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## Current Notes

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## CURRENT NOTES

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Chicago, Illinois

**Probation and Parole Conference**—During the week, beginning April 21, the Seventh Annual Conference of the Central States Probation and Parole Association was in session at the Hotel Sherman, Chicago. The general chairman of the local committee sponsoring the assembly was Bertram J. Cahn, President of the Chicago Crime Commission, who presided at the opening session and welcomed the delegates, numbering approximately six hundred and coming from Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio and Wisconsin.

On the opening night two addressess were made—one by Bishop Schlarman of the Catholic diocese of Peoria, who was chairman of the Illinois Prison Inquiry Commission, and the other by James V. Bennett, Director of the United States Bureau of Prisons.

On Monday a round table discussion of the topic "Treatment of the Offender" occupied the morning session, Professor E. W. Puttkammer of University of Chicago presiding and the participants being John L. Sullivan, chief of detectives of Chicago; Judge Harry M. Fisher of the Cook County Circuit Court; Charles H. Z. Meyer, chief federal probation officer at Chicago; T. P. Sullivan, Illinois superintendent of supervision of parolees; O. H. Lewis, warden of the Pontiac branch of the Illinois penitentiary; and Brigadier General Samuel T. Lawton, member of the Illinois Department of Pardons and Paroles.

Many section meetings were held, discussing probation and parole from various angles, including the newspaper and the public.

On Tuesday evening at the banquet Judge Cornelius J. Harrington, chief justice of the Cook County Circuit Court, was toastmaster and the speakers Mr. Justice Paul Farthing of the Supreme Court of Illinois, and the Honorable John E. Cassidy, attorney general.

Wednesday was given over largely to a trip to the Illinois penitentiary at Joliet and Stateville and Thursday at the morning session the topic was "Prevention of Delinquency in Crime."

The Conference was most comprehensive, instructive and informative, but received scant notice in the newspapers of Chicago which are generally hostile to parole administration. Speakers at the Conference did not hesitate to condemn faulty administration and the consensus of opinion was that while the theory of probation and parole was sound, its administration was subject to grave adverse criticism.

**Probation Statutes**—The National Probation Association has just published a book entitled "Adult Probation Laws of the United States," compiled by Gilbert Cosulich in 107 pages. It contains a summary of all important provisions of the adult probation laws of all states under topical headings and a feature, new in 1940—a page long analysis of the adult probation laws for each state, territory, and dependency of the United States.

**Massachusetts Association**—The United Prison Association of Massachusetts, established on January 1, 1940, combines three older prison societies; the John Howard Society which was incorporated

fifty years ago, the Massachusetts Prison Association likewise fifty years old, and the Friends of Prisoners, Inc., which is now entering its fourth year of activity. Under the present plan these three member agencies retain their legal identities, but have pooled their resources and will work as a unit, presenting to the community one single, common front under the name of the United Prison Association of Massachusetts.

Broadly the purposes of the new organization are as follows:

1. To maintain a social case work service for discharged prisoners including (a) material relief for food, lodging, clothing, etc., (b) proper steering for medical and psychiatric treatment whenever necessary, and (c) a free employment service.

2. To enlighten the community concerning correctional problems, making use of the press, radio, direct address to civic groups, and printed matter.

3. To support, and ultimately to initiate, legislation favorable to a more progressive penal and correctional system in Massachusetts.

Work with male discharged prisoners will be carried on through the office at 51 Cornhill, Boston, while the work on behalf of women offenders is maintained by the Friends of Prisoners, Inc., and will be carried on largely through the Reformatry for Women at Framingham under the supervision of Dr. Van Waters. The Friends of Prisoners does most of its work on a volunteer basis, has a membership of approximately six hundred, and now has almost fifty active volunteer workers.

The United Prison Association has the cooperation of the State Department of Correction, and receives a large proportion of its referrals from chaplains, parole officers, and other correctional officials. The association also has access to official case histories for detailed, verified material from both the State Department and the Federal Probation Office. (From April, 1940, "News Bulletin.")

**Beattie to the Federal Courts**—Ronald H. Beattie, until recently Criminal Statistician of the Census Bureau, has resigned from that work to accept a position as

Statistician in the Division of Procedural Studies and Statistics of the newly created Administrative Office of the United States Courts. Henry P. Chandler is Director of the Office and Will Shafroth is Chief of the Division. Mr. Beattie's position in the Census Bureau has not yet been filled. When Mr. Beattie left the Census Bureau his talents were just beginning to receive recognition and the statistical reports of the Bureau were being greatly improved. We trust that the Census Bureau will continue Mr. Beattie's plans and work. However, the new position offers an opportunity for statistical research in the whole field of the administration of justice and is not limited to one branch only. Mr. Beattie's first task is to take over from the Department of Justice the judicial Statistics collected from the Federal Courts. We hope that he can subject these to further analysis than has been done up to this time.

