

1917

Notes and Abstracts

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NOTES AND ABSTRACTS.

COURTS—LAWS

Local Courts Fail to Convict Child Labor Law Violators.—State Child Labor Laws and Their Enforcement Analyzed.—In preparation for Child Labor Day, January 28, the National Child Labor Committee is issuing a study outline of local child labor conditions to interest people in the nature and enforcement of their local child labor laws. The study of local laws naturally follows the passage of the federal child labor law for which the Committee has been working for the past few years. To show the need of local laws the study outline suggests the conditions under which children are working in stores, laundries, printing establishments, on the streets, as messengers, and in other industries not touched by the federal law's regulation of interstate commerce. The fact that children in such industries need regulation of hours of labor just as much as children in factories, is made very clear.

But the most interesting part of the pamphlet from the lawyer's point of view is that dealing with the enforcement of state laws. "For proper enforcement of the law it is necessary to have (a) a system of work permits; (b) an official or department with power to inspect places of employment and to prosecute violators; (c) courts which will convict the employer who violates the law," says the pamphlet. Points (a) and (b) are taken up in some detail, but under (c) appears the most striking material. There it is stated that "In many states where there is a fairly adequate force of inspectors the enforcement of the law is a farce because the courts refuse to convict the employer even though there is clear evidence of guilt. In Ohio last year 115 prosecutions were instituted in three months for violations of the child labor, compulsory education, and the 54-hour law (for women). In 72 *per cent* of the cases the fines were either suspended or remitted. In New York State it is impossible to convict the cannerymen. Year after year they are prosecuted for violation of the child labor or hours of women law and invariably the jury brings in a verdict of 'not guilty.'"

A more detailed discussion of the enforcement of child labor laws has also been published recently by the National Child Labor Committee in its quarterly Child Labor Bulletin, and is to be reprinted as a pamphlet. Here the nature of statements of labor is discussed and more details are given as to the failure of local courts to secure convictions of violators of child labor laws. One reason for the passing of the federal law, this article states, was that federal courts may secure convictions where local courts have failed.

Both these pamphlets, may be secured from the National Child Labor Committee, 105 East 22d Street, New York City.

What about Child Labor in Your Town?—The National Child Labor Committee is making an unusual appeal in its announcements of Child Labor Day this year because, as it says, the passage of the federal child labor law has given the child labor campaign an entirely new aspect. The federal government has taken over the protection of children in mills, factories, canneries, workshop, mines and quarries engaged in producing goods for interstate commerce: you are asked to work for the protection of the other children, the

ones whom the Constitution bars from federal protection but leaves to the states.

There are, according to the National Child Labor Committee, 1,850,000 such children in occupations having no connection with interstate commerce. Some of them may be working for your baker, your grocer, or your milliner. Some of them may sell you newspapers; some of them may black your shoes. Some of them are doing things you never dreamed that children could do, for the census of 1910 shows that children work in the most unexpected and apparently unsuitable occupations. There are, for instance 1,297 children between 10 and 15 listed as barbers. There are 365 little boys 10 to 13, and over 2,000, 14 and 15, working on steam railroads. There are 1,567 hostlers and stablemen under 16 years of age. Besides these there are the thousands of news-boys, messengers, errand-boys, and cash-girls who are the more familiar of the child workers. There are 89,508 children under 16 working as domestic servants, and over a million children under 16 listed as farm laborers.

What do you know about them? What has your state done for them? Those are the questions the National Child Labor Committee asks you in connection with Child Labor Day, and this is a good time to find out more about the child who works in your town and in your state. On Saturday, January 27, Synagogues will observe the day, on Sunday, churches and Sunday-schools, and on Monday, clubs, schools, colleges, unions and other organizations. The National Child Labor Committee, 105 East 22d Street, New York City, will be glad to send information and suggestions to anyone interested and asks especially for your cooperation.

It is not the child in some far away mill or mine that you are asked to remember, but the child who works next door.

The One Hundred and One County Jails of Illinois.—Miss Edith Abbott of Chicago, has recently reviewed, in a publication of the Juvenile Protective Association of Chicago, the *Institution Quarterly* for last March. The *Quarterly* is published by the State Charities Commission. The number reviewed by Miss Abbott was devoted entirely to the results of a study of Illinois jails, completed recently by Miss Hinrichsen under the auspices of the Commission. The same *Quarterly* is reviewed elsewhere in this number by Prof. Foley of Colgate University.

The following are the concluding paragraphs from Miss Abbott's review.—[Ed.]

