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EMPLOYMENT AND COMPENSATION OF PRISONERS.

REPORT OF COMMITTEE "A" OF THE INSTITUTE.¹

WILLIAM N. GEMMILL, Chairman.

The most serious objection to the compensation of prisoners is the fact that most of our prisons are not self-supporting, and there are no net earnings to be distributed, either to the prisoners or to their dependent families.

Nearly one-half the States, within recent years, have enacted laws providing for the payment of some part of the earnings of prisoners either to themselves or to their dependent families. In most cases these laws have remained inoperative, mainly because there was not a sufficient sentiment back of them to insure their enforcement. Although these laws were enacted apparently in response to public demand, yet in many cases no effort has been made by either the executive or legislative authorities to put them into operation.

The maintenance of our prisons already entails a heavy financial burden, which the law-abiding people of the community must carry, and it is argued that this burden should not be increased by levying additional taxes, either to support criminals after they leave the prison, or to provide for their dependent families during the term of imprisonment. That there is much force to this argument, cannot be denied. Why should the State pension the dependent families of prisoners and neglect the dependent families of the vast army of poor but honest men who through sickness or misfortune can no longer give aid and support to them?

There is not much of an incentive to honesty for the man whose life is but one long struggle against adversity, if he is constantly made to realize that when he is disabled his family will be left to suffer all

¹The membership of the Committee is as follows: William N. Gemmill, Judge of the Municipal Court, Chairman, Chicago; William H. Baldwin, 1415 21st St., Washington, D. C.; Dr. Katherine B. Davis, Superintendent, Commissioner of Corrections, New York City; Dr. F. W. Sears, Burlington, Vt.; Prof. Albert J. Todd, University of Pittsburg, Pittsburg, Pa.; John L. Whitman, Superintendent, House of Correction, Chicago.

sorts of hardships, while the family of the criminal will be carefully provided for by the State. It is doubtful, therefore, whether the plan of compensating prisoners and their families will ever receive popular support until prisons and workhouses become more than self-sustaining. It is urged that the State can better afford to tax itself to support these families than it can to allow them to be scattered and subjected to all sorts of evil influences. But this argument might apply equally well where the head of any poor family has suddenly been rendered unable to provide for its maintenance. The fact that the State has forcibly taken away the breadwinner does not change the situation, so long as such action was necessary for the protection of society, and in doing so it took upon itself a burden.

There can be no doubt but that the State owes to the prisoner and his family the duty of sharing with them a portion of such prisoner's earnings as soon as such earnings are in excess of the cost of his maintenance. A prison should never become an asset of the State. It should always be regarded as a necessary evil. The fewer prisoners a State necessarily has, the greater should be the pride in its citizenship. But with the growing regard for the physical and moral welfare of the prisoner, there should be a greater insistence that all places of detention, after conviction, should not only be made self-supporting, but they should earn in addition a reasonable sum, which should be devoted exclusively to the care of the prisoner and his family.

In every prison are found many prisoners, who through sickness, old age or other physical disabilities are unable to work and cannot, therefore, in any way contribute to the cost of their maintenance. However, the great majority of the prisoners in any penitentiary or workhouse are able-bodied and their ability to work is or can readily be made a real asset to the State. If it is urged that compensation should only be paid in cases where it is found that the prison is self-supporting, then it is unfair and unwise to charge against the labor of the able-bodied men and women who do work, the entire cost of maintaining the sick and disabled found in such institution. Prisoners of this character must be supported by the State in any event, and compensation to the working prisoner and his dependent family should never be postponed until the State can recoup its losses sustained through the care of a class wholly unproductive.

There is another class of prisoners for whom a special claim for compensation arises. It embraces all those who are committed to a prison or workhouse for failure to support their dependent families. It often happens that a man cannot be aroused to a sense of his responsibility to his family in any other way than by compelling him to work for the family within prison walls. Unless the earnings of prisoners

of this class are paid to the families, the remedy provided by the law is entirely worthless, for while the delinquent husband or father may be in a measure punished for his wrongdoing, the punishment falls with double weight upon his family. Most of the States have made special provisions whereby an allowance is made to the dependent family from the general prison appropriation of a certain part of the earnings of all prisoners committed for non-support, and in no case should the payment of such an allowance under such circumstances be dependent upon whether or not the prison is self-supporting. It will, however, avail little to secure legislation providing for the compensation of prisoners, if such legislation has not back of it a moral sentiment which will make it vital.

