Journal of Criminal Law and Criminology

Volume 6 | Issue 2 Article 10

1915

# Notes and Abstracts

# NOTES AND ABSTRACTS.

## ANTHROPOLOGY—PYSCHOLOGY—LEGAL MEDICINE.

**Violent Temper and its Inheritance.**—Recent studies have shown that the impulse to general mental development and the nervous "strength" which successfully resists the stress of untoward conditions and emotional shocks have a clear hereditary basis. The hereditary factor behaves, indeed, in typical fashion. But it has often been pointed out by sociologists, who for the most part hold differences in "conditions of life" responsible for the differences between men, that there is no evidence that the elements of moral or social behavior have a hereditary basis, and while there have not been wanting those who have insisted that "criminality is hereditary" yet no one has successfuly determined the method of such inheritance. It appears, indeed, improbable that so complex a thing as criminality should prove to have a single hereditary factor. An attempt has been made to study the hereditary behavior of some of the elements of moral action—to analyze the family history of persons who have marked emotional traits.

Opportunities for such study have been afforded by 165 family histories of wayward girls in state institutions gained by trained field workers who visited the homes of the patients and got as full an account as possible of the behavior of all of the close relatives. The data were gathered without prejudice; indeed, it was impossible for the "field worker" to know what laws of inheritance the histories might yield. Also, many other sources of information at the Eugenics Record Office have been drawn upon for additional data as to the inheritance of special traits.

Violent and more or less periodic outbursts of temper occur in families which are characterized by prevalence of epileptic attacks, also in those exhibiting cases of mania, also in other in which "hysterical' attacks are common. The special form of the attacks differs somewhat in these classes of families, but the method of inheritance of the tendency is the same in all, and it seems probable that in each class the simple symptoms of the emotional outburst are modified by the differences in these three classes of the nervous condition.

The method of inheritance is indicated at once by the fact that, in the 66 family histories studied, the tendency to outbursts does not, typically, skip a generation. In one history it is traced through 5 generations; in a large proportion of the histories it is traced through 3 consecutive generations. The few cases in which neither parent of an affected individual is reported to have the tendency to outbursts are explained by obvious insufficiency in the record.

The fact that the tendency to outbursts of temper does not skip a generation indicates that it is a positive or dominant trait. That segregation of this tendency occurs is shown by the ratio of affected offspring in any fraternity to the total number of offspring whose emotional history is fully described. From the mating of an uncontrolled and a normal person expectation is that 50 percent of the children will be uncontrolled. A summation of all such children gives a total of 106 affected among 219 sufficiently described, or close to the 50 percent expected on the hypothesis that the tendency to outbursts of temper is a simple, positive trait.

The detailed investigation will appear in the *Journal of Nervous and Mental Diseases* and in the *Bulletin of the Eugenics Record Office.*

C. B. Davenport, Station for Experimental Evolution, Washington, D. C.,
Reprinted from *Proceedings of the National Academy of Sciences* Vol. I, pp. 37, 1915.

**Nomadism or the Wandering Impulse, with Special Reference to Heredity.**—Some persons are always satisfied to remain at home and dislike the thought of traveling; at another extreme are the tramps and nomadic gypsies; at still another extreme are those who, capable of steady and effective work, periodically, often in a more or less dazed condition, run away from their homes. The term nomadism is here adopted for this trait in all of its varied manifestations, the racial connotation of the term being advantageous rather than otherwise.

Nomadism has been widely studied by psychiatrists who have seen in the various periodic disorders with which it is often associated the causes of the different forms that it takes. Thus are distinguished demented, melancholic, epileptic, hysteric and other "fuges." The present study starts with the inquiry: Are the similar symptoms that are associated with such different mental states wholly independent, or have they a common cause?

A tendency to wander in some degree belongs to all locomotor animals. That such a tendency is a fundamental instinct in man also is indicated by four lines of evidence: (1) that the anthropoid apes (representing the primate stock from which man sprang) are nomads; (2) that primitive peoples (Fugeians, Australians, Bushmen, Hottentots) are nomads and this trait is widespread among other, less primitive, tribes; (3) that the tendency to wander is nearly universal among young children who have only recently learned to walk; (4) and that, at adolescence, the instinct (no doubt associated with the mating impulses) becomes keen again.

To get further light on nomadism one hundred family histories, deposited at the Eugenics Record Office, have been analyzed and tabulated according to the nature of the matings. The results of this tabulation is given on the following page.

This table shows that far more males than females are nomadic, 171 males to 15 females. This suggests the hypothesis that nomadism is a sex-linked trait. If this hypothesis be true, in a mating of a normal man and a woman who, though normal, comes of nomadic stock, half of the sons and none of the daughters are nomadic. Combining matings 1, 6, 7, and 8, which are the matings in question, we get the following distribution of tendencies in the offspring. Males: W, 133; not W, 109; females: W, 4; not W, 118. The shortage of not-W males is easily accounted for by the circumstances that only fraternities of offspring showing nomadics are included in our table; any fraternity which by chance, through small size or otherwise, shows no nomads is excluded. Of the four female nomads (where none is expected) it is to be said that all are daughters of three men who are really quite insufficiently known and ought not to be considered in this connection. The details are set forth in the full paper. There is no clear case of a nomadic daughter whose father is known to be non-nomadic.

TABLE OF DISTRIBUTION OF NOMADISM (W) IN OFFSPRING OF VARIOUS MATINGS.

| PARENTS | OFFSPRING TOTAL | X | ♀ | ♂ W | ♂ NOT W | ♀ W | ♀ NOT W |
|---|---|---|---|---|---|---|---|
| 1. Father not W, of not-W strain; Mother not W, of W strain..... | 208 | 13 | 29 | 71 | 43 | 1 | 52 |
| 2. Father not W, of not-W strain; Mother, W..... | 9 | 1 | 1 | 5— | (3—) | 0 | 0 |

Table of Distribution of Nomadism (W) in Offspring of Various Matchings.—*Cont'd.*

| PARENTS | OFFSPRING | | | | | | |
|---|---|---|---|---|---|---|---|
| | | | | — | | — | |
| | TOTAL | x | ..yg | W | NOT W | W | NOT W |
| 3. Father and Mother both W | 13 | 0 | 2 | 6 | 1 | 4 | 0 |
| 4. Father, W; Mother not W, of W strain | 35 | 6 | 7 | 8 | 5 | 2 | 7 |
| 5. Father W; Mother not W, W relatives unknown | 73 | 17 | 6 | 16 | 16 | 5 | 13 |
| 6. Father not W, of W strain; Mother not W, of W strain | 3 | 0 | 0 | 1 | 0 | 0 | 2 |
| 7. Father not W, of W strain; Mother not W, W relatives unknown | 55 | 8 | 6 | 13 | 16 | 1 | 11 |
| 8. Relatives of father and mother (and frequently the parents themselves) little known | 218 | 33 | 28 | 51 | 47 | 2 | 53 |

(Abbreviations: W, wandering impulse, nomadism; x, unknown; ..yg, died young.)

The criterion that all sons of a nomadic mother are nomadic is tested by reference to matings 2 and 3. All but four sons are nomadic. Of the exceptions three are recorded with great doubt and one with much lack of detail.

The next criterion, that all daughters of two nomadic parents are nomadic is realized, in mating 3, unfortunately in too small numbers.

The criterion that half of the daughters and half of the sons of nomad-bearing fraternities derived from nomadic fathers are nomadic may be tested in matings 4 and 5. The expected equality is, indeed, found in the sons but, probably on account of small numbers, inexactly in the daughters. In general our Histories show that nomadic fathers may have no nomadic sons, but there is no case of a nomadic mother of more than two children none of whom is nomadic. Thus our data support the hypothesis that the paralysis of the control of the momadic impulse is a sex-linked trait.

Other hypotheses, such as (1) that nomadism is, like the beard in man, essentially a male characteristic, and (2) that nomadism is less common among women than among men solely because it is less feasible for women to live a nomadic life, are not at all supported by a full consideration of the facts.

Finally, the frequent association of nomadic impulses with psychoses both periodic (depressions, migraine, hysteria, sprees) and constitutional (feebleminded-ness and dementia-precox) is explained as follows. The wandering instinct is, in man, fundamental, basic. In the more intellectual part of the population, under the influence of the *mores*, this impulse is more or less satisfactorily repressed where there is good reason why it should be, except in families of *periodics* where the inhibitions are temporarily paralyzed and the person 'breaks out.' Among constitutional mental inferiors on the other hand, the inhibitions may be slightly developed and such persons show a constant roving tendency—as ne'er-do-wells, some tramps, the gypsies and other nomadic tribes. All classes of nomadism can thus be ascribed to one fundamental cause, the nomadic instinct. In addition, since the more intelligent representatives of the nomadic race are able, in a measure, under ordinary circumstances, where it appears desirable, to inhibit their impulses, we find that, with such people, the unstable, wandering impulse is apt to be associated with a periodic disturbance that renders inoerative the inhibitory machinery;

these disturbances are not the fundamental cause of the nomadic impulse but merely permit it to show itself. The capacity for such periodic disturbance is sex-linked.

The complete paper. of which the above is a part, will probably appear in the *Journal of Nervous and Mental Disease* and in the *Bulletin of the Eugenics Record Office.*

C. B. Davenport, Station for Experimental Evolution, Washington, D. C. Reprinted for Proceedings of the National Academy of Sciences, Vol. I, pp. 120, 1915.

**A Family in one Neighborhood.**[1]—Not long ago I had handed to me a little card containing these words:

> "When shall we apply the same intelligence to breeding human beings that we apply to breeding cattle?"

It came at a time when we were investigating the family histories of some of the State's wards whose names are recorded in the registration of the Board of State Charities. The application was made more striking by having before me charts of some of these families, some of them running back five or six generations. These tell a story or degeneracy that is appalling. Here is the record of one of them whose visible beginning was in a pair of feebleminded ancestors about a hundred years ago. It includes five generations, represented by 57 individuals.

There would be some changes in the chart as a result of subsequent investigations, but in the main the facts are as given.

THE "C" FAMILY.

| | Male. | Female. | Sex. Unknown. | Total. |
|---|---|---|---|---|
| Individuals recorded | 24 | 28 | 5 | 57 |
| Mental condition— | | | | |
| Feebleminded | 17 | 19 | — | 36 |
| Insane | — | 1 | — | 1 |
| Normal | 3 | 6 | — | 9 |
| Normality in question | 4 | 2 | 5 | 11 |
| Sex offenders | 3 | 4 | — | 7 |
| Illegitimate | 1 | 3 | 5 | 9 |

Our investigations brought to light the fact that eighteen members of this family have been at some time of their lives, inmates of public institutions in Indiana. Our information as to the length of time five of these were on public support is incomplete; it was before our present registration of institution inmates was begun. Concerning the other thirteen, however, we have accurate data. To date they have spent a total of 203 years, 5 months in public institutions.

Eleven have been in county poor asylums 44 years, 3 months; 7 have been in orphans' homes 40 years, 7 months; 8 have been in the School for Feeble-Minded Youth 110 years, 11 months; one has been in the Indiana Girl's School 7 years, 8 months. If their maintenance has averaged but $125 a year, the total cost has already amounted to more than $25,000. This is not all. There are now five young women of this family in the School for Feeble-Minded Youth at Fort Wayne. Their ages are 22, 23, 24, 28 and 32 years, an average of 25.8 years. At the annual average per capita cost of maintenance in that institution last year ($140.68) these five young women cost the state $700.00 a year.

I ask this question: What are we going to do about it? It is one of our problems.

A Legislative Commission in New Jersey has recently made a report after a

[1]Read before the Indiana Academy of Science, Indianapolis, December 4, 1914.

thorough investigation of the problem of mental defectiveness. Other commissions in New York, Massachusetts and elsewhere have been, or are, engaged in this work. Is it not time that Indiana should wake up and have a commission to study the problem of mental defectiveness? What is the condition? What are the needs? How shall they be met? What is the wisest plan to follow? What are we going to do to save ourselves this continually increasing popluation of mental defectiveness, that is shown by this chart and could be shown by a hundred others, to be growing up in the State of Indiana without our knowledge, without our thought, without our effort to prevent it? The question comes to us, what will we do about it?—Amos W. Butler, Secretary Indiana Board of State Charities, Indianapolis. From Indiana *Bulletin* of charities and Correction, March, 1915.

## COURTS—LAWS.

**The Municipal Court of Cleveland, Ohio.**—We publish below the introduction to the record annual report of the Municipal Court of Cleveland, Ohio. Following this is a statement relating to the Conciliation Court which is a branch of the Municipal Court. The costs of the Municipal Court have been materially decreased by reason of the fact that service is made by mail unless specific request is made for the usual form of service.

*Introduction.* — The Municipal court of Cleveland, established by act of the Ohio legislature, opened January 1, 1912, with a chief justice and six associate judges, in the old county court house. It was primarily created for the purpose of relieving the congestion in the county courts of common pleas and of replacing the justices of the peace against whom there was much popular complaint. Since beginning of the court all the justice-of-the-peace courts within the city of Cleveland have been abolished and their work has devolved upon the municipal court, greatly adding to the volume of its business.

