to any full extent lies in the fact that our criminal statistics are given for periods, and not year by year. Could we have annual statements of the convictions in all our states, so that such statements could

be consulted relative to economic conditions, I feel sure that we should find a co-ordination of results that would startle us all. We should find that the lines of crime rise and fall as the prosperity of the country rises and falls.

The law of political economy comprehending supply and demand is brought into prominence in this thought. It is an economic principle, always stated by all writers on political economy, that the highest cost makes the price. This is true only so long as demand is superior to supply. If the supply is superior to the demand then the lowest cost makes the price in the market, and it is this condition that brings about what is popularly called "over-production," resulting in stagnation of trade and competition for work. This competition for work throws out the weaker elements in the industrial system, drives them to necessity, increases the want, and decreases the means of its satisfaction. Larceny, burglary, and all the forms of theft come into play, and the volume of crime increases. It is this principle, too, that influences the working man in his antagonism to the employment of convicts upon productive labor.

Political economists and all writers upon antagonistic commercial systems are fond of saying that if labor cannot be profitably employed at one trade or in one locality it should seek another. This was the favorite remedy offered by a certain class of political economists during all the great industrial depressions which existed in England during the first half of this century. Depression was to be relieved by a mobilization of labor. Now labor is not so mobile as these writers would have us believe. Great bodies of men employed in Lancashire in the cotton factories cannot, when sudden depressions come upon the industries, mobilize themselves so as to take up work in some other locality in England. The shutting down of the mines of Pennsylvania, or the reduction of work therein, throws large bodies of men out of employment, and it is utterly and physically impossible for those bodies

of men to be mobilized or for them to take up other callings in life so as to keep the wolf from the door. These conditions make tramps. Crime is the result, and the criminal statistics swell into columns that make us believe that our social fabric is on the verge of ruin. Hungry stomachs, again, at such times, are at the base of the enlarged figures. Ignorance of work, the lack of some technical training, prevents the mobilization of labor and compels men with weak consciences to commit crime.

Doctor Schaffle, in his excellent work on the "Impossibility of Social Democracy," says: "We cannot do enough in the endeavor to abate and avoid the misery of these trade stoppages: it hangs like the sword of Damocles over the head of non-propertied laborers; it embitters the existence of every one of them who reflects and who has the care and nurture of a family to provide for."

All idleness, whether induced by economic conditions, or by lack of inclination to work, or by a lack of knowledge of how to work, leads directly to crime—not, of course, in all cases, but such conditions aggravate and irritate and drive men to criminal courses. The idle man's brain is, indeed, the devil's own workshop.

Political economy, which has dealt so largely with the acquisition of wealth, must, sooner or later, deal with other features of wealth, and teach the world what conditions will largely relieve society of crime or largely lead to a reduction of its volume, through teaching the power of moral forces in the adjustment of industrial forces. My chief quarrel with political economy, which, to my mind, is one of the grandest departments of human knowledge, lies in this very thought, that it does not recognize as one of its elements the power of moral forces in society, which really make or mar healthy commercial conditions.

Under the new political economy sanitary conditions are shown to be a necessity to true economic conditions. The material prosperity of a community depends much upon

the health of its workers, and the health of workers depends in a very large degree upon sanitary surroundings. It is that the physical condition of the people may be improved by every means that social economy deals with the subject of sewerage, tenement houses, light, and ventilation; and in this respect social science teaches valuable lessons to political science, for the health of the workers of a community is essential to their material prosperity, and the health of a community has much to do with the volume of crime.

In this connection I cannot refrain from weaving in a few thoughts from W. R. Greg, an English writer, with some of my own. Dwelling upon the physical and moral development of the race as essential to prosperity, it may be asked, What may we not rationally hope for when the condition of the masses shall receive that concentrated and urgent attention which has hitherto been directed to furthering the interests of more favored ranks? What, when charity, which for centuries has been doing mischief, shall begin to do good? What, when the countless pulpits, that so far back as history can reach, have been preaching Catholicism or Anglicanism, Presbyterianism or Calvinism, or other isms, shall set to work to preach Christianity at last? Do we ever even approach to a due estimate of the degree in which every stronghold of vice or folly overthrown, exposes, weakens, and undermines every other? Of the extent to which every improvement, social, moral, or material, makes every other easier? Of the countless ways in which physical reform reacts on intellectual and ethical progress and the prosperity of our industries? Under the constant teaching of a moral philosophy which shall embrace the political economy of the labor question, what a transformation—almost a transfiguration—will spread over the condition of civilized communities, when, by a few generations, during which hygienic science and sense shall have been in the ascendant, the restored health of mankind shall have corrected the morbid exaggerations of our appetites; when,



by insisting upon the healthy environment of our toiling masses, the more questionable instincts and passions, which, under such rule as I have indicated, shall have been less and less exercised and stimulated for centuries perhaps, shall have faded into comparative quiescence, and have come under the control of the will; when, from the expulsion of vitiated air, disordered constitutions, whether diseased, criminal, or defective, which now spread and propagate so much mischief, and incur so much useless expense to tax payers, shall have been largely eliminated; when sounder systems of educating the young shall have prevented the too early awakening of natural desires; when more rational, higher, and soberer notions of what is needful and desirable in social life, a wiser simplicity in living, and a more thorough conformity to moral law shall have rendered the legitimate gratification of our appetites more easy and beneficial, and when that which is needed for a happy home shall have become attainable by frugality, sobriety, and toil? These conditions, so desirable to be reached, are not impossible ones, and are not to be reached by the revolutionary schemes of any party or sect, but by the gradual adoption of sanitary laws in the dwellings and homes of the people; and the new school will teach that the secondary, and often the primary, causes and encouragements of intemperance are bad air and unwholesome food, which create a craving for drink; bad company, which tempts it; undue facilities, which conduce to it; squalid homes, which drive men forth for cheerfulness; and the want of other comfortable places of resort, which leaves no refuge but the publican's parlor or den. And if, on the other hand, we find that the consequences are poverty, squalid homes, brutality, crime, and the transmission and perpetuation of vitiated constitutions, who can say they cannot be prevented by the sound administration of sanitary laws, which shall prohibit the existence of bad air, of unventilated dwellings, the undue multiplication and constant accessibility of gin and beer shops, and the poisoning

of wholesome food and drink? You cannot discuss the labor question from either the ethical or economical side without consideration of the temperance question; and from the results of such consideration it is perfectly clear to my own mind that the solution of the temperance question is largely in the control of the employers of labor. The interests of capital as well as of labor, the interests of religion itself, demand a sober and industrious community; and, when the employers of labor shall demand abstinence from alcoholic drinks as a qualification for employment, the ugly problem, so far as the working masses are concerned, will be far on the way to settlement. What will bring the employers to the same issue is perhaps a knottier problem. The presence of crime works a direct injury upon the welfare of the workingman in many ways. It costs him more to live because of it; it disturbs his sense of justice because the convict works at the same occupation which furnishes his support; but, while the labor reformer cries for the abolition of convict labor, the political economy of the labor question cries for the reduction of the number of criminals by the prevention of crime as the surest and most permanent remedy for whatever evils may grow out of the practice of employing convicts in productive labor. We make criminals now; for three-fourths of the crime committed is by young men who are temporarily led astray, and the fact that fifty per cent. of all the convicts in the states prisons of the United States are under twenty-six years of age only confirms the estimate. These accidental criminals we make into positive convicts, to be fed upon the production of men outside. We shall learn better methods in the future civil state, in which wise and effective legislation, backed by adequate administration resulting from a sound public sentiment, which will not hesitate to punish when necessary with that punishment which is most dreaded by the offender, shall have made all violation of law, all habitual crime, obviously, inevitably, and instantly a losing game, and when the distribution of wealth, and

its use, shall receive both from the statesman and the economist the same sedulous attention which is now concentrated exclusively upon its acquisition. (a)

It is perfectly true that unsanitary conditions, and all conditions that work a deterioration in the health of people, lead to uneconomic conditions. Bad air, bad housing, bad drainage, lead to intemperance and want. It requires no argument to show that these are precursors of crime. Anything that brings about a higher rate of mortality among the children of the poor leads to crime, and it is perfectly deducible from facts that are known that any occupation which insures a high rate of mortality among the children of its participants tends to conditions most favorable to the prevalence of pauperism and crime.

The displacement of labor through the application of improved machinery temporarily, and to the individual, produces a condition of want which may or may not be remedied by the increased labor demanded through invention. Society can easily be answered by stating the benefits which come to it through inventive genius, but it is a poor answer to the man who finds the means of supporting his family taken from him. But with the progress of inventions and the consequent elevation of labor both pauperism and crime, so far as society is concerned, have correspondingly decreased. This is true in more senses than one. The age of invention, or periods given to the development and practical adaptation of natural laws, raises all peoples to a higher intellectual level, to a more comprehensive understanding of the world's march of progress.

But the question of the removal of poverty and the suppression of crime is not wholly with the working man; the employer has as much to learn as he, and he is to be holden to equal, if not greater, responsibility. Ignorant labor comprehends ignorant employer. In so much as the

---

a Professor F. A. Walker.

profits of labor are equitably shared with labor, in so much is poverty lessened; and, in so much as poverty is lessened, in so much is crime decreased. The employer should always remember that if conditions become ameliorated, if life becomes less of a struggle, if leisure be obtained, civilization, as a general rule, advances in the scale. If these conditions be reversed, if the struggle for existence tends to occupy the whole attention of each man, civilization disappears in a measure, (a) communities become dangerous, and the people seek a revolutionary change, hoping by chance to secure what was not possible by honest labor.

In a state in which labor had all its rights there would be, of course, little pauperism and little crime. On the other hand, the undue subjection of the laboring man must tend to make paupers and criminals, and entail a financial burden upon wealth which it would have been easier to prevent than to endure; and this prevention must come in a large degree through educated labor.

Do not understand me as desiring to give the impression that I believe crime to be a necessary accompaniment of our industrial system. I have labored in other places and other times to prove the reverse, and I believe the reverse to be true. Our sober, industrious working men and women are as free from vicious and criminal courses as any other class. What I am contending for relates entirely to conditions affecting the few. The great volume of crime is found outside the real ranks of industry.

The modern system of industry has reduced the periods of depression from the long reaches extending over half a century under older systems. These periods have been reduced to half decades of years, and to shorter terms even. The time will come when periods of depression will occur only for the few months of a single year, and when this time comes the columns of the statistics of crime will show a receding quantity. Infinitely superior as the modern system is over

---

a Rawlinson's Origin of Nations.

that which has passed, the iron law of wages, when enforced with an iron hand, keeps men in the lowest walks of life often on the verge of starvation. As intelligence increases and is more generally diffused, the individual man wants more, has higher aspirations for himself and his family; but, under the iron law of wages, at times, all these desires and aspirations are hard to satisfy. The modern system produces mental friction, a competition of mind has taken the place, in large measure, of mere muscular competition, and the laggard in the industrial race may lose his mind or his conscience, in the latter case causing him to develop into the criminal. The economic condition or environment of this particular man leads him inevitably to crime. But system gives way to system, and the present industrial order will be superseded by one vastly superior to it. As the establishment of the wage system reduced crime and its attendant evils, so that which is to come will still further benefit the human race ethically and economically.

Does some one inquire, Can it be possible that more civilization means more crime? Yes, and no. For a time under improved civilization, under improved mechanical methods, under the march of invention, competition, as I have said, is mental to a larger degree than under the simpler methods and cruder civilization. The residuum of society is more easily observed and more thoroughly claims the attention of philanthropists and of legislators; but to say that more civilization means more poverty and more crime is a reversal of truth in every sense. I believe that with elevated civilization there come conditions of labor which will largely relieve society of crime, or, at all events, largely reduce its volume. This must come through a more just and more equitable distribution of the profits of production. It has always proved true, and it always will prove true, that wherever there is a sincere desire to secure a just and equitable distribution of the rewards of production, or even to make headway in some measure, fruits, rich and abun-

dant, have been the result. The experience of the Briggs brothers in their attempts at profit sharing converted a turbulent and intemperate community, given to theft and rioting, into a sober and orderly body of people. The experience of Robert Owen at New Lanark is the record of one of the most prominent experiments in the Old World for the bettering of industrial communities. This experiment was made by Owen before he became imbued with socialism. At the period of his Lanark experience (1819), Owen gained respect and renown in distant lands, was sought by the great, was consulted by governments, and counted among his patrons princes of the blood in England, and more than one crowned head in Europe. The main cause of Owen's success began with the practical improvement of the working people under his superintendence as manager, and afterward as owner of the cotton mills in New Lanark. He found himself surrounded by squalor, poverty, intemperance, and crime. He determined to change the whole condition of affairs. He erected healthy dwellings with adjacent gardens, and let them at cost price to the people. He adopted measures to put down drunkenness and to encourage the savings of the people. The employes became attached to their employer, took a personal interest in the success of the business, labored ably and conscientiously, and so made the mills of New Lanark, in Scotland, a great financial success. He turned a community given much to law breaking into one happy as a law abiding people.

The experience of the Cheney brothers at South Manchester, Conn., of the Fairbanks Company in Vermont, of hundreds of others who have recognized the great fact of the decalogue, testifies to the soundness of the thought that with improved conditions which result in economic environment, crime will be reduced.

All these considerations lead us to weigh well the practices which should be resorted to. Trade instruction, technical education, manual training, all these are efficient

elements in the reduction of crime, because they all help to better and truer economic conditions. I am grateful to the Secretary of this Congress that he did not ask me to point the way to solutions; yet I think from what I have said the elements of solutions are clearly discernable. Justice to labor, equitable distribution of profits under some system which I feel sure will supersede the present, and without resorting to socialism, instruction in trades by which a man can earn his living outside a penal institution, the practical application of the great moral law in all business relations, all these elements, with the more enlightened treatment of the criminal when he is apprehended, will lead to a reduction in the volume of crime, but not to the millennium; for "human experience from time immemorial tells us that the earth neither was, nor is, nor ever will be, a heaven, nor yet a hell" (*a*), but the endeavor of this Congress, the endeavor of right-minded men and women, the endeavor of every government, should be to make it less a hell and more a heaven.

---

*a* Dr. A. Shaffle.

[NOTE.—Through pressure of work, I have been obliged, and have felt at liberty, to draw freely from addresses which I have delivered on other occasions, notably "Labor, Pauperism, and Crime," read before the Conference of Charities at Cincinnati, May, 1878; "The Relation of Political Economy to the Labor Question," Lowell Institute, Boston, December, 1879; a letter to His Excellency Governor Ames, on "Hand Labor in Prisons," September, 1887, and "The Relation of Invention to Labor," read at the Patent Centennial, Washington, D. C., April, 1891.]

C. D. W.]

Mr. F. H. WINES: *Mr. President, ladies and gentlemen,* I think we may count ourselves very fortunate in having to-night the views of a gentleman so well informed and who has thought so deeply on the close connection between the labor question and the criminal. We cordially extend to him our thanks for preparing and delivering it to us on this occasion. I agree, as I suppose we all do, that the great social causes of crime are economic causes. Crime grows out of our modern industrial system. I feel this so deeply that I think if we could introduce such a course of thorough instruction in our theological schools it would accomplish much. Without it a man is not prepared to preach the gospel to a world lying in wickedness any more than a physician who has no knowledge of the anatomy and physiology of the human system to practice medicine. I think we must agree that crime originates very largely in the lack of self-restraint and self-control. I think that the great social evils with which we have to contend grow out of three principal abnormal conditions of the human mind—insanity, crime and imbecility. Want of thrift is the cause of pauperism, crime and insanity—these three great social evils. All three manifest themselves in the lack of self control, if they are not directly caused by it. Crime is allied to insanity. The criminal is equally incapable without self-restraint. I take it that every man must either restrain himself or be restrained, and the great reason why crime is so common is that we have not learned as yet the art of self control. We have not learned as a community to adapt ourselves to the conditions of freedom. The negro race has not learned to govern itself, therefore it commits crime. The same applies to the foreign population. They have not learned the American principle of self control—we do govern ourselves to a large extent. The relation of the labor question to the criminal question is very largely a relation of restraint or non-restraint. The evils with which we have to contend grow out of a lack of self control—this manifests itself at one extreme in self-



indulgence and the other in rapacity. Out of these two, the self-indulgence of the poor and the rapacity of the rich grow the conflict of labor and capital and the ever increasing volume of crime. This is in substance a correct analysis. The labor question is the great question of modern times. There is little hope for the present of any great diminution of crime. The question what shall we do with the prisoner merges into a larger and more vital question, what shall we do with crime? How shall we reduce the number of prisoners who deserve punishment and require treatment?

Mr. BROCKWAY: I have no purpose to make any extended remarks but only to express the gratification that I feel at this presentation of so broad and vital a subject. I look forward with great satisfaction to seeing this address in the published proceedings of this year. I have been more and more impressed with one fact; without stating statistics I may say that not more than one in ten of the young foreigners who are committed to my care have ever given any thought to an occupation that shall provide for their subsistence. After a careful inquiry into a prisoner's history, you can get reasonably intelligent answers, but when you come down to say, what is to be your future—the man is a blank. He has no plans about it. Why is it in this day of schools and business activity that the class of men we get have had no thought and made no plans about earning a living. Why is it that it is difficult to learn a trade—nobody learns a trade? The factory system has taken the place. None of them have any idea of earning a dollar and saving a portion of it. What is the remedy? The question is wide and broad—the reconstruction of society. I am glad to hear what has been said about it. When the relation of employed and employer is the question, what can *we* do about it? That is the thing that comes home to me. What can I do? What am I going to do that is new? Only in greater degree what I am now trying to do—to teach every man a trade. It is

quite possible to make his acquiring a trade one of the conditions of his release and his going directly to it and there earning in it and saving in it before he is given his entire freedom. This is not so difficult as I thought, but much easier. To do this we must get rid of the idea of earning any considerable portion of our prison expenses. I should like to see industrial training introduced into our common schools. One half the time now given to the ordinary studies in our common schools might be devoted to manual and industrial training with vast advantage. I hope also to live long enough to see the reformatory prisons teaching trades as well as letters.

Rev. J. L. MILLIGAN: The thanks of the Congress are due Commissioner Wright. He did it gladly and you have the result.

A unanimous vote of thanks was tendered him.

Mr. NATHANIEL ROSENAU, Superintendent of the Charities and Corrections Exhibit at the World's Fair, invited and urged the Association to take an active part in that work.

Mr. F. H. WINES: I move the matter be referred to the Executive Committee of the National Prison Association.

Motion put and unanimously carried.

Congress adjourned at 10:30 P. M.

#### FOURTH DAY—MORNING SESSION.

Congress met in Sutro's Hall and called to order at 9:30 A. M. President HAYES in the chair.

Prayer offered by Rev. EDWARD A. LAWRENCE, of Baltimore, Pastor of First Congregational Church.

Motion was made and unanimously carried that the speech of Gov. Seymour, who was then President of this Association, made 20 years ago in this city at a session of this Congress be republished in the Proceedings this year.

Judge WAYLAND: I think it is unfair to break up the attendance upon these sessions by accepting invitations to visit at various places of interest in the city. It is a poor compliment to the gentlemen who have taken pains to prepare papers.

Mr. F. H. WINES: I move that as many as possible remain over on Thursday and take that opportunity to visit places of interest in Baltimore.

The Committee on auditing the Secretary's Report through the chairman, Mr. John C. Whiton, reported:

The undersigned, committee appointed to audit the accounts of the Secretary of the National Prison Association, beg leave to report that they have examined the same and find them correct.

The committee also reports that an examination of the books shows that the members of the committee as well as a large number of the members of the Association have failed to pay their annual dues for 1891 and 1892. We would therefore respectfully remind the members of their duties in this respect, to the end that the necessary expenses of the Association may be met, and the proceedings and papers of the present meeting promptly published and distributed to the members. Signed,

JOHN C. WHITON.

R. W. McCLAUGHRY.

## REPORT OF COMMITTEE ON TIME AND PLACE.

The committee on time and place of meeting respectfully submit as their unanimous recommendation the following, viz:

The meeting next year shall be held in the City of Chicago, commencing three or four days before the time fixed for the convening of the International Conference of Charities and Corrections, and adjourning before the commencement of its session. Details to be adjusted by the Executive Committee of this Association.

We also recommend that the meeting in 1894 be held in the City of St. Paul, Minn.

EDWARD S. WRIGHT, Chairman.

The reports of these two committees were adopted.

PRESIDENT: The next business is the report of the Standing Committee on Police Force in Cities, by Major R. W. McClaughry, of Chicago, Illinois.

## REPORT OF STANDING COMMITTEE ON POLICE.

In presenting the annual report upon Police Organization and work, your committee has thought best to limit its inquiries and observations to three points, viz:

1st. What has been accomplished in organization of police forces and the improvement of police methods to this date.

2nd. What obstacles or hindrances present themselves to further improvement.

3rd. What is the outlook for the future and what is demanded by the public in regard to police systems and management.

In the first place, what is understood by the term "police."

It is defined by Webster:

(a) "As a judicial and executive system, for the govern-

ment of a city, town or district, for the preservation of rights, order, cleanliness, health, etc., and for the enforcement of the laws and the prevention of crime."

(b) "That organized body of civil officers, in a town or district, whose particular duties are the prevention and detection of crime and the enforcement of the laws."

Blackstone says that by the public police, he means "the due regulation and domestic order of the kingdom, whereby the individuals of the state, like members of a well governed family, are bound to conform their general behavior to the rules of propriety, good neighborhood, and good manners, and to be decent, industrious and inoffensive, in their respective stations."

While he thus described the public police, there was nothing in existence, in his day, which could be called a police force, or a system of police administration.

Bentham, who wrote some forty years later than Blackstone, describes the police system as "a system of protection, either for the prevention of crime or of calamities."

The establishment of a regularly organized police force, responsible to and under control of the executive government of London, took place in 1830 when the metropolitan police force, which came into existence under a bill introduced in Parliament by Sir Robert Peel, superseded the old night-watch, which had been the only protection up to that time.

Committees of the House of Commons, from the year 1772 up to 1822, had almost annually made reports and produced facts, showing the necessity of a regular police establishment, but without being able to interest Parliament, or the public, in the subject.

About the close of the 18th century, Dr. Colquhoun, a magistrate, in a treatise "On the Police of the Metropolis," succeeded in directing the attention of the people to the subject. He pointed out that police work must be considered as a new science, the properties of which, consist not in judicial powers, which lead to punishment, nor in the

prevention and detection of crimes alone, but to those other conveniences, which relate to internal regulations of the well ordering and comfort of civil society.

This discussion led to the adoption, in Europe, as well as in this country, of the doctrine that in addition to the prevention or repression of crime, the duties of a police force, at least in charge of cities, include the suppression of noise and disorder, the regulation of locomotion and traffic, the correction of indecency and the prevention of a numerous class of nuisances and impositions, which can only be restrained by cognizance being taken of them at the instant. Over such subjects as these, it being obviously for the public good that police shall have summary control, the same has been granted, in part by legislation and in part by custom, and thus has grown up, what is called in our day a police system.

In no other department or province of the government does the representative of the law stand in such varied and constantly changing relations to the citizen, as in the police department. Public opinion, crystalizing through the press constantly into a sort of unwritten law, is daily adding to the number and character of his duties. He is expected to detect the burglar or robber, the sneak thief or the highwayman, to pursue him through dark alleys, up unlighted stairways, capture him, lock him up, and be present the next morning with a well prepared case in which he is at the same time, prosecuting attorney and witness for the state, to secure the holding of the criminal over to the proper court. In addition to this duty, he is expected to prevent the street from being clogged with vehicles, to prevent noisy and disorderly assemblies on the side-walks, to pilot the old and infirm, as well as the young and thoughtless, through the crowded thoroughfares or over the dangerous crossings; to note and prevent danger from fire, or if a fire breaks out, to protect the firemen in the execution of their duty; to take note of, and report all defects in the side-walk on his beat, see that all doors of business houses

are locked, that garbage and ashes are not permitted to accumulate in the alleys, that the requirements of the health department, with regard to sewers and water pipes and smoky chimneys, are enforced; that dogs are duly registered and properly tagged and fully taxed; that saloons and places of amusement keep within the requirements of the ordinances; that cruel and stupid drivers shall be prevented from abusing animals; that electric wires are not strung in places where they may become dangerous to life; that runaway horses shall be caught at the risk of his own life and limb; that suspicious persons shall be noted and followed and warned; that vagrants shall be detected, arrested and punished; and last, but not least, that the abuse and misrepresentation of newspaper reporters, thieves, drunken men and dissolute women shall be borne with a meekness to which that of Moses was not a circumstance. He is expected to know the law thoroughly, to be able to apply it to all cases coming under his notice with unerring accuracy, under the penalty of being held for damages if he misinterprets its provisions, to say nothing of being "roasted" by the papers, as an idiot or a brute. He is expected, like Charity, to "believe all things, hope all things and endure all things," and in no case, to "fail," like prophesy, or cease, like "tongues." He is expected to be endowed, in a large degree, with omniscience, omnipresence and omnific energy. In the discharge of his duty, he must, as a rule, act alone, and on his own responsibility. He deals with a class of persons, who, in most cases, are enemies of the law of which he is the representative, and who are ever ready, with false witnesses, to dispute his statements in court, and thwart, by every possible means, his attempt to bring guilty parties to justice.

In the discharge of his duty, he is subject to all the temptations which vice and crime can invent and apply with their known shrewdness, to effect his downfall. Chief among these are the allurements held out to him by the saloon-keeper, the courtesan, the dishonest pawn-broker, the

shrewd gambler and the cunning thief. He soon learns that "silence is golden," while speech is by no means "silvern."

If he resists all temptations which beset him, he has, in most cases, under our admirable system of city government, the prize set before him, of being abused and hounded and misrepresented, and of being turned out to graze, the moment there is a change of administration, either in the ward in which he resides, or in the city government, of which he forms a part.

Pardon this digression. To return to the consideration of what has been accomplished in organization of police forces and improvement of methods, your committee would state that much has been accomplished in almost every direction, within the latter half of the present century. The chain-gangs, the lash, the pillory, the indiscriminate herding together of the sexes, are things of the past. The neglect of injured, infirm or insane people, on the part of police officers, no longer exists. Distribution of the police force in our cities, into squads and companies and divisions, with proper superintendent officers over each, responsible to central authority, has been productive of better discipline and has resulted in vastly improved service.

The introduction of patrol boxes and wagons has turned away great reproach from the force, which was inseparable from the old method of taking prisoners to stations along the streets through the midst of jeering crowds. The adoption of an ambulance system and the relief corps, one of the improvements of later years, has added materially not only to the efficiency of the force but to its popularity. The abolition of the antiquated methods of detective service and espionage, which offered premiums to perjury and falsehood, has removed much of the ill-feeling which existed in the days when these guardians of the peace were called "peelers" and "bobbies," in derision of the author of the English statute, and is fast doing away with the term "coppers," in our own country.



The introduction of the police telegraph and telephone system, has much to do with the improvement of the service, and has not only brought the police departments of our various cities into more harmonious relations with the public, but has inspired the latter with a degree of interest and confidence in the force to which the foregoing years were strangers.

In short, the police service, considered apart from the care and management of criminals and our prison service, has fully kept pace in progress toward better things, with the latter.

Second, let us consider, for a few moments, some of the obstacles and hindrances, which present themselves to the improvement of the service. We offer no apology, at this point, for reproducing, from the able paper of last year, which was presented to this Congress, at its Pittsburgh meeting, the following statements:

“The first and greatest impediment to efficient police management, is the constant presence of the interests of politicians, office-holders and political parties. They determine policy, direct or control management, corrupt the force and utilize it to personal, political or corrupt pecuniary ends.”

The experience of every observer must confirm the truth of the foregoing declaration. No police force can meet the duties required of it, or answer the expectation of the public, where the members of it are controlled, either in their appointment or in the discharge of their duties, by political considerations. Where the alderman is encouraged in demanding that so many appointees shall be taken from his ward and selected by himself, it is useless to expect from these appointees, faithful service and loyalty to the head of the Department, unless “the power behind the throne,” to whom they recognize themselves as indebted for their appointment and continuance on the force, is in harmony, politically, with their superiors. The trouble which this state of things produces, manifests itself in a

thousand ways. Orders are evaded or neglected. Abuses are ignored or winked at; crimes are permitted to go unpunished. Numberless wrongs and outrages of a more petty character go unreported, all because, between the head of the department and the officer, stands the politician with his open promise or secret assurance that neglect of duty will be condoned, thus paralyzing the operations of the force in the most effective manner.

No system of appointments or of management which recognizes the interests of politicians, will fail to produce, to a greater or less degree, an unworthy, incompetent, unreliable force.

Another great obstacle to effective police work, is the lack of such systematic classification of the prisons or places of detention as will prevent association with each other, of persons detained for trial, and will permit the complete separation of all misdemeanants from felons and all first offending criminals from adult habituals.

In many of our cities, there is a woeful lack of care in these matters. To name them ought to be sufficient to arouse public interest to a degree which will demand the correction of these evils, for evils they certainly are.

The third obstacle to the success of police work, exists in the system which permits examining magistrates or police justices, as they are called in many cities, to receive fees for taking bail, of arrested prisoners, and for continuance of their cases in court. The temptation to be on confidential terms with the professional bailors, in order that his fee may be easily and promptly secured, is sufficient to overcome the scruples of many a magistrate, and lead him into practices which soon render his decisions a travesty upon justice and common sense. If he were restrained rigidly to a salary, and permitted to receive no other compensation, it would not be long until the state of things which render police courts and police stations, a stench in the nostrils of many communities, would cease to exist.

Too much stress cannot be laid on the condemnation which should be placed on the receiving of bonds by police magistrates, without careful inquiry into the reliability of the bondsmen. The professional bailor is frequently a "straw bailor," and many a criminal goes free through lack of scrutiny, on the part of the magistrate, into the character of the bail he receives. The criminal, arrested by the officer, who has a good case against him, finds himself at liberty within a few hours. He does not appear when the case is called. The officer is too busy to follow up the matter. The other officers of the law, driven from day to day by a multitude of cases, have no time to attend to it. The magistrate whose cupidity has permitted the outrage, is suffered to go scot free, to repeat the same, day after day, and day after day, until the public becomes habituated to it. The result is that the honest officer soon becomes discouraged, and concludes that it is of no use to enforce the law, and falls himself, at last, into the same slipshod way of doing business.