Several years ago California enacted a law, whereby \$1.50 per day was to be paid to the dependent families of prisoners, yet the law is a dead letter, mainly because its enforcement was left to the discretion of the various county authorities.

In 1911 the State of Texas enacted a law which provided for the payment of ten cents per day to prisoners or their families. The Law was in operation from June, 1911, to June, 1913, during which time \$136,905.64 was paid to prisoners or their families. It was found that the prisons were not self-sustaining and in 1914 the Attorney General declared the law unconstitutional. Since then nothing has been paid.

In 1913, Kentucky passed a law providing for compensation. A small amount was paid to dependent families, but opposition arose and the matter was taken to the court of appeals, which declared the law unconstitutional.

In 1912, the State of Nebraska enacted a similar law, but nothing has yet been paid under it, because the Legislature has steadfastly refused to appropriate money for that purpose.

New Hampshire passed such a law in 1912, but owing to the fact that the State was already overburdened with taxation, the legislature refused to appropriate the necessary money to make the law effective.

New Jersey, in 1912, passed a law, providing that a sum not to exceed fifty cents per day was to be allowed to prisoners, and that it should be paid either to them or their dependent families, as the Prison Board might determine. No appropriations have ever been made to carry out the provisions of the law.

Ohio enacted a law, in 1912, providing for the payment of from one to five cents per hour for every hour prisoners were compelled to work. For the first six months an allowance was made on this basis, but it was found that the appropriation required became a burden and the amount to be paid was reduced to from one to three cents per hour.

Under this law, \$75,000 has thus far been paid to prisoners, \$20,000 of which was turned over to the dependent families.

Pennsylvania has long had a law which provides that the earnings of prisoners, after deducting the cost of lodging, clothing and food, shall be paid to them or their families, but the time has never yet arrived when there were any earnings after paying the costs of lodging, clothing and food. For this reason nothing has yet been paid.

Both South Dakota and Washington have specific enactments against paying compensation to prisoners out of State appropriations. In both States, however, some compensation has been allowed.

The prison at Sioux Falls, S. D., paid from July 1, 1912, to June 30, 1914, \$13,045.66 to prisoners or their families. This, however, was the actual surplus earnings of the institution after the payment of all costs of operation.

Wisconsin's new law passed last year, providing for the payment of the earnings of prisoners to their dependent families after deducting the cost of their keep, yet remains inoperative.

There does not seem to be any good reason why both penitentiaries and workhouses cannot earn more than is required for their maintenance. It is but a few years since nearly every prison was operated under the contract labor system. Strong opposition arose to this course.

Many States have now abandoned the contract plan and have set about to find a more satisfactory method of employing their prisoners. The great obstacle in the way of prisons being made self-supporting is the firm opposition of those who claim to speak for organized labor, who insist that goods manufactured by prison labor shall not be sold in the open market in competition with union made goods. So powerful has been this influence in some quarters that it has not only prevented prison boards from taking action that would be of supreme advantage both to the State and to the prisons, but it has terrified legislatures and induced them to enact laws so restricting the activities of prisons as to make their work almost valueless. The time ought speedily to come when this menacing threat of organized labor will be removed, and when all good citizens will join in an effort to relieve the ever-increasing burden of taxation now made necessary to support, almost in idleness, our criminal population, and when it will be possible for these public charges to engage in occupations that are both useful and lucrative while in prison, to the end that their families may not be in want, and that they may acquire that skill and training which will make it easier for them to find employment, when they leave the prison.

Wherever the grip of organized labor has been but partially released, prisons have shown remarkable results. Perhaps the best illustration is found in the Minnesota State Prison at Stillwater. Here,

during the year 1914, the output of the two leading industries, the twine and farm machine manufacturies, amounted to \$2,006,856.54. After allowing the State 75c per day for its care and maintenance of each prisoner, this institution during the last two years paid to each prisoner or his dependent family 25 cents per day for every day he was employed. In this way it has actually paid as compensation more than \$82,000 in two years, and in addition it has returned a clear net profit to the State of \$685,794.17. What Minnesota has done, all other States can do, if they will free themselves from the restraint under which they now operate. What is done in the State penitentiary may also be done in the city or county workhouse.