Such is the picture of the county jails of Illinois that is presented in . . . Surely no further details than those shown in the March number of the *Quarterly* are needed to show that the attempt to improve the county jails has completely failed.

"It is because of this breakdown in the attempts to secure a proper administration of the jail law from the county authorities that it is now proposed to have the state take over the custody of all convicted persons.

"There are two classes of prisoners in the county jails:

1. "Persons held awaiting trial.
2. "Sentenced persons who have been tried and found guilty.

"Taking up first the question of what should be done with the second class of prisoners, it is apparent that they not only should have a sanitary place of

confinement but that they should be employed at work which will aid in restoring them to physical, mental and moral vigor. Idleness is only a new source of demoralization. At present the county jails all over the state and all over this country are demoralizing by idleness the prisoners that are sentenced because they need to be reformed. No one in the world can be reformed living in idleness and bad companionship, in a dark and filthy cell. The present jail system not only fails to reform, it actually demoralizes the unfortunate persons who are its victims. When the new jail law of 1874 was passed, no substitute for the county jail had been devised; and it was not then so apparent as it is today that it is impossible to reform the one hundred and one county boards that are responsible for local jail administration.

"It is clear now that the only way out is to have the State take over the custody of the men and boys who have violated the laws of the State and that this should be done by establishing institutions similar to workhouse farms which will take the men who now serve their sentences and "lay out" their fines in idleness into the sunlight and open air where profitable work can be provided for them. In 1913 the National Prison Association recommended the abolition of the county jail in favor of the state-farm system at the Indianapolis meeting of the National Conference of Charities and Correction. In Memphis, in 1912, the Committee on Corrections adopted the following among other recommendations:

1. "State control of all minor prisons.
2. "Establishment of industrial farms for convicted misdemeanants.
3. "The prohibition of the use of the jail for any other purpose than that of temporary detention.

"A state farm colony system has, therefore, been accepted as a modern substitute for the old county jail system. It has two great merits.

1. "It does away with the necessity of trying to compel one hundred and one local authorities to obey a law requiring them to build and maintain proper jails.

2. "It makes possible the provision of an adequate farm colony equipment, so that health-giving, character-building work can be provided for the prisoners. It is obviously impossible for each county with a small number of prisoners to provide a farm colony for them. In the same way it was impossible for each county to provide properly for its insane or feeble-minded persons who were in need of custodial care. In the case of the insane, the state long ago undertook the building of properly equipped hospitals where medical treatment could be provided and Illinois now has a state law which compels the county authorities to turn over to the state all insane persons who are in need of confinement. In the same way the state should compel the county authorities to turn over to the care of the state all persons who have been found guilty of violating its laws. In this way, and in this way only, can hundreds of young men and boys be saved each year from the contaminating influences of the county jail system.

"The state farm is not a visionary project. The neighboring state of Indiana has a law providing for such a farm, and Mr. Butler, of the Indiana State Board of Charities, convinced those who were fortunate enough to hear him speak at the recent National Conference of Charities, of the valuable results of this Indiana experiment. The Indiana farm is modeled after the

splendid farm in Occaquan, Virginia, where the United States government began the great experiment of taking the men who had been condemned to idleness in the House of Correction in the District of Columbia out to a place where proper work could be provided for them.

"At Occaquan the prisoners live in inexpensive wooden buildings which they themselves erected. These buildings are so open to sunlight and fresh air that the men practically live outdoors. Their employment also is out of doors; they crush stone, make brick, operate a saw mill, clear and cultivate the ground, grow fruits and garden crops, raise stock and carry on various industries. Equally well known is the great farm at Guelph, where prisoners of the Canadian province of Ontario live and learn in healthful surroundings and wholesome work; and there are many other farm colony experiments in the United States that have gone beyond the experimental stage.

"It is to be hoped that the next session of the Illinois legislature will provide in the year 1917 a law for Illinois similar to the Indiana law. This cannot be done too soon. Cook County is trying to make plans for a new jail, and if a state law can be secured that will take all committed prisoners out of this greatest of county jails, the new plans can be simplified.

"The state farm, will, in time, become two or more district farms, just as the state hospital for the insane has become several hospitals. But the state instead of the local authorities will be in control, and efficient and humane administration will be secured.

"Many people think that the unfortunate men and boys in our jails are not worth reclaiming. "Why spend money on drunks and 'bums' and thieves?" is the question asked by county politicians. But if one of these boys was your son—and every one of them is somebody's son—would you not think it worth while to try to make a decent citizen of him, and is it not better for the state? Moreover, the farm colony is much less expensive to maintain than the county jail system. The penal farm as a substitute for the county jail means not only saving the young men and boys who are allowed to sink into vice and to become hardened in crime in our foul modern jails, but it means saving dollars and cents as well.