The presence of an officer, appointed for that purpose, whose duty it should be to simply look after such cases, at each police court, would result in vast benefit to the public and great improvement of the service.

But all these reforms will be accomplished in time, if our police and penal systems can be taken out of the hands of politicians, and run solely and exclusively upon their own merits. Whether it will take a century to arouse our people to the necessity of such action as will produce this result, is a question. But whether it takes a longer or a shorter time, it is the duty of associations like this, to din it into the ears of the public and trust to Providence for the result.

Third, What is the outlook for the future? "Watchmen, what of the night," was the question asked long years ago. We repeat it now, in the belief that discussions of these questions will bring the light and the morning. Let us not be discouraged because public opinion may seem to

crystalize too slowly. Remember that the mills of the gods grind *surely*, although the slowness with which they proceed, is very aggravating. When we examine the figures, which exhibit the wonderful increase of population in the cities of this country, during the last decade, we are amazed, if not appalled. We can easily see that at the present rate of increase, the opening years of the coming century will witness the majority of our people dwelling in cities. We can also easily see that growing out of the conditions which must result from such aggregations of humanity, will come problems that will tax the wisdom of our wisest statesmen; problems upon the proper solutions of which, will depend the very existence of the Republic, and the continuance of our free institutions. History and experience teach us that, while great power for good lies in cities, it is also in cities that the most destructive forces of the state are generated and developed.

Therefore, no problems of municipal government can be more important in years to come, than those which are connected intimately with the organization and direction of the police systems of our great cities.

This being the case, it behooves patriotic Americans, to look to it, at once, that our police departments are not made the tools of designing politicians, nor managed in the interests of those whose action is governed by solely mercenary motives. With the additional duties laid upon them almost daily, duties which have to do with the dearest concerns of business and social and family life, no effort should be spared to bring about the day when the police forces of our cities, shall be composed of the very best material, physically, intellectually and morally, that the cities can produce. Drunkards and incompetents must not be permitted to remain in the ranks, because of their political "pull."

When this is accomplished, good men will seek service. They will give their best thought to the study of their duties, and their lives to the profession of their pride.

When ignorance and incompetence have been supplanted by intelligence, pride and manliness, these great civil armies, which much influence for weal or woe, the destinies of our great cities, and through them, the welfare of our country, will be recognized as among the best and surest safeguards of civil institutions and American liberty.

Mr. Z. R. BROCKWAY: Since nobody takes the time, I wish to express my gratification at the closer marriage of police and prisons. There has been a want of deeper sympathy and closer co-operation. Quite a revolution has taken place. The police do not believe in the reformation of prisoners. They think "once a thief always a thief." When the police come to better understand the modern management of prisons for reformatory purposes and know more of the effective work they accomplish—more of their methods and results—they come into closer sympathy with them. It was for this purpose I rise to my feet. In my opinion there will be no other than reformatory prisons in a few years. If we make the police familiar with what we are doing, we can rely on them for the best possible service.

Judge WAYLAND: I want to call attention to the one feature which tends to deprive the police of their proper efficiency. I find that they are never allowed to carry revolvers and that it is a very serious offense for a man to use a club except when necessary. In London it is a very serious offense for a man to resist a police officer and almost as serious for a man to refuse when called upon. If he resists he is heavily fined. Unless there is a closer sympathy between the magistrate and the police officer we shall fall short of the efficient work we have to do.

Mr. J. G. THORPE: It perhaps won't be out of place to say that we in Boston have escaped most of these difficulties. The police force is not under the control of the local authorities in any sense. A State Commission has the entire control of the police system. An officer is absolutely independent of local influences of any city politician.

He can snap his fingers in the face of the politician and go ahead and do his duty. Be wise, and secure the law that shall place your police system under civil service.

Hou. L. L. BARBOUR: There is an important feature that has not been touched upon—that is the covered wagon. I could give many instances which go to show its importance. People are deprived of pride and self respect unnecessarily. There is a certain mystery that should surround every man and woman from the moment of arrest until their trial. The law supposes a man to be innocent until he is tried. I believe much injustice is done by the use of the covered wagon.

Mr. D. W. GLASS, of Baltimore, related an instance which occurred lately. A child, who was in a group, had been arrested in Northeast Baltimore, charged with calling a policeman a "cop." The boy was a little fellow and nervous. Mr. Glass said the policeman had told him that he had not heard the boy call out "cop," but was caught in the crowd, and the policeman had intended to make an example of the boy. He was taken to the Northeastern Station house, Mr. Glass being denied a ride in the patrol wagon with him. He followed the child, however, and found that he had been locked up. The gentleman secured his release by depositing \$2.45 and the next morning the child was fined, without having committed a legal offense.

MAJOR McLAUGHRY: Let me say to the gentleman that the one way to discharge his duty as a citizen was to bring charges against that officer. And if it had occurred in Chicago, he would have been invited to appear before the trial board; the evidence would have been heard and he would have received his dismissal as soon as the order could have been written.

MR. WASHBURN: A word in behalf of the police officer: I was riding on the 14th St. car with my wife. A boy came in selling newspapers, closely followed by a policeman, who stopping the car undertook to drag him out. He was strongly remonstrated with, but said, "I know this boy a

great deal better than you do." If he should stay in this car a half hour he would rob every lady in it. As a rule, I do believe the officers of our cities want to do just what is right.

G. W. SMITH: This is my first acquaintance with this work. It seems to me that this work is certainly a very important one as an educational matter to the people. The people throughout the country should know some of the facts stated here. It is only by education of the masses of the people that we can hope to accomplish anything.

MR. WASHBURN: Looking back over the years the progress is slow but encouraging. If even a synopsis could have been read by the people instead of by the members only listening to these reports, there is no doubt but we would have been much farther ahead. The people are getting posted, but it takes time. I would suggest that an able committee be appointed to suggest what is the best means by which these facts can be brought before the people.

PRESIDENT HAYES: I will appoint on this committee Hon. George G. Washburn, of Ohio, Rev. James H. Baird, of Pennsylvania, and Mr. G. W. Smith, of New York.

DR. BAIRD: It does seem to me that if some action was taken it would have very considerable effect upon those who have to do with the making of our police laws generally.

G. W. SMITH: I will tell you the reason that I have arisen to talk on this subject. I have implicit faith in man, the question is with me, what can I do for my fellow men.

MR. SPALDING: It seems to me that if the people could be educated to a right conception of what a police officer is—we have come to look upon the average policeman as a sort of a moral scavenger for us. We do not look up to him—we do not take into consideration that he puts his life in danger—we do not appreciate what he does for us. He is isolated almost entirely from all the rest of our peo-

ple. Let him feel that he is not our scavenger, but our servant, and he will come to appreciate the sentiment in an entirely different way from what he feels now. There is a complete separation between the policeman and the community—there ought to be a closer relation existing. He ought to feel that he has the moral support of the community. He will look to the community for his standard—not to the worst elements of it. When that conquest is made you will find the great mass standing by the policeman, and when they are brought more closely together, the service will be of a better character.

GEN. BRINKERHOFF: The best thing to do is to have the governing power outside of the city. Place yourself under civil service rules as they do in Boston and Cincinnati.

MR. J. J. LYTLE: Why not a place a little more convenient—come to Philadelphia.

Congress adjourned until 3 P. M.



## TUESDAY AFTERNOON.

Congress called to order at 3 P. M. with President HAYES in the chair.

The standing committee on Prison Discipline made their report by Capt. JAMES MASSIE, of Toronto, Canada. He spoke as follows:

I am a Scotchman by birth and if I should say anything at variance with your views, you will understand that I am expressing just my own opinion and convictions with reference to what I consider my duty. Now, what is prison discipline? What effect has discipline upon the institutions—by the institutions I mean those who are occupants of them. I grant that it is a very difficult thing to get an efficient warden. If a man hires himself to a state or a province for a consideration to manage an institution in the interests of society, it becomes his duty to give himself to that institution—whatever he is he should give to his work. If he fails to exercise his personality upon the institution he fails entirely in the management of it. If he fails to stamp the institution with his own characteristics, he fails to give evidence that he has any strength of character to govern any institution. He should not only stamp his own characteristics upon the inmates, but should stamp the peculiarities of his character upon the staff associated with him in the institution. Prison discipline is an all important factor in the reclamation of the character of men who come into custody. If an officer in charge does not keep his associates and the prisoners up to strict discipline he lamentably fails in the management of his institution. If he does not raise his men by his treatment he descends to their plane or takes them perhaps still lower. Inside Canada prisons we strive to enforce strict discipline.

We compel the men to be obedient and subservient to the rules. We ask them kindly first and then we *see* that they do follow them. In that manner we are able to implant in our men entirely different aims in life from what they had. No reformatory progress can be made in young men unless you bring hands and head into play. Teach them to do it with all their might. I say to them, "I have no idle time, myself," and when I put you to work I do not want you to be a slouch, and I shall not let you be. Men respond to just what influences they are brought under. Men do not respect a tyrant. Rules can be enforced by kindness and firmness. You must keep a man strictly to what you want him to do. In the prison of which I have charge there are seventeen trades taught. He must be a very poor man whom I cannot find something suitable for. He gravitates toward what he is best adapted for.

Now then to come back to the question of enforcing prison discipline. It never does to speak to a prisoner harshly or unkindly. Just say as little as possible and come back when he is calm and you are calm and bring him into harmony. I never punish when I am angry and I never punish a man when he is angry. At one time three of my men conspired that they would not do a certain class of work. They were brought in before me. I did not want to punish them. I said, you will understand my position, my orders are given to me, and my duty is to obey. I am here to see that the rules are carried out. Will you go back to work, or be punished and then go back? The ring-leader was defiant and very angry. He clinched with my men and was put in a cell and closely confined. He was punished and punished again for assaulting my officer. I never allow an officer to strike a prisoner. I never inflict corporal punishment until I cannot possibly help it. Confine a man in a dark cell and he comes out emaciated and yet he is not subdued. I find corporal punishment necessary in extreme cases and I do

not hesitate to use it. Briefly that is my system of enforcing prison discipline. The whole principle of prison reform must be founded on Christ—following His example and teachings.

We have a great variety of men to deal with—Italians, French, German, English and Scotch and a few colored men. You must study the man or the boy before you inflict punishment.

Colonel BEASLEY: I desire to know from Mr. Massie whether he has found the colored prisoner more trouble than the white, and if so, what method does he use to make him more tractable?

Mr. MASSIE: Taken as a whole, we do not find the negroes any more difficult to deal with than others. They are less difficult than some white men. There are some it is no use trying to subdue. They simply cannot be subdued.

Captain POPE: Such men as Mr. Massie may use physical treatment, but I know that with the average man that will use it, it will degrade the prisoner.

Mr. MASSIE: I have never in my experience seen that the prisoner is degraded. I never let him leave me under the impression that he has been in any way degraded. It is all in the manner of doing it, my friends.

Mr. WOLFER: I have held the position of warden, and have inflicted punishment by different methods—strap, solitary confinement, etc. I do not know but what possibly there might be some benefit in some particular cases in the use of the strap, but as a whole I do not believe in it. I believe that the knowledge of the fact that it is in use in a state has a demoralizing effect.

General BRINKERHOFF: A man may give in and acknowledge his wrong, but it would only be temporary.

Colonel BEASLEY: I would like to ask whether the grade of punishment should be different for persons who are intelligent and refined?

Mr. WOLFER: Vastly different. Take a man who is below the average of intelligence, of course to talk with

him or treat with him would be useless. In fact a prison officer is not fit to administer punishment who cannot see pretty nearly at a glance what kind of treatment a man needs to do him the most good. I do not believe in corporal punishment for even the lowest. I have maintained better discipline without it than with it. Where I have used it at all, I have put it off and used it with very great caution. But my experience is, and I have made up my mind finally, and for all time to come that it is not the proper thing to do.

Rev. L. F. ZINKHAN: I understand the secret of Mr. Massie's success is that he gives the individual treatment in all aggravated cases that seem to deserve punishment. In the Maryland Penitentiary the warden tries to pursue the same course, and whenever it is possible never to inflict it. But yet he finds once in a great while he must inflict corporal punishment, and it does good. Some time since he had a notorious character who had served several terms. He is a bully. He was brought before the warden, who said, "I will not punish you to-day, but if ever again you are brought up I will punish you severely." In about two weeks he almost produced a riot in the workshop. When brought in he had a knife and seemed ready to cut at the officer, who saw that it was not the time for punishment, and ordered him taken to the cell. Afterwards brought him out and said I was not ready then but I am now, and he inflicted with the strap corporal punishment. In two or three days he sent for the man and said I punished you the other day, but now I am going to punish you again for what you did in the office, and he punished him again. The moment the punishment had ceased, he said, Warden, if you had done that months ago, you would have had no more trouble with me, but I thought you were afraid to punish me and that I could bully the boys as much as I liked.

Mr. W. M. F. ROUND: A man who can be trusted to inflict any kind of punishment can be trusted to know

what kind to give. The solution of this question is to find the kind of a warden that can be trusted fully, and let him do what he thinks best.

Col. H. D. DEMENT: I have fourteen hundred men and so much do I believe in the power of kindness that I cannot submit to the statement here that the cat o' nine tails is of service. I have never had a case yet that I did not succeed in without corporal punishment. I am in the cell house at night, they know that I am looking after their welfare. There is not a man in the Joliet Prison but that after he has spent a night and a day in that solitary and his passion has had time to cool, but when I say to him, will you behave if I let you out, and don't you know you were wrong in doing what you did; he will say "I am sorry, I won't do that again." Some time ago a deputy came to me and said there was a very peculiar case in the solitary that he would like me to go and see. The man was sitting in a chair asphyxiated, had been found suspended in his cell. Ammonia had been tried, but he would not come to. I went to that man. I had done him favors. I asked the officers to go out and leave me alone with him. I said, I am your friend, you feel your case is a hopeless one. I may be able to do something for you hereafter. His eyelids worked and he said, "don't punish me anymore." I brought him around all right by a little kindness.

In regard to colored men, they are not so easily moved by kind treatment. Some of them occasionally do not work, but still I have always been able to manage them.

Col. BEASLEY: Some years ago I had to represent my state in Detroit. The Governor of North Carolina had sent me for information. We wanted to know whether you good people at the north in the treatment of your prisoners believed in corporal punishment. And whether your law north of Mason & Dixon's line permitted you to shoot them down. I asked the question and it was stated to me that you shoot to cripple and not to kill. Now we would

like to take lessons of some of your Joliet marksmen, for when our prisoners attempt to escape we shoot at them even if it hits on the leg or arm or anywhere else. Now after all this talk about whipping if you want prison discipline under certain circumstances discretion must be used. A man raised in filth cannot be treated as a man who has been raised by a mother.

Judge FOLLETT: I wish to give testimony of one prison, whether or not we can accomplish all this without humming bird, strap, etc. With women particularly God's sunlight subdues the heart. Now I do think we have had this afternoon a majority of opinions and experience that every man that we have come in contact with, can be controlled and subdued and made to obey the rules by other modes of treatment, and now I think our time is about up. The majority of opinion and experience is that men can be controlled without the lash.

Gen. BRINKERHOFF: The time is passing and we have an important committee to hear. We must pursue the regular program.

Capt. WRIGHT: I have been twenty-four years a warden, and we have no lash, no cat o' nine tails—no man has ever been struck by a lash in my prison. We do sometimes put a man into a straight jacket.

Mr. PATTERSON: I move that we hear Mr. Round's report.

REPORT OF COMMITTEE ON DISCHARGED PRISONERS; BY  
MR. W. M. F. ROUND, OF NEW YORK CITY.

We have been working in New York to clean out the professional discharged prisoner—those who beg, lecture or make a living by making this an argument. We have also worked hard among the discharged prisoners, who have under the old method of conducting our prisons never learned and have no trades. I am not prepared to make

a report as yet, I have asked the representatives of our committee who are present to have something to say, and Mr. Zinkhan has agreed to do so.

SKETCH OF THE MARYLAND PRISONERS' AID ASSOCIATION ;  
BY REV. LOUIS F. ZINKHAN, GENERAL AGENT.

The Maryland Prisoners' Aid Association was organized on March 23rd, 1869, and incorporated in 1873. As its name indicates, its plan is "to aid prisoners"; or as Article II of the Constitution puts it: "Its object shall be to promote the temporal and spiritual welfare of those who are in prisons or lately discharged therefrom."

With a modest revenue and less machinery, it has, in the city and state, been an efficient and effective factor in lessening the burdens and increasing the safety of the people by diminishing crime; with no desire of interfering with the management of the penal and reformatory institutions and alms-houses, it has yet quietly taken notice of existing abuses and affected reforms; with indomitable energy it has given patient and earnest consideration to the reformation of criminals, and by direct, personal touch and influence, as well as by practical and material assistance it has succeeded in building many a new life upon a ruined life.

Its existence and work have been a standing protest against the contemptible heresy that there must prevail in every community a given amount of pauperism and crime.

From the beginning, the work of the association has been indorsed by the judges of the criminal courts and prison officials, and by the scope and influence of its work it has now achieved an eminent rank among the philanthropic societies of the state.

The association is supported entirely by voluntary contributions. No appropriations have ever been asked, either from the city or state. Since its organization in 1869, it has collected and expended in its general work, the sum of \$67,583.00.

Long before the organization of the association, many of its most ardent supporters were active in doing missionary work in our prisons. As early as 1859 they attended to the preaching and Sunday school services in the Maryland Penitentiary. From year to year they became more deeply interested in reclaiming convicts, until finally in 1869, their desires and plans took practical shape, more especially under the magnetic leadership of Mr. G. S. Griffith, in the organization of the Maryland Prisoners' Aid Association. Mr. Griffith was elected its first president, and through all the subsequent years it has had the benefit of his wise direction, untiring energy and liberal support.

As Maryland has never had a State Board of Charities Mr. Griffith has, as president of the association, made annual visits of inspection to all the county jails and almshouses within the state. Whenever necessity demanded he has always freely expressed his opinions and recommendations in person and through the press in regard to improvements, either in construction of buildings, sanitary condition, or discipline, as a result of which many new jails and almshouses have been erected and important reforms inaugurated. The association has also held itself responsible in a large measure for all the religious services held in the county institutions, and wherever necessary, Mr. Griffith has organized local committees of both clergymen and laymen to attend regularly to the moral and spiritual interests of the prisoners and paupers.

The Prisoners' Aid Association has also inaugurated movements growing out of its work which have resulted in providing reforms and institutions that have been of inestimable benefit to the community. Years ago attention was constantly called to the fact that there was inadequate provision for neglected and incorrigible children. The society made provision for these as far as it was able to do so, but as this work increased it advocated and saw established the Henry Watson Children's Aid Society to care for neglected children. Since its establishment this Children's



Aid Society has placed into good Christian homes more than 2200 children.

In 1878 the Prisoners' Aid Association organized or put on a permanent footing the Society for the Protection of Children from Cruelty and Immorality.

Then again, the association found a growing evil in the number of incorrigible and vagrant colored boys and girls, who, because there was no other place, were being sent to the jails, and there associated with hardened criminals. This evil was abated by the establishment of the House of Reformation for Colored Boys at Cheltenham, and the Industrial Home for Colored Girls at Melvale; thus far the only reformatory institutions distinctively for colored children in the United States.

Then, again, the association looked for some remedy for the large number of commitments annually to the Baltimore city jail. It secured legislation which resulted in the inauguration of what is known as the "Reformed Magistrate System" which, in the city of Baltimore did away with the fee system and provided for the appointment of a police magistrate, on a fixed salary, for each of the seven police stations. Under this system more competent magistrates were secured who investigated cases apart from any pecuniary consideration, the immediate and permanent result being a decrease of fully thirty-five per cent. in the average annual commitments to the city jail, thus bringing about not only a large financial saving to the city, but also preventing many persons from being put in prison unjustly.

Then again, when the tramp nuisance became formidable it advocated and saw established the Maryland House of Correction, which has aided the state wonderfully in solving the tramp problem.

Meanwhile, the Prisoners' Aid Association has adhered faithfully to the groundwork of all its efforts, namely: to preach the gospel of hope, and practice the gospel of help to the prisoner. In the religious work it had its authority and commission from the prisons themselves

who sought its assistance because the state and municipal authorities had never appointed chaplains or moral instructors for any of the prisons. Briefly, the association has had a full and competent force of co-laborers in the religious work. From the beginning it has provided faithfully for every religious service in the Maryland Penitentiary, the City Jail and the House of Correction. The appointments have been regularly filled every Sunday afternoon in both the male and female departments, and Sunday schools have been conducted every Sunday morning. This work has been under the personal direction of the president and general agent of the association, the latter himself a clergyman. They have always had the willing and hearty co-operation of the clergymen of every denomination; of the Women's Christian Temperance Union and the ladies of the Bay View Mission; of the Society of St. Vincent de Paul; of the Local Preachers' Association, of a large force of devoted Sunday school teachers; of the Rev. E. D. Boone of the Roman Catholic Church and the Rev. George A. Leakin of the Protestant Episcopal Church, both especially appointed for work in the prisons.

We are also constantly aided in the work by liberal contributions in Bibles for the prisoners by the Maryland Bible Society, and countless magazines, books, pamphlets and papers are donated by the public libraries, reading rooms and individuals interested in the work.

The general agent supplements all this work by giving all his time and attention during every day of the week to the persons in prison and to those coming out. He investigates many cases of those awaiting trial, especially juvenile offenders; writes letters, supplies stationery, ministers to the sick; provides school books and slates to the illiterate; cares for dependent children; attends trials in the criminal court; meets those who are discharged from prison and provides for them as circumstances require. The sick or insane are placed in hospitals; some are furnished with transportation to their homes, or where they may secure

work; some are provided with clothing, shoes, shelter and provisions; others with tools and employment. Discharged prisoners are visited from time to time; their sick or impoverished families are aided in various ways. The agent is constantly at work trying to do the wisest and best thing in each case, and in a number of cases he finds it best to do nothing. The one purpose is to put those who are dependent in a position of self support by honest industry, and on the other hand to choke off promptly all those who will not be benefited. The association in many cases asks of discharged prisoners a return of assistance rendered. Not a month passes but what such returns are made, and some even who have thoroughly reformed, have in small amounts contributed to the funds of the association.

The work of the association cannot be calculated in figures, but as far as these show it, we give them, as follows:

Since its organization in 1869, the association has furnished aid thus:

Furnished clothing, shoes, tools and provisions to . . .	7,078
Sent home, or where they could secure employment . . .	3,207
Gave pecuniary aid to . . . . .	6,037
Secured employment for . . . . .	2,349
Furnished lodgings to . . . . .	1,185
"    meals to . . . . .	2,457
During the fiscal year, ending March 31st, 1892, we have	
sent home or where they could secure work . . . . .	198
Gave clothing, shoes, tools and provisions to . . . . .	409
Secured employment for . . . . .	128
Gave pecuniary aid to . . . . .	86
Furnished lodgings to . . . . .	137
Furnished meals to . . . . .	414

The association is working on a solid and permanent basis. The principles of its reformatory movements are well known and heartily approved. The beneficial work done in Maryland has resulted in a marked diminution of crime and in the moral improvement of the criminal and pauper classes of the state.

## CONCLUSIONS.

1. We recognize that society owes something to the criminal and cannot afford to be wholly vindictive.

2. Conditions are such that a prisoners' aid association is an imperative necessity in every state.

3. That to afford the wisest relief to discharged prisoners the representatives of a prisoners' aid association must come in touch with them in prison and know something of the men and women they are dealing with.

4. The association should, as far as possible, eliminate the temptations and discouragements which are apt to greet the discharged prisoner and encourage and help him in the best way possible and promptly.

5. It must do nothing that will pauperize the discharged prisoner, and by all means strive to secure him honest and remunerative employment.

Under such conditions a prisoners' aid association must and will accomplish great and enduring good.

Mr. SPALDING: Mr. President, as one of the committee on discharged prisoners in Boston, I would say we expended last year about \$1400 for transportation, for board, for clothing and in various ways as it was thought best—and with varying success. We have many cases in which men have been helped back into self support.

Mr. LYTLE: A large part of our work has been to visit the prisoners and help them to be men when they come out. When they are in prison they make honest resolutions that they will not go back again—they promise to never touch another drop of liquor, but break these resolutions when they get out and meet their old associates. I make a point always of encouraging men to go immediately to their homes when discharged. I go to the gate after them and take them to the cars. One man had several hundred dollars that he had saved. His friends met him at the gate, but he said he did not want to go with them and I took him to the cars and he was saved. Men are frequently met at the gate and taken off and get drunk

and then they are soon back again. A resolution made in one's own strength is a rope of sand. Only the grace of God can save a man. I try to point them to Him alone who can save from sin. It is our aim to endeavor to instill Christian principles in the men. We also furnish them with tools to work. If a man comes to me and says I can get work if I had the tools, I have him bring me the statement from the employer, and then they are given to him.

Mrs. D'ARCAMBAL: Our Michigan Home of Industry for discharged prisoners is doing a good work. We have received eighty-eight discharged men within the past year. Sixty per cent. of these men are doing well. I do not say all are converted men, but we feel sure they are on the right road, and are living honest industrious lives.

Our Home can accommodate thirty to fifty men. The building is built of brick, perfectly plain. Our association believed that a plain comfortable home was what was needed for this class of men. Our dormitory is filled with single cots, good clean bedding, closet and baths with plenty of light and air. Every bed has its spread of blue and white plaid.

Our reception room is eighteen by forty-two feet, serves as general sitting room, reading room and chapel in which we hold services twice every week.

We have a well stocked library of general literature, which comprises history, science, art and religion. On Thursday evenings a lecture is delivered on physiology. Other evenings are made pleasant by parlor games of various kinds. A large dining room, present seating capacity thirty-six. Kitchen with china closet and pantry, office and living room on same floor. Basement has large workshop well fitted up with all the appliances for chair-caning and broom making; store room, stock room, bath room and furnace room, where the men have the privilege of smoking.

We believe in the salutary effects of clean decent clothes and good wholesome food. If a man comes to us who

belongs in another state or county we keep them until they have had a chance to do better, and then send them to their friends. Have sent two to foreign countries, where they belonged.

Seven of our young men have married good wives and have respectable comfortable homes. I keep up a regular correspondence with many of our men and find it is one of the greatest helps to a man. We often lend small sums of money, lend them tools and have lent household articles to start our young people until they could earn their own. A man must earn his board and what he earns over is paid him in money Monday night. We do not receive tramps. Some men do not want to reform, do not want to get out of the hole. These we let go, for if a man won't help "pull up" with all the Home does for him, he had better travel on to some other quarter.

We find situations for at least sixty per cent. and they give good satisfaction. Many of our men have been promoted once, and some twice.

We have a board of directors, consisting of the best business men in the city of Detroit, with C. A. Newcomb as president; also a board of lady managers. This comprises many of our most influential women.

The association is incorporated and we own our building and grounds worth ten thousand dollars.

This is a private charity that receives most kindly assistance from our good citizens.

Our "Home of Industry" claims, by its past record and charter privileges, the grandest charity of all charities—

"To forgive and to forget,  
To build up broken humanity,  
And never set at naught a fallen brother."

REPORT ON "THE WORK OF MATERIAL AID OF THE PRISONERS' AID ASSOCIATION OF CANADA FOR THE YEAR ENDING SEPTEMBER 30TH, 1892."

Total number discharged from the city prisons during the year, 1,938. The number assisted by the association, 506. Employment found for 128. Provisions given to 75 families. Rent paid for 15. Articles of clothing given, 183. Assisted with tools and other material, 36. Railway fares paid to homes or to where employment could be obtained, 51. Articles of furniture given, 81. Loans to discharged prisoners, \$166.83. Repaid during year, \$114.92.

The agent and Bible woman has made 227 visits to the prisons and 520 visits outside in the interests of the prisoners and their families.

Signed,

L. F. ZINKHAN,  
 J. C. TAYLOR,  
 JOHN J. LYTLE,  
 W. F. SPALDING,  
 MRS. A. L. D'ARCAMBAL.

General CHAMBERLAIN: It is the policy of the state of Connecticut to send her discharged prisoners out without a brand to mark them. We also give them tools, and try to get them places. We keep them separated as much as possible, and under this treatment fully sixty-four per cent. of our men never come back again. They never come under the law again. I often in my eighteen years of experience meet men who have been discharged from prison and have learned their trade there. I know some who are worth more money than I, and hold positions of trust and credit. In my opinion no man was ever made better by flogging. I seldom find a man so low but that there is a soft spot in his heart when you speak to him about his mother. There are various ways of curtailing a prisoner's privileges—in one case the threat to stop the visits of his poor old mother to him, brought a prisoner to terms. Most men are in prison because they lack will power.

Mr. LYTLE: If wardens need aid, chaplains need aid also. The pulpit is too far off from the prisoner. We feel we do the best we can and yet it fails to reach. The question is how to get down to those prisoners—how to give them the spiritual motive, which after all is the strongest motive.

Mr. MASSIE: I would just like to answer a question. If the first officer of the institution does not attend religious services, he fails to do his duty. We have on the Sunday morning service of the Mass at half-past eight and Protestant service at 3 P. M. We have also a number of teachers who come regularly to teach the prisoners.

#### REPORT OF COMMITTEE.

*To the Wardens' Association:* Your committee to which was referred the resolutions, bearing upon the question of continuance of this association as a separate organization, having for its object the establishment of the Bertillon system of identification of criminals and the collection of statistics, have had the same under consideration and beg leave to report the following resolutions:

1. That By Law No. 1 of this association be and the same is hereby repealed.
2. That the Wardens' Association be continued under its present organization as a section of the National Prison Association, and that at each annual meeting of said National Prison Association at least one day be set apart to said Wardens' Association exclusively for the discussion of questions pertaining to the practical management of prisons, reformatories and kindred institutions.
3. That the present officers of the Wardens' Association be continued for the coming year.