The best illustration in an institution of this kind is in the House of Correction of the city of Detroit. This workhouse has been in existence for fifty-three years. It has now an average attendance of about six hundred prisoners. During its life time it has not only paid back to the city of Detroit the entire cost of building and maintaining the institution, but has turned over to that city over one million dollars in net profits. In addition a large amount has been paid as compensation to prisoners and their families. At first each prisoner whose sentence was for one year or more was allowed a compensation of ten cents per day. If the sentence was for six months and over the prisoner was allowed seven cents per day, and if for over thirty days and less than six months he was allowed five cents per day. So well did this plan work that the compensation was increased to twenty cents per day for those of the first class, ten cents per day for those of the second class, and five cents per day for those of the third class. On this last basis there was paid to the prisoners or their dependent families, in 1914, \$15,557.08, and in addition \$10,000.00 was paid to the Poor Commission of Detroit, to be used for the dependent families of prisoners. After all of these expenditures and after paying all cost of maintenance, there remained a clear net profit for the city of Detroit in the year 1914 of \$17,982.00. The chief industries of this institution were the manufacture of chairs, brushes and buttons.

Less opposition has been encountered and greater profits shown in states where prison labor has been employed in operating penal or prison farms. This is due to the fact that the products of the prison farm do not come in general competition with organized labor. But wholly outside of monetary considerations, there are so many other reasons why those who have fallen under the ban of our criminal laws shall not be confined in poorly lighted buildings or herded behind stone walls. The student of social problems is seeking for the causes which wreck so many lives, in the hope that as far as possible they may be removed. Some of these causes are found to lie in the treatment ac-

corded to those who have taken their first false step. To remove these causes, we have enacted probation and parole laws, but while these are wise and salutary they do not go far enough, for most of them deal only with first offenders, and the second, third and fourth offenders are generally in need of more care from the State than the first, lest they become outlaws with hands raised against every citizen of the State.

Confining men and women in prison with or without work, seldom improves their morals, or leads them to forswear their past conduct. It seems to be the universal testimony of those who have had charge of prison farms, that not only has the outdoor life greatly improved the health of the prisoners, but it has in many cases had the effect of inspiring them with a renewed moral courage, which has often resulted in complete reformation. Heretofore, we have placed too much emphasis upon the danger of prisoners escaping, if they were allowed to work in the open, and it is this fear of escape which has made us slow to adopt the prison farm idea. The experience of many States where criminals have been employed upon public highways, in some cases without even a guard being placed over them, is rapidly changing our attitude toward them. Nearly all of these prison farms when operated under favorable conditions, have shown a considerable net income after paying all expenses of maintenance, and some of them are now paying compensation to their prisoners.

The District of Columbia is showing commendable zeal in the operation of prison farms. In 1909 Congress provided for the purchase of two farms, one for a reformatory and the other for a workhouse. At once 1,150 acres of land were bought near Occoqua, Fairfax county, Virginia, to be used for the workhouse. A little later 1,500 acres were purchased near Lorton, Virginia, for the reformatory. The land for the workhouse cost the District \$18.00 per acre. The institution has not been in operation four years, and the total appropriation made for it during that time was \$852,417.78. The total earnings of the institution for the same period were \$773,650.32. During the last year this farm paid to the families of prisoners, who were committed for failure to support their families, the sum of \$6,833.00. It is reasonable to suppose that in the very near future both of these institutions will be more than self-supporting.

The city of Duluth in co-operation with St. Louis county maintains an excellent House of Correction on a farm of 1,100 acres, situated five miles from the city. The farm is operated by a joint commission consisting of three members appointed by the county and two by the city. The institution is as yet but two years old, but it has already demonstrated the great value of keeping the prisoners in the open field most of the time. No cells or locks are to be found about the place and

officers are not allowed to carry fire arms. The prisoners are generally employed in clearing the land and erecting necessary buildings. Thus far but six per cent of the men escaped, and nearly all of these were afterwards returned to the farm.