"A further gain that will result from the employment of the prisoners should not be overlooked. Under the present system, the prisoners are supported in idleness and their families are supported by public and private charity. With the establishment of such a farm we may look forward to the prisoners earning not only their own maintenance but something which may be used for the support of their now dependent families.

"The state farm will not take care of the other class of prisoners, the persons who are held awaiting trial. But these persons are merely under detention, since they have not been found guilty of any offense. If all convicted prisoners were removed, the jail would cease to be a jail; it would be only a detention house. The problem will be greatly simplified when the convicted persons are removed. The cruelty of confining in dark and loathsome cells untried persons who may be found to be entirely innocent will be apparent even to the most indifferent persons. Year after year, thousands of men and boys are imprisoned in our jails, lose their wages and finally their jobs, and suffer all that human beings can suffer through being deprived of their liberty and locked up in the foul, dark places we call jails; then these men are tried

and the great majority of them are found "not guilty"—and discharged. The wrongs that are suffered by innocent persons during imprisonment in our county jails are incalculable. Moreover, it must not be forgotten that they suffer only because of their poverty. Well-to-do persons are released on bail, go on with their work and live at home with their families pending trial. It is hoped that the plan* of releasing under probationary supervision persons who cannot afford to give bail will be gradually adopted.

"The first step to be taken, however, is to secure an appropriation for a state farm. When the sentenced prisoners are all removed from the county jail and only untried persons remain there, it should be easier to secure from the local authorities decent treatment for such persons. When people cease to think of the county jail as a place of confinement for those who have done wrong and are compelled to look at it as a place of detention for persons who are merely under suspicion of wrong-doing then the real jail problem can be dealt with.

"When a state farm has been secured, when the county jail has become a detention house, and the great mass of persons are released on probation pending trial, then, and not till then, will the county jail problem be solved. Is it not time for Illinois to follow the recommendation of the National Prison Association and the National Conference of Charities and Correction, and abolish its "schools of crime?" The men who have violated the laws of the state should be the prisoners of the state and should not be left to be educated in vice and crime through the indifference and neglect of the county authorities. Will you not help in the campaign to abolish the county jail by establishing a state farm for misdemeanants?"

Additional Prison Farm in Louisiana.—A deal for 5,000 acres of land for an additional penitentiary farm was closed last autumn by the prison commissioners of Louisiana. The lands are located in Quitman County and are crossed by two lines of railroad. The price paid was \$25 per acre, excepting for about 250 acres of cultivated land for which \$47.50 was paid. An option was obtained also on 5,000 more acres, adjoining the preceding, held until the Legislature of 1918 shall have taken action upon the matter.

The lands purchased are said to be as fertile as any in the state and when cleared will be worth \$100 per acre. The idea is to put surplus convicts to work clearing the tracts at once, or as soon as they can be spared out of the cotton and corn fields, so as to have the farm cleared in time for a crop in the spring. This gives the state 30,000 acres of land, and makes it one of the biggest farms in the world.

R. H. G.

Seventy-first Annual Report of the Prison Association of New York.—The Prison Association of New York has issued its seventy-first annual report, a record for continuous constructive work that is scarcely surpassed by any similar organization.

The purposes of the association are so aptly set forth that I quote from the report as follows:

1. The protection of society against crime.
2. The reformation of the criminal.

*See *The Real Jail Problem*, published by the Juvenile Protective Association, 1915.

3. Protection of those unjustly accused.
4. Probation for first offenders.
5. Improvements in prisons and prison discipline.
6. Employment and when necessary, food, tools and shelter for discharged prisoners.
7. Necessary aid for prisoners' families.
8. Supervision for those on probation and parole.
9. Needed legislation.

The association has seen many of the reforms advocated by it crystallized into remedial legislation, until the lot of the felon has been ameliorated to such an extent that he is now in a position far above the fondest dreams of the idealist of a few years ago.

Humane laws now assist in the reformation of the criminal and thereby protect society, supervision is given to persons on parole and probation; legal aid is furnished the deserving and material aid is given the discharged prisoner.

The great problem yet before the public is to take care of the prisoner's family during his incarceration. The association is grappling with that problem, and it is making some progress toward its solution. This problem is not peculiar to New York and this association, but it is the greatest one that society in general has to solve in dealing with felons.