The court has been in continuous session for the past two years for the regular trial of cases. In the civil branch of the court 23,363 cases have been filed and 22,836 cases have been disposed of during that time. During the year 1913, 12,784 cases were filed, of which 2,624 were conciliation matters.

In the criminal branch of the court 14,182 cases were disposed of, making a total of 26,719 cases handled in both branches of the court during the year 1913.

An amendment to the act creating the court, becoming effective during the year 1913, corrected some deficiencies; widened the jurisdiction, and enabled the judges by rule of court to improve the system of practice and procedure in very material respects. Acting under authority thereof, the judges during the last year have put into effect service by United States mail of the various writs, greatly facilitating and lessening the work of the bailiff's office; have adopted an entirely new schedule of court costs and fees, approximating the same to the actual cost of the service; and have greatly extended the system of informal trials and settlements, called the "Conciliation Branch." These changes are set forth in detail in the rules and reports herein following.

Complete daily records of the work of the judges and all other officials of the court have been carefully kept, so that at all times there is available detailed figures showing the work and exact condition of the court. The summaries which follow show that the business of the court has been handled with as much expedition as justice permits and very inexpensively.

The legislature of Ohio at its last session established municipal courts in Cincinnati, Columbus, Dayton, Hamilton and Youngstown, following closely the municipal court of Cleveland in jurisdiction, practice and procedure.

**The Conciliation Court.**—In February, 1912, upon recommendation of the judges of the municipal court, Clerk Peter J. Henry instituted in the clerk's office a department for the purpose of handling small claims in which money and the detention of property were involved. This department, in charge of Mr. Wm. Burke, very materially assisted the court in disposing of a great many cases.

This work, begun in 1912 and producing such favorable results, has been developed into a permanent branch of the court, now known as "The Conciliation Court."

The conciliation court was decided upon by the judges in November, 1912, and began active business in March, 1913. At the close of business on December 31, 1913, in this branch alone 2,624 cases had been filed and 2,367 cases disposed.

The conciliation docket is prepared by Mr. Burke and on Tuesday and Friday of each week is disposed of by the judge sitting in room 6 (call room). The number of cases placed on this docket is steadily increasing and the court undoubtedly has a great future, because it affords justice to the poor man and its methods are simple, cheap and speedy.

Supplemental to the work in connection with the conciliation docket, the clerk's office head a number of complaints in which money and the detention of personal property were involved, with the following results:

138 complaints, involving $1,527.59, were settled for $1,381.81..

28 suits brought on general docket, involving $786.82; judgment rendered for plaintiff in 24 cases; amount recovered, $766.18; 2 cases were settled and 2 dismissed.

26 complaints, involving $428.62, and which were meritorious, could not be settled.

54 complaints, involving $440.67, appeared to have no merit.

This made a total of 246 complaints for money, involving $3,183.70.

64 complaints, involving the detention of personal property, resulted in the property being delivered up in 34 cases upon receipt of a letter from the office; 5 of the complaints appeared to have no merit. In 5 of the complaints parties did not proceed further after letters were sent out, and 20 complaints resulted in replevin proceedings being brought.

18 cases in forcible entry and detainer were brought.

In 93 matters the aid of the office was involved on behalf of complainant and letters written; notices issued.

In 262 cases on conciliation docket letters were written to defendants, advising them to come into the office and arrange to pay the judgment; also advising them in connection with other phases of cases, etc. R. H. G.

**Why Do We Need the Indeterminate Sentence?**—To determine whether or not a crime has been committed, there has been developed an elaborate system of courts with standardized procedure and technical rulings which can only be manipulated by those judges and lawyers who are skilled through training and experience. Minds of this type, the mind of the prosecutor, the prober, the balancer of technical detail on statutory rulings, lack power to so penetrate the soul and mind of the prisoner at the bar as to perform an accurate examination on which to predict the actual result of the application of the remedial measures which it has been the function of the judge to prescribe.

The trained physician, or psychologist, even under the most advantageous circumstances in which the relation of the individual examined to the examiner is all that could be desired in order to secure accurate knowledge, would absolutely refuse to claim power to determine to a day when cure will be effected. The doctor

hopes to cure a cold in two days and it takes two weeks; the judge knowing the details of one crime, or even of a series of crimes, attempts to penetrate the mind of a man and determine what manner of man he is, and on the conclusions thus formed to decide the cure.

Again, statistics show that the attitude of the individual judge tends to vary the sentence and that for the same crime one judge will give a long and another a short sentence; while even the most conscientious of judges is more severe after a night of insomnia or an ill-digested lunch.

The first requisite of cure is to satisfy the prisoner and those interested in him that justice has been done, both to him and society. Under the present system, if justice is done in one case, it fails in another, and, as there is no way to tell which decision is correct, the natural conclusion of the offenders and of the public is that justice failed in both cases.

In a situation where there is no assurance of justice, there is only one protection possible and that is protection afforded by the politician, the political boss; the present system, therefore, instead of effecting the cure of the prisoner, only increases the power of the corrupt politician who can influence the courts through a round of graft, political chicanery and social tyranny.

## THE LAWS OF THE DIFFERENT STATES IN REGARD TO SENTENCES.

Compiled by Sing Sing No. 58742.

(Reprinted from *The Star of Hope*, February 27th, 1915.)

| Name of State. | Character of Sentence Law. | When Eligible for Parole. | Per Cent. Making Good. |
|---|---|---|---|
| Alabama | Definite and Indefinite | Min. one-third of definite. | |
| Arizona | Indeterminate | End of min. | 92 |
| Arkansas | Definite | One-third of definite | 95 |
| California | Definite | 1st termers, 1 year; 2nd termers, 2 years; life termers, 7 years | 80 |
| Colorado | Indeterminate | Min. less com. of 1 to 6 mos. each year | 80 |
| Connecticut | Indeterminate | Min. sentence | No record |
| Delaware | Indeterminate | | Law satis. |
| Florida | Definite | Commutation | |
| Georgia | Definite | | |
| Idaho | Indeterminate | One-third | |
| Illinois | Indeterminate | 1 year, except treas., mur., kid. by com. | No record |
| Indiana | Indeterminate | 1 year, except ass't, rape, inc. 2 years, robbery 5 years, burg. 10 years. | 75 |
| Iowa | Indeterminate | At once, or in 6 mos. or 1 year, according to sentence | 75<br>82 |
| Kansas | Indeterminate | 1 year of ex. min. | 95 |
| Kentucky | Indeterminate | Lifers, 8 years | |
| Louisiana | Definite | 1 year, except trea., ass., rape and nat. life, 5 years | No record |
| Maine | Indeterminate | Min. by court; half sentence | 95 |
| Maryland | Definite | One-third of sentence | 100 |
| Massachusetts | Indeterminate | Two-thirds min. sent. not less than 2½ years | No record |
| Michigan | Indeterminate | Min. lifers 16 years, 3 months | 75 |
| Mississippi | Definite | | |
| Missouri | Indeterminate | Any time | |
| Minnesota | None | 6 months | 80 |
| Montana | Definite | ½ of def. lifers, 13 years, 9 months | 90 |
| Nebraska | Indeterminate | 1 year of ex. min. law | 82 |
| Nevada | Indeterminate | End of min. | 92 |
| New York | Indeterminate | End of min. | 93 |
| North Carolina | Definite | Commutation | |
| New Hampshire | Indeterminate | Minimum | 67 |
| North Dakota | Indeterminate | End minimum | 96 |
| New Jersey | Indeterminate | Min. limit of two-thirds of max. | 75 |
| New Mexico | Indeterminate | Min. less com. 1 to 6 mos., a year | 85 |
| Ohio | Indeterminate | Min. except mur. and burg. 1st | 90 |

The Laws of the Different States in Regard to Sentences.—*Cont'd.*

Compiled by Sing Sing No. 58742.

(Reprinted from *The Star of Hope*, February 27th, 1915.)

| Name of State. | Character of Sentence Law | When Eligible for Parole. | Per Cent. Making Good. |
|---|---|---|---|
| Oklahoma | Definite | No law; at discretion of Gov. | 99 |
| Oregon | Indefinite | Min. by law | 70 |
| Pennsylvania | Indefinite | One-third of def.; min. sent. | 76 |
| Rhode Island | Definite | Commutation | No record |
| South Dakota | Indefinite | One-half less comm. min. | 90 |
| South Carolina | Definite | Parole by Gov. | No record |
| Tennessee | Indefinite | End minimum less comm. | 95 |
| Texas | Indefinite | Any time, life 10 years; mur. 2d 5 years | 95 |
| Utah | No minimum | Any time., mur. 1st 15 years | 85 |
| Vermont | No minimum | Min. by court | 90 |
| Virginia | Minimum | One year | ? |
| Washington | Indefinite | Minimum | 90 |
| West Virginia | Indefinite | Minimum | 92 |
| Wisconsin | Definite | One-half of sent., life, 16 years 3 months | 90 |
| Wyoming | Indefinite | Minimum | 95 |
| U. S. Gov. | Definite | One-third of def. Life, 15 years | 96 |

*Note.*—Fourteen out of forty-eight states and United States allow parole in one year, or less than year

Discharges on parole are divided as follows:

| | |
|---|---|
| Minimum | 15 |
| One-half definite | 1 |
| One-third minimum, or definite | 5 |
| Minimum less commutation and extra commutation | 4 |
| Two-thirds minimum | 1 |
| One-half minimum | 1 |
| No definite term | 2 |
| One year or less | 14 |
| | 43 |

| | |
|---|---|
| Definite sentence states | 6 |
| Others | 42 |
| United States | 1 |
| | 49 |

*Note.*—Indefinite means minimum and maximum sentence. Definite means straight sentence.

Average per cent. making good in U. S. and 48 states, 90%. The constitutionality of Virginia's parole law is in doubt and no paroles are being granted under it.

## THE CONDITION UNDER WHICH THE INDETERMINATE SENTENCE CAN WORK SUCCESSFULLY.

The Board of Experts, Court of Rehabilitation, Parole Commission, or whatever may be the designation of the Board in which is vested the power to determine when the prisoner shall return to society, must be composed of men, or men and women, of the highest caliber, keen enough and with the practical experience which will enable them to resist political interference, and competent to meet the responsibility imposed upon them.—

Mrs. John H. Flagler, in Leaflet from Educational Committee of the National Committee on Prison and Prison Labor.

**On Prosecution and Defense of Poor Persons in California.**[1] — At my suggestion Andrew Y. Wood, the Manager of the Recorder Publishing Co., San Francisco, had reprinted in "The Recorder" your article appearing at page 925 et seq., of the March, 1915, issue of the JOURNAL OF CRIMINAL LAW AND CRIMINOLOGY, and the officers of the Commonwealth Club have authorized a reprint of that article with a memorandum of the report of the Law Reform Committee of the Association of the Bar of the City of New York, January 12, 1915, entitled "The Necessity and Advisability of Creating the Office of Public Defender," in such shape that the same may be inserted in and form a part of this issue of the Transactions entitled "The States Delinquents." It is expected this additional matter will include a copy of such Senate Bill or Statute in California. (See following note.)

Assembly Bill No. 21, to add a new section to the Code of Civil Procedure, "whereby a poor person, having good cause of action or a good defense, may prosecute his action or conduct his defense without the payment of costs," as it now stands amended for the third time in the Assembly, and reported on April 28, 1915, as correctly re-engrossed would provide for such new section reading as follows:

Sec. 1. A new section is hereby added to the Code of Civil Procedure to be numbered ten hundred and forty and to read as follows:

1040. (a) A poor person, whether an adult or an infant, not being of ability to sue, who alleges that he has a cause of action against another person, may apply by petition to the state, county, township or municipal court in which the action is pending, or in which it is intended to be brought, for leave to prosecute as a poor person.

(b) The petition must state:

(1) The nature of the action brought or intended to be brought.

(2) That the applicant is not (the owner of property) worth one hundred dollars besides the wearing apparel and furniture necessary for himself and his family, and subject-matter of the action.

It must be verified by the applicant's affiidavit, unless the applicant is an infant under the age of fourteen years, and in that case by affidavit of his guardian appointed in said action, and supported by a certificate of a counselor at law to the effect that he has examined the case and is of the opinion that the applicant has a good cause of action.

(c) The court to which the petition is presented, if satisfied of the truth of the facts alleged, and that the applicant has a good cause of action, may, by order, admit him to prosecute as a poor person.

(d) A person so admitted may prosecute his action, without paying fees to any officer; and all jury fees shall be paid by the county; and he shall not be prevented from prosecuting the same; by reason of his being liable for the costs of a former action, brought by him against the same defendant. If judgment is rendered against him, or his complaint is dismissed, costs shall not be awarded against him.

(e) If the person so admitted is guilty of improper conduct in the prosecution of his action, or of willful or unnecessary delay, the court may, in its discretion, annul the order admitting him to prosecute as a poor person; and he shall thereafter be deprived of all the privileges conferred thereby.

(f) A defendant in an action involving his right, title, or interest, in or

[1] From a letter addressed to Robert Ferrari, Esq. of N. Y. City, Associate Editor of this JOURNAL.

to real or personal property, may petition the court, in which the action is pending, for leave to defend the action as a poor person.

