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Notes on Current and Recent Events

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ANTHROPOLOGY—PSYCHOLOGY—LEGAL-MEDICINE.

Importance of an Up-to-Date Medical Department in a Penal Institution.[1] —The Chicago House of Correction, where the daily average population is about 1,900, furnishes a splendid opportunity for medical and other observation. In the boys' department of that institution, known as the John Worthy School, practically all are in urgent need of medical or surgical treatment; never in their lives having received any, except perhaps in cases of serious sickness, when some specific disease was treated, and then only in a superficial way.

The youth reared in a properly conducted home is under constant observation by the parents, and under frequent treatment by the family physician for the purpose of aiding physical and mental development so that education may be acquired and moral training given. A very large per cent of those coming to the John Worthy School from no homes or homes not well conducted, must or should get, what any other youth may need, namely, medical or surgical treatment, or the diagnosis of an alienist, before their future efforts towards good citizenship can be directed with good results.

What is true in that regard of the youth, is true also of the adult, which is borne out by experience had in the department for adults in the same institution, where some not having been helped in the department for juveniles, have brought their mental and physical deficiencies into the institution, the same as others who have not succumbed to theirs before the age of natural maturity. This latter class are quite as receptive and susceptible to treatment as the former; in fact my experience of twenty-five years in handling delinquent and criminal classes, has taught me to believe that a very large per cent of those committed to penal institutions for adults (who have not passed middle age), are but children, so far as any practical ideas they have are concerned, regarding the serious or practical side of life, and need to be taught just as children need to be, and can be appealed to just as children can. In other words, they have been stunted in their growth mentally, morally and even physically, by lack of proper training and education in the care and control of their physical being, thereby failing to acquire the knowledge essential to higher citizenship.

It would seem as though the management of penal institutions, and especially Houses of Correction, could do no greater service to society than to give to these unfortunate people the medical treatment and training they so badly need, and send them back to society at least somewhat prepared to take their places among men with a more equal chance of success.

As a result of observation made at the Chicago House of Correction along these lines, the medical department has been equipped and enlarged during the last five years so as to carry on some of the kind of work indicated.

The demonstrations made are most encouraging, not only to continue, but to still further increase the capacity. Formerly we had only one physician, who

[1]Substance of an address before the Prison Physicians' Section of the American Prison Association, October, 1913.

was expected to look after the needs of the entire population in all the different branches of medical science, which is impossible for one man to do, no matter how efficient and interested he might be. Now we have, in addition to Doctor Sceleth, the medical superintendent, whose entire time and attention is given to the department, four internes who are physicians, and two professional and registered nurses, who also reside on the premises, and are instructors for the inmate nurses.

As a consulting staff, we have twelve physicians, surgeons and specialists, who are actively engaged in the work of the department, visiting the institution at least once a week, and oftener as required.

The staff is made up as follows, each representing a special branch of his profession, five giving special attention to surgery. One of these is recognized as an expert in bone surgery:

Surgery—W. E. Schroeder, M. D., professor of surgery and clinical surgery, Northwestern University; attending surgeon, Provident, German Deaconess and Wesley Hospitals. E. E. Henderson, M. D., professor of clinical surgery, medical department, Valparaiso University; attending surgeon, Norwegian Deaconess and Frances Willard Hospitals; visiting surgeon, St. Elizabeth Hospital. F. A. Besley, M. D., associate professor of surgery, Northwestern University; attending surgeon, Wesley and Cook County Hospitals. J. V. Fowler, M. D., professor of surgery, Chicago College; attending surgeon, Frances Willard and Norgewian Deaconess Hospitals.

Bone Surgery—E. J. Lewis, M. D., instructor in surgery, Rush Medical College; attending surgeon West Side Hebrew Dispensary.

Medicine—A. F. Beifeld, M. D., clinical assistant in medicine, Northwestern University; attending physician, Cook County Hospital; adjunct staff, Wesley Hospital.

Nervous and Mental Diseases—Sidney Kuh, M. D., associate professor of neurology, Rush Medical College; professor of neurology, Chicago Polyclinic; attending neurologist, Michael Reese Hospital.

Skin and Genito Urinary Diseases—J. S. Eisenstadt, M. D., clinical assistant, dermatology department, Northwestern University; attending dermatologist, Maimonides Hospital and West Side Hebrew Dispensary.

Gynecology—H. A. Taylor, M. D., professor of gynecology, Chicago Polyclinic; attending gynecologist, Henrotin Hospital.