The recommendation that the prisoners be kept profitably employed has two direct benefits; wholesome, productive labor redounds to the reformation of the prisoner and builds him up physically; while the products of his labor can be utilized to support his family, so that the innocent will not have to suffer with the guilty.

The recommendation that old prison sites like Sing Sing be abandoned because they do not accommodate themselves to this advanced idea on account of the meager grounds, is basic in the forward movement. It is generally conceded that an ideal prison cannot be founded on a few acres of land, but that the prison farm idea must prevail.

The report is well worth reading, because it has given a wholesome discussion of the problem of dealing with misdemeanants, and its recommendation that the county jail in the city be abandoned for the farm prison is in line with the most advanced thought on that perplexing problem. No class of persons is handled so poorly at present as misdemeanants, and the treatment accorded them in the past has tended to turn them out full fledged criminals, instead of law-abiding citizens. A prison farm, with humane treatment divorced from politics, with expert supervision, can save many a wayward youth, and protect society from the depredations of criminals that the community, itself, has, to a great extent, educated and produced.

The second part of the report is made up largely of reports on jails and prisons, and recommendations concerning them all of which are good, but one can only hope that the time is not far in the distant future when six to a dozen prison farms will do infinitely better than many county jails are now doing so poorly. It is true that some of the more populous counties have founded prison farms. This is well. Let the good work go on not only in the Empire State, but all over the Union so that in a decade the odoriferous, insectivorous and demoralizing jail will exist only as a memory. The report says it is a disgrace to the State that tramps and vagrants continue to be housed in idle-

ness and debauchery in county jails. All the recommendations in the line of prospective legislation are sane, and parallel to the most progressive ideas on prison reform. Space does not permit particular mention, but any State considering progressive legislation will find this report invaluable.

There are some that will object to these reforms on account of the expense. The report answers these objections. The prison on small grounds calls for the cell block, the prison farm calls for smaller buildings. It says: The new prison should be built by convict labor. Wherever a huge cellblock is erected it is obvious that there is almost no opportunity for prison labor, since the building is only a brick shell enclosing a mass of steel cells which have to be manufactured in some factory. On the other hand, where smaller buildings of brick or cement are erected, almost all of the work can be done by the prisoners. There seems to be but one argument in favor of not using prison labor, and that is the profit of the contractor.

Against this, there is a double argument in favor of using prison labor—economy, and the educational training for the prisoners. By using the prisoners, it is estimated that from twenty to thirty per cent can be saved in the erection of the building. A prison population will ordinarily include skilled mechanics of all kinds, to whom the erection of a group of buildings would furnish the best possible opportunity for increasing their skill and assisting them to find similar employment when released.

The above paragraphs have the right ring. They are only two of many. The report must be read in its entirety to be appreciated.

THOS. M. KILBRIDE, *Springfield, Ill.*

POLICE.

Detective Department of the Boston Police.—FROM THE REPORT OF GEORGE C. NEAL, *Deputy Chief, Acting Chief, State House, Boston.*—"The detective department, over which I have direct charge as deputy chief, consists of one captain, one chief fire inspector, fifteen detectives and eleven fire inspectors, an additional officer having been appointed during the year.

"The officers of this department are men trained to the special requirements of detective and fire inspection duties, and must possess unusual qualifications and have considerable experience in the detection and punishment of crime. In many cases the detectives are under the direction of the district attorneys, and collect all information possible in relation to criminal cases, performing a very important part in the preparation of such cases for the consideration of the grand juries and the courts. That their work has been performed in a skillful and satisfactory manner is evidenced by the statements received from district attorneys and others with whom they have been connected directly in their work.

"Every fire in the city of Boston, and all incendiary and suspicious fires occurring in the various cities and towns of the Commonwealth outside of Boston, are investigated by this department; and owing to the large amount of such work, it is necessary that the detectives of the department assist in its performance. During the year ending Dec. 31, 1914, this department investigated 2,301 fires in the city of Boston, of which 1,042 were in frame buildings, 1,163 in brick or stone buildings, and 96 were fires in places other than buildings. During the same period the total number of fires throughout the Com-

monwealth, outside of the city of Boston, was 6,128; of which number 781 were investigated, and 126 were found to be of incendiary origin.