The State of North Dakota has an excellent law now in force affecting the compensation of prisoners. By this law it is provided that prisoners working in prisons shall receive not less than ten cents nor more than twenty-five cents per day for each day's work done; that the warden shall keep an inmates' ledger account with each prisoner, in which shall be set down accurately all the earnings of the prisoner and all moneys received and paid out from time to time. A statement of the account is to be made monthly, and the money to his credit distributed according to his direction. Three funds are maintained, one known as the general benefit fund; another the prisoners' personal account; and the third, the dependent relations' account. It is required that the personal account of the prisoner shall be credited with his earnings until such account shall have reached at least the sum of \$50.00, so that when he leaves the prison he will have something with which to maintain himself until he can secure employment.

The South maintains many prison farms, and most of them are self-supporting. Few of them have ever allowed compensation to their prisoners.

Among the prisons showing the best results is the state prison of North Carolina, located at Raleigh. It contains 6,000 acres of fertile land situated near the Roanoke river. Last year the farm produced 1,030 bales of cotton, 24,000 bushels of peanuts, 45,000 bushels of corn and large quantities of alfalfa and soja beans. In addition it keeps 225 head of horses or mules, 100 milch cows and several hundred hogs. It produces not only all the vegetables used on the farm, but also all the meat, and has a surplus of both for sale.

Mississippi has three large farms located at Sunflower, Belmont and Jackson. These farms aggregate over forty thousand acres and have nearly always been operated at a considerable profit to the state.

Texas has forty thousand acres of land given over to the use of prison boards and over 3,000 prisoners are constantly engaged at work upon these farms, nearly all of which are more than self-supporting.

Louisiana has three penal farms, at Angola, St. Gabriel and Janerette. They aggregate 17,000 acres. Nearly all of the prisoners of this state work upon these farms, and last year all of the farms showed a net profit.

Arkansas has shown remarkable success in the operation of its convict farm of 10,000 acres. Last year there was a net profit after paying all operating expenses of over \$100,000.

Indiana during the last year purchased a state farm consisting of 1,600 acres and situated near Green Castle. Thus far 274 prisoners have been engaged most of the time in clearing and reclaiming parts of the land. They are also engaged in erecting many necessary buildings and performing nearly all kinds of ordinary farm labor.

The Province of Ontario, Canada, is operating most successfully a convict farm of 800 acres at Guelph. Last year the convicts raised on this farm over ten thousand bushels of grain, 6,000 bushels of potatoes and large quantities of fruit and vegetables. In addition the farm maintains a dairy. Another convict farm of 1,100 acres is also maintained by the Province, near Fort William.

A few years ago the state of New York bought 1,100 acres of rich fertile land in the foothills of the Adirondack Mountains, near the village of Comstock. This land has been converted into a prison farm where, at present, from 600 to 700 first term prisoners are continually employed. A large dairy is maintained and many horses, cattle, sheep, pigs and chickens are raised. In addition the prisoners care for a large orchard which is continually being increased in size. No guard is kept over most of the convicts while they are at work upon the farm. All the prisoners sent to the farm are taken from the state prisons at Sing Sing, Auburn or Clinton, and are generally first termers. The prison authorities are allowed a discretion in determining what prisoners are to be transferred, and in order to maintain proper discipline upon the farm the same prison authorities have the power to send the prisoner back, from the farm, to the prison from which he came, for any infraction of the farm discipline. During the last year many prisoners were taken from this farm to adjoining counties and there employed in road making. Some of the convicts were also taken to the state farm for women situated near Valatie, New York, where they were employed in agricultural pursuits.

The city of New York recently, through the earnest effort of the Commissioner of Corrections, Dr. Katherine B. Davis, purchased a tract of 610 acres of land in Orange county, 60 miles from the city, to be used as a reformatory for male misdemeanants. The place is called "The New Hampton Farms." Here many prisoners are continually employed without guard in doing all kinds of agricultural work, in erecting buildings and otherwise improving the property. Last year the farm produced enough to not only pay for all the equipment used, but to cover all expenses of maintenance.

Five years ago the state of Illinois bought 2,200 acres of land near Joliet, to be used as a convict farm. During the last year about fifty convicts have been continually at work upon this land, erecting buildings and performing the usual farm labor. As a result of their work,

over \$6,000.00 was realized from the total sales, and this sum was used in purchasing necessary farm implements with which to enlarge and continue the work.