Respectfully submitted,

MARK L. CRAWFORD,  
WM. HILL,  
E. C. McMILLAN,  
JAMES MASSIE,  
R. W. McCLAUGHRY.

Congress adjourned until 8 P. M.



## EVENING SESSION.

Congress called to order at 8 P. M. President HAYES in the chair, at the Friends' Meeting House.

Dr. A. JACOBI of New York made an address on "Brain, Crime and Capital Punishment."

### DR. JACOBI'S ADDRESS.

*Ladies and Gentlemen:* Every individual or collective labor derives its justification and dignity from its effect. Unless there be a result, that labor is idle and superfluous, and the vital, or intellectual forces bestowed on it has been spent in vain. With the intelligent and thoughtful, the effect is not an accident, but a practical aim that is reached after mature forethought and well-directed exertion. The worthiest practical aim of all is the perfection of mankind. I take it that this association was founded with a view of contributing its share to attaining that end. To accomplish such a grand result no one man, society, or complex of societies, would ever suffice. Not one drug, unless it be a quack medicine advertised to cure every illness of the index, is expected to meet all the exigencies, anomalies and disorders of the human frame. Thus the health of mankind, a still more complex organism than even man, requires the co-operation of many specialists. One of them is your society. But even your society is a conglomerate or combination of powers. To study the pathology and therapeutics of prison existence, theologians, jurists, administrators and medical men have combined. The latter class are accustomed to look at things and creatures from the view of their genesis. They are not, *ought* not to be, satisfied unless they know or at least try to know, the why and wherefrom. Now, the anomaly of social life which is

the subject of your discussions in your annual meetings, has been studied from the most varied aspects. No one aspect, no one man suffices for that purpose. Thus, what you have consented that I should present here is but a contribution to the common store accumulated for a common end.

What little I shall have to say, fragmentary as it will be under the circumstances, I can characterize in a few words. I shall abstain from presenting any and every-thing that is not absolute fact. I shall refer to no literature and quote nothing. I must not discuss theories, hypotheses, metaphysics, sociology or theology. Indeed there are in other fields so much exact and positive knowlege on the morbid conditions which have long ago conquered your synpathies and controlled your energies that I can safely limit myself to their sole consideration.

In behalf of those who are not quite familiar with the main points of the structure and the functions of the brain I here present a few drawings which are destined to refresh the memory. The central nervous system consists of the hemispheres, the cerebellum, the medulla, and the spinal cord. It is composed of two kinds of tissues, the grey and the white. The grey substance is capable of independent action; it requires no external stimulus; it is the seat of the psychical functions and connects the sensitive and motory nerves. Its largest mass is accumulated on the surface of the hemispheres, which are the central organ for all mental, motory, and sensitive processes. The most trifling injuries of that part of the brain interfere with the mind, the movements and the sensations. A slight remnant of a previous inflammation or a temporary congestion, or a small tunor, derange both mental and physical powers. The grey surface of the brain is considerably increased by the formation of so called convolutions; they are elevations of an apparently irregular shape, which are separated from each other by deep grooves. In their irregular modulations, however, there is a great regularity. In the lower animals and in the foetus the convolutions are but few; in

man they are numerous and elaborate. Brain work develops them, as muscle efforts develop muscle. Each one, and part of one, appears to have a special function. Thus there is a local centre for the mobility of the arms, one for the legs, one for the face, one for speech, and many more. All are joined by fibres which serve the purpose of co-ordination and co-operation. All of the brain, as is also the spinal cord, is covered and protected by two layers of membranes, the so called meninges. One of them attaches itself more to the skull, one to the brain. Their changes, mostly of an inflammatory character, are so important, and often by their results even worse than fatal, that the mere name of meningitis shakes many a stout heart and pales many a fair cheek in the listener. My remarks of to-night, refer principally to the large hemispheres and their grey substance.

Every science has its axioms which require no proof. In biology it is an axiom that the human frame is modeled upon a certain "plan." So is every rose between Shiras and the tiny garden plot of your little daughter; so is every leaf of all the countless oaks, or palm-trees, of the globe. There is no rose however, no leaf, that has exactly its equal. So it is with man, with every race of man; it has a certain type, but no two individuals of the same type are identities. In his structure, man comprehends a number of different organs. Every one has two kidneys, a liver, a spleen, five lobes of lungs, a heart: no single one of these organs but has its peculiarities which distinguish it from that of other men. In every teaspoonful of your blood there are two thousand millions of blood cells; in your ten or twelve pounds of blood you possess almost incalculable billions. No two men have the same number. Fifteen hundred millions of men, women and children have each a skull and a brain; not one of them is, or looks, like the other. Here is your second important axiom, viz: that nature while evolving her creatures upon a common plan permits of great latitude within the boundaries of normality.

What now is, with all this variability, the underlying equality—particularly as to the human brain? And which are the requisites that establish its normality?

First, there must have been ample building material in its embryonic and foetal period.

Second, no arrest must have disturbed its development.

Third, it must not have suffered from a disease either before or after birth, which terminated in persistent changes.

Fourth, the composing parts of the brain must have been developed simultaneously and equally, and essential organs, and functions, particularly reasoning power and will, must not be disturbed. Still, these conditions are not fulfilled equally well in all instances; if they were, there would be more uniformity, perhaps tedious uniformity. If, however, they be not complied with—within the great latitude always afforded by nature—we have to deal with a morbid condition of either organs, or functions, or what is most common, both. Again, however, though it be ever so difficult to determine the soundness or unsoundness of functions in a given case, the recognition of health or disease of an organ is liable to be still more arduous. Many gross alterations of the brain have been known since autopsies were made, and some before; but the number of those which have been learned only by late improved methods and instruments is quite large. More accurate knowledge of the anatomy of the brain, and the study of its healthy and diseased structure with high magnifying powers have revealed abnormalities, where formerly no changes were seen at all; and we have to expect that from decade to decade many a mystery will become manifest. Still, no matter how great the number of hitherto unrecognized anomalies will become in future, they will belong to two large classes; either arrests of development, or nutritive disorders such as inflammations and tumors.

To these two latter classes belong the local disturbances which have been found in the brains of criminals, such as a typical, supernumerary, or defective convolutions and ab-

normal grooves between them. By some men of great learning and high standing such as Benedict, and Lombroso, they have been denominated criminal brains. They claim that "the brains of criminals exhibit a deviation from the normal type; and criminals are to be viewed as an anthropological variety of their species, at least among cultured races. The constitutional criminal is a tainted individual, and has the same relation to crime as the epileptic to convulsions. The essential reason of abnormal brain-action is abnormal brain structure. The appreciation of these facts is likely to create a veritable revolution in ethics, psychology and jurisprudence."

I cannot go so far as to believe in a special type of criminal brains. Crime is not an entity, an absolute and well-defined manifestation of the same kind and tendency; it is as manifold as human instincts or tendencies in general. The latter are no less manifold in perversity and depravity, than they are numerous in the average condition of life and health. Indeed, the same changes which have been claimed for crime are those of insanity. Insanity is the field in which crime may grow; alleged crime which landed the perpetrator in the state prison, proclaims itself quite often as insanity, after a brief prison life; crime that was punished by death penalty, has been proven to have been insanity in its physical manifestation on the autopsy table. Such facts go very far to intimate that crime is apt to be insanity plus its dangers to society.

Amongst criminals a great many anomalies have been observed. They refer mostly to the shape and structure of the head and brain, and to the functions of the system of circulation. The head of criminals is more often found brachycephalic than dolichocephalic (more short than long). The prognathic shape is quite frequent. The eyebrows and the underlying arches of the frontal bones are often excessive, the bones in general are thick, the occiput is oblique—symptoms all of which are found in the famous paleontological skull of the Neander valley (and claimed by Lom-

broso as criminal type). In robbers the head has been found large, in thieves small. That much is certain that, in criminals, either large heads, or very small heads have been met with. The anterior part is poorly developed; asymmetry of the head, and disproportion between head and face, and of single parts of the same and of other parts of the body, are numerous. The occiput is often flat, the hard palate narrow, or flattened. The forehead is reclining, wrinkles of the covering soft parts being quite frequent. Hair and beard are often scanty, the nose irregular and inclined to one side, the lips large. The eyelids are in close proximity to the nose, the iris pigmented or defective (color-bona), its color varying in the two eyes, the pupils not centrally located. The nails of the fingers and toes are malformed, so are the genital organs, and the feet; club feet are frequent; goitre and rupture are often found. The veins are frequently dilated, and the vascular system is found defective in its function. Thus in many, contrary to lay expectation, blushing is not infrequent; tobacco is not tolerated, alcohol not by some. Irritable heart, neuralgic headache, dizziness, fainting spells, convulsions, partial paralyses are frequent occurrences.

Many of these anomalies, however, are met with among non-criminals. Still, when there are many of the kind in the same individual, we must not forget their connection with and dependence on the condition of the nerve centres. Face and head, their structure and expressions, are under the influence of the brain even in the adult; physiognomic doctrines have a certain sound basis in these facts.

The direct causes of cerebral changes are either structural and primary or such secondary alterations of its form and function as are produced by the effects of distant nerves or complex of nerves. I must not, however, weary you with facts which may appear to you to belong to the sphere of the medical man only—though indeed whoever has brain himself may well desire to know its structure, and its dangers—but my theme demands that I should at least

mention the principal causes of alterations of the brain and of its functions. So I refer to injuries, to inflammations and hemorrhages, to tumors, solid and cystic—the latter resulting from hemorrhages, or from the invasion of certain worms—to abscesses, to diseases of the blood vessels, to certain nerve diseases of a severe type, such as hypochondria, epilepsy, St. Vitus' dance and hysteria, to affections of the senses which result in hallucinations, to changes in the nerves of the surface which result in insupportable, maddening itching. To the diseases of the intestinal tract—the small pin worm has been known to produce mania—to the diseases of the heart that influence the circulation of the brain; to the changes in the life of woman which alter her nature not only by raising it to its full perfection, but also by exposing her to the deleterious, because to her too revolutionary, influences of pregnancy and confinement; and also to the effect of sexual excesses.\*

In the interests of intelligibility I shall have to return to the consideration of a few of these factors in order to become perfectly clear to those whose studies lie in different directions, and because what is to the anatomist and physiologist a subject of scientific interest only, to the physician an important question referring to the nature, causation, and preventive and curative treatment, that is to the jurist a problem of responsibility and irresponsibility for a criminal act, and to the citizen and humanitarian a problem of the preservation and humanization of society. As far as the jurist is concerned, his, at least, theoretical points of view are identical with those of the biologist. A sound medical jurisprudence inquires into the condition of

---

\*Some of you may have seen one of the nastiest productions of modern literature, the "Kreuzer Sonata," by Tolstoi,—Count Tolstoi they call him. The hero of the plot is evidently an autophotograph. After ruining his soul, weakening his body, and emasculating his feelings and character by self-pollution and general excesses, he winds up by marrying, while physically and mentally broken, by killing his wife, and at the same time justifying and crying over his deed.

the person committing a crime with the following questions: Was the criminal when he committed the act matured both in years and intellect? Was there not an arrest of cerebral, and thereby intellectual development, such as idiocy? Were there chronic diseases of brain known to produce psychical diseases? Were there degenerative, mostly hereditary influences affecting the ethical faculties? And finally is the criminal person subject to transitory disorders which are apt to make their appearance in long or short intervals, the former sometimes extending over years? On one or several of these factors depends the determination of the presence or absence of the freedom of will, which comprehends two faculties on the part of a person: first, that of recognizing the nature and consequences of his actions, and of the necessities of law and order, and of the consequences of his transgression, and secondly, that of associating ideas and meditating a decision.

Disturbances in the nature and the function of any vital organ do not always require grave causes. Slight changes in circulation, particularly when they persist, are sufficient to create an irritation. The higher an organ is in the vital scale, for instance the brain, the more readily will it submit to essential alterations.

Every cause of brain irritation may lead to permanent changes—mostly of an inflammatory character—and to abnormal cerebral action. That irritation may be due to the effects of poisons floating in the blood, or to changes in nutrition. The latter may be defective; lack of blood leads to gradual emaciation and inanition. But the most frequent changes are congestions, mostly chronic. Every disease of the centre of circulation, the heart, is liable to thus derange the brain. Many of the insane in our institutions have become so in consequence of heart diseases. I knew such a man who was at the head of several kinds of business, changing from one to another, wayward, irritable and flighty. He often complained of headache and consulted me for it. I found the cause of his headaches and per-



verted brain action, in a chronic heart disease; at that time he saw spots and sparks, could not lower his head without increasing his symptoms, had to sleep on three or four pillows, and was dizzy. In his business transactions he had been for some time rather incomprehensible, but his relatives were slow in believing that his condition might lead to insanity. There never was such a complaint in the family; why should he develop one? Gradually he became violent; occasionally, there was a street fight; now and then unprovoked attacks on friends and strangers, trials for assault and battery, and conviction with penitentiary. From the penitentiary he was sent to the insane asylum, where they soon said they cured him of his now acknowledged insanity. But of the cause of his insanity, his heart disease, he was not cured. When he was discharged "cured," that is when he was again forced into the hubbub of daily life, he soon had a relapse. An attempt at murder, which if it had been successful and the man not formerly been recognized to be insane, would probably or possibly have carried him to the gallows, was again the cause of his isolation in a lunatic asylum.

Injuries to the head, by blow, fall, or otherwise, are frequent causes of mental disturbances and criminal acts. The works on forensic medicine contain plenty of cases in which the gallows cured the diseased brain. Beck relates a case of injury to the head, periodic insanity, and murder. The treatment of the case was a death sentence. He has still another case of injury of the skull for which the man was trephined. He became insane, committed rape and murder; and the surgical treatment was continued by a court of justice; he was executed. In another case, after violent death by the hand of the law, it was found that a whole half of the brain was wanting; the law or the court lacking all of it.

Esquirol reports the case of a child who fell on his head when three years old. Since that accident he suffered from headaches until, fourteen years afterwards, he was taken

with mania. In the "Alienist and Neurologist," 1883, p. 646, Brower treats of the question of murders and crimes after injuries to the head. An injured man was sentenced to be hung in spite of good expert testimony. He was not hung, however, but only because he had an opportunity to commit suicide. Friedreich has a similar case where a man was decapitated because a horse had injured his skull and brain. T. Guder reports eight such cases, six of whom were sentenced to suffer death.

I knew, and treated a part of the time, a boy of eleven years who fell from a tree. He was immediately taken with convulsions depending on hemorrhages from ruptured blood vessels. After a few hours he was paralyzed on one side. While his paralysis was slowly improving, the inflammation produced by the irritating clot in his brain brought on furious attacks of mania with attempts at murder; and finally epilepsy. They gradually relaxed, under treatment, until nothing was left but a moderate degree of paralysis.

Under the influence of poisons, mostly organic and often medicinal, psychical diseases and anomalies are quite frequent. High temperature of the blood disturbs the nutrition and function of the nervous system, as of the rest of the body. Chills, deliriousness, convulsions, acts of violence, or suicides, are but the various expressions of such physical changes. The typhoid fever patient who jumps from a window, or commits a murder, is as irresponsible as the one with confirmed melancholia or an acute insanity. A jury would easily be convinced that a fever patient who commits murder must not be sent to the gallows, but what about those whose acute disturbance becomes chronic with the same ethical and social results? Scarletina and typhoid fever, even in the child, may lead to permanent insanity. Rheumatic fever is liable to produce inflammation of the brain membranes, on which headaches, paralysis, convulsions and temporary or permanent insanity may depend. Not only the mental aberration following a clandestine birth, but also the toxic influence of the puerperal state,

out of or in wedlock, give rise to child murders. Some of the murderesses are treated for their *crime* and recover in their sick-beds, some are cared for and possibly recover in an insane asylum, others are treated in a court of doubtful justice and may expiate their malady on the gallows or in the state prison.

All medicines which influence circulation in general, and particularly that of the cranial cavity, are liable to seriously disturb the functions of the brain; foremost amongst them memory, judgment and will power. The doses in which such medicines will have such untoward effects, are not always the same. Thus a cautious physician is rather more apt to prescribe, at least, in the beginning, too small doses than too large ones. For there are idiosyncrasies, in persons who bear but trifles compared with the toleration of others. Opium, and more so night-shade, thorn-apple, hyoscyanus and indian hemp are apt to excite the brain into perfect irresponsibility. The case of a young woman I have published was one of the kind. She took in one dose a quantity of indian hemp which had been prescribed for a number of days. When I entered the room, she was in high glee, radiant and excited, dancing around her kitchen stove on the top floor of a tenement house. On the stove was her baby, roasted. The medicinal exaltation wore off in a single day, it took prolonged pains, however, to save her from criminal prosecution. Other powerful remedies when used internally, are ergot, iodoform, oxide of carbon, and the sulphide of carbon of the india rubber works. Cocaine, chloral, chloroform, excess of bromide, also act by their influence on the nervous system.

Some twenty years ago I was careless enough to attempt an operation on, and give chloroform to, a patient, a man of thirty years, all by myself. We were alone in a third story room. He was docile enough while beginning to take the anæsthetic; but during the stage of excitement he jumped up, became violent, and attempted to throw himself out of the window. My efforts to restrain him resulted

in a continued struggle, during which I was at a great disadvantage. For days I was laid up, and for weeks exhibited the marks of the combat. If he had murdered me then and there, the probability is that he would have been found, perhaps in a sound sleep, very likely without any trace of chloroform about him. There would have been nothing in that room but a dead man, a live man, and the evidence of a struggle. I have often asked myself whether the man would have had much of a chance to escape the gallows, if I had not been muscular enough to protect both myself and him.

The acute effect of the poisons mentioned by me, chloral, chloroform and cocaine, is but seldom immediately dangerous to society, though it be to the individual. But slowly, silently and positively they so influence the cerebral substance and the circulation, that functional disorders must be and frequently are the results. As long as the individual suffers, but individual harm is done. If there be an infringement upon the social equilibrium, the condition is called a disease when the physical changes resulting from the foreign influences are read through the bones in which the brain is concealed; when not so recognized, it is called an unmitigated crime. Acute lead poisoning leads to sleeplessness, hallucinations and acts of violence, quite like those of delirium tremens produced by alcohol, which has filled by its many criminal exhibitions the annals both of hospitals and of the courts of justice. It is only acute alcoholism, however, which is to be considered here, for it is only *its* transgressions produced by hallucinations, and its complications with epilepsy and epileptiform affections, which come strictly within the limits of my subject. Still the chronic physical effects of alcohol predispose to acute outbreaks. The former are bodily changes, consisting of irritation and inflammation of the liver, the kidneys, the heart and the brain. Socially and physically they show themselves in mental tremor or torpor, in indolence and idleness, feebleness of will power, mendacity, tramping and

thieving. Thus alcohol is æsthetically as ugly as socially dangerous. The acute outbreaks, attended with acute congestion and sub-acute or acute inflammation are frequently the subjects of investigation before courts of justice and of the pleadings of lawyers. For the motives of the alcoholic murderer are weighed in different scales. Responsibility and irresponsibility are the war cry of the opposing parties. The fact is agreed upon that here is a person who has a diseased brain; here is an act of violence that cost the life of a better man perhaps than he; here is the question whether he is to be killed as he did kill; also the question whether society, or state, with a *sound* brain, will have to commit the same act, committed by the man with the *un-sound* brain. It is true that the brain becomes unsound by excesses of its own; these excesses, however, have various foundations. They may be the results of whim, vagaries and levity; or of hereditary disposition; or of habit acquired in an ill-advised sickness; or in the cares and sorrows of a man not able to drown or overcome them otherwise. Many of our alcoholics are as much sinned against as they are sinners; and the electrical death-chair is no cure nor retribution, any more than Maine liquor laws are preventives. There are very much more efficient prophylactics. There is a story of a liquor dealer who had a theatrical man assaulted because, since he performed men would not frequent the bar. That story is suggestive of preventives. They are theatres, museums, places of recreation, and exhibitions. In most cases the lack of other stimulation is the incentive to the enjoyment of, and excesses in, alcohol. Permit an honorable stimulation which at the same time is recreation, weekdays or Sundays, and there will be less tedium, less temptation, and less sin. Both the lecture room and the church will be visited more by those who spend part of a holiday in a museum, than by those who are allowed no better entertainment than the gin-shop.

Syphilis is a frequent cause of diseases of the nerve cen-

tres, with all their consequences on motion and sensation, on intellect and will. I speak of it here because it is a calamity like every other disease; and not always the punishment of excesses or of sin. Indeed the worst forms we medical men meet with are those in the newly born, or such as are contracted by medical men, through a wound in their hands inflicted during the treatment of the sick. The cerebral changes produced by syphilis are frequently quite sudden. Both the membranes and the brain substance with their blood vessels become abnormal. The former becomes thickened and adherent. There are vegetations on the membranes in the ventricles, and in the blood vessels local softening, indurations, abscesses and tumors. All these alterations are a permanent danger to mind and to soul, to physical and emotional force; for treatment is quite often futile. Like the changes in the membranes of the bones and the iris of the eye, which, when they are established, remain perceptible for all times, the material changes in the cranial cavity result in impairment of the memory; depravation of the character; loss of ethical feeling; dizziness and headaches; depression or excitement; deliriousness or stupor; melancholia or mania. Persecution mania is quite frequent under these circumstances, with its tendency to either suicide or homicide, or both; so is melancholia with remorse and self-accusation. I knew a middle-aged man who had quite a reputation in New York as a street preacher, twenty-five years ago. He edified his audience by the public confessions of his own sinfulness and by his tearful implorations for their sympathy and prayers. After these daily exercises, he would go to what was called his home, and maltreat his wife and children. While so employed, he was arrested and sent to Blackwell's Island. His condition was correctly appreciated, and a protracted treatment with mercury and iodine cured him of sinfulness, both alleged and actual, and of his brain syphilis, and of street preaching.

Most of the cases of abnormal brain function, leading to

insanity and possibly to crime, which have thus far been enumerated, are those of the adult. There are, however, just as many causes of anomaly which strike at an earlier time. Indeed, while man experiences many things which shape his nature and fate after he is born, so there are as many while he is being born, and still more before he is born.

Let me explain:—The day on which a child is born is but the last of a great long number which frame its future existence. Indeed on the changes which takes place in the born infant within the first nine months of his life we are apt to look with awe and wonder; still they are trifling when compared with the evolution within nine previous months of the specks of combined pseudoplasm which are destined to be shaped into a human being. The organs which give the attributes of superiority to the animal and particularly to the human animal, develop most rapidly, viz: the nerve centres. Now, wherever rapid development takes place, there is ample opportunity for morbid alterations. We speak of the tendency to pathological variations whenever the physiological development is exceeding its average; in plain language I should say, where there is rapid growth, there is a tendency to overgrowth; wherever congestion of blood is required in the interest of development there is danger of excessive congestion, and inflammation. So, daily experience teaches us that exercise of a muscle contributes to its increase, over exercise destroys its function by injuring its structure. Now the rapid growth of the several organs of the embryo is not always uniform: the very organs which are mostly nourished and mostly in active demand, suffer most. Thus it is that heart diseases in the newly born, depending either on an arrest of development, or on inflammations, are quite frequent; thus also that the right side of the foetal heart which has the principal work to do before birth, is mostly affected, while in the adult most diseases of the heart are found on the left. The brain, while grow-

ing rapidly, and because of this, is the subject of many inflammatory diseases. They either lead to changes in its substance, or to its partial destruction. Thus it is that many a baby is born that looks absolutely normal, while inside there is an absence of perhaps the most important parts. Between the absence of part or parts of the organs and their perfect formation, however, there are ever so many stages and forms of development. As there are varieties of height and looks and faculties in the adult, so there are thousands of varieties of brain evolution, some more normal, some more abnormal, all with their varieties of functions intellectual, moral and emotional.

Not in all cases does the fœtal brain work out its future shape and destiny all by itself in its cranial capsule. In many, particularly those in which the abnormal growth begins at a very early period, the defective evolution is also perceptible in the skull. Brain and skull grow simultaneously. When the former remained small, or when, what is more common, the large hemispheres are but slightly developed, the skull adapts itself to the brain. It is quite common that in such cases the bone is quite thin, evidently because there was a scantiness of building material all around, like a house with thin walls and incomplete interior. The result can easily be estimated, though you never saw a case: a small head, with thin bones, open sutures like those of the normal child, reclining forehead, and the appearance and the soul of an idiot. This class of so called microcephalics are helplessly doomed to idiocy.

Another anomaly which interferes greatly with the physical, intellectual and moral condition of the human being is one which shows itself in the preponderance of the bone. Imagine a fœtal or infant brain of normal shape and size; it requires for its rapid growth plenty of space and support. Now, normally the bones are separated from each other by soft yielding ligamentous tissues which ossifies about the fifteenth or sixteenth month after birth; they sometimes however ossify, before the child is born; then



the brain is locked up inside, cannot grow, the convolutions of its grey substance are compressed, the blood vessels are hampered, the ventricles encroached upon. The result is beside difficulties during birth, a hopeless idiot. Or select a case in which the premature ossification takes place a month, or four months, or eight months after birth. The sooner it takes place, the worse for the child; hopeless idiocy, hopeless epilepsy, stupidity, hebetude, gross animality, are the unavoidable changes in the mind and character, parallel with the earlier or later occurrence of premature ossification.

The same forms of disease which are prevalent in the born, are found in the unborn. Their results, however, vary with the period in which they occur; they are the worse, the earlier; As a disease in an embryo cannot be reached, treated or stopped, it runs its full course. No congenital chronic thickening of the brain membranes, no fixed changes in the brain substance, unless it be syphilitic perhaps, has ever been cured. Thus it is easily understood, why there is that legion of absolutely hopeless, or sickly, or incompetent, or irresponsible beings amongst us. They were tainted and doomed six months before they saw the light.

Thus becomes evident, what I said, that the path of man is strewn with dangers, before he is born. You will see also that it is not necessary to resort to maternal impressions as the cause of physical, intellectual and moral anomalies in the offspring; that theory may safely be left to the nurses and poets.

The dangers to the body and mind incurred through and during the process of birth are also many. The very means to save mother and child may become a danger to the latter. The application of the obstetrical forceps one of the most beneficent instruments invented in the service of mankind, is a frequent cause of lasting injury. The blood vessels of the foetus and infant are very thin and rupture easily; more frequent than hemorrhages outside

the cranium are those inside; slight traction or pressure is sufficient to burst a blood vessel, with the result of a persistent injury to the functions of the brain—thus are brought about paralysis, mostly of one side, and incompetency of the intellectual facilities. Thus the very means of saving the new life may, under unfavorable circumstances, or in clumsy hands, be the cause of rendering it a burden to itself, its parents and the community.

Nor is that all. Forceps or no forceps—in the course of natural birth the condition known as asphyxia is a frequent occurrence. With incipient life there is sudden death, or apparent death. The newly born is expected to greet its existence with a cry. That cry is eagerly expected but not heard; the lungs do not act, the heart is feeble, perhaps not audible. The absence or retardation of circulation makes itself felt everywhere. Hundreds of small hemorrhages may be found in the interior of the whole little body; the brain will exhibit them in large numbers; or a large amount of blood will burst through a perforated blood vessel, or the blood will merely clog in small ramifications, and thus a normal nutrition becomes impossible. Again the same result: persistent injury to the brain and its functions, again the possibility of epilepsy, paralysis, idiocy, stupidity, clumsiness, or waywardness, and depravity for a life time. Half a minute, more or less, before the baby utters its first cry, may forever decide the fate of that baby, body and soul. Now, you will find it explainable, too, why it is that serious illness of both body and soul, physique and character are so frequently the unfortunate gift of the first born. For it is with the first born of young parents that both forceps, operations and asphyxia will most frequently occur.

Not always will the cases of this kind be absolutely hopeless; in a number, a disposition only will be created to mental feebleness or irritation.

Predisposition is not always, however, the result of primary brain lesion or malformation. For instance, in the

adult it accompanies certain occupations and callings: mental aberrations are frequently met with amongst brain-workers—from over irritation; lead workers—from poisoning; prisoners—from remorse, dreams, unsanitary surroundings, and such hereditary tendency as landed them in the prison walls; prostitutes—from exposure, syphilis, and mostly alcohol.

Strong predisposition is created by mental contagion. They call it suggestion now-a-days. As a single case of hysterical convulsions in a female hospital ward may provoke hysterical convulsions in all or most of the inmates, so in a single family, where surroundings and influences are the same, different or like forms of insanity make their appearance in two or three members of the family at the same time. The epidemics of insanity and murderousness of whole populations—the persecutions of the Christians, of the Jews, of witches—are of that nature.

A few years ago (1888) Paul Aubry wrote on the contagiousness of murder. With him the great causative factors are heredity and degeneration. The latter, according to him, depends largely on education in its widest sense. He charges the public press with producing crimes by its constant sensational reports of murders and other crimes—which excite the imagination and, by the persistent parading of an example, lead to imitation. Thus are brought about not only individual murders immediately after the committal of a single murder, or after the decapitation of a criminal, but also the acts of cruelty during political revolutions such as remind one more of absolute insanity than of mere barbarism. With Aubry, prevention is based upon the same opinions. It consists of a sound moral individual hygiene, of the moralization of habits and customs, of proper regulations of the press reports, and of more logical consistency in the acts of severity on the part of the courts of justice.