"The supervision of the enforcement of the law relative to the keeping, storage, use, manufacture, sale, etc., of explosives and inflammable fluids and compounds, also of fireworks and firecrackers, in every city and town outside of the metropolitan district, forms, to a more or less extent, a part of the duties devolving upon the respective officers of this department; the enforcement of such provisions having been so imposed by the Acts of 1904, chapter 370, and legislation subsequent thereto. Each year the necessity for the employment of expert assistance in connection with the enforcement of these laws, and the regulations provided for therein, becomes more and more apparent, and the services of the expert chemist, appointed by the late Chief on May 20, 1912, have proved both necessary and efficient. A report of the duties performed by him during the year ending Oct. 31, 1915, will be found on page 105.

"Among other duties performed by this department is the enforcement of the fishery laws, in connection with which the State steamer Lexington, is in commission during a period of six months of each year. A report of the work of the officer in command of this steamer will be found on page 88.

"By the provisions of the Acts of 1914, Chapter 577, Section 1, an additional duty was imposed upon this department; and the Chief of this force was authorized to purchase and maintain a boat for the enforcement of law and the prevention of crime in the waters of the Commonwealth. The statute reads as follows:

CHAPTER 577.

AN ACT TO INCREASE THE FACILITIES OF THE DISTRICT POLICE FOR THE ENFORCEMENT OF LAW AND PREVENTION OF CRIME IN THE WATERS OF THE COMMONWEALTH.

SECTION 1. "The chief of the district police is hereby authorized to expend, under the direction of the governor and council, a sum not exceeding twelve thousand dollars, to purchase and maintain a boat to be used in the enforcement of law and the prevention of crime in the waters of the commonwealth.

SEC. 2. "The governor is hereby authorized to appoint one additional member of the district police who shall be employed as a detective in the detective department of the district police and who may be detailed for duty in the enforcement of law and the prevention of crime in the waters of the commonwealth. His term of office, salary, powers and duties shall be the same as those provided by law for the district police. The said appointment may be made without giving to veterans the preference required by sections twenty-one and twenty-two of chapter nineteen of the Revised Laws.

SEC. 3. "This act shall take effect upon its passage.

"Under these provisions, and with the approval of Your Excellency and the Honorable Council, the steamer Lotis was purchased, at a cost of \$8,500, and has been engaged in the enforcement of this statute during the past season. The report of the officer in charge of this steamer will be found on page 94.

"By reference to the reports of the respective officers of this department, which are included herein, it will be noted that a very large amount of important work has been performed during the year.

"Summary of the Duties performed by the Detective and Fire Inspection Department of the District Police during the year ending Oct. 31, 1915.

Total number of arrests	512
Total number of prosecutions.....	693
Total number of fires investigated	5,514
Total number of cases investigated (other than fires).....	1,538
Total amount of fines and costs imposed	\$ 6,051.88
Total amount of restitution made	1,849.63
Total value of stolen property recovered	12,500.12
Total value of gaming implements forfeited	354.70"

JOSEPH MATTHEW SULLIVAN, *Boston, Mass.*

MISCELLANEOUS

COMMITTEES OF THE INSTITUTE APPOINTED FOR 1916-1917.

COMMITTEE "A"—Insanity and Criminal Responsibility

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WILFRED BOLSTER, Municipal Court, Boston, Massachusetts.

CHARLES A. DECOURCY, Supreme Judicial Court, Boston, Massachusetts.

HOMER FOLKS, Yonkers, New York.

EDWIN MULREADY, State Commissioner of Labor, Boston, Massachusetts.

ROBERT J. WILKIN, Juvenile Court, Milwaukee, Wis.

JOHN W. HOUSTON, Chief Probation Officer, County Building, Chicago, Ill.

JAMES A. WEBB, Superior Court, New Haven, Connecticut.

E. Z. HACKNEY, Probation Officer, Court of Quarter Sessions, Philadelphia, Pa.

A. C. BACKUS, Municipal Court, Milwaukee, Wis.

COMMITTEE "C"—Classification and Definition of Crime

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WILLIAM N. GEMMILL, Municipal Court, Chicago, Ill.

JOSEPH P. ROGERS, Court of Common Pleas No. 2., Philadelphia, Pa.

WILLIAM H. MCHENRY, Ninth Judicial District Court, Des Moines, Iowa.

E. RAY STEVENS, Ninth Judicial Circuit Court, Madison, Wisconsin.

LAWRENCE VEILLER, Secy., of Committee on Criminal Courts of the Charity Organization Society, 105 E. 22nd St., New York City, N. Y.

ROBERT J. WILKIN, King's County Children's Court, Brooklyn, N. Y.

CHARLES C. NOTT, Judge Court of General Sessions, New York, N. Y.

EDWARD LINDSEY, Pennsylvania Bar, Warren, Pennsylvania.