The city of Chicago at its municipal election in April, 1915, voted a bond issue of \$200,000 with which to buy a farm to be operated in connection with its House of Correction, which now has confined in it over 2,500 prisoners. Largely through the constant effort of its superintendent, John L. Whitman, an ordinance was recently passed by the City Council, allowing the sum of \$6,500.00 to be paid to the dependent families of prisoners confined in this institution. This fund was a net profit shown for the year 1914 in certain industries carried on by prison labor. The institution, however, is not self-supporting. The plan of purchasing and operating a farm has received the earnest support of the newly elected Mayor William Hale Thompson, and there is no doubt but that, within a short time after work is commenced upon the new plan, this institution, instead of being a heavy burden annually upon the tax-payers of the city, will be more than self-supporting. It is believed that a large net earning will be made annually, out of which prisoners and their families may receive such needed care. Such a farm is especially needed in connection with a large city like Chicago, for more than one-half of all the prisoners sent to a workhouse, like the one in question, are in a measure broken down in health, largely through drink and other forms of dissipation. They need more than anything else the sunshine and the open air, while they are being forcibly restrained from drink and other forms of dissipation.

The question of allowing those confined in prison to share, at least in some small degree, in their earnings, is not open to serious debate. Thousands of persons are rearrested within twenty-four or forty-eight hours after they leave the prison, mainly because they are turned out without money with which to buy the necessary food and lodging to maintain themselves until they are able to get work. Many of them commit all sorts of crimes in sheer desperation, after wandering aimlessly about immediately after being released from prison. If the amount of compensation allowed to prisoners does not exceed five cents per day, this sum when given to him as he leaves the prison will often enable him to maintain himself until he can get employment. Most prisoners are very prodigal in the use of money. Few of them have ever learned habits of economy, and it often proves the undoing of one suddenly released from confinement to intrust him with even a small sum, with which he can become intoxicated or enter upon a season of debauch. When compensation is allowed to the prisoner it should be paid to him gradually by someone authorized to look after his welfare. Where probation or parole laws are in force, it is best

done through this medium, but it should be paid in a manner that will best conserve the fund, and be the most useful to the prisoner and his family.

During the last two years a new field has opened where the State may find ample opportunity for the employment of its convicts. Never before was there such a universal demand for permanent road building as now, and in no other way can the labor of convicts be employed to so great an advantage. During the next ten years millions of dollars will be spent in improving public highways. Unless prison labor is utilized for this purpose this great sum will all be raised by direct taxation. If prison labor is used every penal institution in the country can be made more than self-supporting, and the millions of money now required to meet the annual deficit of prison institutions will be expended in a way that will yield a large return to the state.

The state of Washington has given us a valuable lesson in road making by prison labor. Here the law expressly forbids the payment of compensation to prisoners out of state appropriations. In order to encourage prisoners the Governor issued a conditional pardon to such prisoners whose terms would expire in from one to nine months and who would voluntarily consent to work upon the roads and live in what were known as "Honor Camps" for the remainder of their terms. Each prisoner was allowed a credit of fifty cents per day which was held and paid out by the superintendent of the prison as custodian of the fund. It was generally paid to the prisoner at the expiration of his term or paid to his family, as the prisoner might direct. In 1914, \$8,819.57 was thus paid. During the whole time there were but ten escapes from the camps and five of these were rearrested.

The state of Colorado has shown remarkable results from the employment of its prison labor. It receives annually at its penitentiary, located in Canon City, about 1,600 prisoners, and has a daily average of about 750. During the last two years about 50 per cent of the inmates were employed in building state highways, and for the two years, ending November 30, 1914, they constructed 149 miles of good roads. The total earnings of the prison for the two year period was \$514,217.77, and the total appropriations were \$311,237, leaving a net profit for the state of \$202,980.77. \$330,603 of this earning was from road building and \$55,412.57 was from the ranch operated in connection with the penitentiary.

This ranch consists of three farms, one of 800 acres in Pueblo county, another of 8,000 acres in El Paso county, another of 65 acres four miles from the penitentiary. Only 500 acres of the 8,000 acre tract are under cultivation. On this farm last year were raised 1,065 tons of hay, 623 tons of sugar beets, 5,700 bushels of corn, 63,682

pounds of apples, 106,034 pounds of beans, and large quantities of other vegetables. 4,900 chickens, 200 turkeys, 6,033 dozen eggs, many cows, horses, sheep and hogs were also produced. Much of the road-building was constructed through difficult mountain passes. During the two years 57 prisoners escaped and 31 of these were recaptured. The state does not provide for the compensation of prisoners. But for every 30 days a prisoner works upon the public roads he receives a reduction of 10 days from his term of imprisonment.