(g) The petition must contain the same matters, respecting the ability of the petitioner, required to be contained in a petition for leave to prosecute as a poor person; and it must be supported by a similar certificate, relating to the defense.

(h) The provisions of this section relating to the order, to be made upon an application for leave to prosecute as a poor person and the proceedings subsequent thereto, apply to the order and subsequent proceedings, upon an application for leave to defend as a poor person.

(i) An order, made as prescribed in this section, does not authorize the petitioner to take or maintain an appeal, as a poor person; but where an appeal is taken by the adverse party, the order is applicable, in favor of the petitioner, as respondent in the appeal.

(j) Where costs are awarded in favor of a person, who had been admitted to prosecute or defend as a poor person, as prescribed in this section, they must, when collected from the adverse party, be paid over to the court in the same manner as fees are paid when paid in advance.

R. S. Gray, San Francisco.

**Bill to Provide for Public Defender in California.**—To Create the Office of Public Defender; to Provide for the Appointment of such Officers, and Prescribing Their Duties and Compensation.

*The people of the State of California do enact as follows*:

Sec. 1. There is hereby created in each (county and city and county) of the State of California ( ) the office of public defender, and the person to ( ) appointed to this office shall be known as the public defender. (No person shall be eligible to the office of public defender, who shall not have been a practicing attorney in all of the courts of the state for the period of at least one year next preceding the date of his appointment.)

Sec. 2. (The board of supervisors for any county or city and county in the state may in its discretion appoint a qualified attorney to the office of public defender, who shall hold said office and discharge the duties thereof as provided in this act for a term of two years from and after the date of said appointment and said term of office shall not be deemed to extend beyond said period of two years; *provided, however*, that the provisions of this act shall not apply to counties in this state that have adopted or may hereafter adopt a special county charter, in which provision is made for a public defender; *and provided further*, that said public defender may be removed by said board of supervisors at any time by a vote of four-fifths of said board on the grounds of incompetency, neglect of duty or dishonorable conduct after a hearing before said board. Said board may select such public defender through the aid of civil service or other examination or such test of qualification as it may deem proper.)

Sec. 3. The compensation of said public defender shall be paid by the several counties in the same manner as other county officers are paid and said compensation shall be in full for all services rendered, except actual and necessray traveling expenses while engaged in the discharge and performance of his official duties and which expenses shall be audited and paid as are other claims against the county. The compensation of the public defender shall be as follows: (In counties of the first, second and third classes, three thousand dollars per annum; in counties of the seventh, eighth, ninth and eleventh classes, eighteen hundred dollars per annum; in counties

of the thirteenth class, fifteen hundred dollars per annum; in counties of the sixth, fourteenth, eighteenth, twentieth, twenty-sixth and thirty third classes, twelve hundred dollars per annum; in counties of the twenty-seventh class, sixty dollars per annum; in counties of the twenty-first class, six hundred doallars per annum; in counties of the nineteenth class, four hundred eighty dollars per annum; in counties of the thirty-fifth class, four hundred twenty dollars per annum; in counties of the thirty-eight class, three hundred sixty dollars per annum; in counties of the fourth, fifth, tenth, twelfth, fifteenth, sixteenth, seventeenth, twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-eight, twenty-ninth, thirtieth, thirty-first, thirty-second, thirty-fourth, thirty-sixth, thirty-seventh, thirty-ninth, fortieth, forty-first, forty-second, forty-third, forty-fourth, forty-fifth, forty-sixth, forty-seventh, forty-ninth, fiftieth, fifty-first, fifty-second, fifty-third, fifty-fourth, fifty-seventh, fifty-eight, sixty dollars per annum; in counties of the fifty-fifth and fifty-sixth class, thirty dollars per annum; in counties of the forty-eighth class, twenty dollars per annum.) *Provieed, however*, that in the counties of the first, second and third classes the public defender shall devote all of his time to the duties of his office and shall not engage in the practice of law except in the capacity of public defender.

Sec. 4. (Upon request by the defendant or upon order of the court, the public defender shall defend, without expense to such defendant, any person who is not financially able to employ counsel and who is charged in any court of the state with the commission of any contempt, misdemeanor, felony or other offense. He shall also upon request give counsel and advice to any person, against whom any such charge is brought, and shall conduct his defense with all the skill and ability at his command, and in such a manner as to secure justice for such accused having due regard to his duty to his client and to the State of California, and he shall prosecute all appeals to a higher court or courts, of any person who has been convicted upon any such charge, where, in his opinion, such appeal will, or might reasonably be expected to, result in a reversal or modification of the judgment of conviction. He shall also, upon request, prosecute actions for the collection of wages, or claims for labor of persons who are not financially able to employ counsel, in cases in which the sum involved does not exceed one hundred dollars, and in which, in the judgment of the public defender, the claims urged are valid and enforceable in the courts. He shall also, upon request, defend persons in all civil litigation in which, in his judgment, they are being persecuted or unjustly harassed, and who have not the financial ability to employ counsel.)

Sec. 5. The board of supervisors of each of the counties or cities and counties in which the office of public defender is hereby created (may) provide suitable rooms for the use of the public defender and office furniture and supplies with which to properly conduct the business of his office. The board of supervisors (in any county or city and county from the first to the tenth classes inclusive may) provide for a sufficient number of deputies, clerks and employees to properly conduct the office of public defender in each of said counties, and shall fix their salaries. All of the expense herein referred to shall be a charge upon the county or city and county in which the public defender is employed. All appointments of deputies, clerks or other employees in the office of public defender shall be made in writing by the public defender and filed with the county clerk and may be revoked by a writing similarly filed.

Sec. 6. (Said public defender shall keep a record of all services rendered by him in such capacity and shall file with the board of supervisors once a month during his term a written report of said services.

Sec. 7. The board of supervisors may at the the expiration of the term of office

of any public defender as provided for herein, refuse to appoint a successor, if in their judgment such course is deemed for the best interests of the county or city and county, in which event siad office shall become vacant until such time as said board shall appoint some person to fill said office.

Sec. 8. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.)

Senate Bill No. 142, introduced Jan. 12, 1915. On April 28, the Senate concurred in certain amendments incorporated in the above bill and ordered it to engrossment.

R. S. Gray, San Francisco.

## PROBATION—PAROLE.

**Defects in Adult Probation.**[1]—I have been asked to open discussion of the subject "Defects in Adult Probation." Naturally I approach the subject with some diffidence, because of the expert character of this gathering, but inasmuch as the whole public is fast becoming aware that there are serious defects in connection with adult probation, it is perhaps permissible for an observer who has taken more than casual interest in the establishment and development of the system to offer criticisms and suggest possible remedies.

First, I assume we are agreed that such defects as exist, are not those of the probation system; that the fault is not with the principle, but with the way it is applied—with the manner in which the system is administered. Its administration is in two sets of hands—first, those of the court; second, those of the probation officer—each answerable to the public and each responsible for the success or failure of this splendid scheme designed for the conservation of humanity.

While, so far as my observation goes, the courts in general seem deserving of great commendation for the way they have applied the probation principle where the reclamation of first offenders has been in view, yet it is always the weak link which menaces the usefulness of the chain, and from time to time our daily papers record prominently instances which point too clearly to acts of weakness in the judicial administration of adult probation.

First of all it must be remembered that the power of the court to place upon probation is limited by the terms of the Adult Probation Act. The defendant must be a first offender; the trial judge must be convinced from all the facts at his disposal "both that there is reasonable ground to expect that the defendant may be reformed and that the interests of society shall be subserved"; and at present the offenses which a defendant may commit and still be eligible to probation are rigidly (in fact too rigidly) limited. Of these restrictions, the first is by far the most important and also the most sinned against, and every time this restriction is violated the protective force of the second restriction is weakened. The third restriction I shall discuss later on. In the face of these restrictions what do we find?

A few weeks ago the newspapers were full of a sensational attempt at robbery and murder in which one of the desperadoes, instead of the intended victim, was shot and killed. One newspaper account stated that an investigation of the dead highwayman's record showed that about a year ago he had been arrested and placed upon probation; that he committed another offense (which automatically terminated his probation), but on being brought before another

[1]A paper read before the State Probation Officers' Association of Illinois, Wednesday, February 10, 1915.

judge (since retired from the bench) he was placed upon probation a second time, contrary to the law.

Again: Still more recently a man was placed upon probation, according to the newspapers, whose history was this: Arrested for abandonment and placed upon probation; arrested for disorderly conduct (an automatic termination of probation), and placed upon probation again, contrary to law; violated his probation, and this time quite properly sent to the House of Correction, but, after serving some time, was ordered brought back by the court, and again placed upon probation, without (so far as my lay knowledge enables me to ascertain) the slightest authority in law.

Stories are printed almost every day of the arrest of pickpockets, sneak-thieves and shoplifters alleged to have been placed upon probation previously for a similar offense, perhaps not once, but twice, in plain violation of the probation law.

Such conditions cannot continue long. The public is becoming aroused. The police abuse the system; friends of probation defend it. This is too vague for the public, which demands to know, not what, *but who* is responsible. The newspapers in response to this demand are watching the operation of the system more and more closely and responsibility is becoming more and more definitely established. The citizen who is held up in the street, or whose home is entered, or whose family or property has suffered injury, wants to know what judge turned loose an habitual criminal of dangerous type, to prey upon society. Such injuries as these constitute the greatest incentive to hostile activity on the part of citizens, and in the near future, in my judgment, judges seeking reelection to any court will be weighed most critically by the voters upon the manner in which they have administered the adult probation law.

When one considers that there are at present in the neighborhood of 3,500 individuals now under the supervision of the adult probation office alone, one readily comprehends how vital to the public welfare it is that the chances of releasing dangerous characters upon probation shall be reduced to a minimum. Moreover, there is this consideration (and it is of immediate interest to probation officers), and, not being a lawyer, I put it forth for the scrutiny of skilled lawyers: If a man is released upon alleged probation, in defiance of the expressed terms of the law, does not the court lose jurisdiction over the defendant so released? And if jurisdiction is thus lost, is the officer who attempts (pursuant to a warrant for violation of such alleged probation) to arrest the defendant, liable to answer for false arrest and imprisonment?

Does not such improper administration of the Probation Act actually give to the criminal the whip hand over both court and public?

What is the remedy? First of all, rigid care on the part of the judges to observe the very letter as well as the spirit of the law, and exercise the greatest discretion in granting releases. Second, a new provision in the act which will give to the court certain aid and certain definite information absolutely essential to a correct decision in such matters.

Among a number of amendments to the act which will be urged by the Civic Federation this winter, and probably enacted, is one to require, before the entering of any order granting probation, an investigation by a probation officer as to certain fundamental facts. Does the defendant reside where he says he does? Those of you who have visited vacant lots and "fake" addresses in your efforts to call upon new charges, will appreciate the importance of this information. Are his statements as to employment correct and, most important of all, has the defendant a previous criminal record?

In the absence of such information it is not always the fault of the court if mistakes are made. A man placed upon probation by one judge commits a new offense, and under a new name is arraigned before another judge. He pretends to be a first offender, and perhaps some ill-advised person in whom the court has confidence vouches for him. In the great press of cases, and a desire to dispose of them in a way to expedite the work of the court, the judge, as the law now stands, may release him at once upon probation and let the investigation follow. Under the proposed amendment such a release would be invalid unless preceded by an official investigation as to the points already mentioned, and a written report of the investigation made by the probation officer and filed with the clerk in the records of the case. Moreover, a release without such investigation probably would constitute misfeasance on the part of the judge, just as now a judge who releases a man not legally entitled to the privileges of adult probation probably is guilty of misfeasance.

Information upon these cardinal points may easily be secured for the court by the officer, and in many eastern cities the probation officer starts his rounds of the newly arrested at an early hour each day, and by court-time has most of this information ready. Such additional information as the court may desire, to aid him in determining the probability of reform on the part of the defendant, may be required of the officer, just as under the present terms of the law. Valuable information as to the mental status of the defendant now is forthcoming from the laboratories of Dr. Healy and Dr. Hickson, and the importance of this type of information constantly will increase, as the administration not only of probation, but also of parole, becomes more efficient.

This requirement of a preliminary investigation with a written report filed of record would be at once a protection to the trial judge who is too frequently pressed by people, both good and bad, to take hasty action; to the probation officer whose verbal report might be denied; and to the public.

Now I would not have my remarks construed as an intimation that the public cannot trust their judges. They can trust them, and, if they should find any whom they could not trust, they would not be long in removing them from the bench. That the motive of those interested in perfecting the Adult Probation Act is not a distrust of the courts, but a desire to give to the judges much-needed aid in strict enforcement of the law, is apparent from another important proposed amendment which considerably extends the scope of the act as to crime to which probation may apply.

It is proposed to amend the present act so that any defendant not previously convicted of a crime or misdemeanor, who has been found guilty or entered a plea of guilty of the violation of a municipal ordinance or any criminal offense except *murder, manslaughter, rape, kidnaping, wilful and corrupt perjury or subornation of perjury, arson, incest, conspiracy in any of its forms, or of any of the acts made an offense under the election laws of this State,* may, in the discretion of the trial judge, be placed upon probation.