Diseases of Eye, Ear, Nose and Throat—Robert Sonnenschein, M. D., instructor, Rush Medical College; attending opthalmologist, Michael Reese and Cook County Hosuitals, West Side Hebrew Dispensary, and Illinois Eye and Ear Infirmary. C. F. Yerger, M. D., attending opthalmologist, Illinois Eye and Ear Infirmary.

Dentistry—J. E. Hajicek, D. D. S.

The entire staff consists of nineteen, who are experts in their profession. They find an abundance of work that is, in most cases, a direct benefit to the community as well as to the individual treated, since the delinquency of many can be traced to their physical ailments.

As a typical case I might relate the story of a man who had been a delinquent or criminal (so called) for several years, during which time he had been estranged from family and relatives, who did not want to be identified with one of his reputation. He had for a long time been suffering from a rupture,

and used this fact as an excuse for not applying himself to ordinary labor, and claimed he could not earn a living otherwise, so had drifted into criminal ways. When committed to the House of Correction, and opportunity given him to be treated for his trouble, he gladly accepted; an operation was successful, and while convalescing he realized an obligation for having received, while under the ban of the law, that which he had for years so badly needed.

The return to normal physical condition brought to him a desire to discharge that obligation. Upon the advice of the general superintendent, he communicated for the first time in years with his family, and satisfied them that he was determined to disgrace them no longer, whereupon with their moral support he did renounce his vicious way and has been in no further trouble with the law.

In other ways the medical department is of great assistance to the management of the institution, especially in furnishing to it reports of findings in individual cases of limited mental or physical capacity, so that the facts contained in the report may be considered in making assignments to work. Every one, especially Prison Wardens, can readily see the advantage of this.

Not long ago one of the boys in the school department was reported to the management for apparently making no effort, particularly in his physical training exercises, to develop with the class, and for being indolent in other studies. He was sent to the doctors for examination, and they learned by applying the X-Ray that he was suffering from tuberculosis of the shoulder joint. It is needless to say that the boy did not merit punishment in the circumstances.

Out of the fourteen thousand commitments to the Chicago House of Correction last year, three thousand three hundred and seventy-two were treated in the hospital, besides those who were prescribed for in the cell house, whose ailments did not require hospital care. A large per cent of the hospital cases were alcoholic, many with complications. Two hundred and fifteen were major surgical operations.

The results obtained in this work have attracted the attention and commendation of all who have observed them, especially judges of the courts, and captains of the police department, who could see an opportunity for great good to come to many individuals, their own work facilitated and simplified, if treatment could be given and observation made before the cases were disposed of in court.

In order to do this and prevent legal technicalities from arising by receiving patients before commitment by the courts, the House of Correction Hospital was organized by the executive officers of the institution as individuals, and is operated under a license granted by the city under the name of the Sceleth Hospital. In one section of it, regularly committed sick prisoners to the House of Correction are kept, and into another section those under arrest, and whose cases are pending in the courts, are brought by the police, and placed under treatment and observation. When able they are taken to court, with a statement from the physician as to mental and physical conditions, so that the court can more intelligently dispose of them. Some are returned for further treatment and confinement under fine or sentence; others may be held to await the action of the grand jury on more serious charges, while still others who had been treated for alcoholism, and for the first time in years were free from the effects of liquor, physically able and willing to support their families as they

should, would be allowed to go home with no record of a fine or imprisonment against them.

The courts, and especially the Court of Domestic Relations, finds that the hospital is a great aid in solving some of the problems submitted to them by families whose breadwinners have become neglectful or abusive as a result of excessive drinking. In such cases, a sentence may be imposed which carries with it a recommendation for such treatment as the defendant may need. When he has responded to treatment and the proper disposition is shown toward his family, the court is made aware of the facts and he is released. In a normal physical condition he is very likely to realize his responsibilities as the head of a family, and avoid the courts in the future. I can best describe the different classes of cases brought to the Sceleth Hospital by using the words of the medical superintendent, in a report made to me by him, which is as follows:

"I wish to emphasize the importance of a higher medical and surgical standard for the treatment of prisoners in our penal institutions.

"The officials controlling the medical department in ninety-five per cent of our prisons and workhouses do not provide a proper equipment or staff of trained surgical and medical specialists, and they fail to recognize the importance of the medical department in educational and reform work.