Criminal acts are often committed by persons who were known to be quiet, law-abiding and industrious. Now, with our notions of right or wrong, of responsibility and irre-

sponsibility, such cases require and meet with the full retaliation of the law. If, however, we look into the merits of such a case, we frequently arrive at unforeseen results. An outbreak leading to crime is as little the outcome of nothing as a sudden lightning or a tornado. On the latter we take no revenge, we only try to protect ourselves against their return. Indeed, if most of the unexpected and unexplainable criminal acts were fully studied, they would be recognized as the consequence of physical changes, and frequently of periodic insanity. Our lunatic asylums are the recipients of many such. Periodic insanity, in which a brief attack may occur after intervals of months, or years, is quite common. Many are retained a short term and then reported cured because no symptoms of insanity have made their appearance for some little time. Thus the statistics of the institutions exhibit many alleged recoveries, which actually are but temporary interruptions of the mental disorder. The superintendents are to be blamed for it in many instances. They ought to be held responsible for the harm done by the patients whom they restore to civil life with its duties, rights, temptations and excitements. Still they are not the only ones to be held responsible. For many of these unfortunates are torn away from their restful seclusion by those who mistake a hospital for a dungeon. I have taken the liberty of calling these people who are constantly attacking the walls of retreats with habeas corpus and mandamuses, philanthropoid cranks. They appear to suffer from a monomania of their own, and ought to be held responsible for the harm they are doing. The dangers of such premature or unauthorized deliveries are very great; from time to time the daily press reports acts of violence, and murders committed by men immediately after their forced discharges from an institution which hitherto protected both them and society. Lucid intervals in established melancholia and dementia may last years; particularly is that so in those cases which depend on the peculiar anomaly of the functions of the grey substance of the brain,

which is called epilepsy. It exhibits itself in sudden attacks, not only of convulsions, but of stupor or of epileptic seizure. It is then diagnosticated in a consultation of twelve citizens who can afford to swear they know nothing about the case, and have no opinions on it, and is finally treated by the hangman. Not infrequently there is no premonitory symptom and no apparent cause. Sometimes the electrical condition of the atmosphere, the influence of the sun and moon, the changes of the barometer, an intervening disease, such as influenza, emotional disturbances, or any other cause, give rise to a crisis. The diagnosis as to either criminality or morbidity is very difficult, particularly when a murder is to be judged as to its merits, years after the occurrence. It is just such cases as prove to the understanding of everybody that insanity is not a constant, invariable or typical condition. Doubtful conditions are very frequent. The frequency of such doubts has induced the Germans to establish the principal of a partial responsibility, or very awkward attempt at not solving the problem—while with us the battle of the gallows and the temporary or perpetual restraint is fought by both the exhortations, pathos, and gesticulations of zealous attorneys and the contradictions of opposing and partisan so-called experts.

Nothing is more apt to convince us of our insufficiency and short-sightedness and liability to blunder, and to render us very cautious indeed, than the fact that what is called an act of insanity by some men and some codes of law, is called a crime by others. In the State of New York we punish attempts at suicide, perhaps not those which are the immediate results of feverish excitement during brain fever, typhoid fever, pneumonia or influenza, for in such cases the dependency of mental disturbances or physical disorders is readily recognized. But those in which even the most experienced eye does not always observe the physical foundation of an irresponsible act, and punishment is meted out without stint, are very numerous. Still, in

many of them an organic disease can be found; for instantaneous despair and despondency do not easily get the better of the instinct of self-preservation. Chronic meningitis in all its forms; with adhesions between the membranes, or between the membranes and the brain; chronic induration of the tissue from inflammation, obstruction of blood vessels, changes in the blood vessels or in the brain substance itself, of syphilitic origin, are often found. Our old acquaintance, and new scourge, influenza, yields a number of cases of mild or severe aberration of the mind, from mild melancholia and debility to violent attacks of maniacal fury. Thus we exhibit the brutality of punishing the chronic results of typhoid fever, of previous sunstroke, of heart disease, of vascular changes, of influenza. And we call ourselves children of the nineteenth century, good citizens, Christians, humanitarians, philosophers and what not. Physical derangements of distant organs are frequently predisposing causes.

The ill-humor and intractable temperament of dyspeptic and costive people are proverbial. Why is it that indigestion and ill-humor are closely connected though there be no irritating pain? Because gastric disturbance diminishes the introduction into the system of nutrient material, and deprives the brain of its normal amount of food and healthy stimulus; because it generates gas in the stomach, prevents the normal movements of the diaphragm and thereby hampers both heart and lungs; and because it irritates the ramifications of the pneumogastric nerve which through other branches controls the heart and its functions. A full meal on a healthy stomach renders its possessor more genial, generous and humane; a full meal or one hastily swallowed into a dyspeptic organ makes its tenant peevish and morose, and adds another disciple to the school of Schopenhauer. Why is chronic constipation a frequent cause of hypochondriasis, melancholia, and insanity? Because it renders more sluggish the abnormal circulation, not only that of the intestines, but also that of the liver and the

stomach and the vast domain of the peritoneum; because it irritates and ill-nourishes the terminations of the splanchnic nerves; and finally because it generates noxious gases which are not expelled, but are absorbed into the circulation, and act as systemic poison. That is why a medical ancestor proclaimed, that "*Qui bene purgat bene curat.*"

I almost wish, though you may not, that I had six evenings instead of one. For the mutual relations of the body and the soul are more taken for granted than understood, and in the interest of the problem before me I should very much desire to convince everyone of the direct and close dependency of intellect, will and ethics on the shape or misshape of the body. Let me allude to but one example. Why are most hunch-backs ill-natured, spiteful, and malicious? Certainly not because they are deformed and ugly and therefore exposed to derision. For persons with grotesquely crooked, rickety limbs, or ludicrously ugly features are just as much exposed, and still quite often are placid and good natured. Nor is it that they are embittered by the long suffering they had to endure before their malformation was finally settled upon them. For indeed, long continued pain and intense suffering is more frequently a cause of resigning submissiveness than of malevolent rebelliousness. It is because the abnormal shape of the spine, though not even interfering with the structure and function of the chord, compresses the lungs, interferes with the heart, dislodges liver and spleen, and thus deranges sanguification, circulation and digestion.

Insanity cannot always be recognized with ease. Particularly those instances which terminate in criminal acts are difficult to fathom. The most extraordinary ones are often those of transitory insanity. It is mostly attended with outbreaks of ferocity. Murders are frequently committed in such attacks; they are quite often, as I have said before, the first symptom, and may look premeditated. For an insane person is not abnormal in all his functions. His

will may be absolutely gone; his impulses are no longer controlled by his intellect, and still his reasoning powers may for long periods be quite or nearly intact. The belief that an insane person can be easily recognized as such and that he is always insane, is a great mistake. Does a consumptive cough and wail without interruption? Are there, or are there not, years or months or days where no symptoms betray him; are there, or not even in the advanced stage, nights without sweats, days without cough, pain and anxiety? Are there, or are there not, confirmed rheumatics and gout-stricken men who are well for weeks and months, and still never without their foe always present? Are there, or not, those suffering from diabetes twenty years, until it makes its last call; who once a year, or a few years only, have an attack of boils, or local gangrene, or digestive disorder, and are quite well in the intervals? Is there, or is there not, malaria in the blood, and sure to break out in a chill, though the sick has uttered no complaint to-day? Not everybody discovers the truth; it takes a good diagnostician to see a disease when apparently absent; and the microscope of the mind cannot be read by a jury.

As a person inflicted with insanity is one affected with brain disease, which may or may not be concealed by the solid, immovable, silent skull, the difficulty of its recognition can be understood when you recollect every complexity of the faculties and actions of the brain, and consider, for instance, that even in the abdomen, which is so much more accessible to all sorts of tests and the seat of so much simpler affections, often either the opening of the cavity in the living, or an autopsy is required to ascertain the nature of the trouble.

Functional disorder always means structural change. Insanity with its results is no fault of the character, no passion, no depravity any more than typhoid fever or a surgical accident. It is no sin, as which it was maltreated only fifty years ago, but a malady. It strikes the just and the



unjust, the religious and the infidel, the rich and the poor, the sinful and the virtuous, those who have spent their time and efforts on their depravation, like those who toiled decades on honorable pursuits in the service of the community.

How long it may take to either appreciate or recognize the insane condition or criminal tendency, and their connection with each other, the following case may elucidate :

Thirty years ago I attended a baby boy for tubercular meningitis. He was one of the few cases I have ever known not to die of the dread disease. In his family there was no instance of either tuberculosis or nerve disorder. Some years afterwards, however, a girl was born who developed mild epilepsy when growing up. The boy was apparently healthy in after years. At school, however, he proved an incompetent scholar, besides being obstinate and occasionally violent. With these traits of character and mind, obstreperousness, laziness and wilfulness, he grew up, neglected studies and business, behaved quietly enough at times, became now and then violent, and sometimes maliciously so, in the public thoroughfare, and was considered queer and incalculable by his family and friends. My advice to treat him as insane was not heeded, though it was readily admitted that the brain disorder of his early infancy was the cause of his waywardness. The suggestion to confine him in an insane hospital was received with derision and considered an affront. If at those times he had committed a murder I dare say that the plea of insanity would have been welcome to his attorney, but a jury would have hardly been found willing to accept it. Meanwhile he lived with his family, or amongst strangers. One summer afternoon, when in the country, he suddenly seized a heavy missile—after having threatened several times to kill his brother—and, firing it at him, barely missed his head. If the intended victim had been a stranger, and been killed, the decision whether the murderer was to go to the lunatic asylum or to the gallows,

would have been difficult and doubtful. Fortunately it was a member of the family. Then at last they consented that the son and brother was insane. He has been in an asylum since, and will not leave it.

Once, perhaps thirty years ago, I was summoned to call upon a man who was said to be delirious. Was he a drinking man? No. Had he been sick long? No; but he had neglected his work for some weeks. So I went. Upon entering I was attacked by a stalwart man arrayed with an iron poker, but escaped uninjured to the street. I reported the case as one of probable insanity to the police of the district, and was kindly advised not to visit a man who evidently did not want me. A year afterwards I learned that after many acts of violence, none fortunately fatal, he had been declared insane. Then also I learned that the man, formally industrious and mild-mannered, had suffered from an attack of sunstroke years previously; had complained of headaches now and then, but had never been so aggressive as when he selected me for his victim. If he had succeeded in fracturing my skull, without for a month or two giving other proofs of insanity, the possibility at least, aye, the probability is, that an unprejudiced and untaught jury would have sent him to the gallows.

In May 1891, a man was sentenced to ten years of hard labor in Lubeck, Germany, for seventeen burglaries committed in the course of a number of years. He was known to have been confined in a lunatic asylum several times. The case was referred to two experts, both medical directors of large insane institutions. One was certain the man was insane and irresponsible, the other—a man of ripe years and great experience among ever so many thousands of insane—insisted upon absolute sanity and responsibility on the part of the prisoner. The court sided with the latter testimony, and the man was sent to the state prison; not for a long time, however, for he had to be transferred to the insane hospital as a hopeless case before many months had elapsed.

You all remember the case of a medical man who after poisoning a man, killing his wife, stealing a will, forging another in the interest of himself, committed suicide in his cell. Here was a murderer, plain and simple, a murderer for the sake of personal gain, who moreover appeared to prove his guilt by committing suicide. Would any jury in the land have thought differently, and was there a possibility of his escaping the gallows? I think not, and thousands were grieved when they heard of his self-inflicted death and his escape from proper punishment. There may be many here who share that opinion and grief. A post-mortem examination was made by some of the most competent and most honorable medical men of the country. Dr. H. M. Lyman, of Chicago, reports in his name and that of others: "At different points the membranes that cover the top of the brain contained patches of inflammatory thickening and exudation. There was adhesion of these membranes to the cortex of the brain. These patches were places where the membranes were thickened so they looked as though they were coarse patches sewed on or fastened on to the natural and healthy portion of the brain. This denoted inflammation of the membranes, and would cause derangement of the mind, and, in many cases, would lead to insanity. It was one of these cases of slowly developing mental disorder, produced by sunstroke in India, years before." The dead murderer had been in the East Indies as a medical missionary.

Many mental diseases, that is aberrations of the reasoning and will power, offer much difficulty because in most cases they do not arise suddenly, like lightning, but develop gradually. When you hear of a person becoming insane from a shock, a fright, a sudden misfortune or bereavement, the catastrophe was long prepared by hereditary weakness, exhausting diseases, or protracted cares and grief. Indeed we have long accustomed ourselves to take into consideration the predisposition to a mental disease as well as the proximate causes. The former is quite often hereditary;

indeed what we call a hereditary disease is by no means the result of direct transmission of the same form of ailment. Thus, for instance, tubercular consumption is by no means liable to be directly transmitted; cases of congenital tuberculosis are so rare that one related by me before the Paris Congress of Tuberculosis was quite exceptional, and what we call inheritance of a disease means only a certain feeble condition of the tissue which predisposes to the invasion and harboring of germs; or other local causes of disease. Thus the hereditary taint leading to insanity and crime need not appear in the same form, but may take different shapes, for instance, hypochondria, hysteria, epilepsy, diabetes, or so called eccentricity. Morel could prove nervous disorders of different types in four successive generations. The first had an ethical defect in the form of inebriety, the second exhibited mania and "*folie de grandeur*," the third mania with murder and suicide, the last idiocy and happily extinction of the family. Hereditary influences are liable to show their effects at a very early time of life, and on slight provocation, particularly when the education and training of the individual could not or would not, control the irracibility, peevishness or maliciousness of the inherited temperament.

In closing my remarks permit me to thank you for your patience and forbearance, for I could not be better than my word. I gave but fragmentary notes on a subject which is as vital as it is vast. Finally, permit me to repeat a few points in the shape of a summary.

The function of an organ depends on its structure and composition, the changes of functions on changes in structure.

The intellect, reasoning power, judgment and will power are located in and dependent on the condition of the large hemispheres of the brain. They do not exist when there are no hemispheres, are defective when the organ is insufficiently developed, and are apt to be morbid when the hemispheres are diseased.

The anomalies of the hemispheres are either arrests of development, or acquired alterations. The first are all prenatal, the latter are either contracted before birth, or during birth, or during life.

The effects of a disease do not show themselves uninterruptedly, just as a malarial fever does not always exhibit its high temperature and its chills.

Acquired alterations need not be always evident, or perceptible to everybody. As the influence of alcohol on the system may change the structure of the liver, of the heart, of the kidneys and brain, to a dangerous degree though it cannot yet be recognized so the influence on the brain which is exerted, for instance, by training and education, and by habits, is positive though it cannot always be calculated or appreciated.

Therefore, diseases are not always recognizable.

The effects of structural changes of the brain, from whatsoever cause are either feebleness or perversion. The many forms of insanity, both intellectual and ethical, are thereby explained. Insanity, as well as that form of aberration which is called criminality, is not possible with a normal brain. Neither form of aberration, insanity and crime, depend on an invariable and identical alteration. Therefore there is no special type of insanity or of criminality. Thus again, the recognition of either, or of its physical causes is rendered difficult.

Their dependence on and connection with each other is best proven by the fact that insane persons will often commit crimes and that criminals often turn insane, or are recognized as such after punishment only, either alive or dead.

This is more or less appreciated by juries who can often not be induced to render a verdict of guilty. Indeed, not one tenth part of the murderers of our country suffer the penalty of death prescribed by law. It is better so, for if a mistake must be made it ought to be on the plea of leniency, not of cruelty. Still, society is often endangered by acquittals.

Though the diagnosis of a case of impaired brain function be very difficult, and often impossible, still the morbid condition exists. Explaining is more difficult than hanging; therefore hanging has become less with the increased facilities of explanation.

The word "crime" is not a term which means the same. Centuries ago they persecuted and killed for crimes that did not exist. Many of the alleged crimes were virtues like the Christian faith, fifteen centuries ago. Many are deemed aberrations in one country, crimes in another, like suicide.

With the variability in the definition of "crime" that of responsibility and irresponsibility must vary. There is but one thing fixed, that is the relation of causes and effects, the corrolation of physical causes and mental and moral symptoms.

What we have most to fear, is that even in our time, while punishment still means retaliation or retribution, we are in constant danger of not recognizing the physical cause of misdirected cerebral action, called "crime." The grossest errors have been committed in that respect. If only one mistake were made in a hundred convictions and death sentences, society could not afford to make that mistake. You and I may blunder, but the state cannot afford the brutality of capital punishment as long as the convicted criminal is anomalous. Our civilization, as represented by the law of God and man, has ceased to crucify Christians, burn Jews and witches, torture and violate women and children; it is satisfied with guillotining, axing, hanging or electrocuting the anomalous and the diseased. Aye, we are expected not to be surprised if even members of the most humane of all the professions, the medical, could be found to participate in the discussion of the advantages of one mode of official killing over another.

Human society, as represented in the state or the nation, has the right and the duty to take care of all its members, the sick and the well. The person addicted to suicidal

tendency must be protected against himself as surely as the poor sick must be cared for at the public expense. The man with such ethical defects and impaired will and intellect as to prove dangerous to his fellows must be prevented from doing harm or repeating his acts of violence. The well have rights also. No pardoning power of any commission or governor can ever restore a brain to norm or health. The possibility of a complete return to norm or health must not be accepted as proven except after a long time and upon protracted scientific inquiry. Until they be so established, the place for transgressors is in a place of safe keeping. The murderer has seldom if any chance of being cured, and ought to be isolated forever. But let us have done with killing. Let us see to it that the new century may have no reason to look upon our short-sighted barbarism as we review with painful awe the centuries of the torturer and the witch burner.

Dr. H. D. WAY: The hour is somewhat late, so my remarks will necessarily be brief. We are greatly indebted to Dr. JACOBI for the clear way in which he has presented his subject to us this evening. We learn by the paper presented to us this evening that we are as we are much by reason of our antecedents and surroundings. I think it is a mistake to suppose that the criminal is remarkably bright, as he is usually thought to be. His smartness partakes more of the finesse—the sharpness of the fox. His mental conditions are hardly up to the standard. The point I wish to make is that we should pay more attention to the physical side, the condition of the nervous system, and not attempt to play upon the mental side, which at many times rests upon an imperfect mental state.

Mr. MILLIGAN: I move that a vote of thanks be tendered by this Congress to Dr. JACOBI.

Motion carried and session adjourned to meet at 9 A. M. on Wednesday.

## WEDNESDAY MORNING SESSION.

Congress called to order at 9 A. M., at Sutro's Hall. President HAYES in the Chair.

Prayer offered by Rev. W. J. BATT of Concord, Mass.

Motion of General BRINKERHOFF: That the Executive Committee in preparing the Program in future for the Annual Meetings confer with the heads of the Wardens', Chaplains' and Physicians' Associations, so that each body shall have a definite time allowed in the general proceedings, with leave to hold special sessions by themselves.

Motion seconded and on being put by the President was unanimously carried.

Rev. W. J. BATT: Whatever recognition the association chooses to extend at any time to the Chaplain's Section is of assistance to them.

Moved and seconded that the Chaplains' Association be recognized—unanimously carried.

On the invitation of the Committee on Preventive and Reformatory work, Mr. ALEXANDER JOHNSON, Secretary of the Board of State Charities, Indianapolis, prepared and read the following paper.

### SOME REFORMATORY NEEDS IN INDIANA.

I was sorry not to be able to comply with the request of our Secretary who asked me to present a report for the Committee on Reformatory Work. I have only promised to set forth briefly a few of our needs in this department in Indiana.

The Committee on Reformatory Work ought to present to you a statement of the condition of that great department of penology. It should at anyrate bring to your



attention some important special phase of reformation something which has been done somewhere, or something which, in the opinion of the committee needs doing to make reformatory work complete. I regret to say I have nothing of the kind to present. I cannot hope to tell you anything you do not know, nor to present to you anything which you have not often considered. The best I can hope for is to tell you how things look to one whose connection with prisons is as an inspector, almost an outsider, and perhaps to make some remarks which will stimulate discussions,—which will afford gentlemen better informed and with sounder theories than I, an opportunity to correct or to instruct me and similar ignorant persons.

That the chief function of the prison system ought to be, and in theory is, reformation rather than punishment, is very plainly expressed in the fundamental law of our state. In the constitution of Indiana adopted in 1852, Sec. 32 of the Bill of Rights, says, "The basis of the Penal Code shall be the principal of reformation and not that of vindictive justice." Such has been the declared foundation of our penal code for forty years—almost a life time. At the time that the constitution was adopted, and for many years thereafter, nothing had been done to bring the penal code into harmony with this most righteous foundation. Later there were established reform schools for girls and boys, which, although they are far from perfect, have done and are doing a vast amount of good work. We have thousands of citizens occupying useful and even honorable positions—for all labor is honorable—who are graduates of these reform schools.

But our penal code—or our prison system rather—as far as I have been able to observe, has not been adapted to the principle of reformation which our constitution asserts to be its legitimate basis. Only some very feeble, partial and inadequate efforts at reformation have been introduced into it. As far as the ordinary observer can detect, the basis of our penal code is retributive and vindictive whether

vindictive justice or not is not so certain. Our theory of punishment seems to be a purely commercial one, although it is not commercial on the strictly "one price plan."

For example. I commit a certain crime, say petty larceny—I steal a watch worth not more than \$24.95—I sell it and spend the money it brings. I am caught and the evidence being conclusive, I am sent to the state prison for, say, one year. I behave myself well in prison, and being healthy and muscular I am put in the cooerage contract and learn to do a small part of the work of making pork barrels. I work ten hours daily and earn for the state six cents per hour. I am treated in precisely the same manner, fed, clothed, worked, preached to, as my fellow convicts of all grades, degrees and experience in crime, the only difference being that the stoutest gets the heaviest work. I serve one year, less one month good time, and am discharged with fifteen dollars gate money. When I am discharged I have paid the penalty for my crime, I am square with the state, although my victim is still minus his watch. My character is gone forever, I have an extensive acquaintance with criminals and their methods, and I am known by sight and perhaps by name, to six hundred or seven hundred criminals, many of whom are professionals and pride themselves on the fact.

If I had happened to steal in certain counties of the state where theft is particularly unpopular, the price I would have had to pay might have been three years imprisonment, and if I had been previously convicted I might have paid a fourteen years penalty. Side by side with me in the shops, the dining room and the cell house, might have been a man who stole a pair of boots, worth \$2.50, with a seven years sentence, a physician who had raped a female patient, aged fifteen years, serving five years, a man serving twelve years for stealing a hog, and a cold blooded murderer, convicted by sentimental jury of manslaughter, and sentenced for three years. At the same time and in the same prison might be a notorious safe blower, serving one

year, and a boy of eighteen, whose opportunities in life had been solely evil, who had had no education but an education in vice and possessed of no more moral sense than a savage, caught with some companions breaking into a store to steal cigars—serving five years for burglary, having pleaded guilty, and nine years additional for cursing the judge who sentenced him. All these and similar cases, of which I should be sure to know while in prison, would not fill my ignorant soul with much respect for “Vindictive Justice.” I should very naturally feel that the rapist and the murderer had made a better bargain with Messrs. Vindictive Justice & Co. than I had, while the boot thief and the hog thief had been decidedly victimized in their bargain with the law. I should probably make two resolutions, the first that next time I would be sure to steal something worth while—the second that I would be smarter and more careful not to be caught. I do not know of anything that would be done to or with me, except that I should be compelled to labor, to fit me for citizenship or to inspire me with a desire to fit myself for it. It is true if I did not know how to read and write, when I went to prison, I might be taught, if there happened to be room in the night school (which latter would be by no means certain), and it is true that every Sunday the good chaplain would preach a sermon in my hearing, in which the cross of Christ would be held up to my ignorant view as the sole medium of help and salvation. But the chances that either the school or the preaching would have any salutary effect would be but small.

The day of my discharge comes, I have no friends and no place to go, but the place where I am known as a thief and a convict. My \$15 gate money, designed by the benevolent legislature of my state to take me home and support me for a week or two until I find work, is only \$7. For before I went to prison I was kept for several months in a county jail where my person and clothing became infested with vermin. So the clothing which I

wore to prison, and which—but for the vermin—was fairly good, had to be burnt and a new suit must be bought out of my gate money. At the prison gate or a little further down town I am met by two or three prison companions, out a few days before me—flat-broke. I said I had no friends, but here I have them, warm hearted friends who will share my last quarter. We have a spree at my expense, and in the morning I wake up in a low brothel without a cent. Still I have my friends. They plan a trip to Chicago, to which place we beat our way in freight trains. On arriving there we find more friends and soon a scheme to rob a store or a bank develops. I go into it eagerly. I want to show my new or old friends that I have "sand" so I take the position of danger, am caught and three weeks after leaving Michigan City, after my first sentence expired, I am in Joliet and perhaps a professional criminal for life.

But now suppose instead of stealing a watch I am simply drunk and disorderly—what happens. I am arrested and if in Indianapolis, am promptly sent to the work-house—in any other city to the county jail, for say ten days and costs making seven days more. Seventeen days gives me a very good opportunity to sober up, it also allows the first horror of being behind prison bars to wear off so that I do not care much about it. I acquire also, in seventeen days total abstinence, a fine appetite for whiskey. I go home when discharged, getting a few drinks on the way, and immediately proceed to thrash my wife and children, if I have any, take what little money she may have and start down town for another spree. Perhaps in twenty-four hours, very likely in three or four days from being discharged, I am again in custody, with a sentence just a trifle longer. And so on month after month, the periods of enforced abstinence in the work-house being nicely sufficient to prevent me drinking myself to death and not enough to deter me or cure me of the habit or drinking. Most of the persons both men and women, sent

to the work-house, are well known to the police, they are the chronic misdemeanants or "rounders." Their life's history is told in a few brief sentences—repeated arrests, imprisonments for short terms and discharge, with a steady and rapid debasement or degradation, until they die in the work-house or the city hospital. The brief periods that they spend between their work-house terms being filled with riot; a cause of distress to themselves, their families, their neighbors and the general public.

The evils and the nuisance to society of the habitual felon, great as they are, are much less than those arising from the habitual misdemeanant. There are perhaps more of the latter, at any rate their terms of imprisonment are so much shorter, that, supposing that both criminal and misdemeanant are operating constantly while out of confinement, although each individual act may be of less consequence yet the total evil is much greater. Besides it is undoubtedly true that many begin to be criminals by being misdemeanants. I know that some of the most expert and accomplished criminals are as sober, and perhaps as polite, as the majority of the members of the National Prison Association. But such men are few and far between in my opinion. They are rather the polished villains of the ten cent story paper than the habitual criminals known to the police and the deputy-warden. The criminal almost invariably if not a habitual drunkard is an occasional one. He is a frequenter of brothels, gambling halls and other unlawful resorts.

In Indiana our present methods of dealing with the misdemeanants are so weak as to be pitiable. In nearly every county we have for them nothing but the county jail, supplemented in perhaps eight or ten of the ninety-two counties by a rock pile in the jail yard, where the men may take a little exercise for a few hours a day. In just one county we have a work-house, or house of correction, to which are sent all persons sentenced to anything less than the state prison, or who cannot pay their fine. The sentences are short, the

average at present being about forty days including fines and costs. The labor is merely normal, breaking stones for the street and there is rarely more than two days work per week at that.

Such, hastily expressed, are a few of the salient facts regarding the treatment of criminals and misdemeanants, in a state the basis of whose penal code is declared to be the principle of reformation. What are the possible remedies? Here begins the difficulty of this effort and the occasion for modesty.

We have present representatives from older states than Indiana where similar evils have prevailed in the past and where efforts to avert them have been successfully made.

For many years past the Prison Association (and through it the Nation) has been annually told how just such evils should be met. But in our state I regret to say we have not tried any of the published remedies. In no department of public life are we, in the backward states, sinning more persistently against the light than in the department of penology. We do what we ought not and we leave undone what we ought, in spite of the fact that we know better.

If I should say we need in Indiana the habitual criminals law of Ohio or Massachusetts; the classification of convicts of New York; the reformatory for adult first offenders of New York or Pennsylvania; the indeterminate sentence and parole laws of many states, my fellow citizens of Indiana might properly ask:—What have been the net results of such laws in other states? Are habitual criminals kept in safety and industry for life? Do the reformatories reform? Is the indeterminate sentence really terminated by practical amendment of life? Are only the hopeful prisoners—those who have given evidence of ability and intention to lead honest lives—paroled: and when paroled are all those who fail to justify the parole promptly returned to prison? I should have to confess that I do not know, but that I *hope* these things are done and that

here at the Prison Congress we from the less progressive states may be told by practical men who are charged with the duty of executing these apparently wise measures, of their success.

I am impressed with the thought that the place to begin in prison reform is with the misdemeanants. If that is true, then with the best light I have, guided partly by my own observation, partly by what I have heard has been done elsewhere, it seems to me that in Indiana we need, as to this class, something as follows :

First, longer sentences, perhaps progressive or cumulative. If, for instance, the first conviction of a petty offense such as drunkenness or disorderly conduct could be very short but very sharp, and without the option of a fine, say, for instance, solitary confinement on bread and water, with a plank for sole furniture of the cell, for not more than two or three days, the sentence to end before the horror of the prison bars has worn off, and the indifference that use and habit produce in short term prisoners, has come. This I believe would have, if not a reformatory, a strikingly deterrent effect, and that is all a short term can possibly have. This should not apply to mere violation of city ordinances which involve no crime in themselves, such as obstructing the sidewalk, driving fast over a bridge, etc., for such as these a fine should still be the appropriate penalty. If, then, the second conviction could be for at least sixty days, the treatment, of course, not so severe as for the first offense, and yet a more severe regime than one would like to give a life prisoner. If subsequent convictions could double each previous term, until the fourth or fifth, which would be considered as proof that the offender is a chronic misdemeanant, and the sentence should be indeterminate, or with a very high maximum. If ever evidence of reformation should be shown the prisoner might be released on parole, to be promptly returned in case of relapse. I believe that in our state such a law would increase but little the total number of prisoners, while it would enable us to dispense with much of our police force,

and in a few years might close up many orphan asylums and diminish pauperism thirty to forty per cent. or more.

Under such a system while in custody the prisoner should be taught. His first lesson should be *respect for law*. Rules should be strict, simple, just and absolute, rigid obedience should be enforced at any cost short of capital punishment. The second lesson should be *labor*. Each prisoner should daily labor at some task suitable to his strength and needing all of it and all his application. These lessons learned, and the prisoner of sixty days could learn them, should come lessons in some more skilled labor—especially agriculture—and the ordinary common school branches for all whose education lacks them. Along with these should come at least two of the grammar school branches, viz.: physiology and civil government. And with all should be such instruction in ethics and religion as the prisoner is capable of receiving, the teacher in imparting this instruction to appeal to the reason rather than the emotions, at any rate in the earlier stages of treatment.

Pending this course of instruction would be occasional needs of discipline. Probably the best punishment is the deprivation of a privilege; hence privileges should be granted as far as possible, that their deprivation might be used as punishment.