These modifications are intended to meet the almost universal criticism that the present restrictions prevent the court from granting probation in many really desirable cases, and also to strengthen the validity of probation in certain cases involving restitution (and, as proposed in another amendment, reparation)—the best earnest which a defendant can give of repentance and reformation. Under the present restriction, if the court thinks the defendant will make good as a probationer, even though the amount taken or misappropriated may exceed $200 —the present limit—the court frequently gets around the restriction by finding

the amount taken as $200 or less, and places the defendant upon probation anyway. In some of these cases, however, the restitution of the sum actually taken is ordered as a condition of probation, and it becomes a grave legal question whether or not fulfillment of this condition can be enforced. Men charged with robbery and burglary are now found guilty of petty larceny, disorderly conduct or some other minor offense if the court deem probation desirable. It is far better for the courts to work under favorable condition of law rather than to be compelled to resort to subterfuges in order to effect humanity and justice.

To those who say, "This is breaking down the bars that protect the public," we reply: "If the restrictions against habitual offenders now in the law are disregarded by the court, then all barriers are in vain, and that if these restrictions are observed rigidly (as we believe they will be with the aid proposed for the courts in the new requirement as to preliminary investigations), then the safety of the people is amply safeguarded."

Now it is plain that if great responsibility rests upon the court in acting wisely upon the information set before him, the responsibility upon the probation officer charged with obtaining that information is equally heavy. More officers must be provided, therefore, in order that these duties may not become impossible. The responsibility of the probation officer does not stop with the preliminary investigation. It continues through the whole probation period. Does the probationer need employment?—and that is frequently the case. The officer must find it. Is the probationer fulfilling the conditions of probation? The officer must be sure. Is the probationer getting into bad company? The officer must reclaim him, or report him to the court. Is it a case of restitution or support? The officer has financial responsibilities added, and frequently is forced to become a peacemaker in domestic quarrels.

Here surely is real work for any man or any woman—a job calling for all the tact, resourcefulness, firmness, and, above all, for all the energy and fidelity to duty that a human being can command! No social dilettante with more ideas than industry; no one who enters this work with more ambition than application, or who fails to realize humbly that good intentions and even superior education are only the hand-servants of experience, can long endure the severe tests of this important field of service. Proper supervision of their charges must of necessity cut off probation officers from participating in most outside social, political or industrial activities. A probation officer's record, generally speaking, is the record of his (or her) charges, and those who may seek to enter the field in which you ladies and gentlemen so ably serve, and who think that the great amount of liberty of action incidental to the field work demanded, will afford opportunities for personal pleasure or profit, will do well to consider that the first time one of their charges goes wrong in the absence of supervision their neglect of duty will be glaringly apparent, and that a reckoning with the public will be due, and as your calling is high, so I believe that, as a body, you live up to the dignity and the demands of your positions, striving with energy and with loyalty to one another and to your chiefs, to serve the public well, and, above all, to give help and comfort to the unfortunates who are placed immediately in your care.

Yours is one of the truest forms of charity—to help others to help themselves; to keep bread-winners upon their feet; to hold families together. Not counting the many individual alms which I know you bestow from your none too ample means, the service you render is the noblest gift mankind can give to his fellow. Any one of your probationers may well say with those words which

the poet Lowell has put into the mouth of his divine "Beggar" in the "Vision of Sir Launfal":

"Who gives himself with his alms feeds three—
Himself, his hungering neighbor, and me."

DOUGLAS SUTHERLAND,
Secretary, Civic Federation, Chicago.

**Adult Probation in Philadelphia.**—"We acknowledge the receipt of the third annual report of Probation Officer E. M. Hackney. We are quite inclined to agree with this officer that the probation system, after a trial of three years, has 'passed the experimental stage' and has earned by good work a place of permanence in our municipal scheme of government.

"During the last three years 1,520 adult males have been placed on probation, and the failures have amounted to about 6 per cent of the entire number. Endeavors are made to have the probationers, who have been guilty of embezzlement, theft or malicious mischief, make restoration to the owners. Last year the amount received as restitution was $1,306. It is extremely rare for an offender to refuse the opportunity to escape a jail sentence on condition of making restitution.

"The advantages of probation are several:

"1. The probationer escapes the stigma of a jail sentence.

"2. Restitution is made to the party wronged, practically impossible when the offender is behind prison walls.

"3. During the time of probation, he must adopt correct and industrious habits.

"4. A decided gain to the taxpayers, who are not giving him board and lodging and are not supporting those who are dependent upon him.

"The average earnings of probationers for the last year have been about $12 a week.

"Officer Hackney believes that there are more criminals by accident than by intention. For the few deliberate criminals he has little pity and sympathy. 'But for criminals by accident—men who are made criminals by circumstances and conditions, more than by their own heart and their own hand—I, for one, would substitute in our punitive system pity instead of punishment.'

"As an illustration, he mentioned the case of a young man who with his wife were induced to come to Philadelphia from New York state, with the promise of work in a textile mill. Work failed to materialize, and becoming destitute he wrongfully appropriated the sum of $4. Being indicted for larceny, he entered a plea of guilty and was sentenced to prison for three months. His wife applied to the probation officer, who in turn informed the presiding judge of the circumstances. The judge promptly suspended the sentence, and the young man was released on probation. The Pennsylvania Prison Society, through Agent Pooley, took peculiar satisfaction in furnishing transportation to them to their former home, and from frequent reports we learn that they 'lived happily ever afterwards.'"—From *Journal of Prison Discipline and Philanthropy*, Feb., 1915.

**Rules Governing Application for Parole in Louisiana.**—1. Applications for parole by convicts eligible to parole under the law shall be received by the board and considered on their merits.

2. Applications for parole shall be made in writing, *in ink*, upon blanks provided by the Board of Control for that purpose, and in cases where the applicant cannot read and write, shall be carefully read and explained to him before his mark is affixed thereto. The captain reading and explaining the application shall indorse thereon the fact that he did so read and explain.

3. No attorney at law or other advocate shall be heard in behalf of any applicant, nor shall any oral argument be allowed.

4. It shall be within the discretion of the board to require evidence that the convict paroled will engage in some reputable business, or that agreements have been made therefor, or that some responsible person shall agree to employ the convict or engage to secure suitable employment for him. The board shall take such steps as may be available to ascertain and verify the fitness and integrity of character of persons engaging to act as the friends of paroled convicts. The board shall retain the power to suspend the rule relating to the employment of the convict within its discretion.

5. Applications to act as first friend or adviser, in cases where this is required by the board, shall be made on blanks furnished by the board for that purpose and the engagements of the friend in that behalf shall be subject, in each particular case, to the discretion of the board, and shall be embodied in the application.

W. O. HART, New Orleans.

**Rules Governing Convicts on Parole in Louisiana.**—1. Every paroled convict must file with the Board of Control a specimen of his handwriting and a list showing the names and addresses of his immediate relatives.

2. When paroled the convict will be furnished with a certificate of parole, issued by the president of the board and approved by the Governor. This certificate of parole shall contain a plain statement of the conditions under which the parole was granted and an acknowledgment signed by the convict that he understands and accepts these conditions precedent to his release.

3. When released on parole the convict shall go immediately to the first friend and adviser, if one has been designated for him, and report in person to him, unless otherwise directed by the board, and immediately on arrival shall report that fact to the board.

4. Should the paroled convict leave the state where he is sent to be employed without first obtaining the requisite permission, he will be considered a fugitive from justice and will be arrested and returned to the penitentiary.

5. Every convict on parole shall, when required, make a written report to the warden on the first day of each calendar month, which report shall cover the calendar month which ended on the day before, and which shall show the following personal information:

(a) General conduct and associations during month.
(b) Name of employer.
(c) Nature of occupation or business.
(d) Number of days employed during the month.
(e) Number of days not employed during the month.
(f) Reasons for not being employed.
(g) Amount of money earned during the month.
(h) Amount of money received during the month.
(i) Amount of money expended during the month.
(j) Present post-office address.
(k) Probable post-office address during the following month.

This report shall be signed by the paroled convict and certified to by his first friend or adviser, if one has been designated. Blanks for making these reports will be furnished by the board. The Board of Control has a warm and friendly interest in the welfare of the paroled convict and one object of these reports is to enable the members of the board to know in what manner they can best promote his welfare, and no paroled convict need fear or hesitate to communicate with any member of the board if he becomes sick, or unable to work, or is out of employment.

6. The law requires a paroled convict to notify the sheriff of the parish where he has taken up his residence, and that officer is thereby constituted a parole officer. It is, therefore, within the power of the Board of Control to require the paroled convict to report at intervals to the said sheriff in writing as to his vocation and conduct, and if he fails to do so, or if this report or other information be of a nature to create the impression that the convict is not complying with the terms of his parole, it is the duty of the said sheriff to report the same to the Board of Control for its consideration and action.

7. The first friend or adviser, when one is designated, must satisfy himself from personal knowledge, careful inquiry or correspondence, before signing the monthly report of the convict, that his conduct has been satisfactory and in accordance with the conditions of the parole.

8. Should any reason exist why the paroled convict cannot forward his monthly report promptly, such as his own illness or the illness or absence of his first friend or adviser, the Board of Control should be promptly notified, by letter if possible, as to the cause of the delay. Failure to make the monthly reports promptly, or to notify the board of the cause of the delay, will be considered sufficient cause for revoking the order of parole.

9. In case of death, removal from the state, refusal to continue to act or resignation of the first friend or adviser of any paroled convict, the paroled convict must immediately notify the board and file a written petition with said board for the appointment of another suitable person to act as his first friend or adviser. The petition shall at once be submitted to the president of the board, who shall have power to issue the necessary order of appointment.

10. Wilful failure on the part of a paroled convict to reply promptly to letters of inquiry from the president or any member of the board may be considered sufficient reason for revoking the order of parole. When the order of parole has been revoked, the convict shall be treated as an escape and shall be liable to arrest and return to the penitentiary.

11. Parole shall not be granted to any convict except upon the distinct understanding that the paroled convict agrees that he will not, during the term of his parole, frequent saloons or other places where intoxicating liquors or beverages are sold or furnished; that he will not drink intoxicating beverages of any kind; that he will not associate with persons of bad reputation; that he will in all respects conduct himself honorably and work diligently and honestly for himself and his employer; and that he will remain at liberty without violating the laws.

12. The convict who agrees to the conditions of parole and who earnestly endeavors to fulfill his part of the agreement will have the aid of the board in his efforts to become and remain an industrious and law-abiding citizen, and the board wants every paroled convict to know that it will always be ready and willing to help him "make good."

13. A convict at large on parole for a year or more and of whom no complaint has been made and sustained may apply for alterations of the terms and conditions of parole, and these may be granted by the Board of Control with the consent of the authority or authorities who approved the parole. The Board of Control will, in its discretion, alter or change the terms and conditions of parole under similar procedure.

14. In case of sickness, unemployment or other misfortunes, paroled convicts whose terms of sentence have not expired may return to the penitentiary for treatment and shelter. They will be subject to the same discipline as other convicts until again released on the order of any member of the Board of Control. Captains will promptly notify the Board of Control of the return of such convicts.

15. Complaints of the conduct of paroled convicts will receive such consideration as the seriousness of the conduct complained of may appear to warrant.

16. The rules are subject to change, repeal, amendment and additions by the Board of Control, with the approval of the Governor, whenever such action may be found necessary or expedient, and no rule touching the discretion of the board shall be deemed or permitted to control or prohibit fuller or wider discretionary action in a particular case.

*The Legal Requirements.*—The legal requirements specified in the act prohibit the board from recommending paroles in the following cases:

1. When the sentence is for other than a first term.
2. Where the offense is treason, arson, rape, attempt to commit rape or a crime against nature.
3. Where a convict has not earned any good time.
4. Where the sentence is for one year or less.
5. Life convicts who have served less than five years.

W. O. HART, New Orleans.

**Report of the Deputy Probation Commissioner in Massachusetts.**—The sixth annual report of the Massachusetts Probation Commission is at hand. It covers the year ending September 30, 1914. The following extracts from the report will be of general interest:

GROWTH OF PROBATION—The number of cases on probation in all the courts of the Commonwealth, which in the first report of the commission was shown to be 12,152, in the year 1909, has doubled, and during the year closing Sept. 30, 1914, it reached 24,714 cases. The increase over the previous year was 3,640. The extent to which probation is employed in the courts is perhaps more accurately shown by the fact that, of the criminal cases begun in the courts, 8.1 per cent. were assigned to the probation officers in 1909, and that the proportion has increased year by year until in 1914 it reached 13.5 per cent.

The increase in the number of cases, however, does not measure the increase in the work done by the officers, as during this period new duties assigned to the probation service have required much time in their discharge, and other features have developed in a way to require much of their attention. Investigations in cases of drunkenness reached 94,264 during the past year, an increase of more than 3,000 during the previous year, and to be compared to 78,450 in 1909. The amount of money collected by our probation officers, which was $49,067.74 in 1909, reached this year a total of $272,852.82. The collections in

nonsupport cases grew from $25,288.13 to $189,830.67; and those under suspended sentences from $17,125.69 to $56,745.59.