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**Note on the Prosecutor**—This Journal has published many articles on the prosecuting attorney and the administration of his most important office. But it is difficult to stimulate interest in the subject. It is most refreshing to find the following statement in the April Journal of the American Judicature Society (23:238): "In some respects the most vital function performed by the legal profession has almost escaped scrutiny in a period remarkable for surveys and statistical reckoning. So far as public rights and the vindication of penal laws are concerned the office of prosecutor is of greater consequence than the office of judge. In three thousand counties prosecutors are chosen for brief terms by political methods. In a thousand cities corporation counsels are similarly chosen and their duties include enforcement of municipal ordinances. In no single state, so far as is known, is there any real approach to standardization of the vitally important function of prosecution. In no state is there supervision of the work done by prosecutors. The office is always one subject to political maneuvering. Its function involves detailed consideration of all complaints and all arrests. This consideration is normally secret.

"Were it not that prosecutors are chosen from a profession that imposes a high standard of ethics and a considerable knowledge of law and public affairs our governments could not survive. That there has not been more concern for prosecution methods must be attributed in part to intelligent and faithful services. That there are always many instances of a lack of expertness, and more often a use of the office as a mere stepping-stone to professional advancement, must be attributed to the lack of intimate knowledge of both unseen and public performances, and to the lack of standards.

"It is an easy thing to set up an ideal; prosecutors should be appointed to serve during good behavior, and they should constitute a unified state department with adequate supervision. They should be state officers and so appointment might best be by a state board; superintendence should be by the attorney general. The problem of sufficient salary may be solved by selecting fewer prosecutors and giving them a territory larger than the average county. In a few states, district or circuit prosecutors conduct prosecution in all felony cases. There is no present need for elaborating a successful system, so far as we are from any conception of the need.

"Over a period of years it is a remarkable thing if there are not instances of entirely unfit choices for this office in most jurisdictions. Prosecutors come and go. The expertness readily acquired by those best fitted to this duty is not passed on to their successors. Every prosecutor starts as an amateur, and soon or late he is opposed in important cases by lawyers who were expert in the use of every weapon of defense when the prosecutor was still in school.

"A thousand little sermons like this may accomplish nothing because we have survived despite a hit-or-miss method. Probably not ten per cent of all lawyers take any interest in criminal law. And it may again be said that there are instances when the office captures the right lawyer. When and where this good fortune does not happen the public has no means for knowing whether it is well served or not. Judges know best, but they can do no

better than temporize with untoward officials."

Milwaukee Probation—Chief Probation Officer Walter Oldigs recently reported the work of his department in 1939 to Judge Max W. Nohl of the Milwaukee Municipal Court. Part of the Report is set out below:

Personnel .....	14
Number of Probation Officers .....	11
Rate of probation to total convictions in Municipal Court, per cent.....	45.1
Average number on probation .....	568
Revocations to average on probation, per cent .....	14.8
Total operating cost .....	\$ 37,586.88
Payments made for support .....	12,830.27
Payments made on court obligations .....	10,432.73
Total reported earnings of probationers .....	264,368.64
Average reported earnings for 1939 .....	465.44
Average reported earnings for 1938 .....	526.80

"The above information represents a brief resumé of the Municipal Court Probation Department, showing the personnel, the extent to which probation is used, the results obtained and the costs and savings for the community. It should be noted that 45.1% of those convicted in Municipal Court were placed on probation. This liberal use of probation has not been a danger to the Community for, of those whose probation was revoked, not one had committed a new offense of such a serious nature that they would not have been eligible for probation as permitted by the statutes. Further indications of results obtained is shown by a comparison of the figures for the cost of maintaining the department and the financial returns of probation shown by the payments made and the total earnings.