When this fails, as it will, varying with the temper of the prisoner and the wisdom of the warden, the next best method is not, in my opinion, the solitary dark cell with low diet, the ducking tub, nor the elevator. Especially from a reformatory point of view do I object to low diet. The diet should be scientifically adjusted to the man and his labor. He should be fed as carefully as we feed a race horse. It seems to me as foolish to reduce the diet, if it is scientifically adjusted, as to punish by a deprivation of a certain amount of oxygen.

When disciplinary punishment must be resorted to, and the deprivation of privilege fails, I believe that corporeal punishment administered in kind seriousness by the chief



officer of the prison is the next best. I expect to hear myself denounced for this. I can only say it is the result of four years somewhat careful—though of course not daily—observation and much discussion with prison officers. I believe that nineteen wardens out of twenty really agree with me, and I am convinced that ninety-nine deputy wardens out of one hundred would do so. The objection to physical treatment is purely a sentimental one, and is based on an alleged condition of nervous susceptibility which rarely exists in the convict who knowingly subjects himself to it. Such a method needs care and watchfulness. It is liable to abuse. It should be hedged around with safeguards. It must be kept for extreme cases, yet I believe that in such extreme cases it is right to use it.

I know deputy wardens who have no firmer friends than men whose first steps in the path of conscious rectitude were prompted by a few judicious strokes upon their naked skin in a tender spot, inflicted by a strong, firm, yet humane hand, without anger, with evident regret and with a word of kindly advice. It must be applied with judgment. The punishment must fit not the crime but the criminal.

Some such plans, I think, we need for the reformation of our misdemeanants. I believe—perhaps I shall find myself in the small minority—that the treatment of felons and misdemeanants should be very much alike. I am inclined to believe that shortening the terms of first offenders, and making their punishment as sharp as it is short, and very much lengthening the terms of our recidivists are alike among our reformatory needs in Indiana.

With regard to our present state prisons, I believe that our most serious need is that of classification. We treat all alike, the corrigible and the irreclaimable, young and old, recruit and veteran. I think the first step towards making our prisons into the reformatories which our constitution declares they should be, is to introduce the system of grades so that a man may by his conduct put himself into the class to which he belongs.

My duty is to speak of the reformatory needs, so that I have hardly to do with the incorrigible. But I believe the possibility of his incarceration becoming either permanent or at any rate for a very long term, should always exist as the counterfoil of the possibility of regaining liberty. Surely if we could convince the convict that he has it in his own power, on the one hand to return to citizenship at a comparatively early day, on the other to serve a long term of imprisonment with the poorest fare and the hardest work the prison gives anyone, he would, unless a moral imbecile, make some attempt to gain the former and escape the latter.

Without going into further detail it seems to me that our prison reformatory needs in Indiana are:

First. The classification of prisoners and separation of the classes. This could probably best be done by the introduction of the grade and mark system into our present prisons.

Second. The opportunity to our convicts to regain their liberty when they are fit for it, with the opportunity to the prison officers to recall them if their conduct proves that a mistake has been made. For this we need a parole law, or a regulation by the Governor such as has been made in Minnesota.

Third. Certainly that until he is fit for it or is past being dangerous no prisoner will be returned to society. This can only be secured by an indeterminate sentence law or at least by largely increasing the maximum terms of imprisonment.

Fourth. Education in industry and citizenship of all corrigible prisoners. For this we need better prison schools and workshops, and many things which we have not, and perhaps cannot have very soon.

Fifth. Aid to discharged prisoners which should perhaps be the work of a voluntary society alone, the state only taking part by refusing to discharge a prisoner unless he has somewhere to go and a means of livelihood open to him.

I had intended to say a few words about some needs of our juvenile reformatories, but the paper is already too long and I will ask Mr. Storrs, if he thinks proper, to add to the ten minutes in which he will criticise this paper, another five minutes in which he may introduce his ideas in juvenile reformatories.

I have indicated only a very few of the places where we need improvement in our reformatory methods. I fear I have already exposed myself to the criticism of going all over the subject of penology, but, as I said, my object is to stimulate discussion; and if that takes the form of criticism of my methods or composition I shall be content.

Report next made by Mr. G. S. GRIFFITH, of the formation and history of Baltimore's two great child-saving institutions—the Henry Watson Children's Aid Society and the Society for the Protection of Children from Cruelty and Immorality.

The report, read by Rev. L. F. ZINKHAN, was as follows:

MR. G. S. GRIFFITH'S PAPER.

*Mr. President:* Prior to the year eighteen hundred and sixty, there existed in our city very few institutions for homeless and friendless children.

It was in that year that some philanthropists of our city while visiting the jail and penitentiary saw that many small children were committed to those institutions by the courts and magistrates for petty offenses. This course was found to exercise a very demoralizing effect upon their tender minds.

In order to prevent such young delinquents from becoming hardened criminals, Messrs. Goldsborough S. Griffith, the late Richard M. Janney and others, met for consultation in regard to devising some better provision for this unfortunate class.

It was seen that among those incarcerated, were very small children, just beginning a course of crime; apt scholars, if left under the instruction of the habitues of

these institutions, but with, it was believed, enough of the germ of good remaining in them to produce beneficial results, could they be removed to some place where their surroundings would be of a better character.

This subject weighed heavily upon the hearts of the above named gentlemen, who, after careful thought, called a meeting at the Central Presbyterian Church on the eighteenth day of September, eighteen hundred and sixty, when this matter was duly considered and a society proposed to be organized to care for such delinquents and the poor, the neglected, the orphan, and such as have no proper guardians or homes or means of support.

An officer of the Maryland Prisoners' Aid Association gave a very interesting description of the "Children's Aid Society," of New York, which he had visited a short time previous.

The New York Society, he said, was annually sending many destitute children to comfortable homes in the far west. A large proportion of these children when removed from the degrading influences surrounding them, turn out well, and become good boys and girls.

In Baltimore there were multitudes of neglected children growing up in vice and crime, who should be reclaimed by providing them with Christian homes and proper care and protection. In conclusion the speaker urged the formation of a "Children's Aid Society" in Baltimore, as the means of saving thousands of helpless children from ruin and degradation. Such was the beginning of the present "Henry Watson Children's Aid Society," of Baltimore, having for its object the reception of destitute and homeless children, ranging in age from six to fifteen years, upon their legal committal by the courts, magistrates and parents, and procuring for such Christian homes in the country, under the protection of said society.

Since its organization this society has received under its fostering care in "The Children's Department," two thousand five hundred and eighteen children, for whom two thou-

sand one hundred and forty-seven country homes have been secured, for whose protection therein we, in the infancy of our Society, found it advisable to establish "Local Committees" within the various counties of our state, which proved a decided advantage in the securing of suitable homes. Such as were not sent to country homes, were in time either returned to their parents or relatives.

In this connection it affords us extreme pleasure to express our belief, that ninety-five per cent. of the children placed out by this society in the country homes turn out well, and of all received only two cases of arrest and incarceration coming within our knowledge, and these for minor offenses; one of whom remained in prison but one day.

"The Children's Aid Society" was incorporated February 14th, 1862. This Act was subsequently amended and confirmed by an Act passed February 12th, 1872, which changed the name of the Society to that of "The Henry Watson Children's Aid Society." This change of name was made in consideration of the society's endowment by Mr. Henry Watson, with the munificent gift of one hundred thousand dollars. Previous to said endowment the Society was supported by voluntary contributions and donations, and by state and city appropriations.

The society removed to its present "Home" on North Calvert Street, February 1st, 1866, a large and commodious building affording better facilities for the prosecution of this work. The "Home" has been the temporary asylum for the numerous destitute children passing through its hands for country homes, wherein they are never lost sight of, but where it continues to guard and protect them through visits and correspondence, experience teaching that the supervision of the children is a very important feature of the work.

In many cases the children, after rendering faithful service to their foster parents, marry and settle down as farmers or mechanics in the neighborhood of the homes of their adoption. In a word, nearly ninety per cent. of those

attaining the age of eighteen years, when they are "free" from this society, remain in the country.

The only desirable home for a child, is that in which its comfort and happiness are considered, and where it is received in Christian love and sympathy, with an earnest desire upon the part of its foster parents for its advancement spiritually, intellectually and physically, and not for cheap labor only.

In the selection of suitable homes, the utmost care and precaution are exercised; no applicant being furnished with a child until after the most searching inquiries. The requirements being as follows: Kind and respectful treatment, genteel and comfortable clothing, proper medical attendance and careful nursing, three months schooling annually until sixteen years of age, with encouragement to study at home when not otherwise employed until eighteen years of age, religious and moral training and regular attendance upon church and Sunday-school of the parent's choice, with "freedom dues" to the amount of fifty dollars.

The other four departments of the society are as follows:

"The Girl's Home Department" was organized twenty years ago, October 1st, 1872, as a "Home" for respectable working girls, apprentices and others, unable to pay more than fifty cents to two dollars per week towards their board.

The above rates include medical attendance and medicine. This department, like all the departments of the society, is entirely non-sectarian, and free from unnecessary restraints, enabling the inmates to learn by experience, as well as precept, what should constitute the practice and habit of daily life. The average of inmates accommodated by this department is twenty, under the motherly care of the excellent matron, Mrs. Charlotte Cornelius, whose discipline, mild but firm, is well adapted to the proper management of "The Home."

There is likewise under its care "The Sewing Machine Department," which was organized February 13th, 1871, and is designed for the instruction of needy girls in the

use of the various sewing machines now used in factories, and private families; thus fitting them, by the aid of our "Cutting and Fitting Department," for positions as operators, seamstress, and dressmakers. There are now upon the roll in this department, 107, with an average daily attendance of 73.

"The Cutting and Fitting Department," above referred to was organized June 1st, 1874, to supplement "The Sewing Machine Department." In this the above named class of scholars, are, by the aid of charts, thoroughly instructed in all descriptions of dressmaking and seamstresses work. There are at present upon roll in this department 53 with an average daily attendance of 38.

In addition to the four departments above referred to, the work of which has been so briefly summarized, must be added another supplemental department for the temporary relief to transient boarders, homeless women, young girls and children, who are provided with a temporary asylum; fed and lodged until they can secure situations, or reach their friends.

The agent states that ninety per cent. of the children received by this society through its "Children's Department," may trace their misfortunes to the intemperance of one, or both of their parents.

Mr. John Curlett has been the zealous, and efficient president of this society since September 30th, 1882, and has devoted much time and attention to its interest, to which he has been very closely identified from the date of its incorporation.

Mr. William C. Palmer, whose appointment as the general agent of the society was made at the time of its organization, has proven an efficient officer to the present day. Home located at 326 and 328 N. Calvert Street.

In addition to the beneficent and extended child saving work prosecuted by the Henry Watson Children's Aid Society the Maryland Prisoner's Aid Association felt the importance of establishing another philanthropic enterprise, viz: to

rescue children from the abodes of wickedness, crime, and the inhuman treatment of cruel parents, and prevent them from habitual begging and peddling on the streets or attending low variety theatres, dance houses, or places of immoral amusements.

The president of the association had his mind greatly exercised about this matter, and after mature thought decided to call a meeting, appointing a committee composed of Dr. John Morris, Rev. H. E. Johnson, D. D., Joseph Merrefield, Robert A. Taylor, Rev. J. B. Shoutz and G. S. Griffith, to consider the matter, and after two preliminary meetings a permanent organization was effected on June 10th, 1878, to be known under the name of the "Society for the Protection of Children from Cruelty and Immorality," with Mr. Andrew Reid as president. The Board of Managers being composed principally of members of the Prisoner's Aid Association, Hon. C. Ridgely Goodwin has served as an efficient president for the past six years.

Subsequently a bill was prepared and presented to the legislature. The provisions of the bill so commended themselves to the judgment of the members of the legislature that it passed both houses without any amendment, and we feel assured that with the co-operation of our police officials that this law has and will continue to save our city and state the disgrace of having scores of children, both white and colored, ruined and inducted into lives of degradation and crime.

Since it was incorporated, September 1878, its records show that its agents have investigated 2556 cases, affecting 5563 children, and they have rescued 1774 children, white and colored, from abodes of debauchery, crime, cruelty and immorality, and placed them where they may have a chance in the battle of life.

It is difficult to estimate the good resulting from this work. Outside of the recorded cases, from general knowledge, we have a right to infer, that there are hundreds of cases where cruelty and neglect are *prevented* by the action



of the society. If one child is rescued from a brothel, or taken from the custody of parents who have abused and neglected it, every family in the neighborhood is thereby warned, and will not render itself liable to prosecution, when the *power of the law* has been so clearly demonstrated. Prevention from cruelty is secured also by the enactment of laws, the penalty of which, if violated, is likely to be visited on the offenders, and not the least part of the work accomplished by the society consists in procuring legislation in the interest of minors. It is generally conceded by persons familiar with such matters, that the state of Maryland occupies the most advanced position in the matter of this kind of legislation, and this is owing entirely to the efforts of the society. The various statutory regulations, drafted and presented at different times to the legislature by the society, and afterwards enacted, will be briefly noted.

1. The *habeas corpus* law. The effect of this statute is to enable judges in all cases involving the custody of children to proceed with *sole regard* to the interest of the child and to do everything that a humane regard for the child's welfare requires, absolutely ignoring every other consideration. The entire subject is placed upon a strictly humanitarian basis.

2. The destitute and suffering minors' law. Under this act the child that is neglected or ill treated can be immediately removed from its parent or other custodian, without any of those delays or formalities that are incident to ordinary legal proceedings.

3. A statute, exceedingly comprehensive in its terms, prohibiting the use of children for begging or the like.

4. A statute, exempting from vexatious suits or prosecutions, persons who "harbor" children, when there is reason to believe that they have been ill treated by their parents.

5. A statute prohibiting the selling or giving of cigars, cigarettes or tobacco to minors under fifteen years.

6. A statute, recently passed, and very stringent, prohibiting the employment of children under sixteen years for more than ten hours a day.

7. A recent statute, authorizing courts to sentence minors to juvenile institutions instead of ordinary prisons.

8. An "adoption" law passed by the Legislature of 1892. A good work accomplished by the society was the suppression of a notorious dance house that had been conducted for years in the most shameless and indecent manner in the very heart of the city. The society's agent caused the proprietors of this place to be arraigned in the criminal court, where they were fined \$250 each, and sentenced to a term of six months in jail. In January, 1889, the agent was sent to Chesapeake Bay on a tugboat, in company with a Deputy U. S. Marshal and a number of representatives of a New York paper, to arrest, if possible, a number of captains of oyster dredging vessels, who had for a long time defied the United States laws, and by their cruelty outraged humanity. There were many minors, as well as adults, who were illegally detained on board such vessels, and these the agent determined to rescue. The expedition was eminently successful. Most of the offending captains, for whom warrants were held by the U. S. Marshal were arrested, tried and convicted. A number of minors who had been brutally treated were released and brought to Baltimore. The success of the expedition struck terror to that class of offenders, and for a long time afterwards there was little complaint of such inhuman cruelty to men and boys employed on oyster boats on the Chesapeake Bay.

It will not be out of place to give a brief sketch from life of the first child received and cared for by the society. A little girl nine years old, had been taken from an orphan asylum in Germany by a man who claimed to be her father. She was brought to Baltimore and treated in the most cruel manner. On one occasion she was kicked down a long flight of steps, which almost caused her death. She was compelled to sell oranges and apples on the street

and in drinking saloons. Finally, the girl ran away and hid in the house of a neighbor, and then the matter was brought to the attention of the society. The case was fully investigated by the agent, and was then taken before a magistrate, and at the trial the brutality of the child's custodian was fully shown. The little girl was removed from the man's control and committed to The Henry Watson Children's Aid Society, and by it placed in a Christian family. Her good conduct and truthfulness won the respect of all who knew her. At the age of fifteen she became a consistent member of the church, to which her foster parents belonged. At the age of eighteen she received from her foster parents \$50 which, with another \$50, that she had managed to save during her service, was placed in bank, so that she then had \$100 to her credit. She has since shown herself industrious and capable, and sometime ago wrote from her home in Chicago thanking the society for having, as she expressed it, saved her life, for she declared that she had fully resolved, in her childish despair, to commit suicide rather than be forced back to those who had treated her so cruelly. She is now worth between ten and twelve thousand dollars, and is a student in a medical college at Los Angeles, California.

Special efforts have been made to break up the practice of children begging and peddling, and the child mendicant in Baltimore has almost disappeared. It is well known that a girl who is accustomed to solicit alms or peddle small articles on the streets, in stores or offices, is on the direct road to ruin, and the boy who commences by peddling and begging, in an incredibly short time becomes a vagabond, ready for the lowest grades of crime.

In conducting the work, no attempt at proselyting is tolerated, and no pains are spared to place Catholic children under Catholic influence, Protestant children under Protestant influence, and the children of Hebrews in homes or asylums where they will receive instructions in that faith.

The society's agent exercises the greatest care to warn

parents again and again when complaint has been made that their children are neglected or cruelly treated, and it is only after every effort in that direction has been exhausted, and his warnings are unheeded, that he resorts to the measure of removing the children by process of law. When it is evident that such action must be taken, it is the society's custom to *rescue* the children and leave the *prosecution* of the parents or guardians, in cases where there has been criminal misconduct, to the state's attorney. It takes care of the children, and, as a rule, only takes part in prosecuting when especially requested by the state's officers. The society is supported altogether by voluntary contributions, and has never asked nor received a dollar either from city or state. It has found no difficulty in obtaining sufficient means from generous and sympathizing individuals to carry on its work.

The agent, Captain Geo. W. Parker, who for the last ten years has given his whole attention to protecting and saving children, states that, after a careful examination of the society's records, he is convinced that intemperance has been the cause of the misery and suffering in at least nine-tenths of the cases where children have been protected or rescued by the society.

The headquarters, 408 Courtland Street, is a building owned by the society, which is a temporary home, giving immediate shelter to children needing it, while other arrangements are pending, or until they can be committed to an asylum or placed with a family. It is also the residence of the agent and his family.

The general discussion was opened by Hon. L. C. STORRS, who spoke as follows:

I have heard it said that the majority of people believe it impossible for a policeman to do much to prevent crime. I think the preventive work should be carried on largely by the police of our great cities. We have in our state (Mich.) in the police force what is termed the juvenile officer—a police detailed to look after children. Children

who are not in the public schools, and boys who are disorderly in school, are looked after. These are not the children that most of us know about—the little ones who are about the street until midnight. This preventive work is carried on by those officers. As you all know, probably, another line of preventive work is that of the State Public School. These schools are for dependent pauper children, who would otherwise be taken to the poor house. Three thousand children have passed through these schools. No doubt this is real preventive work—they would drift to pauperism and crime. Many of them are now our best citizens, industrious and honest. This is one of our best means of prevention, not only in Michigan but in other states.

The law in Michigan provides that an ill-treated child, the definition of which term in the law is "any child who is treated in such a way as to pervert its morals" may be sent to these schools and from there placed in homes. The trouble with that law, and this was pointed out at Pittsburgh, is that simple word "may" which should be stricken out and "shall" inserted in its place. As we study this question more thoroughly we shall see that it is a duty the state owes to itself to take such children and place them out of reach of contamination.

In regard to juvenile reformatory work, as I look in the faces of these wardens I know that they think the worst places on earth for a child are the reformatories. They see nothing but of the boys who graduate in crime. They have no other way of judging—no time to look into the statistics of the work carried on by reformatories. All that they know is of the boys sent to the penitentiary. Of course the public knows little of our boys who are not sent there, and who are holding high places in the community, and leading successful lives.

Mr. W. B. LUPTON: This is the first time I ever attended one of these meetings. I came here to learn something. We have a number of children come to us and

the majority of them come from their parents. We need to go a step further and establish trade schools. If a boy can be taught a trade he can paddle his own canoe. We intend to ask the legislature to establish such schools and if they do not do it, we will do it ourselves, if we have only one boy.

Mr. KIRKWOOD: In Baltimore we have a trade school, and our boys have a good home secured for them. Their names are on our books and they are followed up until twenty-one years of age.

Mr. WASHBURN: I am glad to listen to these discussions upon the restraint of juvenile crime and misdemeanors. We do not expect to cure as long as community exists, but we can restrain. In Ohio we have a special officer appointed under what is known as the "Truant" state law. We find that parents as a rule are anxious to have their children attend school, but a great many pupils disobey the orders of their parents and become truants. This officer has the right, if he sees a boy between six and fourteen in the street at school hours, to inquire why he is out of school. If no satisfactory reason can be given he is taken in charge and conducted either to the school or to his parents. This law has been of great service to us in the matter under discussion. In cities of about 7,000 there is one officer appointed—In large cities about one to each ward. This idea is being taken up by other states. I was asked to make a statement of the operation of this truant law.

Dr. C. BREWER: Love of work is an important factor in the prevention of crime.

Mrs. D'ARCAMBAL: Pardon me, Mr. President, if I rise to give a report of one of the best institutions in Chicago, the Illinois School of Agriculture and Manual Training for Boys. It is under the management of a dear friend of mine—Mrs. Harrison who sits here too quiet and modest to make a report, that this Congress might know what a grand work is being done for the Illinois boys at Glenwood,

where the school and its beautiful buildings are now located. Somewhere in the year 1888, I was visiting Chicago and had the pleasure of spending a few hours with Mrs. Harrison.

Then the school was in its infancy. They were in a small summer hotel just outside of the city limits. I think there were over one hundred and twenty-five boys when I first visited the institution—little-wee fellows and boys from ten to sixteen. Mrs. Harrison would go into the city alone or with Mr. Oscar Dudley (who is now secretary and general manager), and visit the different police stations and learn if any young boys were waiting the call of the justice court. If so, she would ask if she might look them over, and then she made the offer to take them to the school where she would be responsible for them hereafter.

Thus the school grew. Its good work was sounded and the treasury replenished.

The needs of the institution outgrew their accomodation. Application for admittance came from every quarter, both police station and police justice were glad to find that many a boy could be rescued and saved from a life of crime. They had to have more room—larger quarters. In 1889 a friend appeared and gave them a farm of three hundred acres and erected a building on the grounds to care for two hundred or more boys. Thus the work was fairly inaugurated. The good men who stepped to the front with their money and goods realized that the "Boy of to-day must make the man of the future"—that it is a God-given privilege to help make them good and honest citizens. Who dare gainsay this great fact, that among all known charities not one is greater than caring for such boys—the street gamin.

I wish I could give a correct idea of all the work that is done and of the educational department, &c., but I cannot. I only know it is five years old. Over one thousand boys have been cared for. Eight hundred placed out in good homes—two hundred more in the school home.

This is work that was born of love and charity—little

money—but plenty of good friends who have brought it to a grand success. “A Life Saving Station for Boys.” They now own a property valued at one hundred and sixty thousand dollars—but best of all—has saved so many mothers’ “precious boys” from leading criminal lives. The officers are John T. Chumasero, President; Milton George, Vice President; Oscar L. Dudley, Secretary and General Manager; Mrs. Ursula L. Harrison, Superintendent. Mr. President and friends, if only I lived in Chicago, I could tell of more of the work.

This closed the morning session, and the members of the Congress started at once for the Maryland Steamboat Company’s pier, where they took the large steamer “*Ida*,” Captain Leonard, which had been chartered to carry the visitors and friends on an excursion to the city of Annapolis. The excursion was an informal affair and was thoroughly appreciated by all. Luncheon was served on the boat and various points of interest pointed out by members of the Local Committee. On arriving at Annapolis the visitors landed and inspected the Naval Academy, the Capitol and the quaint town; Judge R. D. Magruder received the visitors and cordially placed himself at the disposal of President Hayes as a guide. Commandant R. L. Phythian, of the Naval Academy, accompanied the party to the Governor’s Mansion, where they were entertained by Governor Frank Brown.



## AFTERNOON SESSION.

On the return trip the regular afternoon session of the Congress was held in the cabin, President HAYES in the chair.

Dr. H. D. WEY, of Elmira, N. Y., read the Report of the Standing Committee on the Work of the Prison Physician.

THE WORK OF THE PRISON PHYSICIAN; BY HAMILTON D. WEY, M. D., NEW YORK STATE REFORMATORY.

Without entering into a detailed description of the necessary qualifications of a prison physician, it may incidentally be stated they are of two kinds, professional and non-professional. In regard to the former, he should be well grounded in his profession, familiar with the general practice of medicine and surgery, possessing a knowledge of mental disorders, and of sufficient acuteness and discernment of observation to differentiate between true and feigned disease, fictitious and factitious affections. In addition, he should not be so much of a student and absorbed in his profession as to lose his interest in and leave himself no time nor opportunities for general study of men and affairs. Contact with the world will liberalize him, and personal knowledge of the nether as well as upper social strata better equip him for the discharge of his particular duties. In the exercise of his daily duties and contact with the men under his charge, he should in a true scientific spirit accept humanity as it is and not as he would have it, and evince a familiarity with the thought and ways of men who, consciously and unconsciously, are in a state of opposition to society; and this can be done without sacrifice of dignity and impairment of his influence. Finally, he

should be a man of such individuality and independence of character that his presence and influence are manifest and felt throughout the prison.

Thus well equipped by nature and education, it becomes possible for him to elevate his position to the dignity of a specialty of medicine which, while it fails to bring him the honors and emoluments enjoyed by a successful specialist in the outside world, allows him in no less degree to alleviate bodily suffering and distress of mind.

The true nature and scope of the work of a prison physician are not clear and manifest to a casual visitor. To such a one the duties of the physician are comprised in having a neat and orderly hospital, providing proper nursing, rendering appropriate medical and surgical treatment to those who by reason of acute and chronic disease or injury are unable to conform to the discipline and routine requirements of the prison, together with a supervision of those in cells temporarily disqualified for labor, but not sufficiently ill for removal to the hospital. He is furthermore supposed to exercise a supervision over the general health of the prisoners and see that proper sanitary conditions obtain. This conception of the duties of the prison physician is correct as far as it goes, but it fails to take cognizance of many features that enter into his work.

A daily morning round among the cells is made to take note of the sick from the day before, to consider their condition and detect an aggravation of symptoms that warrants hospital care in place of cessation of work and simple rest. Those who failed to turn out at morning call are seen and their stories heard. The man that is really ill describes his sensations with such accuracy of language as he commands, while tongue, pulse, respiration, temperature, expression, with other physical signs, substantiate his tale. At this time the pretender and simulator appear upon the scene and the fakir exhibits his factitious disease, while laziness as a malady of protean form is shown. Each case calls for careful investigation and consideration; and when

the element of dissimulation and fraud is clearly shown and established beyond a doubt, the subject is either sent out to work or handed over to the prison authorities. It goes without saying that occasionally the malingerer will play his part so well as to perplex or entirely deceive the medical man. When the element of doubt enters into a case, an opinion should be reserved until such a time as its true nature is revealed, the subject in the meantime being under surveillance day and night to substantiate or disapprove his statements. It is better the physician be deceived than that he act too hastily and err in judgment.

It once took the writer ten days to determine whether an attack of acute mania was real or feigned before the prisoner acknowledged the part he had been acting. And recently, for three days, a young man counterfeited the stupor of cerebral meningitis in the early stage, was insensible to pinching, the prick of pins, and tickling of the soles of the feet. The control of the muscles of expression was such that ammonia applied directly to the nostril caused but a slight twitching at the corners of the mouth, an evidence of perception and consciousness other measures failed to evoke. The hint thus obtained was followed up by the administration of an irresistible cathartic which in a brief time caused the patient suddenly to rise up in bed and call lustily for attention.

Every prisoner should have free access to the physician. From the round of the cells he makes a tour of the shops, having in each one a sick call. The men who desire to see him are formed in line, and he listens to their story one by one and in order. Their tales may take the form of idle vaporings and discontent, the alleged persecution of an officer, the imposition of a task beyond ability to do, request for a change of work, that exception to some shop rule be made, complaint as to quality of food, shoes are too large or small, impairment of sight or hearing previously denied, permission to send home for some proprietary medicine as a pretext for letter writing, minor ailments

and complaints, the interpretation of anatomical bumps and processes recently discovered, and for advice and favors germane and foreign to the functions of the physician, and of whatever nature their ingenuity and discontent suggests. Cases calling for medication are noted and appropriate remedies administered later on; alleged disqualification for particular work, which if considered sufficient, are admitted and referred to the proper quarter for consideration and action; or, if groundless and imaginary, the subject is frankly so informed and left to plan other devices to secure his object. It sometimes so happens that men are found at work whose physical condition is a contra-indication. These are either returned to cell or sent to the hospital, according to circumstances.

The daily round of the physician, taking him to every portion of the prison, causes him to become acquainted with the entire population, personally with the majority and with the balance to a degree that he can readily recognize upon sight and locate according to shop. The prisoners in turn become familiar with the face of the physician, and, regarding him as an approachable officer, are led to consult him upon matters that do not strictly pertain to his office.

While exercising a careful supervision over the men in the matter of their physical welfare, together with maintaining the rights and dignity of his office, the physician should studiously avoid assuming, directly or indirectly, authority not fully and unreservedly accorded him. He should, in addition to his routine duties, observe the sanitary condition of the prison, and promptly report whatever he observes that is unhygienic, as defective plumbing and sewerage, insufficient and improper ventilation, and all else that might contribute to diminish the resistive power of the men and favor the production of epidemic disease. In short, he should have to do with preventive medicine as much as with the treatment of actual disease.

The duties of the physician are divisible into two well

defined lines of action: that relative to the prison and its custodial and disciplinary office, and his relations to the prisoner affecting certain of his rights, and concerning which only a medical man is competent to decide. His position is an intermediate one, and, as a referee or arbiter, he is frequently called upon to act judicially, which he should do impartially and without fear or favor.

The government refers to him new arrivals to determine the physical condition, the presence of functional disorders and organic disease, and if the latter, whether it be in its incipiency or well advanced. Existing mal-formations and deformities must be examined and inquired into as affecting availability for this or that industry; antecedents and past life gone over to ascertain to what degree they influence the present; quality and quantity of tissue noted: physiological and cerebral limitations estimated, and an interrogation of the mental parts to ascertain the trend of mind. He is expected to consider the interest of the prison and see that under the guise of sickness, shirking and idleness find no place: and whether there is ought in the physical condition of a man to account for shortage and poor quality of work.