Several other states have shown good results in farm and road operation with prison labor. But these are sufficient to illustrate the great advantages to accrue from this modern and humane method of dealing with a great social and economic question.

The following conclusions are recommended by the Committee:

First: All prisoners should be made to work by the state or community which by imprisoning them has assumed control of their earning capacity and is, therefore, under obligation to use this earning power for the best advantage of all concerned.

Second: For labor so performed, compensation should be given. In all cases of men imprisoned for non-support and in most others where there are actual dependents, the dependent family of the prisoner is the primary beneficiary of his earnings.

Third: Where there are any dependents, and so far as is consistent with the claims of such dependents, where there are any, it is desirable that a fund of at least \$50.00 be accumulated out of the earnings of every prisoner, which shall be withheld until his release, and to this end a detailed book account should be kept with every prisoner. Where there are no dependents a prisoner should not generally be paroled unless a fund equal to \$50.00 has been accumulated by him under some system providing for compensation.

Fourth: If through the criminal act of the prisoner the family of his victim has been made dependent, such family should at least receive equal consideration with the dependent family of the prisoner, in receiving compensation from the earnings of such prisoner.

Fifth: When prisoners receiving compensation are paroled the compensation due should be paid to them under the direction of the parole officer, who shall have the power to supervise its use.

Sixth: In order to make effective compensation laws, it is essential that prisoners be made self-supporting.

Seventh: Prison Boards should be allowed, under the law, to engage in work that will not only be lucrative, but will best fit and equip the prisoners to earn a livelihood after their terms of service have expired.

Eighth: The operation of large farms in connection with prisons

and workhouses not only produces the best financial return to the state or other municipality, but is most conducive to health and good discipline among the prisoners.

Ninth: Every prison board should be authorized to engage in permanent road-making and should be permitted to select for this work prisoners who will be less likely to escape. All such should be compensated.

DISCUSSION

Mr. Eaman, of Michigan: I am a member of the Prison Board of the State of Michigan. Reference is made in the report of the Judge to that institution, and also to one in my home city, the Detroit House of Correction. I think it is only fair to the Institute to remind them, however, that in the House of Correction at Detroit, a large source of income consists of contracts from various counties of the State that have no work-house, no House of Correction—they contract with the City of Detroit for the care of their prisoners, and the City makes a profit from the custody of the prisoners, and still has their labor.

I am sure the Prison Board of Michigan agrees with practically every recommendation the Committee has made. We have found, however, in our State, that the prison labor that now produces the greatest gross return is the poorest industry for a prison. We have, for example, a profitable industry, as they have at Stillwater, in the binder twine factory, and although it shows so large a profit as largely to support the prison at Jackson, yet, as far as the Board is concerned, we would throw it out tomorrow, because it does not help the men a particle. A child can do the work; it is a mere operation of spinning. Men do not like the work. We are able to pay them compensation, and do pay every man on an average of fifteen cents a day, and intend in a short time to pay them twenty-five cents; yet we are still in an inquiring state of mind. The problem of taxation is relieved by this method, and yet the State of Michigan is coming to believe that perhaps the best prison is the one that costs something. Jackson does not cost it anything, and makes \$50,000.00 besides, and yet the Board will recommend to our State to throw out the one industry that makes the most money. We have six hundred men without guard on our prison farm. We have found that is an admirable method as in the other states.

We should like to get the judgment of the men from the other states on prison employment. We have abolished contract labor in Michigan. We have in that state the great employer of labor,

Mr. Henry Ford, who proposes to make one thing, and to make it well, but we haven't found that that works out very well in prison management. Economically we could have one large factory in the State prison at Jackson and employ all of the men in making one commodity. We could make more money that way. We maintain a stone cutting industry and a chair industry. We have our prison farm and a canning industry. Our canned goods command a higher price than any other similar product in the State of Michigan, due to the fact that most advanced methods of canning are used. But the one problem before us is this one of our bindery. Is it the judgment of the Committee that prisons throughout the country should engage primarily in industries that are remunerative, or should we first give consideration to those industries which will equip men to be self-supporting when they leave the prison, and in the end pay the State by eliminating the cost of a second trial and a second conviction, and by enabling us to decrease the police force?