"Arresting as are the figures shown, they can necessarily present but a small portion of the results obtained. By far the greater benefits derived are concerned with social factors which do not lend

themselves to statistical enumeration. Modification in life, which produced new and better habits, an improved home condition and family life, more desirable friends and associates, steadier employment, submission and obedience to law and order, a more rational and hopeful view of the future; all these are solid and worthwhile achievements. They cannot be adequately recited by numbers, yet to accomplish requires painstaking, day-by-day hard work. Social work, and probation in particular, cannot point to particular individuals as proof of success. Our failures will continue to be published because they are news, and the more flagrant the failure the greater the news value. Our successes are not published and cannot be published. In too many instances the light of publicity would destroy the very achievements which so constitute success and hope; and the more outstanding the achievement, the more care must be taken to avoid publicity."

**Probation Meeting**—On April 22, Charles L. Chute, Executive Director of the National Probation Association, announced the preliminary program for the 34th Annual Conference of the Association, to be held in Grand Rapids, Mich., May 24-28, 1940. The Association's meeting will discuss "Social Treatment and Prevention of Delinquency." In his announcement, Mr. Chute declared:

"America has no more important problem than the development of more effective agencies in this field. The need is for improving and consolidating our forces. Recruits are needed for the war against conditions that cause crime and in the protective battle to save our children and youths from its influence.

"Some of the most difficult and important questions before the workers in these fields, questions in which the general public is vitally concerned, will be discussed by competent, practical speakers. Here are a few: family problems in court, the treatment of the sex offender, the juvenile court in its relation to the whole child welfare problem, new proposals for the treatment of adolescent offenders, the closer coordination of probation and parole services.

"Through group meetings, a panel discussion and a question box there will be ample opportunity for general discussion. With the cooperation of the Grand Rapids local committee, opportunities will be afforded for social contacts and for meeting other workers in this and related fields. Joint sessions with the Association of Juvenile Court Judges and the National Conference of Social Work will afford an opportunity to broaden knowledge and relationships."

**Foot Patrolman**—Everywhere we see the motorization of police units. The arguments in favor of this evolution of policing cannot be answered; undoubtedly men in radio equipped squad cars cover more ground and give more efficient protection generally than foot patrolmen, and cheaper, too. But, while motorization has its benefits, men who serve in the practical field of policing often declare that there are some losses which seldom are apparent to city officials. James M. Hepbron, Managing Director of the Baltimore Criminal Justice Commission, made the following comment in his most recent report of the work of the Commission:

"The number of policemen in Baltimore has not kept pace either with the increased areas to be more intensively patrolled or with a growing population, to say nothing of the number of police who have been diverted to traffic duty, school and voter censuses and a variety of other services not originally contemplated as a part of police work.

"In 1927 the Maryland Legislature approved the addition of 450 patrolmen to the Baltimore Police Department. To date but 31 have been added, due to the fact that Baltimore City has not supplied the required funds. In recent years 336 policemen have been shifted from foot patrol duty. Two hundred and seventy of this number were assigned to radio cars, fifty to motorcycles for highway patrols and sixteen to crash cars.

"This means that a much greater area must be covered by a much smaller number of foot patrolmen, who, after all, render a peculiar type of service which cannot be supplanted by other or newer

methods of policing. For example, the foot patrolman has an intimate knowledge of the various people residing on his beat, the stranger on his post, and his constant presence has in itself a deterring effect.

"As this is being written (March, 1940), Commissioner Stanton, in an effort to combat the current outbreak of robberies, has assigned a large number of traffic officers to special duty and has materially increased the number of working hours of all his force.

**Murder in England**—The Home Office has recently issued its annual "Criminal Statistics" for England and Wales. The year 1938 showed a low murder rate—the second lowest since 1900.

In 1938 there were known to the Police 84 cases of murder of 93 persons aged one year or over. In 30 cases, involving 37 victims, the murderer or suspect committed suicide. In 48 cases, involving 50 victims, 50 persons were arrested; in 6 cases involving 6 victims, one of whom had died following an illegal operation, no arrest was made.

The following are particulars relating to the 50 persons arrested:

Discharged at Police Court..	3
Committed for trial:	
Found Insane on	
Arraignment .....	8
Acquitted .....	10
Found Guilty but Insane...	10
Convicted:	
Ordered to be detained	
during His Majesty's	
pleasure .....	1
Sentence of Death:	
Executed .....	9
Committed to Penal Serv-	
itude .....	9
	—
	19
	—
	50

**Model Act**—The National Probation Association has recently published and circulated a draft of a Model Act, "A State Administered Adult Probation and Parole System." Mr. Charles L. Chute, Executive Director of the Association states:

"The committee believes that the act may prove especially adaptable for consideration in the many states which have not yet developed adequate state-wide systems of probation or parole. An increasing number of states have adopted, or now have under consideration, unified state administered systems.