His relations with the prisoner lie in the direction of ministering to him in sickness of body and mind; that tasks are not imposed beyond his power to do, either from lack of strength and power of endurance or natural capabilities. A prisoner may be willing and anxious to do but fall below his requirement on account of deficiency of agility and dexterity; in which case no amount of perseverance on his part and disciplining by the prison authorities can endow him with a skill in any line beyond his natural limitations. Such a one should not be held to the same performance as a man with inherent qualifications and ability to perform a stated task. If the moral atmosphere is clouded through a man's shortage in task arising from physical causes, it is better for him and to the advantage of his fellows that he be removed and placed elsewhere,

where there are no insurmountable obstacles to his progress.

Sentimentality and favoritism should have no place in influencing the physician to act in behalf of or against the prisoner; each case should be judged impartially and according to its merits.

The less the physician has to do with the relatives and friends of a prisoner the better. He should silence their importunings for the exercising of his influence in securing an easy berth for the one in whom they are interested; and under no circumstances should he accept a gift of any description, be its value great or small. The moment he does so he degrades himself and his calling and allows the prisoner to obtain a hold upon him. An officer under the control of a prisoner is mercilessly pursued?

It is as much a part of the physician's duty to withhold medicine as to prescribe it. He must not yield to requests for remedies for vaguely described aches and pains and alleged inability to sleep, or the narrated symptoms of a disease the objective manifestations of which are wanting; nor is it wise to temporize by the administration of a placebo. This latter only defers matters for sooner or later the issue of medicine or no medicine must be squarely met and settled. The professional skill and experience of the physician should alone determine the matter. When indications exist for the exhibition of remedies they should be administered, and the physician see to it that what he prescribes finds its way to the stomach of the patient. Unless he takes this precaution his remedies are either secreted, thrown away, or find their way to the water closet or bucket; and in the latter case not through the media he intended. He should adopt the system of individual dosage and each man requiring treatment, and not in the hospital, should have his medicine served to him morning, noon and night, as the case may be, with the same regularity as governs the distribution of rations. And he must not stop here, but train his hospital steward to see that the remedy or remedies prescribed go into the patient's mouth, and not leave

him until he sees the latter's Adam's apple rise upward to announce the dose has passed beyond the control of voluntary muscles. Through individual dosage the sick man gets what he requires, and the certainty of administration coupled with a wholesome dread of a *Mistura Diabolica*, for the relief of pains arising from oversleeping in the morning, deter from presenting himself at the physician's call the man who regards inertia as a disease. In the matter of expense it has much to commend it as preventing a willful waste of drugs.

In addition to the qualifications necessary to the practice of medicine as familiarity with the manifestation of disease, knowledge of pathology, ability to treat, and discernment to predicate the issue, the physician of a prison will frequently be called upon to differentiate between involuntary morbid processes and symptoms that are feigned or self-induced. Alleged corporeal disabilities will present themselves to his notice under the guise of pretended, simulated, exaggerated, factitious, aggravated, and dissimulated disease, and are assumed by the patient to disguise his purpose and obtain his desires. In the detection of the malingerer it behooves him to be as wise as a serpent and harmless as a dove, lest jumping at conclusions he err in judgment and aggravate incipient disease or wrongfully accuse of fraud a being who from the nature of his position can have no redress. To quote from Gavin—"In the investigation of simulated diseases, it is necessary to bear in mind, that, though every feigned disease is pretended, or used as a pretext, in the sense which that word appears, as the means to the accomplishment of an end, still every pretended disease is not always feigned; that is to say, a disease may really exist, and yet be made to serve as a pretext. In such a case it is for the physician to judge of the value of the pretext; or, in other words, to determine the amount of exaggeration, and whether the nature and intensity of the actual disease are such as to accord the patient the advantages which he claims." Mental diseases are frequently

simulated, and it is important the physician have a clinical knowledge of insanity gained through actual contact with the insane. He is liable at any time to be called upon to determine the mental condition of a prisoner; and if it be a case of insanity, to assume its care and treatment. Many states make no provision for the insane criminal; becoming insane while serving his sentence, a prisoner is retained in the prison but removed to the infirmary or hospital. New York state has an asylum for the insane criminal and those who commit crime while suffering from mental disease. The motives that prompt the feigning of insanity are transfer to the hospital, shirking labor, relaxation of discipline, removal to the hospital, and a better dietary. It sometimes happens that a prisoner who plays the part of a lunatic ultimately goes mad. Coche states—"that the long continued imitation of some maladies, such as insanity, has excited real disease." Epilepsy should be mentioned in this connection. Some prisoners will "chuck a dummy" to evade task-work or when called upon to perform some unusual or fatiguing labor. The Cleg case is an instance where this artifice was successfully resorted to for removal to an asylum. This scamp deceived the physicians of several prisons and evaded detection for a season in the asylum.

The physician should not content himself with a perfunctory exercise of his medical functions, but extend his activities to include psychical investigation, the study of hypnotism as a therapeutic measure and agent for the regulating and control of conduct, the collection of anthropological data, and along other lines closely allied with his profession. No one possesses to a greater degree opportunities for the study of criminal anthropology and settlement of the mooted question whether crime is the result of psychical and social conditions or physical peculiarities.

He will have quite as much to do with the psychology of the prisoner as his ills of body. For instance, Monday morning is usually characterized by an irritability of the



men and an augmentation of the number of those who failed to turn out at the morning call. The substitution of the inertia of Sunday for the weekdays' activity and routine, napping throughout the day at a greater or less expense of the night's sleep, a condition of partial toxæmia from the absorption of organic poisonous matter incident to long hours in cell, morbid thoughts and unnatural sexual gratification, bring on Monday disquiet and unrest in excess of other days. The same phenomena follow holidays.

At stated intervals certain men appear with quickened pulse and in a state of nervous tension, complaining of malaise, of aches and pains. Gavin says: "Pain is the symptom of disease which is most easily pretended, as it does not fall under the cognizance of our senses—its pretension is frequent, and its detection often difficult"—and ask for treatment. Interrogation frequently reveals the fact these periods correspond to what outside would have been an alcoholic spree.

Instances of perverse and exaggerated sexuality will obtrude themselves and knowledge be gained of acts that are reflex of a libidinous nature without inhibitory power rather than an indication of an unsound mind: but which continued in until a habitude is established, work wretchedness of mind and body. Sexuality exerts an influence upon conduct in prison as without, and merits consideration as a biological factor of crime-cause. The writer is positive in the conviction that if certain eminent men of scientific attainments had practiced their profession within a prison and witnessed repeated instances of physical depression and psychic disturbance from onanism, they would not advocate indulgence in this vice as a hygienic measure. It is not fitting upon such an occasion as the present to describe the pederist, his personal characteristic, the scene of his activities, and the plane he occupies in the social scale; nor the sexual pervert who derives gratification only in pollution of the young in years of his own sex; and of other forms of sexual degradation which find a place in

society, and are a possible source of contamination even in a prison. A prison offers opportunities for scientific study of perversion of the genetic instinct as a contribution to psychiatry and neurology. Increase of sexual crime and its relation to medical jurisprudence attest the importance of the subject. The cruelties of Jesse Pomeroy had for their motive sexual gratification, and cessation of lesbian practices, through jealousy, incited Alice Mitchell to commit murder. Between the prison physician and alienist differences of opinion exist regarding the origin and effects of pathological sexuality. They are as widely at variance in their views as the schools of Nancy and Paris concerning hypnotism, for the reason they have studied the subject under dissimilar conditions.

Personal and public hygiene demand, it would seem, a separation of the sexes in juvenile and corrective institutions. The separation should be an absolute one effected by detached buildings so far apart as to prevent all contact and communication; and not nominally by the sexes occupying opposing wings of the same building. Boys should be governed by men, instructed in letters and handcraft by men, and supervised by men upon the play ground and in their outings; likewise girls by those of their sex. Religious, philanthropic, and erotic debauchery often go hand in hand; and if they dominate in the more mature in years, why should they not find expression in the adolescent at an imaginative age, and a time of exaltation incident to the establishment of the reproductive function?

The dormitory system in vogue in certain juvenile custodial and corrective institutions is a disgrace and would be done away with if boards of managers and trustees were fully acquainted with its perniciousness and subversion of morals. In one institution divided into colonies, the writer calls to mind, from forty to sixty boys sleep in a room so overcrowded that many of the beds actually touch one another. The boys undress in a small outer room and thence file to the toilet room and then to bed. After see-

ing that all are present or accounted for, the one in charge turns down the light and goes to his room some distance away leaving the the boys presumably to go to sleep. Does anyone imagine such a plan can do ought than blunt and destroy the sense of shame, of personal privacy, outrage modesty, and transform the "cottage" into a house of Baal? If the dormitory system must exist, let it, at least, be supplemented by a watchman in the room throughout the night supplied with a check clock to attest his faithfulness to duty.

One word more regarding the juvenile delinquent, and it relates to his physical education. Up to and beyond the time of puberty his physiology demands exercise and activity of body that corporeal growth may be conserved. It is a mistake to suppose the utilization of child-labor for revenue, as in caning chairs, basket weaving, brush-drawing and other infrequent and isolated industries, or even manual training, is exercise in a physiological sense, and a pronounced means of physical renovation and betterment. A farmer would scorn to put a growing colt at continuous labor, and to transform a child into a producer is to divert energies and curtail his growth of body. A boy is branded with the mark of institutionalism who is no better equipped to earn his living by the labor of his hands than in cane seating and brush drawing. A daily round of task along the crude lines mentioned becomes an automatic activity allowing the mind to lie fallow and the imagination revel in morbid and perverse fancies. Play is a physiological manifestation, and should receive equal recognition in the care and treatment of the youthful misdemeanant for its educational value, as in the case of the child whose evil impulses are more easily controlled.

A fitting conclusion to this report are the words of Dr. John Morris, uttered in this city a few years ago:—"The physician is of all men the fittest to deal with the criminal. Scientific training gives a much wider range to his vision, so that he acquires a truer grasp of human character. This

is particularly the case if he is a religious man—that is, a man who weighs his daily life, and recognizes the responsibilities of his state and the power of his duty. 'The prisoner will open his heart and unvail his secret nature to the physician in preference to the chaplain or other officers of the prison. Not only will he lay bare physical ailments, but his mental and spiritual trials. It is in dealing with these troubles that the physician can not only exercise a beneficial influence on the prisoner himself, but also secure efficiency in the discipline of the prison.'

PRISON DISCIPLINE FROM THE PHYSICIAN'S STANDPOINT; BY  
DR. J. B. RANSOM, DANNEMORA, N. Y.

Among the needs of our time, there is one which emphatically demands our attention, and that is the management of our criminal classes. When, through promiscuous immigration and the crowding of large cities, we are furnished with a population so largely productive of criminals, a condition confronts us which cannot with safety be passed by.

I cannot in any degree enter into a consideration of the whys and wherefores of the genesis of crime, or trace the circuitous route by which the criminal head or criminal nature is produced, but must pass directly to the criminal as he stands related to society and government while incarcerated within prison walls.

Neither is it my province to enter into such necessary requisites to good discipline as arbitration, justice, mercy, forbearance or large-mindedness. My function being prison discipline from the physician's standpoint, I must take the convict from the point where all this has left him.

My learned and fluent contemporary has fed you with a rich and bounteous repast of how heredity is a cause and quality in crime.

The question which it is my province to present to you to-day, is simply, how best to govern a class of men

isolated from society, whose environments are stone walls, iron bars, and a multiplicity of rules.

It has come to be a well accepted fact that state prisons are not only considered as useful in separating from society a dangerous element, but they are essentially supposed to be reformatory in character.

We are thus presented with a double problem, so to speak.

This peculiarly isolated community, must be so governed and cared for, that while it surely and safely keeps the prisoner in hand, must also protect the individual welfare of this community, and at the same time implant ideas, and stimulate characteristics of mind and body which go toward making a better man and more useful citizen.

With the accomplishment of this desired result the character and mental condition of this population will have largely to do.

If we are to discipline any number of men and hold them responsible for their behavior during a given time, it is imperative the condition of mind be such that they are clearly amenable to such discipline, and are capable of an intelligent comprehension of prison rules.

In my own state many men are sentenced to prison not only mentally unsound and irresponsible, but often absolutely insane. Thus a considerable percentage of the prison population, permit me to say, is mentally incapable of good government and intelligent discipline.

While the state furnishes a way for the removal of a portion of this element from prison to asylum, the process is so tedious and complicated it has thus far failed to free the prisons in any effective degree from this class, and the result is demoralizing.

The insane man should be sentenced as an insane man, and if he is responsible for his acts to a degree which calls for his incarceration in prison, he should be committed, in my opinion, to some institution specially provided for the weak minded and the mentally irresponsible.

If this element could be eliminated from our prison population—if this demoralizing influence could be entirely avoided—a step in the right direction toward a better—a more competent, and harmonious discipline would obtain.

#### GRADING.

It is assuredly an error to attempt to control the criminal who has naturally high-minded traits of character—his crime the creature of circumstances or accident—by the same method you would a man whose brain prompts him to a criminal act, as surely as the needle of the compass points toward the pole.

In my own state a defective law is restfully recorded on the pages of the statute books, to the effect that all prisoners shall be graded in the order of first, second and third grade. This grading has been effectually done with pen and ink, and is a beautiful exposition of the book-keeper's art, but practically no such has appeared in the rank and file of our prison population, in as much as it makes no provision for carrying out its intent. In fact, this law is in the letter and not in the spirit, and we have therefore derived no appreciable benefit from it. It is, however, clearly apparent that such a law should be in active force, and I fully believe that the actual working of a thorough grading of the convicts of any state would be a long step in the right direction.

I believe that all prisons should be graded into first, second and third grades, with each prison a grade by itself. The first grade prison to have for its inmates a class of convicts who by reason of their former life, natural qualities, or acquired mannerisms, or who by meritorious conduct or conformity to discipline in other grades, have earned a promotion to the first, and hence can be rather safely trusted to receive benefits not at all practical to the whole "en masse."

The second grade prison should be constituted of that

class of men who, while not entirely to be trusted with the privileges of the first, are at the same time not absolutely bad men.

This, I believe, should be a sort of half way grade, from which selections could be made for the grade above and the grade below. In other words, the average man should be sentenced to the second grade, and his conduct should determine his grade thereafter.

The third grade prison should be the incorrigible, and consist of men who have been expelled or exfoliated from the two grades above. This grade should be made up of men who have lost their commutation, etc.

The industries, officering, clothing and food should correspond with the consistent requirements of each grade.

The incorrigible prison should be one of literal, permanent confinement, and constructed on a plan which would practically carry out the idea of individual treatment.

Such a grading of the prisons of any state would undoubtedly result in an easier and more perfect discipline, better earnings, better men, and more satisfactory results.

Another important feature in the management of a necessarily confined population, is the provision for physical and mental exercise.

In this connection I beg leave to quote a passage from my annual report of last year, which is as follows:

"If there is any one fact which prison experience positively establishes it is that of the absolute necessity of steady employment for the men. The ill effects of non-employment cannot be overcome by stated intervals of exercise without mental activity, as has been the custom here, for while beneficial, so far as it goes, it fails to secure to the confined man the refreshing sleep and nervous equilibrium, that tired muscles and an occupied brain vouchsafes to him."

"Without employment there must be moral turpitude and mental and physical decline. Not only has labor an effect upon the physical, but extends to the moral nature,

and comprehends much that pertains to the conduct and general *morale* of a prison."

"Such industries as have been and are likely to be introduced being more or less sedentary in their nature, every prison should, in my opinion, be practically a military post, and its inmates physically governed and controlled by military regulations. Exercises should be conducted as a military drill, and thus furnish, at the same time, physical and mental gymnastics."

Unquestionably the nerve element has much to do with the individual convict as to his discipline. Nervous depression, incident to reflection upon his past, his crimes, etc., confinement in close, small and ill-ventilated cells, and especially sexual reversions, all tend to produce, or bring about, a condition of the nervous system which renders him a victim of all sorts of imaginary and unreasonable indignities. He becomes childish, peevish, and obstinate—or timorous, weak and foolish. Either of these conditions make him a difficult man to properly discipline, and a large percentage of punishments may be directly traced to the nervous condition of the convict. While this can never be wholly prevented, it can be largely mitigated by the construction of larger and better ventilated cells and therapeutic baths.

Modern prisons should be built with larger cells. No cell, in my opinion, should be less than seven by ten feet, and should be furnished with light and water, and well ventilated.

In my own prison of Clinton, at Dannemora, the subject of bathing has been thoroughly considered, and the construction within the past year of a spray bath, which while it insures cleanliness, has a most salutary, therapeutical action, has already done much toward improving the mental and physical condition of the men.



I believe, under our present system of conducting prisons, it is essential, and in fact necessary to good discipline, that every prison should have isolation quarters. I mean by this a corridor of cells larger in dimensions, well lighted, well ventilated and furnished with all the necessary appliances and appurtenances to decency and the healthy care of the prisoner, and that a sufficient number of these cells be available, so that when an insubordinate and continuously rebellious convict would not come strictly under prison treatment proper, he could be confined in one of these cells, and given the individual treatment practically carried out at Cherry Hill Penitentiary, Philadelphia.

While I do not believe in the individual treatment of convicts as there carried out, as a whole, I do believe that as an adjunct to the ordinary prison facilities for government it should form a part.

By these means a disturbing element could be at once removed from his surroundings, and thus cut off his ability to incite in others a spirit of rebellion, or promulgate his vices.

The effect must be good upon the average convict, for the very thought of incarceration in an individual quarter for the balance of his sentence in years, or even in months, as the case might be, would have a restraining influence on all the inmates which cannot be over estimated.

The average convict is very jealous of the liberty he is allowed, and the loss of it is a greater penalty than almost anything else which can be visited upon him.

A judicious use of these quarters could not but materially modify and render less difficult the problem of good prison discipline.

#### PUNISHMENT.

I come now to consider a feature of prison management which is fraught with difficulties, and that is punishment. In what way shall the refractory convict be punished when suasion has been exhausted upon him?

In states where commutation laws have been enacted they have no doubt been of great benefit, and yet are largely inoperative, as they do not inflict the penalty at the time of the insubordinate act, and thus the ugly convict is left to a severer form of punishment more or less physical in its nature.

Of late, public sentiment and opinion has in a large degree discountenanced nearly all forms of physical punishment.

This is especially so in my own state, and the dark cell has come to be the popular extremity.

To my mind there is no form of punishment which, when used to the extremity, works so much harm and inflicts such permanent injury to the punished with so little benefit derived. It is a system of punishment which strikes not only at the physical powers, but is a mental and moral degradation. It is not the confinement which produces a seeming submission, but it is the starvation, and you have only inflicted a punishment when you have deprived the body of its rightful supply, and this cannot be done for any length of time without injury. It is the loss of integrity of tissues, the chaos of physical processes, the physiological want, the parched tongue and starved muscles, the mental depression and distress; it is the fire of famine, the horror of gloom, which cause the unsubdued prisoner to cry out for mercy; and I believe no really ugly man was ever confined in a dark cell or dungeon for a sufficient time to subdue him, but what it worked an injury physically and mentally. Even with all this we do not accomplish our end, for the continuously troublesome prisoner readily promises reform, irrespective of his intention to adhere to it, while the obstinate man holds out too long. I thoroughly believe, all things being considered, that the indiscriminate use of the dark cell to any excess would increase the death rate of our prisons; but it is not here that its harm can be estimated, for a man may live to go out, but he is likely to carry with him the effects of this

form of punishment. The only proper and humane use of the dark cell is for reflection, to avoid if possible a severer form of punishment. The dark cell has its use, and a proper use, but it cannot be safely relied upon as the extreme of punishment, or be carelessly used as such. It is indeed a disagreeable fact that, under the prison systems of the past, some form of physical punishment has always been, and, if such systems continue, probably will be necessary to the proper control of some convicts, and seemingly the only question is—what shall that punishment be? Obnoxious as it is to me, and although I shall deplore its necessity, after a careful comparison of all forms of punishment, and particularly that of the dark cell, if we are to have any form of physical punishment (I do not advocate it), I must give my preference to that form which nature in all ages has proved most natural.

There is a certain area of the human body which the instincts of nature prompted our mothers to utilize as areas of irritation, and while the process was productive of pain, it carried with it the logic of effectiveness, which I remember about like the following :

Among the youthful pictures I oftentimes recall,  
Is that of mother's shingle, in sprightly rise and fall.  
How, whilst the rhythmic cadence, echoed its dismal knell,  
My stubborn heart relented, and I began to yell.

I remember the emotions it created on my seat ;  
And how my mind responded to the shingle's generous beat ;  
How, 'neath its smarting logic and its salutary stings,  
I tearfully repented—all my theories took to wings.

Hence, the lesson that it taught me—  
If obedience one refuses—  
Apply a counter-irritant :  
To repent—he quickly chooses.

Judiciously meted out, as a *dernier resort* it would be in my opinion much safer and in all essentials for administering a greater amount of punishment with a less amount of bodily or mental harm.

It is said, to improve the mind you must jostle and turn its thoughts into new channels. In other words, you must shock and give it a molecular earthquake, so to speak, and that is precisely what this form of punishment does. This is especially true of the dull in intellect, or the ratty-mind, so often the result of prison life. Properly handled it can do no physical injury, and is superior to all other forms of physical punishment now in use.

While I am well aware that sentimentality has environed it with all the obnoxiousness and repulsiveness possible, and that it is designated as a relic of the dark ages and barbarous, let me say right here, that in the light of facts, no form of punishment was so generously used in the dark ages of the world's history as that refinement of torture, the dungeon, now popularly entitled solitary confinement.

A history of the catacombs of ancient Rome, or the dungeons of the old world, would unfold a tale of horrors of mental and physical suffering unequaled by any form of punishment revealed to man.

I do not wish to be understood as believing any form of corporeal punishment of frequent necessity. On the contrary, I believe its use should be infrequent if at all, and held in the back-ground as a possibility, and *when* used, surrounded by all safeguards possible and its use so reported to those in authority. But, it must be remembered, that when you are dealing with an aggregation of men long confined and several times in prison, they must be guided by a firm hand, can not be controlled by measures which would be adequate if applied to them in civil life.

The average convict must be governed and dealt with much as we deal with a child, and must be protected from himself as well as from others, so demoralizing is this atmosphere of crime, so enervating to the higher and nobler faculties of the mind.

I believe in—

First. The elimination of the mentally irresponsible.

Second. The actual and proper grading of all the prisons.

Third. Steady employment with the establishment of military discipline and out-door exercise as an adjunct to prison life.

Fourth. Isolation quarters for the separation from the body proper of disturbing elements and demoralizing characters.

Fifth. The furnishing of larger cells, better ventilation, and therapeutic baths.

When this shall have been accomplished, the question of punishment will have been simplified and the necessity for such largely done away with.

It will only remain to provide for the few and exceptional cases which are not amenable to ordinary prison discipline.

I might add as *correlative* to my subject that I believe anything that can be consistently introduced to enliven and lessen the monotony of prison life, will materially aid in discipline, as for instance, music, flowers, and all the sunshine possible. Darkness and dampness are not necessary factors in prison life. Anything which will lessen the impression of monotony on the mind will enlighten it and make the individual more amenable to discipline.

At Clinton we have found that organizing and maintaining a brass band for out-door music, and an orchestra for in-door, with flowering plants in the corridors, has had a most salutary effect upon the natures of the men.

I believe that music can be made a most potent factor for good in prison life. Whatever the eye can catch or the ear hear, that uplifts the prisoner out of himself and his surroundings even for a little, helps him to a better control of himself.

It is through the utilization of all these means suited to the bettering of the governed, that we may expect to better their government.

Mr. Z. R. BROCKWAY: I scarcely know how to chip in on so large a subject.

President HAYES: We will extend the time.

Mr. Z. R. BROCKWAY: There has been for a number of years in my opinion false views in regard to the place of the physician in the prison. I believe in the not very remote future the officer upon whose judgment most will depend must be the physician. The place of a physician might as properly be at the head of a prison as at the head of an asylum. Without Dr. Wey, I might get along, but he seems indispensable. On the subject of so-called punishment: Men who cannot respond to moral means alone, must have for their reformation some sort of physical treatment. I hope nobody will construe this simple remark into an advocacy of torture. Should you go to my barn and throw open the door, the first horse would without a word walk out—that is one kind of a horse; the next never would move until you spoke to him; he must be called to repeatedly, as it is necessary to arrest the attention of some men. The third never would move until he was touched. Many men who are open-eyed and quick, needing little or no discipline—other men need to be called to frequently. Others it is impossible to manage without some form of physical treatment.

Dr. SIMS: Mr. President, I am called on under very awkward circumstances.

President HAYES: That happens to you very often, I suspect.

Dr. SIMS: In reference to the duties of the physician, Mr. Brockway took about the only idea I had on that subject. The most important officer in the prison should be the physician. I believe the time will come when the warden of a penitentiary must be a medical man. I am very much inclined to regard almost all crime as the result of some sort of physical abnormal condition. If that is the case discipline is nothing but treatment for his condition. In such cases the warden must rely most implicitly on the

advice and instruction of his physician. The celebrated Dr. Holmes when asked the proper time to begin to reform a criminal, replied, "one hundred years before he is born." That is the time to correct his heredity. I am not very much of a believer in the theory that was expressed yesterday afternoon of marrying off criminals when they are out of prison. I should have just as few marry as possible—we should breed up to a better standard. The fewer that become fathers and mothers of children the better.

Mrs. D'ARCAMBAL: I do not believe in marrying off the vicious ones. In every case that I know of they have done the right thing, and if they had not they would have done a much worse had they not married.

President HAYES: I declare the official meeting adjourned.

After adjournment, the excursionists were entertained by songs by Prof. D. E. Roberts, who has been prominently connected with prison work in Baltimore for years. Among the selections were "Maryland, my Maryland," "Throw out the Life Line," "Nearer My God to Thee." All present joining in the choruses with a great deal of spirit.

## EVENING SESSION.

General R. BRINKERHOFF, Vice President of the Association, presided.

The committee appointed to examine the accounts of John C. Whiton, Treasurer of the Wardens' Association, report that they have discharged that duty and find the same correct.

MARK L. CRAWFORD,  
R. W. McCLAUGHRY,  
WILLIAM HILL,  
JAMES MASSIE,  
E. C. McMILLAN.

Captain EDWARD S. WRIGHT: I wish to say that we have received assurance from Washington that there is some money in the Department of Justice which could be utilized for the establishment of a National Bureau for the Identification and Registration of Criminals according to the Bertillon System. It is thought that if the matter was now urged properly upon the attention of the Attorney-General the much desired end could be gained.

Upon motion of Captain E. S. WRIGHT, a committee was appointed to visit Washington on the next day and urge upon the Department of Justice the advisability of adopting the Bertillon System for the Identification of Criminals. The committee appointed as follows: Captain E. S. Wright, Captain James W. Pope, General S. E. Chamberlain, Hon. George H. Case, Dr. P. D. Sims, W. F. Spalding, and Dr. Samuel Bell.

The above named committee proceeded to Washington and met the Attorney General in accordance with the provisions of the motion, and had a pleasant interview with



him in regard to the matter. But the Attorney-General felt that in consequence of the pressure of official business such an important subject could not be taken up and considered properly and successfully at present.

At this juncture the committee not only felt but expressed the determination that the subject should be kept alive and again considered by the next Prison Congress and the matter again submitted to the Department of Justice.

An address was next made by Mr. WARREN F. SPALDING, of Boston, Massachusetts, upon "Habitual Misdemeanants."

#### MR. SPALDING'S PAPER.

In the few minutes at my disposal I can give only the barest and briefest outline of what seems to me the best method of dealing with habitual misdemeanants, especially habitual drunkards. For many years I have had the feeling that we have given far less thought to petty offenders than was due. We have devoted time and talents to the improvement of methods of dealing with felons, regardless of the fact that the petty offenders are the ones that take most of the time of the police and courts. We remember that the felon imperils our persons and property, and are anxious to be rid of him from the community. We forget that the danger to the community from the drunkard, the idle and disorderly, the vagrant and tramp, is even greater, involving as it does a larger number of persons, producing a loss from waste infinitely greater than that of all the thieves and burglars, and entailing upon succeeding generations (as felonies do not, usually), a certainty of degradation, vice and crime which can hardly be eradicated. Yet we go on in the old way, treating the misdemeanant as a nuisance, merely. We bring him into court and tax him a small sum for his breach of good order. If he can pay it, we turn him loose and allow him to repeat the offense until his money is gone, or his wife or mother can raise no more with which to pay his fine, and then lock him up for a month. The habitual

misdeemeanant is not interrupted in his career so long as he has money to pay the penalty, and when he is imprisoned it is not because he has been drunk a hundred times, but because he is poor. The state, which long ago took away the power of an individual to imprison his debtor, resorts to imprisonment for debt as a process for securing the payment of its own claims, and usually fails in the attempt.

We shall hardly do better until we realize the gravity of the dangers, present and prospective, growing out of the presence in the community of the persons addicted to habitual drunkenness, idleness and vagrancy. When this is realized what can we do?

Carefully discriminate between the man who is occasionally drunk and the habitual drunkard. Give time enough to the trial of this class of cases to enable the court to know whether the prisoner is before it only by accident, or whether he is in the habit of getting drunk, of living at the expense of his wife or mother, of abusing his family, and in danger of becoming a pauper and a criminal and pauperizing his family. If he belongs to the former class, take his record, warn him of the danger of repeating his offense, and let him go. If he is an habitual drunkard, imprison him permanently for his own protection, the relief of his family and the advantage of society.

When he has been imprisoned, what? Try to reform him. I understand the difficulty of doing this. I know the discouragements. I am aware of the fact that those who have had this class of men in custody will say that it is useless to try to do anything for them, but I remember, also, that those who base their belief in the incorrigibility of drunkards on their experience in dealing with large numbers of them have rarely tried, in any definite, scientific and persistent way, to reform them. If there are better methods the state is bound to try them.