There has been no corresponding addition to the force of officers who handled this increasing volume of business, the number of officers in all the courts of the Commonwealth in 1909 being 100, while on Dec. 1, 1914, the number stood at 129. The increase in the number of officers is largely absorbed by the enlargement of the force in the Boston municipal and other courts of the metropolitan district, while elsewhere in the State the added burden has been carried by practically the same number of officers. They have met the increased requirements with readiness to do their full duty, and, in the main, the personnel of the force is one of which we may be proud, and the service given is efficient and faithful.

No Increase in Juveniles—It is strikingly shown in the number of cases placed on probation that the gain is almost wholly in adult cases. There was an actual decline during the past year, as compared with 1913, in the number of cases up to fourteen years of age, and the number up to seventeen showed practically no change, while the number from seventeen to twenty-one years of age shows an increase of 508, or 25 per cent., and from twenty-one years upwards an increase of 3,198 cases, or about 20 per cent. This tendency is marked in all classes of courts, and may perhaps be taken as an indication of the remedial effect of probation and of the related efforts being made for improvement in the conduct of children and in parental supervision in the Commonwealth. Certainly the tendency to put juvenile offenders on probation has not declined, and may, indeed, be assumed to have advanced steadily. The conclusion, so far as our report warrants one, is that the number of juvenile offenders grows less.

Individual Probation Results—The tables showing results in cases taken on probation would not be cheering if they were taken at their face value. In the municipal courts, for example, while the number surrendered to the courts during the term of probation remains practically the same, being 1,541 in 1913 and 1,559 in 1914, the number that disappeared or defaulted increased from 1,054 to 1,322, and, what is most striking, the number discharged from probation and having their cases placed on file declined from 4,728 to 4,287. In the police courts, with a large increase in the number of cases, the number of those whose probation term was satisfactorily completed declined from 2,663 to 2,529. In the district courts the tendency is in the other direction, the surrendered having declined and the number of cases of a completed probation term increased from 4,678 to 4,951. It would probably not be safe to come to any conclusion based entirely upon these figures. It might be said that the increased number of surrenders showed a greater diligence on the part of the officers, or, it might be argued that a decline in the number of cases where probation had been successful indicated that the officers were overtaxed in their work. A fuller study of the conditions underlying the changes indicated in the statistical tables is needed for any positive conclusion.

Unequal Resort to Probation—The uneven employment of probation in the courts of the Commonwealth continues to be strikingly shown by the reports of the year. Wide variations occur in courts of the same class. There are instances where a sudden increase in a particular court seems to indicate a new discovery that probation is available and desirable. For instance, in one of the municipal courts there was an increase in one year from 177 cases taken on

probation to 762. It cannot be thought that such a change was due to an altered condition in the jurisdiction of the court. If probation was desirable to the extent indicated in the larger number of the past year, it was desirable to practically the same extent in the preceding year. The unequal use of probation clearly indicates that there is still a large field for its development.

In the police courts the increase is fairly well distributed, but is marked in one instance by a gain from 258 to 716, and in another from 846 to 1,160. There was a decline in the number of cases in the police courts of Holyoke, Lawrence, Marlborough and Williamstown. In this class there is a striking display of the varying resort to probation. In one city of 56,000 population, 573 cases were reported, while in another of almost identical size the number was but 198. In one city of 25,000 population only 50 cases were placed on probation. In another of 14,000 population only 18 cases appear. In one city of 85,000 people 305 cases were placed on probation, a number that was exceeded in a city of 32,000, while another of 88,000 had 716 cases. That this is not due to a varying need is shown by the fact that the percentage of probation cases out of the total of criminal prosecutions ranges all the way from 3.6 to 58.8 per cent. This diversity cannot be explained in any other way than as showing a varied disposition of the courts towards probation, possibly in some measure affected by the degree of efficiency of the probation officer, but more probably a reflection of the sentiment of the justice.

In the district courts—much the most numerous class—the increase in respect to probation was marked throughout, those courts in which there is a reduced number of cases being very few. But here again a wide variation appears in the percentage of cases put on probation, which goes to enforce the need of a study of local conditions and an effort to bring about a more uniform use of this resort.

Need of Uniform Standards—Such facts as have been cited go to emphasize the fact that in the entire probation service there is an acute need of bringing about uniform standards. Reliance must continue to be put upon the individual discretion of the judges, which of course will continue to differ, but there must be in every phase of the work an approximate measure of what is for the interest of the public and that of the persons who are brought into courts on criminal charges. The great need remains, after years of discussion, of bringing about a more thorough comprehension of probation policy and a better balance in its application. The methods by which the right standard can more nearly be approached in courts which show a wide divergence from it will, I am sure, engage the attention of the commission. It indicates a field for education rather than for discipline, perhaps, but the system will not be said to have approached the point where it commands and deserves the entire confidence of the people of the State so long as different localities display results of such different order.

Viewing the variation in practice, a hasty conclusion might be that it was to be met by an increase in the authority of the commission. We are familiar with the fact that the probation system has been developed in this State from the starting point in certain courts where it was put into practice before it was formulated into law, and that a wide freedom has remained for the discretion of the courts in its exercise. Any alteration in the organization as it is established by law which would tend to reduce the responsibility of each court to the needs of the local community which it serves would probably be unfortunate. The establishment of a central authority which would undertake to dictate

rather than to counsel and advise would bring about a reduction of the interest of each court in its work and a loss of that close observation of each community's needs which may well be regarded as vital to the right operation of the probation principle.

PROPOSED CENTRAL AUTHORITY—Those who say that the probation officers should be answerable to a central authority are failing to place due value upon the extent to which officers now undertake to meet the requirements and ideas of the commission which presides over the service. So much has already been accomplished by having its opinion advisory rather than autocratic, and in having the courts co-operate rather than follow express directions, that the largest hope for the future would seem to be in the development of the system through education and conference. Due regard has all the time to be paid to public opinion, not only in general, as to the whole Commonwealth, but local, as to the work of each court. No observer can fail to note that public opinion at large is coming to the appreciation of probation as a means of individual rescue and betterment, and as a method of bringing about a higher respect for law. Every advance in the development of the system needs to be justified in every locality by the results that are shown there as establishing the claim that it is a progressive and trustworthy part of the State's methods of correction and reform as well as publicly economical. The substitution of drastic laws and rules, which might in almost any other department of public service be regarded as a necessity when divergence in practice was so marked, would be likely to be accompanied in this field by a loss of the value which springs from a comprehension of individual needs and the development of responsibility in the thought of the officer and of the courts.

Nevertheless, the need of standards remains the great one of the service in this Commonwealth, and the production of greater uniformity is both the problem and the hope of those who are concerned in this work. If ways can be advised by which the commission can have increase of power without infringement upon the relations between the courts and their probation officers, they would seem to deserve the interest of all friends of the work to bring them about.

PROBATION AND PAROLE—Some confusion is to be noted in the public mind between the probation and the parole services. The probation service deals with human material that has not been stamped as criminal. It undertakes to build out of this a respect for law and correct personal conduct before the difficulty of that task has been heightened by penal experience. The parole officer deals with material that has been adjudged criminal by the courts. While the same humane and helpful considerations prevail here as in the probation service, it would seem that the attitude of the officer toward his charges was essentially and necessarily different. Certainly at the present time, when the probation officers are carrying a burden greater than is reasonable to put upon them with any expectation that they will meet the ideal of helpful work, any assignment to them of the functions of the parole officer is personally unfair, and could only be detrimental to the service.

NEED OF MORE OFFICERS—The State has need to give serious attention to the number of cases which it is reasonable to place in the hands of any one officer. Experience has led many observers to hold that 50, or at the most 60, cases are all that any one probation officer may well have within his care at any one time,

but the spectacle is familiar in this State of a probation officer having upwards of 300 cases under his supervision. Any overloading of the service which tends to reduce the individual relationship obviously sacrifices the end that is sought. Local conditions have to be taken into account, as where a jurisdiction extends over a large area the number of cases in one officer's charge would need to be smaller than in city districts.

Many probation officers are burdened with the detail of records and accounts. Essential as is the keeping of records and the accounting for the greatly increased amounts of money that the officers are handling, it has to be remembered that bookkeeping is not probation work. The need is emphatic that the State provide a means of adjustment by which the officers shall be given assistance, either by providing assistant probation officers or clerical aid, or both, to an extent that shall be determined in each case as necessary by the Commission on Probation. The renewal of the effort to secure this action by the Legislature is therefore desirable.

NEW SYSTEM OF REPORTING ARRESTS—A new system of reporting arrests in the county of Suffolk was put in force in the office of the commission Dec. 1, 1914. It was the result of a long study by my predecessor of the need and the development of the system by which it was to be met. It has also been in the thought of the Legislature, as is shown by several different acts looking to a central point of information in regard to criminal cases in the most populous county of the State. The task was put upon the probation officers of the courts; and in the short time that the system has been in use, it is to be said, to their very great credit, that they have responded readily to the request for these reports. They daily send to the officer of the commission individual cards reporting each case begun in the criminal courts, with information which will aid in the identification of the accused person. These are immediately indexed in the office, and are at the service of all the other courts within the county. While the records at this time are too new to be of great service, the resort of the other courts to this office for information is increasing, and is bound, I believe, very soon to become of great value to them in the handling of their cases. Formerly the officers of the courts had been in the habit of calling by telephone several others in the neighborhood for information which is now at their disposal at this central office. There is also every warrant for believing that this information will be of very great value in the administration of justice within Suffolk County, and the demand is already heard for the extension of the system to the other courts of the metropolitan district. R. H. G.

**Parole Law in Oklahoma.**—In a recent issue of *The New Era* appeared an article relative to Warden Moyer's parole report of the Atlanta Federal prison, which brought forth the following reply from the parole officer of McAlester prison:

"That's a splendid report to make, and one of which Warden Moyer should be justly proud. We have got him skinned here (Oklahoma) though, and I make haste to appraise you that Oklahoma leads the world in the humanitarian methods in handling prisoners.

"In the first place, I note that Oregon like most other states, demands that somebody stand sponsor and promise employment to a man before they will parole him. In Oklahoma we do not parole a man until we feel that he is able to make good alone, without being nursed or coddled along in any such manner. In other words, we have removed the restrictions on our paroled men, which to our minds, defeat the very object of parole. The only restriction we place on the men when they

are paroled is that they report to me once every thirty days. In cases of prisoners who have no homes within the state, we secure employment for them if they want us to. For the sake of brevity, I hand you herewith epitomised report of the activities of the parole board from June, 1913, to December, 1914, which is self-explanatory. In considering this report you must recollect that we have no law in Oklahoma setting forth the duties of a parole board or parole officer, the board of prison control having been appointed to look after the fiscal affairs of the prisons in particular, so that the results we have obtained are more on account of the progressive character of the gentlemen who compose that board.

This does not represent our total paroled population, but represents the work done between the dates specified. You will notice that out of 238 paroled men, only eight paroles have been revoked, and seven violated our confidence in escaping rom leaves of absence granted on account of sickness of themselves or relatives.

GENERAL

| | |
|---|---|
| Paroled | 228 |
| Aggregate sentences | 1,358 years |
| Aggregate unexpired term | 3.15 years |
| Average sentence | 5.81 years |
| Average unexpired term | 1.31 years |

DETAIL

| | |
|---|---|
| Life termers paroled | 11 |
| Aggregate time served | 48 years, 5 months |
| Average time served | 4 years, 4 months and 23 days |
| Paroled before being committed | 5 |
| Paroles revoked | 8 |
| Died since being paroled | 1 |
| Released on leave of absence | 59 |
| Now on leave of absence | 12 |
| Paroled while on leave | 13 |
| Pardoned while on leave | 6 |
| Returned upon expiration of leave | 19 |
| Died while on leave | 2 |
| Escaped from leave and at large | 7 |

238 men on parole whose aggregate unexpired sentences are 312 years, means that the state has saved in maintenance the sum of $51,738.75.

It is my personal belief that, since modern investigation seems to prove that crime is a disease, punishment should be administered like medicine. If we are ill and our doctor prescribes medicine for us, as soon as the medicine has the desired results, the patient does not keep on taking medicine for any specified time. It is the same way with punishment.

I believe when punishment has had the effect for which it was administered, it has then accomplished all that it ever can, and the patient should be released That is the basis of the Parole system in this state. From *The Reflector*, May, 1915.

## POLICE.

**The Police Station as a Branch of the Municipal Employment Bureau.**—The ideal organization of the labor market, it has been shown, is achieved mainly by the establishment of a municipal employment bureau. Not only should a central office of such bureau be maintained in the business district of the city but branches should be established in various residence districts, conveniently located to be of benefit to wage earners and employers.

A very large part of the work of a municipal employmeny bureau would consist in investigating the applicants for employment in order to show that they are bona fide working men of family and residents of Chicago. If our public school houses each possessed a director of social center service, he could be given the necessary facilities and equipment for maintaining a branch employment bureau at the same. The wroking men residing in the vivinity of the school house, by going there to register, could be immediately placed in touch with the central office in the business district. The central office would know that a wage earner is out of a job and the kind of work he is best able to do. The employe likewise would soon learn if there is a vacancy for him anywhere in the city, and by keeping in touch with his local branch of the employment bureau it will not be necessary for him to trail hither and thither through the city streets, nor to expend useless sums on car fare at a time when every nickel means a great deal to the unemployed wage earner. Lure public schools not not possessing the proper facilities at this time for doing work of this nature, it should be possible to use the police station as a branch employment office. All unemployed wage earners possessing families, and residents of Chicago, could be urged and instructed to register as unemployed at the police station nearest to their respective homes.