"We believe that a comparison of this act with the unstandardized and varying laws in effect in many states should lead to the drafting of more uniform laws with higher standards of administration."

The original draft of the bill was prepared by Mr. Francis H. Hiller, Field Director of the Association, and was submitted to leading administrators and experts throughout the country for criticism. After revision it was considered by a Committee appointed by the Association which prepared a third draft after careful study of written suggestions. The Committee makes this statement in the Introduction:

"We do not take the position that a bill of this character should be recommended for adoption in every state. Further experimentation is needed but there is evidence that a combined state administered system of probation and parole may prove to be the most practical method of developing both systems in a growing number of states, especially those where there has seemed to be little prospect of developing probation service adequately on a local basis. In states where adult probation or parole services have been established separately on a statewide basis it may be thought preferable to continue to develop them as separate agencies. In other states where adult probation has been comparatively well developed in certain counties and cities, this bill in a modified form may be used to develop parole and extend probation under state administration to other parts of the state. The sentencing, probation, and parole provisions may be incorporated in separate bills, with appropriate changes in the administrative features. In the notes following some sections alternative provisions are suggested. Each state must consider its existing agencies, traditions and form of government in deciding how much of this bill it is desirable to adopt."

The Committee was composed of the following persons: Joseph N. Ulman, Judge, Supreme Bench, Baltimore, Maryland, Chairman; Sanford Bates, Executive Director, Boys' Clubs of America, New York City; F. Lovell Bixby, Superintendent, Federal Reformatory, Chillicothe, Ohio; William J. Harper, Chief, Westchester County Probation Department, White Plains, New York; Winthrop D. Lane, Baltimore, Maryland; Sam A. Lewisoohn, 61 Broadway, New York City; A. C. Lindholm, Chairman, State Board of Parole, St. Paul, Minnesota; William M. Maltbie, Chief Justice, Supreme Court of Errors of Connecticut, Hartford; Justin Miller, Associate Justice, U. S. Court of Appeals, Washington, D. C.; Frederick A. Moran, Member, State Board of Parole, Albany, New York; Wayne L. Morse, Dean, University of Oregon School of Law, Eugene, Oregon; Joseph P. Murphy, Chief, Essex County Probation Service, Newark, New Jersey; Louis N. Robinson, Swarthmore College, Swarthmore, Pennsylvania; Charles L. Chute, Executive Director, National Probation Association; Francis H. Hiller, Field Director, National Probation Association.

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**New York Commission**—The final report of the Commission on the Administration of Justice in New York State has been printed as Legislative Document (1939) No. 76 and was issued as a substantial bound volume of 464 pages. This Commission was at work more than seven years before making its final report to the Legislature. Its proposed draft of a revised code of criminal procedure was not hastily put together but rather it represents a "patient, searching, and unhurried job of research, consideration, and review, which has been subjected to the test of public scrutiny over a period of several years." The more important procedural changes are set out below:

1. Elimination of the defendant's right to make an unsworn statement upon the preliminary examination and the substitution therefor of a right to testify under oath.

2. Provision that the fact of the defendant's waiver to testify on the preliminary

examination may be admitted in evidence on the trial.

3. Provision that the fact of a defendant's failure to testify on the trial may be the subject of comment by the court and counsel.

4. Provision that the court may comment on the evidence, testimony and the credibility of witnesses when charging the jury.

5. Reduction in the number of peremptory challenges in capital cases from 30 to 20, and in trials for crimes punishable by imprisonment for life or for *more than* 10 years (the present provision is "ten years or more"), from 20 to 10.

6. Examination of prospective jurors by the court instead of by the attorneys for the parties.

7. Use of alternate jurors in misdemeanor cases.

8. Removal of the prohibition against conviction of a defendant on the uncorroborated testimony of an accomplice.

9. Provision that co-defendants shall be competent witnesses against each other as well as for each other.

10. Enlargement of the prosecution's right to appeal.

11. Provision that an appeal by the People shall stay the operation of an order in favor of a defendant.

12. Provision that, on an appeal from an illegal sentence, an appellate court may increase the sentence.

13. Elimination of the presumption that any error, defect or exception upon the trial injuriously affects the substantial rights of the parties.

14. Provision that the Court of Appeals may review any order, decision, or ruling forming part of the judgment-roll upon an appeal by the defendant from a judgment of conviction.