Hitherto, as a rule, all that has been done is to imprison the individual. There is no reason to expect that mere

confinement will make the habitual drunkard permanently sober after his release from restraint. Something more must be done. What? The answer must depend upon the character of the man to be dealt with. He may be a dipsomaniac—one possessed and controlled by that awful craving for drink which leads him to sacrifice everything to secure its gratification. Such a man needs, first of all, medical treatment, as much as does the man afflicted with any other mania, and the need is most pressing when the subject is one to whom the craving comes periodically, and with overwhelming power.

But all drunkards are not dipsomaniacs. Probably comparatively few of them are. There are thousands of men who drink without appetite, merely for good fellowship, or from habit, or because they know of no other place of amusement than the saloon, and of no higher gratification than that of getting drunk. The dipsomaniac should be treated in a hospital; the other, habitual drunkard in a reformatory. Both need substantially the same treatment, aside from the administration of medicine to the former. They all need:—

1. Hard work. This is especially valuable in removing the old tissues, soaked in alcohol, making place for new, healthy tissue. If hard work cannot be found, severe compulsory gymnastic exercise should be used for the same purpose, not as an amusement, but as a scientific remedy for an existing, abnormal, physical condition.

2. Nourishing diet. More than any other class of delinquents, the drunkard needs this. His craving for drink is, in many cases, due to lack of nutrition. Building up his system with nourishing food is one of the first steps in ridding him of the unnatural appetite for drink.

3. The habitual misdemeanant, whether a drunkard or not, is usually deficient in will power. He has ever learned, or has forgotten how, to say "No" to himself and his companions. More than any other kind of offenders, he is weak. Whatever can be devised which will strengthen his

will should be used. Securing him a sound body will do much in this direction, but a man may have a reasonably perfect body, and have little will power to resist the temptations which come to a drunkard, from within and without. The marking system, applied rigorously, will do much for his will. It compels him, as nothing else can, to be watchful of himself. He has drifted with the current, obeying whatever impulse asserted itself; it compels him to row up stream, and makes his own safety and happiness depend upon overmastering the current—the very thing which would have kept him from becoming a slave to appetite. A rigid marking system, which takes cognizance of his every act, will soon detect every man's weak point of character, and whenever it is found, the same system will aid in strengthening it, and in testing the progress made in self-mastery. Until a weak man has so completely overcome his propensity for acting upon his impulses that he can obey rules which cover every detail of every day's life, he ought not to be discharged into a world which presents constant appeals to his worst impulses. Will power cannot be strengthened without exercising it. Mere confinement gives no such exercise. The endeavors to obey strict rules do exercise it and develop it, and do the man a great service.

4. Compulsory education, with a marking system behind it, to record the progress made, will do much. The drunkard usually thinks only, or mainly, of himself and his own gratification. Unless his attention can be turned to some other object, he will not be likely to reform. If compelled not only to study, but to accomplish something by studying, all his faculties will be stimulated. No matter what his attainments, he should be compelled to take advanced steps. The man who is subjected to this reformatory process should be compelled to fill every hour, from rising to retirement, with something requiring effort, manual or mental. Every hour of idleness gives the old life an opportunity to reassert itself, and lowers the pitch of his life.

5. He should be specially taught the nature of stimulants, the results of their use, and the danger, especially to one who has been under their control, of the slightest indulgence—the terrible peril of the first glass, even of beer. The man who has had experience with drinking habits would seem to be the one who would have least need of this instruction. But usually he knows no more than a child of the physiological effects of alcohol upon the human body. He will be greatly helped by this teaching.

6. Make all possible use of the religious appeal, but guard well the danger, specially imminent in dealing with this class, that it be responded to merely by the emotions. The man who comes to realize that drunkenness brings him into relation with other divine laws than those of physiology—that self-degradation is a sin as well as a disease or a crime—has a new reason for striving for self-mastery, prompting him to avail himself of all possible help in the struggle.

All these suggestions are trite, I know, but matters it that they are trite, and that every one of them has been wrought out in the reformatories for felons, if they have been put in practice only in the rarest instances in dealing with misdemeanants? So long as hundreds of thousands of habitual misdemeanants are still, every year, incarcerated for a month each, and so long as thousands of others having longer sentences are merely imprisoned, without making the slightest definite and systematic effort to build up their bodies, or wills, or characters, or to cultivate new habits, desires and tastes, am I not justified in pressing these propositions upon your attention with as much earnestness as if these were all original? No matter how much we may recognize their soundness, they produce no results unless they are applied.

In conclusion let me reiterate, that I believe the greatest problem of penology in this country to-day is, "How shall we deal with the habitual misdemeanant?"

Mr. F. H. WINES made an address illustrated by the use

of elaborate charts, on Criminal Statistics. The subjoined letter will explain the absence of this most valuable and instructive address in this report:

REV. JOHN L. MILLIGAN, Sec'y, &c.

*My Dear Sir:*—I regret my inability to reproduce my address on "Criminal Statistics," delivered before the Baltimore Prison Congress. The stenographer failed to report what I said, for which she is no doubt in a large measure excusable, owing to the fact that so much use was made of diagrams, by way of illustration. But in the absence of such notes as might have been made, I cannot accurately recall the order of my thoughts nor the language used. The substance of my remarks, and much more on the same subject, will be found in the forthcoming volume of the Eleventh Census, entitled, "Crime, Pauperism and Benevolence," to be published this year by the United States."

Very sincerely yours,

FRED H. WINES.

REV. JOHN L. MILLIGAN: Let me offer the following resolutions:

*Resolved*, that before we leave the beautiful and historic city of Baltimore, we hereby express our sincere gratitude for the many kindnesses and agreeable courtesies which we have received from its citizens during our stay.

Especially do we desire to thank the trustees and congregation of the Franklin Street Presbyterian Church for the use of its place of worship, and to their pastor, Rev. W. U. MURKLAND, for the eloquent, appropriate and inspiring sermon delivered before the Congress; also to thank the trustees of the Friends Meeting House for the free use of their building; also the Board of Managers and Warden of the Penitentiary and Jail and the Superintendent of the Sheppard Asylum; the House of Refuge for their kind efforts in making our visits to their institutions profitable; and

also to President D. C. GILMAN of Johns Hopkins University, and to Dr. HENRY M. HURD, Superintendent of the Johns Hopkins Hospital; also to Warden JOHN F. WEYLER of the Penitentiary; Superintendent JESSE MOORE of the House of Correction; and Dr. E. N. BRUSH of the Sheppard Asylum for their courtesies extended at these institutions.

Also to Mr. OTTO SUTRO for the free use of his Music Hall for our morning and afternoon sessions, and to Mrs. HARRIS for the use of the Concert Hall of the Academy of Music.

To the Trunk Lines Association, the Central Traffic Association, The Southern Passenger Association and the New York and Boston Lines Passenger Committee and the Burlington Lines for reduced rates of fare.

We also desire to express our appreciation of the work of the Baltimore Agent of the Associated Press, and for the full and discriminating reports of the city newspapers.

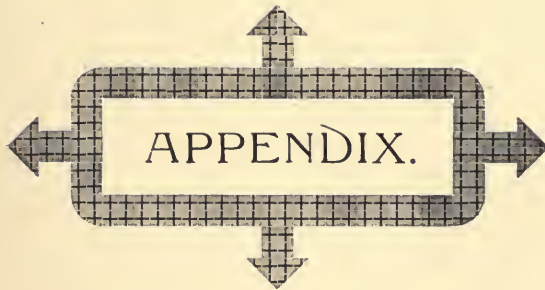
To the Local Committee for all their excellent and judicious arrangements for the comfort and convenience of the Congress in all its work, and for the most enjoyable excursion to the capital of the state.

The above resolutions of thanks were very cordially and unanimously concurred in by the Congress and remarks made by Warden JAMES MASSIE of Toronto, Canada; Rev. Dr. JAMES H. BAIRD, Philadelphia, and Z. R. BROCKWAY of Elmira, N. Y.

Upon the call of the members, Mr. JOHN GLENN of Baltimore made some touching remarks, followed by the final adjournment of the Congress.









# GEN. RUTHERFORD B. HAYES,

BY

W. M. F. ROUND.

---

---

EX-PRESIDENT RUTHERFORD B. HAYES, twice a Congressman, thrice Governor of Ohio, once a military officer of high position and renown, once President of the United States, had also another side to his character than that indicated by these honorable titles. He was eminently and before all things a philanthropist, a lover of his fellow men and a worker for their interests.

A careful study of his life from early manhood until his too early death shows him to have been identified with many of the great reforms of his time. Quietly, unostentatiously, valuing his great honors for what they were worth, but never parading them. Mr. Hayes was easily a leader in the movement for the uplifting of the colored race in the South and for the improvement of the penal system of the country.

There was no subject touching the elevation of humanity in America, no matter how deep the problem involved but that General Hayes brought the most untiring efforts to help in its solution and gave both his time and his name to the organization of practical charities. Beginning in his own city among his own neighbors, he was known as a generous giver, a thoughtful advisor, a sympathetic helper, wherever there was need.

In the larger affairs of the national organization of charities this good man permitted himself to be laden with onerous duties, never once counted his case or the

leisure which he had the right to enjoy, and did perhaps more than any other man in the country to give stability and character to the Prison Reform movement, to the cause of the education of the colored man, and to a reasonable amelioration of the woes of the Indian. Calm, painstaking, with a singularly clear vision for the main facts and issues, never wavering in the slightest where a question of principle was involved, General Hayes was a tower of strength to any movement to which he lent his name, and knowing the prestige that belonged to an ex-President of the United States he lent his name only where he was willing to follow with his entire influence, and his whole personality. There was no clearer headed or more conscientious public man in this country than he was. His patience in bearing the atrocious calumnies of an opposing party was heroic.

It is as a Prison Reformer that the writer of this article has best known General Hayes and his work. In 1870 there was called at Cincinnati a National Prison Congress—which perhaps had a wider influence than any that has been held since—and we find General Hayes presiding at that Congress. At that time he was Governor of Ohio. All the surviving members of that Congress bear testimony to the heartiness with which Governor Hayes entered into the deliberations of this Congress, and from that moment he linked himself with the advanced guard of Prison Reformers. He has never fallen behind.

At that time the Indeterminate Sentence was only named to be considered a scheme of visionaries and was regarded as an attack upon established theories of punishment for crime. Governor Hayes at once recognized in it the keynote of the new penology and the solution of many of the most vexed problems of crime treatment. He however, with singular wisdom refrained from making it the burden of his public utterances, but lost no opportunity to aid the scheme and its gradual introduction into his own and other states. He engaged in every

movement of the Prison Reformers and was one of the original incorporators of the National Prison Association of the United States.

Upon the death of Dr. Wines the National Prison Association of the United States, having accomplished a large work in the organization of the International Penitentiary Commission and the establishment of International Penitentiary Congresses, became inactive. The work inaugurated by it in Europe went on most successfully, but the National Prison Association itself held no meetings. In 1883 it was found desirable to reorganize the National Prison Association. A call was issued by the Prison Association of New York for a meeting to be held at Saratoga at the same time as the meeting of the National Social Science Association. Four men of the original members of the Association responded to the call. To make a quorum required five, and the writer of these lines went out to search for the fifth, finding the late Irenaeus Prime in a Saratoga boarding house just recovering from a severe illness, who at a great risk to his health left his room to complete the quorum. Then and there General Hayes was elected President of the National Prison Association. There was great uncertainty as to the success of its re-organization, but in the minds of those who had the matter in hand there was no doubt as to its need. A full statement of the case was written to General Hayes, who at once accepted the position of President of the association, and from that moment he has held a laboring oar in the organization and upbuilding of this great body, which is perhaps to-day as influential as any similar organization in the country or in the world. The journey from Fremont to New York was never too long for him to take to attend the meetings.

A man full of cares and occupations, he always found time for a careful and thoughtful consideration of every question that came before the association. He has never missed a meeting of the National Prison Congress, and

his speeches from the first have had the truest ring of the reformer. In his Toronto address we find him denouncing the jail system of the country and proposing measures for its reformation. We find him demanding the entire separation of young and old offenders. We find him advocating the permanent confinement of habitual criminals in his Boston address. We find him pleading for a recognition of the common humanity in criminals alike with honest men. In Nashville we find him making an earnest plea for the Indeterminate Sentence. In Cincinnati we find him pleading for a better education of criminals in prison industry and in letters; always in the front rank and always following up his words by his utmost personal influence in his own state and in the nation.

Under the presidency of General Hayes the National Prison Association in its organization and re-organization has grown from its five members in Saratoga in 1883 to more than two hundred, and numbers all the leading prison men of the country. There is not one of them but has felt a warm feeling of fellowship and love for President Hayes; that they could freely approach him for advice, and fully depend upon him for support in any measure of reform that they wished to introduce.

It is not alone in the field of prison reform that General Hayes has won distinction as a philanthropist. His presidency of the board of managers of the Slater fund has led him to a most thorough study of the social condition of the negro at the South, and of methods for his uplifting. The writer of this article can remember a conversation with General Gordon, of Georgia, in which he said that he had never seen in his life a man who had so thoroughly mastered the difficulties that beset the problem of the colored race in the South as General Hayes. In the war he had taken his life in his hand to fight for this race, had thrown all the weight of his character against slavery; as a President he had undertaken

the problem of reconciliation between North and South, fully recognizing the rights of both the vanquished and the victorious, and later on as a citizen had studied the whole problem of the Southern social condition without prejudice or sectional bias. His faith in the future of the colored man in the South was very great, but his uplifting was to depend upon his education, and his education to be effected and controlled by the race that had been his master. It must be a process of generations. In the administration of the Peabody and Slater funds he was a tower of strength and of wise counsel.

In all matters of education General Hayes was deeply interested. As a trustee of the Ohio University he advocated the most advanced methods, the most liberal scheme of education. As a private citizen in Fremont there was not a detail of public school management that he was not familiar with, and there was not an educational movement in the whole country based upon novel or advanced ideas that he did not find it worth while to study, and if possible, to approve.

When the scheme for the Burnham Industrial Farm was laid out, sitting face to face with General Hayes in an hour's conversation, the organizer unfolded to him the principles that were to underlie that institution. The need had already been apparent to both. Intelligent questions as to the smallest details of the plan, wise criticisms of some features, warnings as to some dangers, all fell from the lips of this great hearted public man, and at the conclusion of the conversation he put forth his hand and said:—"You are on the right track; never be discouraged. You will certainly succeed." He was from that hour a warm friend of the movement. Among the most cherished traditions of the Burnham Farm is the memory of a visit of several days duration, and hanging on the wall of the Brothers' Room is a cordial letter expressing approbation of the system. During that visit there was not a boy there with whom Mr. Hayes did not

have a personal talk as to his future, nor a Brother with whom he did not leave a new impulse of zeal by his inspiring words. He followed the growth of the movement step by step and had planned another visit during the coming summer.

In his charities, in his works of public philanthropy, in his efforts for education, he was most generously unsparing of himself and most conscientious. He never permitted his name to be used in connection with any enterprise until he had sifted it to the utmost. He never permitted his name to be used in connection with any enterprise to which he did not give his own personality. If he accepted a title he accepted the duties that went with it, and performed them in the utmost methodical and careful manner. His opportunities for enriching himself by the use of the prestige that naturally attached to him were very great. He put them by with admirable firmness and the dignity that belonged to a man who had held the first office in the gift of the nation was never lowered by any act of his daily life. Those who knew him best, most closely, the citizens of his own town, bear testimony to the simplicity of his character, to the tenderness of his heart, to the generosity of his nature, to the wisdom of his counsel.

He will be remembered in the pages of our National history as a brave soldier, a noble man, a good President and as one of the foremost of American philanthropists, who carried the duties of the first citizen of the country with entire integrity. Because he lived and labored he has left a higher standard of American manhood.



## GOVERNOR SEYMOUR'S ADDRESS.

At the request of President HAYES the address of Hon. HORATIO SEYMOUR, delivered at Baltimore, January 21, 1873, at the annual meeting of the National Prison Association, of which Governor Seymour was then the President, is again printed.

### ADDRESS.

The name of this association fails to give a full idea of its scope and aims. In terms, they seem to be limited to that class of men who have brought themselves under the penalties of the law. But the moment we begin to study the character of criminals and the causes of crime, we find that we are forced back to a scrutiny of our social system and of the weakness as well as the wickedness of our fellow-men. It is because the subjects of pauperism and crime thus lead to an analysis of human nature, and to the consideration of social aspects, that they have been made matters of profound thought by able publicists and large-minded statesmen. At first thought it seems that the condition of a small body of men, who have offended local laws, should be left to the thoughtful control of local authorities, but it is soon found that the considerations involved are as broad as the spread of the human race.

For these reasons, leading men of different nations were drawn together at the late International Convention, at London. For these reasons, this association was formed. Crime knows no geographical limits, no boundaries of states. It is, in its nature, at war with the welfare of the human race. It must be opposed by the united wisdom and virtue of all nationalities and of all forms of civilization.

While local laws must frame penal codes, and local societies do the work of lifting up fallen men, still much is gained by a wide-spread sympathy and co-operation. There are many things which are beyond the reach of state action, in a moral point of view; things which do not come under the cognizance of laws, but which deeply affect the welfare of our whole country.

At the first view, our efforts seem to be limited to the justice which punishes crime, and to the charity which tries to reform the criminal. But we are soon led into a wider field of duty. We are apt to look upon the inmates of prisons as exceptional men, unlike the mass of our people. We feel that they are thorns in the body politic, which should be drawn out and put where they will do no more harm. We regard them as men who run counter to the currents of society, thus making disorder and mischief. These are errors. In truth, they are men who run with the currents of society, and who outrun them. They are men who, in a great degree, are moved and directed by the impulses around them; their characters are formed by the civilization in which they move. They are, in many respects, the representative men of a country.

It is a hard thing to draw an indictment against a criminal which is not, in some respects, an indictment of the community in which he has lived. An intelligent stranger, who should visit the prisons of foreign countries and should hear the histories of their inmates, would get a better idea of the inner workings of their civilization than could be gained by intercourse with a like number of their citizens moving in the mere conventional circles of society. As a rule, wrong-doing is the growth of influences pervading the social system, as pestilences are bred by malaria. Our study into this subject soon teaches us that prisons are moral hospitals, where moral diseases are not only cared for, but science learns the moral laws of life; where it learns what endangers the general welfare of the community; what insidious pestilential vapors permeate society,

carrying moral disease and death into its homes. Prisoners are men like ourselves; and if we would learn the dangers which lurk in our pathways, we must learn how they stumbled and fell. I do not doubt but some men are more prone to vice than others. But after listening to thousands of prayers for pardon, I can hardly recall a case where I did not feel that I might have fallen as my fellow man has done, if I had been subjected to the same demoralizing influences and pressed by the same temptations. I repeat here what I said on other occasions, that after a long experience with men in all conditions of life, after having felt, as much as most men, the harsh injustice springing from the strife and passions of the world, I have constantly learned to think more kindly of the hearts of men, and to think less of their heads.

If we find that crimes are, in a large degree, the hotbed growth of social influences; if the weakness of human nature is always open to their attacks; if they may, at any time, enter into our homes and strike at the family circle, then we must at least guard against them as we do against the pestilence.

To protect the public health and to learn the laws of life, we build and sustain, with liberal hands, hospitals where the sick and wounded can be cured. The moral hospital should be regarded with an equal interest. In each of them we should seek to cure the inmates. In each of them we should seek to find out the secret causes of disease. With regard to both, we should always, in a large-minded way, feel that the laws of moral and physical life are a thousand times more important to the multitudes of the world at large than they are to the few inmates who languish within their gloomy walls.

The public hold in high honor the man of science who treads the walks of the hospital to relieve suffering, to find out the facts which will enable him to ward off sickness and death from others. This association appeals to the public for the same sympathy and support for those who labor to lift up

their unhappy brethren from moral degradation, and at the same time to do the greater work of tracing out the springs and sources of crime, and of warning the public of its share of guilt in sowing the seeds of immorality by its tastes, maxims and usages. We love to think that the inmates of cells are unlike ourselves. We would like to disown our common humanity with the downcast and depraved. We are apt to thank God that we are not like other men; but with closer study and deeper thought we find they are ourselves, under different circumstances. And the circumstances that made them what they are abound in our civilization, and may, at any time, make others fall who do not dream of danger.

It is a mistake when we hold that criminals are merely perverse men, who are at war with social influences; on the other hand, they are the outgrowth of those influences. Crimes always take the hues and aspects of the countries in which they are committed. They show not only guilty men, but a guilty people. The world deems those nations to be debased where crimes abound. It does not merely say that the laws are unwise, or that the judiciary is corrupt, but it charges the guilt home to the whole society. This is just; for most of the crimes which disgrace us could not be done if there was not an indifference to their causes on the part of the community. As certain plagues which sweep men into their graves cannot rage without foul air, so many crimes cannot prevail without wide-spread moral malaria. It is the greed for gold, the love of luxury in the American people, which have caused the legislative frauds, the municipal corruptions, the violations of trust, which excite alarm in our land. It is the admiration of wealth, no matter how gained, which incites and emboldens the desperate speculator in commercial centres to sport with the sacred interests of labor, to unsettle the business of honest industry, by playing tricks with the standards of values. Those who use the stocks of great corporations as machines for gambling schemes, are more deliberately and

artfully dishonest than the more humble swindler who throws his loaded dice. Many of the transactions of our capitalists are more hurtful to the welfare of our people than the acts of thieves and robbers. In the better days of American simplicity, honesty and patriotism, these things could not have been done. No one would then have dared to face a people indignant at such rapacious greed. Such influences have led to frauds, defalcations, breaches of trust. They have filled our prisons, and overwhelmed many households with shame and sorrow. Yet the authors of such things are honored for their wealth, and we ask, with eagerness, how rich do they get? and not how do they get riches?

To make the public feel that criminals are men of like passions with ourselves, that crime is an infectious as well as a malignant disease, and that its sources are not so much personal inclination as general demoralization, are the great first steps toward reform. When we feel that disease may enter our own houses and seize upon the mental or moral weakness of those we love, we are ready to study its causes and its workings. We should then uphold and honor those men of humanity and true statesmanship who study out the causes of moral stains, as we honor and support those men of science who search out, in sick-rooms or hospitals, the causes and courses of the complaints which kill the body.

He who masters the diagnosis of crime gains a key to the mysteries of our nature and to the secret sources of demoralization, which opens to him a knowledge of the great principles of public and private reform, the true methods of a good administration of laws. Pauperism and crime have been made the subject of earnest thought by the best and wisest men of the world, not only on account of their intrinsic interest, but also on account of their relationship to all other matters of good government. Neither of them can be driven out of existence; they will always be problems to vex statesmanship; but they must always

be battled with. In the social edifice they are like fire, ever kindling in its different parts, which are to be kept under by watchfulness and care. If neglected they burst out into flames of anarchy and revolution, and sweep away forms of government.

These subjects must be studied directly and in their moral aspect. There is a pervading idea in our country that the spread of knowledge will check crime. No one values learning more than I do, but it is no specific for immorality and vice. Without moral and religious training, it frequently becomes an aid to crime. Science, mechanical skill, a knowledge of business affairs, even the refinements and accomplishments of life, are used by offenders against law. Knowledge fights on both sides in the battle between right and wrong, at this age. It lays siege to banks; it forces open vaults stronger than old castles; it forges and counterfeits. The most dangerous criminal is the educated, intellectual violator of the law, for he has all the resources of art at his command—the forces of mechanics, the subtleties of chemistry, the knowledge of man's ways and passions. Learning, by itself, only changes the aspect of immorality. Virtue is frequently found with the simple and uneducated and vice with the educated. Surrounded by glittering objects within their reach, our servant girls resist more temptations than any class in society.

We must look beyond the accidents of knowledge or ignorance if we wish to learn the springs of action. To check vice there must be high moral standards in the public mind. The American mind must move upon a higher plane. To reform convicts, their hopes must be aroused and their better instincts worked upon. I never yet found a man so untamable that there was not something of good on which to build a hope. I never yet found a man so good that he need not fear a fall. Through the warp and woof of the worst man's character there run some threads of gold, and in the best there are base materials. It is this web of entwined good and evil in men's character

which makes the problems and perplexities of the legislator and judge.

While there is no honest dealing with this subject unless the American people are charged with their share of guilt, and while Christian charity leads us to take the kindest view we can of every man, it does not follow that crime should be dealt with in a feeble way. Let the laws be swift, stern, and certain in their action. What they say, let them do; for certainty, more than severity, carries a dread of punishment. Let the ways of bringing offenders to justice be direct, clear and untrammelled. The technicalities of pleading, proof, and proceedings, in many of our states, are painfully absurd. To the minds of most men, a criminal trial is a mysterious jumble. The public have no confidence that the worst criminal will be punished; the worst criminal cherishes at all times a hope of escape. In every part of our country there is a vague idea that certain men, of legal skill, can extricate offenders without regard to the merits of their case. This is a fruitful cause of crimes. There is not, in the minds of the American people, a clear distinct conception of our penal laws, their action, and their results. Not less hurtful to justice are those fluctuations of the public mind, which shakes off, spasmodically its customary indifference; fiercely demands a conviction of those who happen, at such times, to be charged with crime; and thus makes popular clamor take the place of judicial calmness and impartiality.

No one feels that there is in this country a clear, strong, even flow of administration of criminal laws. The mood of the popular mind has too much to do with judicial proceedings.

The evils connected with the administration of justice in our land are due in a good degree to the swift changes in the material condition of our country. An increase of our numbers of more than a million each year, of more than twenty-five hundred each day, of more than one hundred each hour, explains many of our causes of the over-burdened

system of penal laws, framed for a different state of society. Our perplexities are increased by the fact that more than one-quarter of this daily addition to our population is made up of those who come from other countries, strangers to our customs and laws, and, in many instances, ignorant of our language. History gives no account of such vast increase of the numbers of any country by constant, peaceful accretion. Conquest rarely makes as many prisoners of war as we make captives to the peaceful advantages of our continent. They bring us wealth and power; they also bring us many problems to solve. British laws deal with British subjects. French courts decide upon the guilt or innocence of Frenchmen. Germany shapes, by its usages and customs, the ideas of right and wrong in the minds of the Teutonic races. But we, in America, have to deal with and act upon all nationalities, all phases of civilization. While these facts palliate the defects of our penal laws and of their administration, they certainly make more clear and urgent the duty which demands that we keep pace with the swift changes going on around us. More than this, our circumstances enable us to take the lead in the great work of reform, as we deal with more plastic materials than are found in the fixed conditions of older nations. Here, too, we have a broader field filled with men of varied phases and aspects of different civilizations, in which we can study the wants and weaknesses, the virtues and vices of the human race. For a series of years, nearly three hundred thousand emigrants have been annually landed at the harbor of New York. Disorder and crime are always active along the line of march of great armies. I believe there is no instance in history of a movement of the human race so vast and long continued. I am glad to state a fact which in some degree palliates the disgrace which attaches to the administration of justice and the conduct of public affairs in that great city. But I should fall short of telling the whole truth if I did not also say that the discredit of that great city mainly springs from the sad



fact that its men of wealth, as a body, lack that genuine self-respect which leads to a faithful, high-minded performance of the duties each citizen owes to the public.

Is there any other basis upon which we confound this great work of patriotism and philanthropy than the one contemplated by this association? It may, at first view, seem to be limited to a small class, but it opens up into a broad field of unpartisan, unsectarian labor. The objects we have in view, although they make our prisons their starting-point, are so wide in their bearings that they brought together, at the London International Association, in the interests of our common humanity, men of the best minds from most of the countries of Europe and America. These, in despite of their differences of creeds, usages, language and form of civilization, could act in accord in devising measures to lift up the fallen, and to spread the principles of morality and justice among the peoples of the world. It is found that true statesmanship, like true religion, begins with visiting the prisoners and helping the poor.

It is certain that in our own country, Edward Livingston, the public man who ranks highest in European regard for intellectual ability, gained his position by his great work, "The Penal Laws of Louisiana." When it was the fashion in the scientific world to hold that men and animals were dwarfed on this continent, this work was brought forward by our friends in Europe as a proof that statesmanship was full-grown here. It is a remarkable fact that an able foreign writer selected the Louisiana code and the proclamation of General Jackson against the doctrine of secession as the two ablest productions of the American mind, not knowing that they both came from the same pen. An exposition of Mr. Livingston's system has lately been published in France, under the auspices of the French Institute, by M. Charles Lucas, a member of the Institute, and formerly president of the council of inspectors of the penal institutions of that country. M. Lucas is a distinguished writer and leader in

the work of criminal reform. He belongs to that body of large-minded, philanthropic men who seek to benefit humanity by wise systems of legislation. A certain breadth and reach of mind mark all those men who have entered upon the study of penal laws and the reformation of criminals.

The Louisiana code is not only remarkable as the product of one man's mind—and I know of no like instance in history—but it is also distinguished by the fact that its republication is called for after the lapse of half a century. The new edition has an able introduction by Chief Justice Chase. Only fleeting honors are gained by those who deal with the passing phases of society, while enduring honors are won by those who grasp the lasting problems of government and laws. It is to be hoped that our statesmen will learn to follow in the higher pathways marked out by Mr. Livingston.

While there is much to condemn in our system of laws and their administration, there is much to admire in the practical workings of many of our prisons. In some respects we are in advance of other peoples. Much has been done in many of our states to improve the condition of criminals, and much more to rescue the young from courses of vice and destruction. I should be glad to speak of the instances of ability and self-devotion shown by men who have charge of public or private charities established for the reformation of offenders. They would lend a weight to my argument which my reasoning cannot give. But I must leave these things to be brought out by the discussions of this Congress. I only seek to show the ends at which it aims. I only seek to invoke for it the sympathy and support of the public in its efforts to combine and organize the forces of those who, in different parts of our country, are working in this field of philanthropic and patriotic labor.

Crime has its origin in the passions which live in every breast and in the weaknesses which mark every character. In its nature it concerns each of us as clearly as the com-

mon liability to fall prematurely before disease and death. No man can know human nature, no man can be a great teacher to his fellow-men, no man can frame laws wisely and well, who has not studied character in convict life. There he can best see the lights and shadows of our nature; see in strongest contrasts what is good and what is bad.