The police force could then be used to verify the statements made by these unemployed workers at the time of their registration. This could be done readily by consulting the City Directory or the list of registered voters. In case the statement made by the unemployed wage earner could not be corroborated by the foregoing records, it would then be possible for the officer on the beat to look up the unemployed applicant for work in the vicinity of his home and confirm the statements made. In this manner it may be possible to put every unemployed wage earner registered at the police station at work within twenty-four hours of his application. Should it be impossible to complete the investigation during this time, the applicant should be permitted to continue at work during the period of inquiry. If the inquiry shows the unemployed wage earner as ineligible for employment through the municipal employment office by reason of his non-residence, he would be referred to the County Agent for return to his place of residence, while the homeless non-resident man would be referred to the Municipal Lodging House.

It has been urged that the converting of the police stations into centers where the wage earners resident in the vicinity could apply for work would have a wholesome effect on the community by encouraging the economically weaker part of our population to regard the police as their friends. Such a plan would also tend to socialize the members of the police force.—From Report of the Chicago Municipal Markets Commission on a planf or relief in destitution and unemployment, Dec. 1914.

**The Civilian Chief of Police.**—There is great rivalry and jealousy existing between private detectives and the regulation uniformed police in all the large cities. Railways, hotels, banks, mercantile houses, attorneys and private individuals employ their own detectives and do not depend upon the local police authorities. The evidence of the private detective (in many instances) is looked upon as "tainted" by the courts, and must be corroborated in every essential detail to be of any value. That is the reason why no respectable detective agency will operate for rewards or engage in divorce cases. The chief of police who works up from the ranks considers himself a better equipped official than the citizen appointed from civil life, and with few exceptions I consider this to be true. The private detective agency is today a large business institution; it undertakes to do all proper detective business entrusted to it by railroads, hotels, banks,

mercantile houses, attorneys and private individuals. Stores have their own police to protect themselves and their customers from the depredations of shoplifters and pickpockets. They (the detective agency) have a staff of operatives, uniformed and plain-clothes men, who can be dispatched to weddings, entertainments and private residences at a moment's notice. The private detective as an institution has come to stay; the regular police could not begin to handle the volume of business which is made possible today on account of the large combination of capital operating in the commercial world.

The "rube copper" in the country towns is still successful; this is because he looks like a "chump;" he catches thieves "off their guard" and makes many an arrest which is a surprise to the intelligent and well-trained policeman. In country towns almost everybody thinks he would make a successful chief of police; jealousy is rampant and we see a new chief of police every year unless the old chief is very successful in having his friends elected as selectmen at the annual town meeting. If an efficient official does his duty he makes enemies; if lax in his duty through good-nature he incurs the ill-will of the high-brow good citizens, and on account of this uncertainty of tenure of office the efficiency of the police service in rural communities is greatly impaired. Police are very sensitive to honest criticism; the skilled official takes criticism in good part, but the incompetent takes general statements as personal, and will quickly resent any honest comment upon his qualifications.

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## MISCELLANEOUS.

**The Late Judge Harvey H. Baker.**—Judge Harvey H. Baker's service to the community as the presiding officer of the Boston Juvenile Court can never be valued. It is an incalculable misfortune that it should have been cut off in the prime of his powers, at a time when its inspiring example had begun to exert its influence elsewhere and the results quietly achieved were attracting the attention of penologists in other cities, and even in other countries. Judge Baker was so ideally fitted by temperament for this work that it is inconceivable that any successor can be found capable of continuing that unique tradition which has its secret in a personality that no one can imitate.

The problem of juvenile delinquency has of late been receiving very earnest consideration in all the leading countries. When the war is over and the world resumes its normal mode of life, the movement for an enlightened solution of this problem, which is international, will go on with increasing energy, and no small share in it will fall to the United States. For although the Continent of Europe has been the birthplace of most of the newer theories of penology and criminal law, it is in England and the United States that the most progress has been made in the system of probation, and of lenient and wise treatment of juvenile offenders. The ideas may not be exclusively American, but the reforms seem to have been more easily introduced in the United States than elsewhere. The fluidity of American society, with its emphasis on equal opportunities for all, and the privileges our Anglo-Saxon system of jury trial tends to shower upon the accused, have favored the liberal principle underlying the establishment of children's courts. There does not seem to have been, in this country, the same rigid, conservative resistance to innovation as in Europe. Even though the social defense theory of punishment, as opposed to the vindictive theory, cannot yet claim that support in this country to which it is entitled, the United States is probably to be regarded as the laboratory f the whole world for this branch of criminology. Chicago, Denver, and Boston, o mention only a few leading cities in this work, have in the past ten years accomplished things worthy of study and comparison. Judges like Lindsey, Pinckney,

Mack, Cleland, and Baker have contributed to a common fund of experience which will guide the efforts of the next decade.

If this country is fortunate, however, in not finding the resistance to reform that is met with in older civilizations, there is the obvious danger of ill considered, impetuous reforms, and in a pioneer field such as that of the children's courts the secret of success in the social undertaking upon which they have embarked is only to be learned slowly, in the hard school of experience, and cannot be summed up in the accurate phrasing of model statute. The problem of juvenile delinquency requires, not a legislative solution, but such a solution as the discreet, far-seeing children's judge is able to give it; that solution depends above everything else on personality, far less on legislation.

Herein lay the strength of the Boston Juvenile Court—not in the institution itself, which may be easily enough copied anywhere, but in the personality of its judge, which was wondrously fitted to the delicate responsibilities of the work with which he was charged. Thus in spite of his self-effacement, and the inconspicuous nature of the work in which he was engaged, in no way posing as an authority on juvenile delinquency, finding no time to write, and devoting himself to his task with a singleness of thought which withdrew him from the public gaze, Harvey Baker was recognized by all competent to judge as a leader in his field, and he has left the impress of his unselfish, wise, and pure-minded personality upon the children's courts of the country.

Judge Baker was the man for this work because he united to a rare largeness of sympathy and enthusiasm for social service, a distinctly practical, matter-of-fact quality of mind; he was thus shielded from the dangers of excessive idealism and was able to face his task in the sane, constructive spirit which its novelty and seriousness demanded. Just as indiscriminate giving is not true charity, sentimental humanitarianism is not true humanity. Judge Baker's idealism was not romantic, but rational, and was of the sole variety which is ever fruitful and effective.

Of Judge Baker's services to his own town it is impossible to speak with any confidence in one's ability to express the collective sentiment of his fellow citizens, which was one of the highest respect for his clear insight and sound judgment and of affectionate esteem for his pure, generous character. Spirits like his will always be rare in the councils of our town, and we are fortunate indeed to have had the benefit of his wise counsel and of his alert, untiring example during a period of years too abruptly ended by the uncertain fortune of man's daily struggle with nature. —*From The Chronicle*, Brookline, Mass., April 17, 1915.

**Annual Meeting of the District Judges of Kansas.**—We held this year our eighth annual meeting of the District Judges of Kansas. There has never been but one formally prepared paper presented to the meeting, and that was a paper on naturalization prepared by the Chief of the Bureau of Naturalization, in Washington, and sent to us a year or two ago. The matter of indeterminate sentences and parole are discussed by us at nearly every meeting. There was not so much discussion of these subjects this year. There was an expression of dissatisfaction with this feature of the indeterminate sentence, because in this state the Governors and the Parole Boards, and the various other powers to whom are committed the matter of pardons, commutations and paroles from the penitentiary and reformatory (boys), seem to have no set rules with regard to the amount of punishment to be imposed, and they very rarely indeed consult the District Judge who has tried the case, and who sentenced the prisoner, as to the merits of the case. They usually act, and release prisoners without seeking any help from the District Judge, who ought to

know a good deal about the case. Many judges are therefore dissatisfied in that persons who they think deserve a long and severe sentence are released, if they have the right kind of a pull, in a very short time. Judge A. J. Curran of Pittsburg, remarked at the meeting that he was very much surprised, after sentencing a man for some great offence, a few months ago, to meet the man only a short time later, face to face on the public streets, and to find out that some labor organization had got busy and secured the parole of this fellow almost before he had time to get well settled down in the penitentiary. As to parole, which power is now committed to theDistrict Judges, that is, the trial courts, both as to misdemeanors and as to felonies of minors and adults, there is likewise an entire want of harmony here. Some judges abolutely refuse to parole under any circumstances, and in any matter. Others parole with great freedom, and without much investigation, and still others steer a middle course between the two. I am told that Judge R. M. Pickler of the 17th District, has very rarely used the power at all in the eight years during which the law has been in effect. On the other hand, I have used it as to misdemeanor cases probably 125 times, and in most of the cases to my satisfaction. Other judges take a different course. It seems to me that there is a woeful need, both in the matter of the indeterminate sentence and of the parole, to have some means of arriving at a consensus on the matter of what is wise and prudent, and to urge some general rules to be followed, so that the operation of the parole power and of the indeterminate sentence may be less haphazard and arbitrary than it now is. I may add that I do not for a moment think that with all of the ills attendant either of these are nearly so bad as the old system was, wherein one judge, who did not happen to have rested well the night preceding, might give an individual arbitrarily a sentence many times greater than another judge who felt in a better humor would give another individual for precisely the same offence under similar circumstances, and in which old systen there was practically no adequate means of redress of grievances for the wretches upon whom the weight of a court's displeasure happened to fall.—*J. C. Ruppenthal, Judge of the District Court, Russell, Kan.*

**The N. Y. Board of Inebriety.**—The first annual report of the board of inebriety for the City of New York has just come to hand. The report says:

"The site selected for the colony is in the township of Warwick, Orange County. It is pleasantly situated and has convenient railroad facilities. The property includes one-half of Wickham Lake—a body of water of about 160 acres. Much of the property consists of "black dirt," invaluable for truck gardening. With unlimited labor at the disposition of the board, the institution, under proper direction, should afford a good example of the possibilities of intensive farming. The plans show a capacity for about 800, but this is capable of indefinite enlargement by the erection of additional cottages, without affecting the general grouping of the buildings or the plan of the administration.

"It is intended at first to provide only for about 250 inmates. This institution will be of the cottage type. The several groups of buildings have been located to the best afvantage from an administrative standpoint, keeping in mind the peculiar purpose of each. The predominating building is the hospital. Here all patients will be received and accommodated in separate rooms, to permit of classification and individual treatment—essential factors in the treatment of inebriety. From the hospital the patients will be assigned to cottages, the various groups of which will differ in size, construction and management, according to the needs and power of self-control of the inmates. All suggestions of a reformatory or prison have been abandoned and the functions of a hospital and industrial colony substitut-

ed. Adequate provision will be made for the occupation of the men as required by law. Care, however, will be exercised to prevent conflict with prison industries and labor unions. During the first few years the work will probably be confined to the erection of buildings and to the care of the grounds. It is realized that no institutional care will be of value that does not provide for rehabilitation of the inebriate into normal family, industrial and general community relations.

"In addition to caring for alcoholics, the board is obliged to treat persons addicted to the use of drugs, and special facilities will require to be provided for their care and control both in the city and at the farm colony.

"The board has now reached a stage where its further progress and usefulness depends upon an appropriation for the building of the first section of the colony. With the completion of the general plan efforts are being made to determine the structures required to provide temporarily for all services, with the fewest possible buildings.

"Application will in all probability be made within the next few weeks for a sum not exceeding $300,000, and it is hoped that the amount required will be granted without delay so that the city may obtain the benefit of the reform for which the board was established."

Mr. Thomas J. Colton is the president of the board and Mr. Charles Samson, executive secretary.—From *Temperance*. R. H. G.

**The New Hampshire Childrens' Commission Report.**—When the New Hampshire legislature, in 1913, provided a Children's Commission "to investigate all matters relating to the welfare of the children of the State," there were many who looked upon the legislation as a perfunctory concession to the "social welfare faddists." But when Governor Felker, acting under this law, appointed as the commission Mrs. Lillian C. Streeter of Concord, Professor Erville B. Woods of Hanover and Rev. Father John J. Brophy of Manchester, people began to recognize that the subject was to be taken up in earnest. The report of that commission, which is now before the legislature, puts New Hampshire in the van of all the States in the Union in making a thorough investigation covering the whole State, in regard to feeble-mindedness and the study of the "country slums," and the findings of this commission reveal a condition of affairs which demands the immediate and thoughtful consideration of all the people of the State.

Most acute of all the questions of child welfare in New Hampshire is the problem of feeble-mindedness. Out of a population of 430,000 the investigation has shown that there are 2,019 recorded cases outside of institutions, and 947 in institutions. All doubtful cases have been thrown out, but the commission estimates that including the numbers not reported there are 4,115 feeble-minded in New Hampshire, or that almost one person out of every hundred is deficient in mentality! "Absured!" says the legislator. "No, not absurd, but appalling," is the answer of the commission. "Here are the figures in our report to prove it. Now what are you going to do about it?"