MOORFIELD STOREY, Former President American Bar Ass'n 735 Exchange Bldg. Boston, Mass.

ARTHUR KEETCH, Assistant District Attorney, Los Angeles, Cal.

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BLEECKER VAN WAGENEN, 443 Fourth Avenue, New York City, N. Y.
T. D. CROTHERS, Hospital for Inebriates, Hartford, Connecticut.
H. H. LAUGHLIN, Eugenics Record Office, Cold Spring Harbor, Long Island, N. Y.
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JOHN WEBSTER MELODY, Catholic University, Washington, D. C.
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L. L. STANLEY, Resident Physician, State Prison, San Quentin, California.
CHARLES E. SCELETH, Medical Superintendent, House of Correction, Chicago, Illinois.
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COMMITTEE I—State Societies and New Memberships.

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FRANK H. NORCROSS, Carson City, Nevada.
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A. M. KIDD, University of California, Berkeley, California.
HENRY M. BATES, Law School, University of Michigan, Ann Arbor, Michigan.
HIRAM RALPH BURTON, Union Trust Building, Washington, D. C.
A. CHESTER CLARK, Concord, New Hampshire.
WM. B. COCKLEY, Ohio State University, Columbus, Ohio.
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COMMITTEE II—Promotion of Institute Measures

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COMMITTEE ON TRANSLATION OF TREATISES ON CRIMINAL LAW.

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The American Social Hygiene Association.—The annual meeting of the American Social Hygiene Association met jointly with the St. Louis Social Hygiene Society and the Committee of 100 of St. Louis, at St. Louis, on November 19th, 20th and 21st. Dr. George R. Dodson, president of the St. Louis Social Hygiene Society presided on the first day of the conference and made an address on the subject, "The Public Conscience." Dr. William A. Evans, professor of Sanitary Science in Northwestern University, made an address on, "Public Health and Public Morals." On the 20th, the program included the following: The general subject of the meeting on November 20th was, "Health Aspects of Social Hygiene", and the following items appear on the program:

- (1) Chairman's address by Jerome G. Green, secretary of the Rockefeller Institute.
- (2) Syphilis as a Sanitary Problem, by Dr. William Pusey of the University of Illinois.
- (3) The Work of Public Departments of Health in Regard to Venereal Diseases, by Dr. John N. Hurty, State Board of Health, Indianapolis.
- (4) Dispensary and Hospital Facilities, by Dr. George Dock, Washington University, St. Louis.
- (5) Prophylaxis, by Dr. Mazyck P. Ravenel, University of Missouri, Columbia, Mo.

On November 21st a. m., Nat Spencer, Secretary of the Society for the Suppression of Commercialized Vice, Kansas City, Mo., presided. Following his chairman's address, was an address on Proposals for Work in Missouri, by J. Lionberger Davis, Chairman of Committee of 100, St. Louis. On the evening of the same day, the general subject for discussion was, "Ways and Means for Public Education Regarding Social Hygiene." Dr. Donald R. Hooker, Secretary of the American Social Hygiene Association of Baltimore, presided. Following his address, the following items appear on the program:

- (1) The Contribution of Women's Clubs to the Social Hygiene Movement, by Mrs. Flora Hartley Green, Columbia, Mo.

(2) Health as a Moral Issue, by Thomas W. Galloway, Beloit College, Wis.

(3) Community Integration and Social Conscience, by Robert P. Shepherd, Community Service Bureau, Chicago.

(4) Public Education through Social and Philanthropic Institutions, by Dr. William F. Snow, General Secretary of the American Social Hygiene Association, New York City.

On the evening of the 21st, the following program was presented, the general subject being, "The Repression of Commercialized Vice":

The chairman's address by the presiding officer of the evening, Mr. J. Lionberger Davis, chairman of the Committee of 100, St. Louis.

The following addresses were made:

(1) The Injunction and Abatement Law in the State of Its Origin, by the author of the law, George Cosson, Attorney General, Des Moines.

(2) The Effectiveness of the Injunction and Abatement Law as Demonstrated by the Committee of 15 of Chicago, by Samuel P. Thrasher, Superintendent of the Committee of 15, Chicago.

(3) The Function of a Vice Commission, by Robert K. Massie, chairman of the Lexington Vice Commission, Lexington, Ky.

(4) Prostitution in America, by Abraham Flexner, General Education Board, New York City.

(5) The Segregation and Regulation of Prostitution versus its Repression, by Abram W. Harris, Board of Education, M. E. Church, New York City.

Dr. Abram W. Harris was re-elected president of the Association for the ensuing year.