The prisons, to which all vice tends, are the points from which the reforms can best be urged which seek to find out where vice begins. Starting from the sad ends of crime, and running back along their tracks, it is seen that in a large degree they are engendered by public tastes, habits, and demoralizations. It is in our prisons that we can best learn the corrupting influences about us which lead the weak as well as the wicked astray; ay, and sometimes make the strong man fall into disgrace and misery.

In these moral hospitals the thoughtful man, the philanthropist, and the statesman will look for the causes of social danger and demoralization. When we begin at the prison and work up, we find opening before us all the sources of crime, all the problems of social order and disorder; all the great questions with which statesmanship, in dealing with the interests and welfare of a people, must cope when it seeks to lift up high standards of virtue and patriotism.

In the most highly civilized countries, the subjects of pauperism and crime secure the most attention and thought. They turn men's minds from selfish to unselfish fields of labor. Those who enter those fields will find in them marks of toil and care by the best human intellects. The grandest minds have worked at their intricate problems. The ambition of the first Napoleon sought to gain immortality in his code of laws as well as in victories on the field of battle.

Much has been done, in many of our states, to improve prison discipline. Something has been done toward reforming prisoners; but the larger view of the subject, which looks to the moral health of society and the baleful influ-

ences at work in its organization, has not received the attention which it deserves.

When prisons are visited by men of mind, when prisoners are looked upon with kindly eyes by those who can study their characters and learn from them the virtues, the vices and the wickedness which mark our race, and who, tracing back the courses of their lives, shall find the secret sources of their errors and their crimes, then we shall have not only our laws justly enforced and reform wrong-doers; but, more and better than these, we shall gain a public virtue and intelligence which will secure the safety and happiness of our homes, the glory and stability of the republic. Then wealth gained by unworthy means will no longer be respected.

No one can recall the events of the past few years, particularly those of the great commercial centres, without feeling that there is an ebbtide in American morals. Not a little of the glitter of our social and business life is the shining of putrescence. Fungous men have shot up into financial prominence, to whom a pervading, deadening moral malaria is the very breath of life. They could not exist without this, any more than certain poisonous plants can flourish without decaying vegetation.

While I have tried to present in clear terms the claims of this association upon the public sympathy and support, it must be understood that we claim for it only the merit of being a useful auxiliary to moral and religious teachings. If those who take part in its work should fall short of its broader, higher objects of a national character, they will at least get this great gain—they will learn to think more humbly of themselves, more kindly of their fellowmen, and to see more clearly the beauties of Christian charity.

## PROCEEDINGS OF THE DIRECTORS.

The Board of Directors of the National Prison Association met in the parlor of the "Carrollton Hotel," Baltimore, in the afternoon of Saturday, December 3, 1892.

President HAYES took the chair and called the meeting to order.

The Secretary, Mr. MILLIGAN, stated that the Local Committee had concurred in the request of the Association that the business meetings should not be interrupted by entertainments and excursions. However, they asked that the Board of Directors agree to devote Wednesday afternoon, December 7, to an excursion by steamboat to the city of Annapolis.

On motion this was accepted and recommended to the Association with thanks.

The Secretary presented the programme of the business of the sessions and asked that it be concurred in. This was done, and the hours of meeting and adjourning were fixed.

## WEDNESDAY, DECEMBER 7.

The Board of Directors met on the steamer during the return of the excursion from Annapolis, with President HAYES in the chair.

Mr. WINES stated that the Committee of Arrangements for the meetings of the National Conference of Charities and Corrections desired the Board of Directors of the National Prison Association to concur in their call for an International Prison Congress to be held in Chicago from June 12-18, and recommend that Mr. CHARLTON T. LEWIS, of New York, be named as the President of this Congress, and Rev. J. L. MILLIGAN, Secretary.

These requests of Mr. WINES were concurred in.

He also stated that the members of this Association were invited to be present and participate in the proceedings of the International Prison Congress.

On motion the Board of Directors adjourned *sine die*.

## LIST OF MEMBERS IN ATTENDANCE.

### CANADA.

Blackstock, Rev. Dr. W. S., Prison Association of Canada,  
Toronto.

Massie, James, Warden Central Prison, Toronto.

### COLORADO.

Brodhead, Rev. Wm. H., Secretary of State Board of Charities and Correction, Denver.

Slocum, Rev. William F. Jr., President of Colorado College,  
Official Delegate and Member State Board of Charities,  
Colorado Springs.

### CONNECTICUT.

Chamberlain, General S. E., Official Delegate, Warden State  
Prison, Wethersfield.

Chamberlain, Mrs. Mary, Wethersfield.

Howe, Geo. E., Superintendent State Reform School, Meriden.

Taylor, John C., Official Delegate, Secretary Connecticut  
Prison Association, Hartford.

Taylor, Mrs. John C., Hartford.

Wayland, Prof. Francis, Dean of the Law School of Yale  
University, and President of the Board of Directors  
Connecticut State Prison, New Haven.

### DISTRICT OF COLUMBIA.

Foster, Hon. E. C., General Agent of the Department of  
Justice, Washington.

Foster, Mrs. J. Ellen, Washington.

## FLORIDA.

Bailey, Hon. E. B.; Official Delegate, Monticello.

## ILLINOIS.

Crawford, Mark L., Superintendent House of Correction, Chicago.

Dement, Col. Henry D., Warden State Penitentiary, Joliet.  
Dement, Mrs. H. D., Joliet.

Ferguson, Dr. Smith F., Physician State Penitentiary, Joliet.

Ferguson, Mrs. S. T., Joliet.

Harrison, Mrs. Ursula L., Illinois School of Agriculture and Manual Training for Boys, Chicago.

McClaghry, R. W., General Superintendent of Police, Chicago.

Rosenau, Nathaniel S., Superintendent Bureau of Charities and Corrections, Columbian Exposition, Chicago.

Wines, Rev. Frederick H., Secretary of the State Board of Public Charities, Springfield.

## INDIANA.

French, Hon. J. W., Warden State Prison "North," Michigan City.

French, Mrs. J. W., Michigan City.

Johnson, Alexander, Secretary Board of State Charities, Indianapolis.

Xanders, Rev. W. H., Chaplain State Prison, "North," Michigan City.

Xanders, Mrs. W. H., Michigan City.

## IOWA.

Gunn, Rev. W. C., Official Delegate, Chaplain State Penitentiary, Fort Madison.

McMillan, Major E. C., Warden State Penitentiary, Fort Madison.

McMillan, Mrs. E. C., Fort Madison.

McMillan, Miss Martha H., Fort Madison.

## KANSAS.

- Case, George H., Warden State Penitentiary, Lansing.  
 Case, Mrs. George H., Lansing.  
 Pierce, Rev. Charles C., Chaplain U. S. Military Prison,  
 Fort Leavenworth, (detailed by the Secretary of War).  
 Pope, Capt. J. W., (U. S. A.) Commandant, U. S. Military  
 Prison, Fort Leavenworth.

## MARYLAND.

- |                                |                               |
|--------------------------------|-------------------------------|
| Abell, George W.,              | Glenn, John,                  |
| Agnus, General Felix,          | Glenn, John M.,               |
| Baldwin, Summerfield,          | Greenway, E. M.,              |
| Bartlett, D. L.,               | Gilman, Daniel C., President  |
| Bornheim, Meyer,               | Johns Hopkins University.     |
| Bowdoin, W. G.,                | Griffith, G. S., President of |
| Brewer, James R.,              | Maryland Prisoners' Aid       |
| Brooks, Dr. H. A.,             | Association.                  |
| Cohen, Mendes,                 | Goldsmith, Dr. R. H.,         |
| Constantine, Daniel,           | Gundry, Dr. R. F., Resident   |
| Cornell, Eliza H.,             | Physician, Richard Gundry     |
| Cunningham, A. B.,             | House.                        |
| Curlett, John,                 | Haslettt, Robert,             |
| Cushing, Joseph M., Official   | Hennighausen, Louis P.,       |
| Delegate.                      | Hilt, George,                 |
| Davidson, Hon. Robert J.,      | Hodges, Hon. James,           |
| Dennis, Judge Upshur,          | Hopper, D. W.,                |
| Doll, C. H. Mrs.,              | Horn, J. W., Superintendent   |
| Dugan, Pierrie C.,             | House of Reformation for      |
| Ford, John T.,                 | Colored Boys.                 |
| Fisher, Judge William A.,      | Hurd, Dr. Henry M., Medical   |
| Friedenwald, Joseph,           | Director Johns Hopkins        |
| Frisch, William,               | Hospital.                     |
| Fry, John,                     | Jackson, Lloyd E.,            |
| Gallagher, Barclay, Associated | Jackson, Wilbur F.,           |
| Press.                         | Jenkins, Michael,             |
| Glass, D. W.,                  | Johnston, J. Lee,             |



## MARYLAND—Continued.

- Kennedy. S. D., Pennsylv-  
 vania Railroad,  
 Kerr, Charles G.,  
 Keyser, H. Irving,  
 Kines, J. William,  
 King, Henry,  
 Kirkwood, R. J., Superinten-  
 dent House of Refuge.  
 Knabe, Ernest,  
 Lawrence, Rev. E. A.,  
 Leaken, Rev. George A.,  
 Lee, Dr. William, Secretary  
 and Executive Officer of  
 the Maryland Lunacy Com-  
 mission, 344 N. Charles st.  
 Leigh, William, M. D.,  
 Levering, Joshua,  
 Levering, Eugene, Official  
 Delegate.  
 Lilly, Alonzo.  
 Love, Col. William H.,  
 Merrefield, Joseph,  
 Miller, Edgar G.,  
 Morris, Judge Thomas G.,  
 Morris, Dr. John, Official Del-  
 egate.  
 Moore, Jesse,  
 Palmer, W. C., General Agent  
 Henry Watson Children's  
 Aid Society.  
 Phelps, Judge Charles,  
 Platt, William D.,  
 Poe, Gen. John P.,  
 Powell, Rev. Arthur C.,  
 Pratt, Enoch, President House  
 of Reformation for Colored  
 Boys.  
 Proudfit, Rev. Dr. Alexander,  
 Raine, Col. F.,  
 Ried, Andrew,  
 Rohe, Dr. George H.,  
 Rose, John C.,  
 Schryver, E. M.,  
 Scull, Charles O., Baltimore  
 & Ohio Railroad,  
 Seim, Henry,  
 Shippen, Dr. C. C.,  
 Slagle, Charles W., Official  
 Delegate,  
 Stabler, E., Jr.,  
 Stevens, Francis P., Secretary  
 Board of Managers, Indus-  
 trial home for Colored  
 Girls.  
 Supplee, Frank,  
 Tait, John R.,  
 Taylor, Robert A., Prisoners'  
 Aid Society.  
 Thom, Dr. J. Pembroke,  
 Tompkins, John A.  
 Townsend, Martha S.,  
 Turner, Dr. B. A., Superin-  
 tendent Maryland School  
 for Feeble-minded Children  
 Owing's Mills.  
 Virtue, Walter L., Female  
 House of Refuge,  
 Walter, M. R.,  
 Warfield, J. Edwin,  
 Weld, Rev. C. R., Official  
 Delegate.  
 Weyler, John F., Warden Pen-  
 itentiary.  
 Wheeler, James R.,

## MARYLAND—Continued.

White, Francis.	Worthingham, Thomas K.,
White, Julian LeRoy,	Wright, Judge D. G.,
Whittemore, Hannah C., Su- perintendent Industrial Home for Colored Girls.	Zinkhan, Mrs. L. F., Zinkhan, Rev. Louis F., Gen- eral Agent Maryland Pris- oners' Aid Association, 109 Pleasant street.
Wise, Henry A.,	
Woods, Frank, Official Dele- gate,	

## MASSACHUSETTS.

- Batt, Rev. William J., Chaplain State Reformatory, Concord Junction.
- Conway, Miss Katherine E., Official Delegate, Commissioner of Prisons, 5 Atherton Place, Eggleston Square, Boston.
- Greene, Wm. S., General Superintendent of Prisons, 2 A Beacon street, Boston.
- Homans, Mrs. C. D., Director of the Massachusetts Prison Association, 184 Marlboro street, Boston.
- Johnson, Mrs. Ellen C., Official Delegate, Superintendent Reformatory Prison for Women, South Framingham.
- Jones, Frank W., Official Delegate, Commissioner of Prisons, Lynn.
- Jones, Mrs. Frank W.
- Lovering, Henry B., Official Delegate, Warden State Prison, Charlestown.
- Pettigrove, Fred. G., Official Delegate, Secretary Massachusetts Prison Commission, State House, Boston.
- Whiton, John C., Master of the Suffolk County House of Correction, First street, South Boston.
- Whiton, Mrs. John C., South Boston.
- Russell, Mrs. Margaret P., Official Delegate, Commissioner of Prisons, 20 Commonwealth avenue, Boston.
- Scott, Joseph F., Official Delegate, Superintendent State Reformatory, Concord Junction.
- Spalding, Warren F., Secretary Massachusetts Prison Association, Boston.

## MASSACHUSETTS—Continued.

- Thorp, J. G., Jr., President Massachusetts Prison Association, Boston.
- Thorp, Mrs. J. G., Cambridge.
- Vaughan, Benjamin, Cambridge.
- Weissbein, Louis, Official Delegate, Commissioner of Prisons, State House, Boston.

## MICHIGAN.

- Barbour, Hon. Levi L., Official Delegate, Detroit.
- D'Arcambal, Mrs. Agnes L., Official Delegate, Founder of Home of Industry for Discharged Prisoners, Detroit.
- Hinchman, T. H., Official Delegate, Detroit.
- Hickox, Rev. George H., Chaplain State Penitentiary, Jackson.
- McCollister, Rev. Lee S., Official Delegate, 654 John R street, Detroit.
- Storrs, L. C., Secretary Board of Corrections and Charities, Lansing.

## MINNESOTA.

- Corcoran, Rev. Charles, Chaplain State Prison, Stillwater.
- Garvin, Albert, Chief of Police, St. Paul.
- Merrill, Dr. B. J., Physician to State Prison, Stillwater.
- Norrish, John F., Member of the Board of Managers State Prison, Hastings.
- Smith, Rev. Samuel G., Vice President State Board of Correction and Charities, St. Paul.
- Willis, Hon. John W., Official Delegate, Member State Board of Charities and Correction, 543 Oakland Avenue, St. Paul.
- Wolfer, Henry, Warden State Prison, Stillwater.

## NEW HAMPSHIRE.

- Colbath, George W., Warden State Prison, Concord.

## NEW JERSEY.

- Brewer, Dr. Charles, Official Delegate, Resident Physician  
State Prison, Trenton.
- Patterson, John H., Warden State Prison, Trenton.
- Patterson, Mrs. Margaret D., Trenton.
- Pringle, Miss Elizabeth M., Trenton.
- Sawyer, Decatur M., Delegate State Charities Aid Association,  
Montclair.
- Wright, Phebe C., Friends' Philanthropic Union.

## NEW YORK.

- Abel, Anthony E., Prison Association of New York, New  
York City.
- Brockway, Z. R., General Superintendent New York State  
Reformatory, Elmira.
- Barr, Thomas F., Deputy Judge Advocate General United  
States Army, Governor's Island, N. Y.
- Justin, Rev. Brother, Catholic Protectory, New York City.
- Ransom, Dr. J. B., Physician to Clinton State Prison and  
Official Delegate, Dannemora.
- Round, William M. F., Superintendent of Burnham Indus-  
trial Farm, Corresponding Secretary Prison Association  
of New York, New York City.
- Seward, W. R., Rochester.
- Smith, G. W., Special Agent Trunk Line Association, New  
York.
- Wey, Dr. H. D., Physician State Reformatory, Elmira.

## NORTH CAROLINA.

- Beasley, Col. W. F., Official Delegate, Oxford.
- Faison, Col. P. F., Official Delegate, President Board of  
Directors State Penitentiary, Raleigh.

## OHIO.

- Brinkerhoff, Gen. R., Chairman of the Board of State  
Charities, Mansfield.
- Byers, Joseph P., Clerk of the Board of State Charities,  
Columbus.

- Follett, Hon. M. D., Member of the Board of State Charities, 31 East Front street, Marietta.
- Hayes, Gen. Rutherford B., President of the National Prison Association, Fremont.
- Hayes, Miss Fannie, Fremont.
- Lake, L. S., Board of Managers Ohio Reformatory, Newark.
- Limbirt, L. F., Member Board of Managers Ohio State Reformatory, Greenville.
- Parrott, Charles, Member of the Board of State Charities, Columbus.
- Round, R. M., Official Delegate, Columbus.
- Scofield, Levi T., Board of Managers Ohio Reformatory.
- Washburn, George G., Member of the Board of Managers Ohio Reformatory, Elyria.

## OREGON.

- Hartley, George N., Newbury.
- Hartley, Mrs. L., Prof. Pacific College, Newbury.

## PENNSYLVANIA.

- Baily, Joshua L., Official Delegate and Delegate Prison Society, Philadelphia.
- Baird, Rev. Dr. James H., Official Delegate, Philadelphia.
- Ball, M. V., Physician Eastern State Penitentiary, Philadelphia.
- Barnes, Rev. R. H., Philadelphia.
- Brown, J. O., Chief of Department Public Safety, Pittsburg.
- Bullen, Dr. H., Pittsburg.
- Chessrow, Dr. J., Physician Allegheny County Jail, Pittsburg.
- Coblens, Isadore, Board of Managers State Reform School, Pittsburg.
- Donnell, C. G., Secretary Board of Managers, Allegheny County Workhouse, Allegheny.
- Donnell, William H., Allegheny.

## PENNSYLVANIA—Continued.

Donnell, Miss Jean, Allegheny.

Hill, William, Superintendent Allegheny County Workhouse, Hoboken.

Hill, Mrs. William, Hoboken.

Kelly, George A., President Board of Inspectors Western State Penitentiary, Pittsburg.

Latimer, Rev. George A., Prison Society, Philadelphia.

Linden, R. J., Official Delegate, Philadelphia.

Lupton, William B., Board of Managers State Reform School, Pittsburg.

Linden, R. J., Official Delegate, Superintendent of Police, Philadelphia.

Lysle, Addison, Member Board of Managers Allegheny County Workhouse.

Lytle, John J., Official Delegate, General Secretary Prison Society, Philadelphia.

McBride, J. B., Board of Managers State Reform School, Cannonsburg.

McCutcheon, James, Treasurer of the Board of Inspectors, Western State Penitentiary, Allegheny.

McKenna, Dr. Thomas, Board Managers State Reform School, Washington.

McAleese, John, Warden Allegheny County Jail, Pittsburg.

Milligan, Rev. J. L., Chaplain Western State Penitentiary and Secretary National Prison Association, Allegheny.

Milne, Caleb J., President Pennsylvania Prison Society, Philadelphia.

Patton, T. B., General Superintendent of the Pennsylvania Industrial Reformatory, Huntingdon.

Patton, Mrs. T. B., Huntingdon.

Quay, J. A., Superintendent State Reform School, Morganza.

Quay, Mrs. J. A., Morganza.

Rankin, Dr. D. N., Physician Western State Penitentiary, Allegheny.

Scott, Hon. James B., Official Delegate, President Board of State Charities, Pittsburg.

- Watson, M., Prison Society, Philadelphia.  
Wayland, Rev. Dr. H. L., Editor, Philadelphia.  
Wayland, Mrs. H. L., Philadelphia.  
Welch, Joseph, Chaplain Eastern State Penitentiary, Philadelphia.  
Wright, Captain Edward S., Official Delegate, Warden Western State Penitentiary, Allegheny.  
Wright, Miss Mary Losey, Allegheny.

## TENNESSEE.

- Sims, Dr. P. D., Chairman of Committee on Prisons, State Board of Health, Chattanooga.  
Sims, Miss Ella, Chattanooga.

## WISCONSIN.

- Elmore, Hon. Andrew E., Fort Howard.





# CONTENTS.

	PAGE
List of Officers . . . . .	5
Standing Committees . . . . .	7

## FIRST DAY'S SESSION.

Congress called to order by	
Dr. John Morris, of Baltimore . . . . .	7
Prayer by	
Cardinal Gibbons, Archbishop of Baltimore . . . . .	7
Address of welcome by	
Dr. John Morris, of Baltimore . . . . .	7
Attorney-General John P. Poe, of Maryland . . . . .	9
Hon. Ferdinand C. Latrobe, of Baltimore . . . . .	11
Response and Annual Address, by	
General Rutherford B. Hayes, of Ohio . . . . .	12

## SECOND DAY'S SESSION.

## MORNING.

## The Annual Sermon by

Rev. W. W. Murkland, D. D., of Baltimore . . . . . 22

## CHAPLAIN'S ASSOCIATION—Sunday Afternoon :

## Prayer by

Rev. Dr. E. A. Lawrence, of Baltimore . . . . . 45

## Address by

Rev. Geo. H. Hickox, of Michigan . . . . . 45

Hon. J. W. French, of Indiana . . . . . 45

Gen. R. Brinkerhoff, of Ohio . . . . . 47

James Massie, of Toronto, Canada . . . . . 51

W. M. F. Round, of New York . . . . . 53

## MONDAY SESSION—Chaplain's Association :

## Address by

Chaplain W. C. Gunn, of Iowa . . . . . 54

Chaplain Chas. Coreoran, of Minnesota . . . . . 54

Review . . . . . 55

Address on the "Golden Rule Prison" . . . . . 59

Election of Officers . . . . . 66

Resolutions. . . . . 67

## Penitentiary Meeting—Prayer by

Rev. Lee S. M'Collister, of Michigan . . . . . 68

## Address by

Gen. Rutherford B. Hayes, of Ohio . . . . . 68

Judge Francis Wayland, of Connecticut . . . . . 68

Mrs. Agnes L. D'Arcambal, of Michigan . . . . . 70

## EVENING.

## Prayer by

Rev. W. H. Brodhead, of Colorado . . . . . 71

## Address by

Rev. Dr. H. L. Wayland, of Pennsylvania . . . . . 71

Charles J. Bonaparte, of Maryland . . . . . 81

## Prayer by

Dr. Eschbach . . . . . 86

## THIRD DAY'S SESSION.

## MORNING.

Prayer by	
Rev. George H. Hiecox, D. D., of Michigan . . . . .	87
Report of the Standing Committee of Criminal Law Reform, by	
Prof. Francis Wayland, of Connecticut. . . . .	87
Remarks upon, by	
Rev. Fred. H. Wines, of Illinois . . . . .	98
Gen. R. Brinkerhoff, of Ohio . . . . .	99
Nathaniel S. Rosenau, of Illinois . . . . .	99
Rev. J. L. Milligan, of Pennsylvania . . . . .	100
W. P. Lupton, of Pennsylvania . . . . .	100
Hon. E. C. Foster, of District of Columbia . . . . .	100
Mrs. Dall, of District of Columbia . . . . .	100
Gen. S. E. Chamberlain, of Connecticut . . . . .	101
Hon. M. D. Follett, of Ohio . . . . .	101
Rev. Dr. Alex. Proudfit, of Maryland . . . . .	100
Mrs. E. C. Foster, of District of Columbia . . . . .	102
Rev. Dr. James H. Baird, of Pennsylvania . . . . .	103
Prof. Francis Wayland, of Connecticut . . . . .	103

## AFTERNOON.

## WARDEN'S ASSOCIATION.

Called to order by	
John H. Patterson, of New Jersey . . . . .	104
Address by	
Capt. Joseph Nicholson, of Michigan . . . . .	104
(Read by Capt. E. S. Wright, of Pennsylvania.)	
Remarks on, by	
Gen. S. E. Chamberlain, of Connecticut . . . . .	107
James Massie, of Toronto, Canada . . . . .	107
Gen. R. Brinkerhoff, of Ohio . . . . .	108
Mark L. Crawford, of Illinois . . . . .	109
Hon. A. E. Elmore, of Wisconsin . . . . .	109
Capt. J. W. Pope, U. S. Army . . . . .	109

## THIRD DAY'S SESSION, AFTERNOON—Continued.

Address by	
	Capt. E. S. Wright, of Pennsylvania . . . . . 109
Remarks on, by	
	Rev. J. L. Milligan, of Pennsylvania . . . . . 117
	Gen. S. E. Chamberlain, of Connecticut . . . . . 117
	Rev. Brother Justin, of New York . . . . . 117
	Rev. Dr. W. F. Slocum, of Colorado . . . . . 118
	Gen. R. Brinkerhoff, of Ohio . . . . . 118
	Col. W. F. Beasley, of North Carolina . . . . . 118
	G. S. Griffith, of Maryland . . . . . 119
	Warren F. Spalding, of Massachusetts . . . . . 119
	James Massie, of Toronto, Canada . . . . . 120
	Capt. E. S. Wright, of Pennsylvania . . . . . 120
	Mark L. Crawford, of Illinois . . . . . 120

## EVENING.

Address by	
	Hon. Carroll D. Wright, of District of Columbia. . . . . 121
Remarks on, by	
	Rev. Fred H. Wines, of Illinois . . . . . 142
	Z. R. Brockway, of New York . . . . . 143
	Rev. J. L. Milligan, of Pennsylvania . . . . . 143
	Nathaniel S. Rosenau, of Illinois . . . . . 144

## FOURTH DAY'S SESSION.

## MORNING.

Prayer by	
Rev. Edward A. Lawrence, of Maryland . . . . .	145
Report of Auditing Committee, Secretary's Report, by	
John C. Whiton, of Massachusetts . . . . .	145
Report of Committee on Time and Place, by	
Capt. E. S. Wright, of Pennsylvania . . . . .	146
Report of Standing Committee on Police, by	
Maj. R. W. M'Claghry, of Illinois . . . . .	145
Remarks on, by	
Z. R. Brockway, of New York . . . . .	155
Prof. Francis Wayland, of Connecticut . . . . .	155
J. G. Thorp, of Massachusetts . . . . .	155
Hon. L. L. Barbour, of Michigan . . . . .	156
D. W. Glass, of Maryland . . . . .	156
Geo. G. Washburn, of Ohio . . . . .	156
G. W. Smith, of New York . . . . .	157
Gen. Rutherford B. Hayes, of Ohio . . . . .	157
Warren F. Spalding, of Massachusetts . . . . .	157
Rev. J. H. Baird, of Pennsylvania . . . . .	157
Gen. R. Brinkerhoff, of Ohio . . . . .	158
J. J. Lytle, of Pennsylvania . . . . .	159

## AFTERNOON.

Report of Standing Committee on Prison Discipline, by	
Capt. James Massie, of Toronto, Canada . . . . .	159
Remarks on, by	
Colonel Beasley, of North Carolina . . . . .	161
Capt. J. W. Pope, U. S. Army . . . . .	161
Henry Wolfer, of Minnesota . . . . .	161
Gen. R. Brinkerhoff, of Ohio . . . . .	161
Rev. L. F. Zinkhan, of Maryland . . . . .	161
W. M. F. Round, of New York . . . . .	162
Col. H. D. Dement, of Illinois . . . . .	163
Hon. M. D. Follett, of Ohio . . . . .	164
Capt. E. S. Wright, of Pennsylvania . . . . .	164

## FOURTH DAY'S SESSION, AFTERNOON—Continued.

Report of Committee on Discharged Prisoners, by	
W. M. F. Round, of New York . . . . .	164
Sketch of the Maryland Prisoner's Aid Society, by	
Rev. L. F. Zinkhan, of Maryland . . . . .	165
Remarks on Discharged Prisoners, by	
Warren F. Spalding, of Massachusetts . . . . .	170
J. J. Lytle, of Pennsylvania . . . . .	170
Mrs. D'Arcambal, of Michigan . . . . .	171
Report on	
Prisoners' Aid Association of Canada. . . . .	173
Remarks on Discharged Prisoners, by	
Gen. S. E. Chamberlain, of Connecticut . . . . .	173
J. J. Lytle, of Pennsylvania . . . . .	174
Cap. James Massie, of Toronto, Canada . . . . .	174
Report of Committee on same . . . . .	174

## EVENING.

Address on Brain Crime and Capital Punishment, by	
Dr. A. Jacobi, of New York . . . . .	175
Remarks on, by	
Dr. H. D. Wey, of New York . . . . .	205
Rev. J. L. Milligan, of Pennsylvania . . . . .	205

## FIFTH DAY'S SESSION.

## MORNING.

Prayer by		
	Rev. W. J. Batt, of Massachusetts . . . . .	206
Report of Committee on Preventive and Reformatory Work, by		
	Alex. Johnson, of Indiana . . . . .	206
Report of Childrens' Aid Societies, by		
	G. S. Griffith, of Maryland . . . . .	217
Remarks on, by		
	Hon. L. C. Storrs, of Michigan . . . . .	226
	W. B. Lupton, of Pennsylvania . . . . .	227
	R. J. Kirkwood, of Maryland . . . . .	228
	Geo. G. Washburn, of Ohio . . . . .	228
	Dr. C. Brewer, of New Jersey . . . . .	228
	Mrs. D'Arcambal, of Michigan . . . . .	228

## AFTERNOON

Report of Standing Committee on Prison Physician, by		
	Dr. H. D. Wey, of New York . . . . .	231
Address on Prison Discipline from a Physician's Standpoint, by		
	Dr. J. B. Ransom, of New York . . . . .	242
Remarks on, by		
	Z. R. Brockway, of New York . . . . .	252
	Dr. P. D. Sims, of Tennessee . . . . .	252
	Mrs. D'Arcambal, of Michigan . . . . .	253
Songs by Prof. D. E. Roberts . . . . .		253

## EVENING.

Report of Committee on Accounts of Wardens' Association . . . . .	254
Appointing of Committee to visit Department of Justice, on account of Bertillon System . . . . .	254
Address on Habitual Misdemeanants, by Warren F. Spalding, of Massachusetts . . . . .	255
Resolutions by Rev. J. L. Milligan, of Pennsylvania . . . . .	260

## APPENDIX.

Hayes—Mentorial . . . . .	265
Governor Seymour's Address (Reprinted) . . . . .	271
Meeting of Board of Directors . . . . .	283
List of Delegates in Attendance . . . . .	284