But this is not all. In addition to an exhaustive study of feeble-mindedness, a study which has been equalled nowhere else but in a single county in Massachusetts where an intensive study was made and equally startling results were found, the commission has investigated the problem of the rural schools as bearing upon child welfare. It has studied the problems of desertion, of dependents, of mothers' pensions, of infant mortality, health of children, child labor and probation. Its ultimate aims are private family homes for all normal dependent children; institutional care for all feebleminded children; special classes in schools wherever feasible

for backward children; medical inspection in every school; immediate filing of birth certificates, and expert counsel of district or school nurses for every mother in the State. It is not to be expected that all this will be accomplished at once, but the facts have been put before the people of the State, and are attracting attention of everybody interested in social welfare. It is the desire of the commission to place New Hampshire in the front rank of States in the care of its children, upon whom its furture rests. With such ideals before it, it is felt that the State must take some steps forward toward the accomplishment of the ultimate aims.

The Dangerous Moron.—The study of the feeble-minded was directly under the charge of Mrs. Streeter, chairman of the commission, and her careful investigation and startling conclusions show the grave dangers to society by its negelect of the "high-grade" imbecile. The great majority of people, she says, still think of the feeble-minded as those who are obviously deficient even to the most casual observer, the idiot and imbecile class. Yet this class, incredible as it may seem, forms only a small proportion of the feeble-minded class. The universally accepted definition of feeble-mindedness is "a state of mental defect from birth or from an early age, due to incomplete cerebral development, in consequence of which the person affected is unable to perform his duties as a member of society in the position of life to which he is born." The "moron" is defined as a high-grade, feeble-minded person "who is capable of earning a living under favorable circumstances, but is incapable from mental defect existing from birth or from an early age (a) of competing on equal terms with his normal fellows, or (b) of managing himself and his affairs with ordinary prudence." The survey made by the commission, covering the 235 towns of the State, shows that very few of them are free from the taint of feeble-mindedness. The direct relation of feeble-mindedness to crime is shown by the significant fact that out of 147 children tested by the Binet scale at the State Industrial School (the only institution in the State for delinquent children) only three were found to be normal.

It is here that the high-grade imbecile of the moron type appears as a danger to the community. They may look and appear well, and are often extremely attractive, yet they are unable to meet temptation. The records shown that there are 550 of these women at large in the State, and from this class the feeble-minded and the police court cases are recruited. Girls are punished for a sin for which they are not morally responsible; they are the prey of the immoral, and are not only frequently a public charge, but they generally give birth to defective and degenerate children. It is startling to learn that three-fourths of the feeble-minded women are married, and out of the 550 reported seven and one-half per cent are known to have had illegitimate children. And one of the most significant facts in the report is the range of feeble-mindedness gradually ascending from the smallest percentage in the most populous county in the State to the largest in the two most remote and thinly settled counties. The need of improvement of rural conditions is thus pressed home. The grange is doing more and better work in this direction than any other agency. —George H. Sargent in the *Boston Evening Transcript*, March 3, 1915.

**Attempted Legislation on Capital Punishment in Tennessee.**—According to the issue of the Nashville Tennesseean of March 27th, the bill providing for the abolition of capital punishment and the substitution of life imprisonment in its stead has now passed both the House and the Senate. It is known as House Bill No. 94. The fight on the bill was long drawn out. Early in May it went to the Governor who vetoed it.

According to the official reports from the House of Commons in Ottawa, Canada, the question of the abolition of capital punishment is occupying a considerable degree of attention among Canadian legislators.

R. H. G.

**Conclusions and recommendations of the Chicago municipal markets commission on Destitution and Unemployment.**—*Conclusions.*—1. The present prevailing unemployment in the City of Chicago is not entirely due to the European war, but rather a chronic, constant, result of the maladjustment of industry and trade. Unemployment is an annual recurring, ever-present, normal condition of such maladjustment, and merely one form of the enormous waste and inefficiency caused by the existing unorganized and planless method of conducting private industry. Unemployment is and should be considered generally as a usual attribute and phenomenon of private industry and business. The absence of unemployment in industry and business should rather be considered unusual and extraordinary, and not its presence in our midst.

2. It is the duty of the city to provide for its unemployed an honorable means of earning a livelihood. The sole manner by which unemployment can be solved is by providing employment. No determined, systematic effort has been made by any of the cities or states in the American Union for effecting an enduring and lasting remedy in the only way a real and complete remedy is possible. Unemployment is not an emergency matter, and cannot and will not be solved by any sporadic and emergency devices and proposals. Therefore, the City of Chicago should lead the way in putting into effect at the earliest opportunity the practical plan herewith submitted. It is believed that a planned, well-ordered system of municipal care for the unemployed will relieve and mitigate the consequences of unemployment to a pronounced and appreciable extent.

3. There are three agencies which the municipality can by intelligent action place under way in combating unemployment at this time, viz.:

1. An efficient, well organized and supported municipal employment bureau.
2. Public works and improvements.
3. Part or short-time work for the unemployed by private and public industry.

It is needless to point out that the foregoing agencies should deal only with the class known as the employable unemployed resident of Chicago.

4. Private and public charity, if inadequate at this time, should receive sufficient support from the people of Chicago to enable it to care for the unemployable unemployed and dependent groups in the community.

5. The organization and administration of these a ncies of governmental and private care for the unemployed should be placed in operation each year at the very moment and hour when unemployment becomes discernable and conspicuous.

Recommendations.—1. Municipal Employment Bureau. The first requisite toward solving the problem of unemployment is the organization of a municipal employment bureau on an efficient basis. While the establishment of an efficient employment office by the municipality is not in itself an absolute remedy for unemployment, it is, nevertheless, the foundation of all proposals for the relief of the unemployed. It is an indispensable condition for any real constructive work in this direction.

A municipal employment bureau would organize and regularize the labor market with its present confusion, waste and monetary loss to both employers and employes. The City of Chicago has failed to develop any adequate, systematic machinery whereby the manless job and the jobless man may be brought face to face. The state free employment offices in Chicago should not be considered, inasmuch as they have been practically worthless in relieving general unemployment since their establishment. A municipal employment bureau of the first rank would serve as a clearing house where the jobless man and the manless job would be brought into contact, no matter how far within the City of Chicago these two may be separated.

The City of Chicago should establish a municipal employment bureau in the Department of Public Welfare, by providing adequate funds to make it efficient in the highest possible degree. It should be kept free from the influence and machinations of political spoilsmen, factions and parties; and an advisory group, or board of citizens representing employers, employes and the general public should be appointed to direct the general policy and watch over the efficiency of its administration. The public should consider the mere establishment of a municipal employment bureau as not sufficient, but great stress should be laid upon the organization of such municipal employment office in an efficient, systematic and thorough manner. A municipal employment bureau, connected and ramified with state and federal employment offices, offers the most efficient, economical and expeditious method of bringing workers and work together in a central market. It would eliminate the evils of the private employment agencies; open up opportunities for work in the city and country; ascertain the surplus and scarcity of various kinds of labor; shorten the time and energy now spent in obtaining jobs and the consequent unemployment between jobs; strive to dovetail the seasonal occupations so as to provide for practical continuity of work; provide the resident unemployed with employment upon the public works; guide children leaving school into suitable occupations and employments, and furnish trade schools and continuation schools maintained by the Board of Education with information as to openings in trade and industry, which will provide each youth with the maximum amount of annual employment in his maturer years.

2. Public Works for the Unemployed. The City of Chicago has never adequately considered the possibility of relieving and preventing unemployment by dividing and allotting its public works during periods of industrial and business depression. In this particular it has but followed the example set by other cities in the United States, which increase their public construction and improvement works during favorable business years and decrease the same when private industry is suffering from depression. The city should act more wisely by considering and studying labor conditions and the state of employment among the wage earners, and undertake municipal improvements and other public works during dull times, which will act as an impetus upon the labor market and prove an incentive to business conditions generally. Public work carried on by the city for the benefit of the unemployed should be so regularized as to be performed chiefly during times of industrial depression. By regulating the time of constructing public works and improvements during the involuntary idleness of the employable unemployed, business conditions would be stimulated. Inasmuch as the greatest amount of unemployment occurs in the City of Chicago during the winter months, the city authorities should, early in the summer or fall of each year, compile an official list showing all municipal works the contracts for which have been let but which have not been put under way or completed, so that the construction can be commenced

at the beginning of or during the cold weather season. This would insure the postponement of public works during favorable times to less favorable periods, so that when private industry and business become dull and quiet the city can release the necessary means for raising a stagnant labor market by undertaking extensive public works and improvements. The public works and improvements of the City of Chicago should be divided with the greatest care, so that as much of the work as can possibly be carried out during the winter months be postponed to this season of the year.

The adoption of a comprehensive, well-ordered, and definite plan for dealing with the problem of unemployment by the City of Chicago during the dull periods would also prove an example and a stimulant to private employers, who likewise would be prevailed upon to plan new buildings and equipment in advance, so that work of this nature could be put under way by them during the periods of greatest unemployment.

Reserve or sinking funds should be maintained by the city, set aside as a trust fund to be released upon public works and improvements during periods of unusual business and industrial depression and unemployment. These public works and improvements should be conducted for the benefit of the employable resident population in the City of Chicago in order to aid in regulating the local labor market and to relieve destitution and misery, due to unemployment in our midst. Such resident unemployed wage earners should be hired by the city solely on the basis of competency and efficiency and at the prevailing standard market rates of wages for such work.

3. Employment of Resident Chicagoans. The first duty of the City of Chicago is to its own people. It should therefore be impressed upon the cities and areas adjacent to Chicago that the City of Chicago, through its employers, both public and private, will give preference to its own residents and citizens when hiring workers. This policy of the city's employers of furnishing work to its own citizens and residents, as against outsiders, should be advertised far and wide and emphatically by the authorities. Contractors furnishing municipal supplies or doing public work for the city should be compelled to give preference to competent resident unemployed workers.

4. Part or Short Time Work. A great deal can be done by private and public employers in keeping unemployment at the minimum by the adoption of a policy of part or short time work. While short or part time work is indefensible during normal and favorable business years, in times of industrial and business crises and depression such a plan has everything in its favor. An appeal should be made to the public and private employers of the City of Chicago to use their utmost efforts toward keeping their wage earners and employes busy and occupied in dull seasons, if not on full time, at least under some arrangement whereby these men can be employed on part time. This can be done either by reducing the number of days per week or the number of hours per day and will secure to the wage earners and their families a bare existence if nothing else. A policy of this character, adopted by public and private employers, will go a very long distance toward relieving distress and misery in the City of Chicago.

5. Relief Work. The City of Chicago should not create any new charitable or relief machinery for combating the effects of unemployment. Experience has shown that soup kitchens and bread lines for the unemployed are, as a rule, indiscriminating and do more harm than good. Work undertaken by the city as a means of relief or charity should be considered as a last despairing effort to aid the unemployed when it has or knows no better alternative. Relief work of this nature,

while blameless and uncensurable, so long as human beings are starving and homeless, is almost wholly useless for benefiting the people thus relieved. The City Council should avoid, by all means, appropriating money for charitable purposes. The Community, however, should aid in strengthening the present agencies engaged in relief and charitable work, and their facilities should be expanded and made more effective. The Board of Cook County Commissioners, in an increasing measure, should support the work of the Cook County Agent and the general public should aid in an adequate measure the private charitable organizations which have proved their efficiency and reliability in the past.

6. The Municipal Lodging House and the Transient Laborer. All applicants for food and lodging at the Municipal Lodging House should be required to do a certain amount of work in return for such food and lodging received from the city. Such a work test should be sufficiently severe to deter the vagrant, shiftless unemployed of other cities from coming to Chicago. Arrangements should also be made whereby the inebriates, sufferers from veneral and other diseases, and vagrants may be given employment on a work farm or farm colony, as well as receive adequate medical treatment, in order to make them physically fit and employable. Steps should be taken to obtain the co-operation of the federal authorities and of the authorities of the various states and cities adjacent and surrounding Chicago, in the matter of contributing toward the support and maintenance of the transient, homeless laborers who flock to Chicago during the winter months. It is unfair that a city, even as large and important as Chicago, which, because of its geographical location, serves as a distributing center of this reserve army of casual laborers, should be solely charged with the expense of maintaining, feeding, and lodging these unfortunate men.

7. Vocational Schools. Vocational training and trade schools should be established by the Board of Education, giving technical education in the industrial arts to boys and girls between fourteen and twenty-one years of age. No young person under eighteen years of age should be employed in a public or private industry for more than thirty hours per week, and all young persons so employed should be compelled to attend public continuation, and vocational training schools for at least thirty hours a week. A system of vocational training and trade schools will prepare minors in an efficient way for industrial life and the number of unskilled workers will be greatly reduced.

8. State Free Employment Offices. The three free employment offices maintained by the State of Illinois in the City of Chicago have been practically worthless in relieving general unemployment in the City of Chicago since their establishment in 1899. In this respect they are not much different from the free employment offices maintained by other states, with the exception of those established in Massachusetts and Wisconsin. They are unable to apply standardized, efficient methods in the conduct of these offices. They are inadequately supported in a financial way, honeycombed with politics and manned by incompetent, untrained, and incapable officials. It is the belief of your Commission that the free state employment offices should be radically reorganized and the employes placed under Civil Service.