15. Provision for conserving the courts' time and reducing the cost of printing appeals by limiting the contents of the record on appeal to necessary matters.

16. Provision that appeals in criminal cases shall have precedence over all other appeals.

17. Provision limiting the making of applications for certificates of reasonable doubt to the trial judge or a justice of the appellate division.

18. Prohibition against suspension of sentences in the cases of second and third offenders.

19. Substitution of the county for the town as the unit of the jurisdiction of magistrates in certain cases.

20. Provision that a warrant may be issued in any asylum county for any crime committed in any county of the state.

21. Provision that the warrant of any magistrate may be directed to and executed by any peace officer in any county of the state.

22. Enlargement of the powers of an arresting officer to permit an arrest for a felony not committed in his presence if he has reasonable ground to believe that a felony has been committed.

23. Removal of the requirement that an arresting officer have the warrant in his possession at the time of arrest.

24. Enlargement of the discretionary authority of a magistrate to issue a summons instead of a warrant, permitting issuance in all cases, including felonies.

25. Provision for the imprisonment of a person summoned upon his default in paying a fine for failure to appear.

26. Provision prohibiting the quashing or abatement of warrants for formal defects and permitting amendments.

27. Mandatory examination of the People's witnesses on the demand of the prosecuting attorney when the defendant waives preliminary examination.

28. Extension requiring the summoning for cross-examination of all witnesses examined on the taking of the complaint if such witnesses are in the state instead of the county as now provided.

29. Extension to give effect to magistrate's subpoenas throughout the state instead of throughout the county.

30. Extension providing for the interchangeability of grand jurors from one panel to another in any court in which two or more panels have been drawn for the same term.

31. Requirement that the prosecuting attorney file a bill of particulars upon a plea of guilty to an indictment which merely names or gives a brief description of the crime.

32. Elimination of the necessity of a writ of habeas corpus to produce a defendant already in custody on another charge, and the substitution thereof of a court order.

33. Abolition of the demurrer and substitution thereof of motions to set aside.

34. Addition of new grounds for a motion to set aside.

35. Provision that an order granting any motion to set aside shall be a bar to another prosecution unless an order to resubmit is obtained.

36. Provision that a plea of double jeopardy shall be in writing.

37. Elimination of distinction between general and particular challenges based on implied bias and those based on actual bias.

38. Reduction of the degree of consanguinity or affinity disqualifying a juror from the ninth to the sixth degree.

39. Provision that the trial judge be present when the jury visits the scene of the crime.

40. Provision that the taking of evidentiary matters into the jury room shall be left solely to the discretion of the trial judge.

41. Provision to make the special verdict a useful instrument in criminal procedure by permitting the court to direct the jury to find a special verdict, and requiring the court to submit in writing the questions of fact to be determined.

42. Clarification of the present provisions relating to judgment and sentence.

43. Provisions to conform procedure on appeals in criminal cases as far as possible with that in civil cases.

44. Provision permitting an appellate court to release a defendant who has failed to appeal upon an appeal taken by a co-defendant after a joint trial.

45. Abolition of the Bill of Exceptions and provision for one method of appeal only.

**Interstate Commission**—The next annual sessions of the Interstate Commission on Crime will occur at Atlantic City, New Jersey, September 5-7 (Thursday to Saturday following Labor Day) with headquarters at the Hotel Claridge. As usual these sessions will immediately precede, and be in the immediate vicinity of, the annual sessions of the National Association of Attorneys General and the American Bar Association.

More than two-thirds of the States have adopted one or more of the four Model Acts sponsored by the Commission. The status of adoption is now as follows:

**A. Uniform Act for the Fresh Pursuit of Criminals Across State Lines:**

Arizona	New Jersey
California	New Mexico
Colorado	New York
Connecticut	North Dakota
Delaware	Ohio
Kansas	Oregon
Louisiana	Pennsylvania
Maine	Rhode Island
Maryland	South Dakota
Massachusetts	Tennessee
Michigan	Utah
Minnesota	Vermont
Montana	Virginia
Nebraska	West Virginia
New Hampshire	Wisconsin

**B. Uniform Extradition Act:**

California	New York
Delaware	North Carolina
Kansas	Ohio
Maryland	Oregon
Massachusetts	South Dakota
Michigan	Utah
Minnesota	Vermont
Montana	West Virginia
New Hampshire	Wisconsin
New Jersey	Wyoming
New Mexico	