Mr. Wolfe, of Utah: Suppose if we had a road to build, we used the prisoners in our prisons to do it—it takes a certain amount of the bread of the men outside of the prison. It takes away their opportunity to work. There are a good many men, I imagine, who arrive at such straits in bodily want and in the needs of their family, who would probably be willing to commit crime, if they felt that they could go to prison and could be supported and support their families. There are a good many men these days living very, very close to the bread line, and if that condition was brought about, I believe they would feel that the exigencies of the case would excuse a crime sufficient to bring that condition about.

Mr. Eaman, of Michigan: My answer to the proposition of the young gentleman from Utah, as to compensation of prisoners, whether it is fair to labor or not, is this: that it is much better that the man who is confined in our institutions be compelled through his labor to support his wife and children at home, than to compel the Poor Commission to do it. I cannot understand the argument that because a man is in prison, he should not receive some compensation for his work. That man, some day, if he is not there for life, is going to be returned to the community, and the State, not so much for the man, but for itself, must teach that convict something that he may not have learned before—the ability to work, and to do useful work. I think it is better for the convict to earn something in the prison and have that money go to his dependents than for the Poor Commission to support them—and one or the other will have to do it. It has been our experience in Michigan that the compensation of prisoners has not only made for better prison discipline

but has tended toward reformation, and has enabled men to feel more like men, and it is our hope and aim there to increase our compensation from about fifteen cents a day to twenty-five cents a day. It has enabled us to make money out of the industries, and as soon as we have paid the men a little compensation for their overtime, we have found that the industries have turned from a losing venture to one that pays money to the State, and to the prisoner as well. We found it admirable in every sense of the word, and it is not so much that we are paying the convict, as that the State of Michigan and the other States, where they allow compensation to prisoners, are helping themselves to solve the prison problem and the convict problem of the State.

The Secretary: In Pennsylvania we have had a rather antiquated system. Very few of the inmates of our penal institutions were allowed to labor at all. Thirty-five per cent was the extent of those that were allowed to take up an occupation, and sixty-five per cent were idle. But a year ago the Governor of Pennsylvania appointed a commission, of which I had the honor of being Chairman, to take up the question, and we went into the matter. We had legislation passed during the last winter which we think will set this matter right in Pennsylvania at least. We took the matter up from all sides, and particularly from the side of organized labor. Pennsylvania is probably the state above all others in the Union, where organized labor is most dominant. Organized labor stands shoulder to shoulder against any movement that would seem to militate against their men. At the last annual meeting of the Pennsylvania branch of this Institute, the acts of assembly which we presented were taken as topics for discussion. The proceedings of that meeting have all been set forth in our Journal. Organized labor is with us if we adopt the plan that is known as the "State Use System"; the system by which the inmates of penal institutions shall make goods for the use of the State in the departments of government; in the penal and charitable institutions, and only for such departments and institutions. By doing that we simply take a drop in the bucket from organized labor, and at the same time we are perfecting men in the use of some decent, honorable occupation, so that when they come out of prison they themselves may become a unit of organized labor. Only the men who are confined will make those things which are needed by the State departments. Ohio now employs that system; they give only a maximum of three cents an hour—that is twenty-four cents a day. Pennsylvania will give fifty cents a day, and seventy-five per cent of that will go to the dependent family. The balance will be stored up and given to the

prisoner when he gets out, but not all in a lump sum; one-third at one time, one-third three months later, and the other third after three months more. This system is evolved not so much to bring remuneration to the State, nor to support the dependent family, as to make a man out of the prisoner. That is the fundamental basis of our whole system, and that is the system which we would like to see throughout this country.

Mr. Sanders, of Nevada: Organized labor has suggested the only means that I am in favor of on this question of compensation. I think that you should compensate a criminal only to the extent that his labor will bring about a sufficient revenue to maintain our penitentiaries and homes for delinquent boys and girls. Let the state require the convicts, both local and state, to engage in a business as a matter of revenue for those purposes and none other.