9. Private Employment Agencies. The City of Chicago should pass suitable ordinances strictly regulating private employment agencies, in order to eliminate the grave misrepresentation, extortion, and dishonest practices frequently complained of and found to prevail. Your Commission, however, believes that the only effective means of eliminating private employment agencies is by the establishment of efficeint and competent public employment offices in their stead. An efficient municipal

mployment office is the surest means of eliminating private employment agencies with their resulting dishonesty, fraud, and unlawful practices.

10. The reduction of Peddlers' Licenses. If the opportunity of entering the peddling business in the City of Chicago were made financially easier to its people, it is the opinion of your Commission that a large number of unemployed during times of unemployment would enter the peddling business and would thus be enabled to earn a living. The present prevailing license rates for peddlers in Chicago are unusually higher than those prevailing in other cities in the United States. It is recommended that the present annual license fee of $50 for one-horse wagon peddlers be reduced to $10 per year; that the annual license rate for peddling with a two-horse wagon be reduced from $50 to $15 per year; that the annual license rate for pushcart peddling be reduced from $25 to $5 a year, and that the annual license charged basket peddlers be reduced from $10 to $2 per annum.

11. Day Labor vs. Contract Labor. Controlling factors of policy and sentiment should cause the city to do its public work and improvements by day labor instead of by contract labor, as a means of furnishing work to and rendering self-supporting a certain part of its population whcih would otherwise be required to obtain relief and aid from public and private charity.

12. Unemployment Insurance. The city should promote insurance against unemployment in order to prevent destitution and misery when unemployment cannot be prevented by the operation of a municipal employment bureau, public work for the unemployed and part time work, and is inevitable in spite of these. Provision should be made for the honorable maintenance, at public expense, of the surplus laborers who cannot be placed in employment by the municipal employment office, on public works or on part time work. After the City of Chicago has established a municipal employment bureau on a sufficiently extensive scale, designed to insure efficient work, systematically planned its public works and improvements during the time of greatest unemployment, and both public and private employers have been prevailed upon to keep as many employes on part or short time work as is possible, there will still be periods of a certain amount of inevitable unemployment which none of the foregoing agencies can counteract or prevent. It is urged that the City of Chicago undertake a system of insurance for the unemployed after the municipal employment bureau has accumulated a sufficient amount of exact data concerning the amount of unemployment prevailing in Chicago annually in excess of those who can be placed in employment through the agencies suggested in this practical plan.

13. Appointment of an Emergency Advisory Committee. In view of the great amount of destitution, misery, and distress prevalent at this time, due to the large number of unemployed in our midst, it is urged that His Honor, the Mayor, immediately appoint an emergency advisory committee of ten members, consisting of representatives of railway, manufacturing, mercantile, banking, contracting and organized labor interests. The chief purpose of this emergency advisory committee shall be to stimulate employment in private trade and industry; encourage part or short time work among private employers; strive to dovetail seasonal occupations so as to provide for as great an amount of continuity of work as is possible and obtain the co-operation of private employers to increase the number of their employes as far and as soon as this may be practicable.

14. Reference of Recommendations to Committees of the Chicago City Council. Your Commission would respectfully suggest that the following recommendations be re-referred to the Chicago Municipal Markets Commission:

Recommendation No. 1 on the establishment of a municipal employment bureau

Recommendation No. 2 on Public Works for the Unemployed.
Recommendation No. 4 on Part or Short Time Work for Employes.
Recommendation No. 11 on Day Labor versus Contract Labor on Public Works.
Recommendation No. 12 on Municipal Insurance for the Unemployed.

Your Commission believes that it will be able to suggest ways and means of carrying into effect the foregoing recommendation after conferences are had with the proper officials of the various municipal departments concerned.

Your Commission would suggest further that Recommendation No. 3, relating to the Employment of Resident Chicagoans, be referred to the Committee on Judiciary; that Recommendation No. 7, relating to Vocational Schools and Juvenile Employment, be referred to the Committee on Schools, Fire, Police, and Civil Service, and that Recommendation No. 10, relating to the Reduction of Peddlers' Licenses in the City of Chicago, be referred to the Committee on License of the Chicago City Council.

Respectfully submitted,

James H. Lawley, Chairman, Alderman 14th Ward; John Toman, Alderman 34th Ward; August Krumholtz, Alderman 24th Ward; Gertrude V. Soule, University of Chicago Settlement; Mrs. C. Franklin Leavitt, Eli Bates House; Mrs. John C. Bley, Woman's City Club; Graham Taylor, Chicago Commons; Fred A. Curtis, City Club of Chicago.

**Juvenile Employment and Vocational Training.**—The establishment of vocational training, trade and continuation schools for juveniles should receive the increasing attention of the public authorities. A large proportion of the transients, tramps and unskilled laborers who drift about from city to city have become such largely because they in youth never were directed into proper avenues of employment or taught to do any sort of work in an efficient and competent manner. The American youth leaving school at the age of 14, as a rule, is given no guidance in the selection of a suitable occupation or trade, and is required to search for himself in choosing a means of livelihood. He is taught no trade nor is any way pointed out to him for knowing how to do a certain kind of work well. A boy after leaving school is easily led into what has been called "blind alley" employment where he earns comparatively high wages for his years, but which fails to lead him into a permanent and assured occupation, upon the arrival of the boy at a grown man's years, responsibilities and requirements. He is then shunted into the already crowded ranks of the common laborers and of the unskilled.

It is a decided social waste to permit boys and girls out of school to enter avenues of employment where they can only remain for a half dozen or more years without being fitted for any regular trade or occupation. It has been pointed out that a large percentage of those who annually suffer through unemployment are persons whose early years have been spent in following occupations which offer alluring financial rewards, but upon their arrival at man's estate, relegated them unceremoniously to the ranks of the unskilled.

Efforts should be made whereby minors employed at various sorts of labor should be given some means and facilities during their years of minority of preparing for a permanent, lasting, useful and remunerative career. The German vocational, continuation and trade schools have become celebrated for the thorough manner in which youthful workers are given opportunity or industrial training. These schools have practically converted the entire population of Germany into

efficient and competent artisans. It has well been said that the industrial schools for minors established in Germany have marked "the passing of the unskilled."

One of the most general causes of casual labor is the hiring of boys in occupations which give them no industrial training whatever. While they may afford minors relatively large wages, still upon reaching the years of manhood they will be left stranded among the large number of unskilled. A remedy should be devised for guarding against the employment of boys and girls in occupations from which they can derive no useful industrial training. It is now practically impossible for the main body of employed minors to obtain a technical education. The duty of training and developing boys and girls between 15 and 21 years of age should be assumed by the City of Chicago itself through the establishment of effective vocational, continuation and trade schools. It is evident that a large number of parents are unable to supply training in the manual arts to their children, and that employers will not do this, or even if willing are not in a position to do so. It is well known that the vast body of the unemployed and those receiving charitable aid from private organizations show a lack of industrial training. Experience has shown that during times of great industrial and business depression very few of the applicants for relief are among those possessed of any sort of industrial or technical training. The trained workman, while occasionally in need, by reason of his industrial training is able to earn a higher rate of wages, which enables him to tide over periods of industrial quietude, and he can more readily turn his hand to some other occupation when unemployed. All of these advantages which he derives from his industrial training serve to take him out of the ranks of the unemployed at the earliest possible moment and to render him less likely to need or ask for public or private relief.

The municipal employment bureau, when established, should be an aid to juvenile wage earners, and have a division devoted to juvenile employment which should secure the co-operation of the schools, employers and trades unions. Employers and wage earners could report to the juvenile employment division of the municipal employment bureau the opportunity that may exist for minors to learn trades and the teachers in the schools should fill out the applications for employment of the boys and girls about to leave school and call the attention of the juvenile employment division to special inclinations and aptitudes shown by them. An expert should be placed in charge of the juvenile employment division who is capable of judging the qualifications and fitness of children. It will be seen that a juvenile employment division of this character in a municipal employment office can even now accomplish a great deal in keeping boys and girls out of "blind alley" occupations, prior to the establishment by the city of a system of continuation or trade schools. After a thorough system of technical schools has been established, such a juvenile employment division would be absolutely necessary in guarding minors against the danger of entering occupations and trades which will eventually relegate them into the ranks of under-employed, unskilled labor.

The Boston Free Employment Office possesses a juvenile employment division of this character, while in Germany the continuation trade schools co-operate with the official employment bureaus of the empire in endeavoring to direct minors into those trades where the greatest opportunities for employment are to be found. A juvenile employment division in a municipal employment bureau would substitute for the present haphazard manner in which boys and girls enter industry and business, a condition where fuller information and a larger knowledge of the prospects and possibilities obtaining in various occupations and trades can be secured.—From reports of the Chicago municipal market commission on a plan for relieving destitution and unemployment. Dec. 1914.

**New Nationalism Outlined at Conference of Charities.**—The forty-second annual session of the National Conference of Charities and Correction was held at Baltimore, Md., May 12-19, 1915. The program included the names of more than two hundred speakers. The character of this extensive series of discussions was largely affected by social welfare legislation recently enacted in many states, by the reports of special state and municipal commissions during the winter, and by the recent emergence of many national issues of a social nature, such as have been disclosed in the investigations of the Federal Industrial Relations Commission. In addition, a growing conviction of the social bases of international amity has led to a greater definiteness in outlining fundamental issues in the United States. Hence considerable importance attaches to the subject of the keynote address of this conference, "A Prelude to Peace," given by the president, Mrs. John M. Glenn of New York.

Important additions to the program were a symposium on modern family ideals by Rev. Samuel McChord Crothers, D. D., of Cambridge, Mass., and Prof. James H. Tufts of the University of Chicago; a practical program for the relief of unemployment by John B. Andrews, secretary of the American Association for Labor Legislation, New York City, and Prof. George E. Barnett of Johns Hopkins University, Baltimore; and the "Need and Practicability of Illness Insurance in the United States," by J. P. Chamberlain of Columbia University, New York. The last two subjects are examples of a series of discussions that had been arranged reflecting in American experience problems and a need of public policy in fields that have long been the center of discussion in European countries. Considerable profit was anticipated in this respect from addresses to have been given by the late Prof. Charles Richmond Henderson of Chicago, a former president of the conference, whose life the organization was called upon to memorialize. One of the unique features of the program was a discussion of the work of policewomen under the leadership of Mrs. Alice Stebbins Wells of Los Angeles, participated in by policewomen from various cities.

The coming of the conference was long anticipated by the city of Baltimore, which is making a survey of local social conditions to be set forth in a public exhibit. The chairman of the Baltimore committee was General Lawrason Riggs, and the secretary, Dr. J. Hall Pleasants. Preparations were made to entertain twenty-five hundred guests. The address of welcome was made by President Frank J. Goodnow of Johns Hopkins University.

Of scarcely secondary importance to the National Conference program were the meetings of a series of related organizations, nine of which have published programs. These include the American Red Cross, the Association of Officials of Charity and Correction, the National Federation of Settlements, the National Probation Association, the Association of Jewish Social Workers and the Societies for Organizing Charity. R. H. G.

## PROGRAM OF THE FOURTH ANNUAL MEETING OF THE ILLINOIS STATE SOCIETY AT QUINCY.

DINNER

6 P. M. Thursday, June 10th

HOTEL NEWCOMB

Members of the Bar Association, their wives and friends are invited to join the members of the Illinois State Society in this dinner.

FIRST SESSION

8 P. M. Thursday, June 10th

1—Annual Address by the President.
"The Criminal, Why Is He and What We Do To Him."
George T. Page of the Peoria Bar.

Discussion—
O. A. Harker, Dean of the College of Law, University of Illinois, Champaign-Urbana.
F. Emory Lyon, Superintendent, Central Howard Association, Chicago.

2.—"A Brief Review of the Criminal Cases in the Supreme Court for the Past Year." Edwin R. Keedy, Professor of Law, Northwestern University Law School, Chicago.

Discussion—
Fred G. Wolfe, State's Attorney, Quincy.
C. H. Wood, of the Quincy Bar.

SECOND SESSION

9.30 A. M. Friday, June 11th

1—Election of Officers.
2—Business Session.

THIRD SESSION

8 P. M. Friday, June 11th

(Joint session of the Illinois State Society and the Bar Association.)

1—"The Findings and Recommendations of the Chicago Committee on Crime." Charles E. Merriam, Professor of Political Science, University of Chicago, Chairman Chicago Crime Committee, Chicago.

Discussion—
Nathan William MacChesney, First Vice-President Illinois State Bar Association, Chicago.

2—(a) "Psychological Tests and the Administration of Justice."
Dr. George Ordahl, State Psychologist, Lincoln.

(b) "Is the Psychologist an Aid to the Court in the Administration of Justice?" William N. Gemmill, Judge Municipal Court, Chicago.

Discussion—
Professor H. C. Stevens, Psychopathic Laboratory, University of Chicago, Chicago.
Judge Harry Olson, Chief Justice, Municipal Court, Chicago.
Professor Robert H. Gault, Editor Journal of Criminal Law and Criminology, Northwestern University, Evanston.

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