R. H. G.

Report of the Work of the Central Howard Association June, July, August and September, 1916.—The work of human salvage should be as constant as the forces that drag men down. Hence any agency for the conservation of waste, such as The Central Howard Association, finds itself called upon for perpetual service.

Through summer and winter, at all times except Sundays and holidays, its doors are open to those who are outcasts elsewhere. Its latch-string of new opportunity was grasped by no less than 157 during the past four months, involving 739 interviews and the usual supervision of the Association.

This number was large only when one considers the supreme importance of saving men. It would seem large if we had rescued them from fire or flood, or prevented them from pitching over a precipice. A Titanic or an Eastland disaster causes a sensation, yet in a year the Central Howard prevents the coming of disaster to an equal number of lives.

Still more important, our constructive work for the improvement of penal institution, and the education of public sentiment, will, we believe, bring hope and help to thousands more in future years.

The rehabilitation of the average prison we still find quite as desirable as the restoration of the prisoner. To that end we continue to write and speak for better things, and to inspect institutions in and out of our immediate territory.

The society in Paris that looks after discharged prisoners is called Societe generale pour le Patronage des Liberes. At its meeting on the 25th of February, 1915, it reported the number of discharged convicts under its care

in 1914 as 2,656, 2,545 of whom were men and 111 women. This number represents a decrease of 507 as compared with the number cared for in 1913. This diminution is a result of the war according to the report of this society. This society not only receives discharged prisoners immediately upon their release, but also endeavors to find employment for them. The number for whom places were found was 324. Some were dismissed from this society's hospices. A number of those who were discharged found places in the country, thanks to the co-operation of one of the bureaus of the Board of Commerce. Ten were reconciled with their families. The number released on conditional liberation has been gradually reduced.

The war had the effect of causing the society to limit the number of admissions, the moratorium which was declared not permitting it to make its accustomed expenditure. Since the outbreak of the war a great number of those who were helped by the society were found employment on the entrenchments about Paris.

Revue penitentiaire et de Droit pénal, Avril-Mai, 1915, pp. 369-371, translated by J. L. Gillin, Ph. D., University of Wisconsin.

In the matter of legislation, our efforts to prevent the passage of the Hughes-Booher Bill before Congress have thus far been successful, and the need of greater efficiency in prison industries is everywhere apparent.

The income of the Association, for the period of this report is as follows: June, \$867.01; July, \$711.37; August, \$924.80; September, \$1,061.57; total, \$3,564.75.

While the receipts from month to month were somewhat less than the previous year, we have been able, chiefly by measures of economy, to cancel the temporary loan of \$300, made in April, and to pay other accumulated bills. We will, therefore, be able to complete the year in good condition, so far as current expense is concerned.

We should, however, enlarge the work in several directions as soon as our resources will permit. For example, some expenditure for publicity is needed by every successful philanthropy. We have done very little in that direction, but have had direct results from every effort.

The Superintendent feels that the Association should have a more active part in improving the correctional system in Chicago, and in securing a constructive program of legislation for the State. Trusting a larger public support will enable us to do these things, this report is,

Respectfully submitted,

Oct. 5, 1916

F. EMOY LYON, *Superintendent*.

Prize Fight Films.—It seems to be the general impression that the ingenious device whereby it was sought to get into the United States films of the memorable contest between Mr. Johnson and Mr. Willard at Havana has failed to pass the scrutiny of the courts. An examination of the decision (*U. S. v. Johnson*, 232 Fed. 970) indicates that the "merits" have not been squarely passed on. It will be remembered that by means of a projecting machine located wholly in Canada the pictures were cast on a sensitive screen in the United States, and from the negative thus obtained a film was produced. An indictment for violation of the federal act averred the setting up of machines in Canada and in the United States and proceeded: "Which said