**C. Uniform Act for the Rendition of Witnesses Across State Lines in Criminal Proceedings:**

Arizona	Maryland
California	Massachusetts
Connecticut	Michigan
Delaware	Mississippi
Louisiana	Montana

Nebraska	South Dakota
New Hampshire	Tennessee
New Jersey	Utah
New Mexico	Vermont
New York	Virginia
North Carolina	West Virginia
Ohio	Wisconsin
Oregon	Wyoming
Rhode Island	

**D. Uniform Act for the Supervision of out-of-state parolees and probationers:**

Arizona	New Hampshire
Arkansas	New Jersey
California	New Mexico
Colorado	New York
Delaware	Ohio
Illinois	Oregon
Indiana	Pennsylvania
Iowa	Rhode Island
Kansas	Tennessee
Louisiana	Utah
Maine	Vermont
Maryland	Virginia
Massachusetts	Washington
Michigan	West Virginia
Minnesota	Wisconsin
Montana	Wyoming
Nebraska	

**E. Marihuana Amendment to Uniform Narcotic Drug Act:**

Michigan

**Children in the Courts**—The Children's Bureau of the United States Department of Labor has recently published through the Government Printing Office an 88-page booklet entitled "Children in the Courts," presenting juvenile court statistics for the year 1937 and the data on Federal juvenile offenders. The data reported by the courts for delinquency cases disposed of during 1937 revealed the following: Boys were involved in 85 per cent and girls in 15 per cent of the cases. More than three-fourths (78 per cent) of the cases were of white children and slightly less than one-fourth (22 per cent) were of Negro children. Most of the children (41 per cent) were between the ages of 14 and 16, although the girls were somewhat older on the average than the boys. Stealing was the reason for referral in 53 per cent of the boys' cases, and running away,

being ungovernable, and sex offenses were the reasons for referral in 65 per cent of the girls' cases. The police were the primary source of reference of cases to the juvenile courts; 69 per cent of all cases were referred by this source. In 42 per cent of the cases dealt with in 1937 the children were detained overnight or longer pending the hearing or disposition of their cases. The disposition of the children's cases most frequently made was "dismissed, adjusted, or held open without further action" (47 per cent), and supervision by probation officer was next in frequency (29 per cent). In slightly more than one-third of the cases the children had been before the courts previously in 1937 or in earlier years.

**Canadian Penitentiaries**—The annual report of the Superintendent of Penitentiaries for the Dominion of Canada showed a prison population in 1939 of 3,580. Of these 39 were females. Admissions and transfers during the year were 2,133. There were 1,896 male convicts admitted who were guilty of committing major felonies; 1,516 had committed property offenses and 214 had committed offenses against the person. It is interesting to note that only 13 murderers were sent to Canadian penitentiaries!

**A Dickens Item**—Dr. Louis N. Robinson, a member of the Board of Trustees of the Eastern Penitentiary, Pennsylvania, sent the following statement to the Journal:

"Those who have read Charles Dickens' account of his visit to the Eastern Penitentiary in Philadelphia, may be interested in knowing that his visit was duly recorded in the Warden's Journal. George Thompson was Warden at the time and under date of March 8, 1842, I found the following item:

"The Prison Visited by all the Inspectors and Mr. Dickens of England a number of Gentlemen also visited—Mr. D. dined with the Inspectors."

"No mention is made of what Mr. Dickens said on his round of inspection or when lunching with the Inspectors."

**N. Y. Clinic Restored**—Mr. E. R. Cass, Secretary of the Prison Association of New York, writes: "The New York State Legislature during its 1940 session restored some of the unfortunate omissions made in the budget acted upon by the 1939 Legislature. The Psychiatric and Classification personnel has been restored, but not in number or at the same level of compensation, but at any rate sufficiently to continue the State's recognition in the value of that form of service. Governor Lehman and the Legislature went as far as they could this year, and perhaps next year we can add to the number and increase the salaries. Provision was also made for the reopening of the Guard School at Wallkill Prison. Some of the Educational Personnel has also been restored as well as a portion of the Supervisory. Considering the money situation generally the Department of Correction did not do so badly, and we are all very much relieved and happy about the result.

"It would have been a great mistake to continue the deletion of amounts for the clinic at Sing Sing and the branch units at the other prisons as well as the other items referred to above.

"Since so much notice was given through our efforts and with your co-operation and that of others to the elimination by the 1939 Legislature of the Psychiatric service, I hope that you will find space at least to make mention of its partial restoration."