mechanical operation was set in motion and propelled by the aforesaid persons [the defendants], and by such means [mechanism] and by the use of air, sunlight, electric light and otherwise said films and pictorial representations of the aforesaid prize fight were then and there brought and caused to be brought into the United States from the Dominion of Canada for use," etc. In overruling a demurrer the court said: "Even if the indictment charges that 'films and pictorial representations of said prize fight' were reproduced on the Canadian side from the films placed there, in plain and unequivocal language it further says that by the means and mechanism described and other means 'said films and pictorial representations' were then and there brought and caused to be brought into the United States, etc. This court cannot be informed just what the evidence will show, and that is not the question here. It may appear from the evidence that no film or pictorial representation was brought into the United States, but the indictment plainly alleges that one or more films and one or more pictorial representations of the prize fight named were brought into the United States, and into the Northern district of New York, and that same were designed to be used and could be used and might be used for purposes of public exhibition. It would be a waste of time to consider a case which argument states the evidence will show. It will be time enough to consider that when the evidence is before the court. It is clear that no conviction can be had if the evidence fails to show the bringing in from abroad of a film or a pictorial representation of a prize fight." The language of the court does not, however, leave much doubt that the facts as they are popularly reported to exist will be deemed to constitute a violation of the statute. This is emphasized by the concluding remarks of Judge Ray: "These means, this apparatus and its workings, may have been a new mode of bringing in or transmitting films and other pictorial representations of this prize fight from Canada to the United States; but this is immaterial, provided the use and operation of the means employed did bring from the Dominion of Canada into the United States films and other pictorial representations of the prize fight which were intended to be used and which could be used for purposes of public exhibition in the United States."—From Law Notes, December, 1916.

Divorce Proctors.—Apropos of recent discussion in these columns it is of interest to note that a Tennessee Act establishing divorce proctors in counties having a population in excess of 100,000 and allowing a fee of \$5.00 to be taxed as part of the costs in each divorce case has been sustained by the Supreme Court of that state (*Wilson v. Wilson*, 185 S. W. 718). The court said inter alia: "This statute was not designed immediately to affect the rights of the citizen. Organized society is vitally interested in the preservation of the marriage relation. Fraudulent and unwarranted divorces tend to corrupt the morals of the community. The statute on its face declares its purpose to be the protection of society and the preservation of the sanctity of the marriage relation. It cannot be denied that legislation on these subjects chiefly involves governmental and political questions. While the rights of individuals are incidentally affected, the dominant purpose of the statute was to accomplish good for the county as a body politic." One section of the statute forbids the filing of any bill for divorce without an acknowledgment of service thereof by the proctor endorsed thereon. Answering a contention that the provision puts

it in the power of the proctor to defeat or delay any suit it was said: "This argument is not sound. The divorce proctor has no discretion whatever in the matter of acknowledging service of bills for divorce. The statute absolutely requires him to endorse his acknowledgment on each bill presented to him. If he refuses, mandamus would lie. If he is contumacious, the ouster law is quite effective. It is conceivable, of course, that the divorce proctor might be absent or might be obstinate and cause a litigant some trouble. So the clerk of the court might refuse to file the bill when presented to him, and the judge might refuse to hear the case. It is not to be supposed, however, that any official would wilfully violate duties imposed upon him by statute. Such a violent assumption cannot be made the basis of a claim that the constitutional rights of litigants have been invaded by a statute imposing clerical duties upon court officials. This statute provides for a divorce proctor and a deputy, and the presumption is that one of them will always be on hand to attend to the duties of the office just as the clerk or his deputy is always on hand to attend to the duties of that office.—From Law Notes December, 1916.

Crime and the War.—The report of the Commissioners of Prisons and the Directors of Convict Prisons for the year ended March last again demonstrates the striking change that has arisen since the outbreak of war. In August, 1914, the local prison population was 13,580, but in March, 1916, that figure had fallen to 6,896. In commenting on the figures, the report states: "The three main causes which seem to have contributed to this great decrease, and to which we alluded in our report for last year, have operated also during the year under report—viz.: (1) The enlistment of many habitual petty offenders; (2) the restrictive orders issued by the Central Control Board (Liquor Traffic) and those made by the justices and by the military authorities; (3) the great demand for labor, rendering employment easy and well paid, and resulting in ability to pay fines, this latter being greatly aided by the operation of Section 1 of the Criminal Justice Administration Act of 1914. * * * One of the notable effects of the war on the prison population has been that the receptions are now for the most part confined to the physically and mentally weak. The general standard of physique is now much inferior to that of prisoners admitted into prison in normal times, while the percentage of strong able-bodied men is comparatively small. There is every reason to believe that the country's call for men appealed as strongly to the criminals as to other classes, and if it had been possible to place under scrutiny every case admitted into prison within military age, there is little doubt that the vast majority of cases would have been found to be physically unfit." There is certainly no reason for dissenting from these conclusions. It may also be noted that the manufacture of war stores has been conducted with unabated vigor, and that these results have been obtained in the face of a rapid and unprecedented fall in the prison population. They have been rendered possible by an extension of the hours of labor, by various emergency regulations calculated to increase the individual output, by the untiring zeal of the officers, and by the keen desire of the prisoners to do their utmost.—From Law Notes, December, 1916.