"The proper care of prisoners and the remedying of bodily defects through such treatment as modern surgery and medicine can give, will decrease the prison population. There is not a day that we do not receive unfortunates who are compelled to beg or steal, because of their inability to earn a living on account of some physical infirmity which is readily cured by proper surgical or medical treatment.

"The Chicago House of Correction today is looked upon by the police department, the judges, and part of the public as a city emergency hospital and sanitarium for all the alcoholics, drug habitues, epileptics, chronic incurables, cripples, blind and helpless beggars, cranks, perverts, and general mental and moral defectives who require special medical and surgical attention. Fully twenty per cent of the cases that we receive are sent here by the judges for medical and surgical care. During last September, four hundred and thirty-six cases were treated in the male hospital alone, with eleven deaths. Almost one hundred of these were 'no paper' cases, admitted to the Sceleth Emergency Hospital for treatment and observation. Among the cases that have been sent to us as alcoholics, we have found unfortunates suffering from skull fractures, syphilis, softening of the brain, delirium of pneumonia, brain tumors, acute dementia and other forms of insanity.

"Cases of nervous disease, with symptoms which simulate the 'drunk' in walk, speech and dull intellect, cases of coma, due to kidney disease, to hemorrhage, or injury of the brain, to exposure, to cold, to apoplexy, to sunstroke, meningitis, narcotic poisoning, etc.

"Please understand this is not a criticism of our ambulance surgeons or our police department, 'as they need more than a curbstone diagnosis;' but to give you an idea why you need an efficient medical department. A man may be sitting on a curb, or lying in the gutter in a collapsed condition, with cold, clammy skin, unable to talk intelligently, with or without an alcoholic breath; he may be on the verge of delirium tremens, or his condition might also be due to heart disease, to arsenic or lead poisoning, to intestinal, kidney or liver

colic, to intestinal obstructions, to sunstroke, to the rupture of an artery in his brain, to shock, to the onset of some acute disease, or to a plain fainting spell.

"He may have had a tremor that looks like chronic alcoholism, but it may be a disease of the spine or brain, paralysis agitans or general paralysis of the insane. There was a time not very long ago when these cases were taken to the police station, locked up as drunks and died in a cell, when proper medical or surgical assistance would often have saved a life. Over one-half of our 'no paper' cases are not able to give any history of themselves; we know absolutely nothing except that the police brought in an unconscious man to us. This makes a diagnosis almost an impossibility in many cases. A printed history sheet was given to the police department, a sample of which is enclosed, which has been of great assistance to us in making a diagnosis.

"A number of insane cases, which are not responsible to man or God, are sent here for violating some statute. Among them are violent cases who have tried to commit murder, or assault, and would be a danger to any city to have at large; these of course are sent to asylums.

"Another type are unfortunates who are charged with being shiftless, who will not work to support themselves or their families. These are often unrecognized cases of brain or spinal diseases which leaves the victim absolutely helpless and unable to work. These are often treated as worthless bums, when they need good medical care and kind treatment."

Another point of view deserving strong emphasis, is one directly the opposite of that usually held. We know well that alcohol is responsible for many conditions which we are daily called upon to treat, but we do not give due consideration to the fact that the alcohol or drug habit had its beginning in an effort to allay pain due to sickness, or to obtain solace after unsuccessful attempts to obtain or keep a job when handicapped by some disease, recognized or not. Disease, alcoholism and crime are very closely interwoven.

Especial efforts are made at our institution to detect pulmonary tuberculosis in its early stages. Whenever possible such cases are transferred to institutions devoted to the care of such patients, the aid of the courts being invoked in many cases to overcome the legal obstacles. If it is necessary for us to retain the tuberculous patients, we place them under the best possible hygienic conditions. We point with pride to our out-of-door cottage tents, where the three essentials for cure are at hand—fresh air, rest and good food.

The House of Correction has a well-deserved reputation for its success in the management of drug and alcoholic cases. But no "cure" such as is employed in most institutions is made use of here. The treatment is essentially educational. The offending drug is withdrawn and the patient convinced that he can get along without it. Then, upon his release, it is entirely "up to him," so to speak, to return to the habit or not.

This is in no sense intended to underestimate the psycho-therapeutic treatment where it is indicated. However, we do desire to point out the absurdity of psycho-therapeutic treatment in cases suffering with a definite physical ailment, where a careful and complete physical examination by competent men is most essential.

We have each week the following clinics:

Three surgical clinics.

One medical clinic.

One nervous and mental clinic.
Two eye, ear, nose and throat clinics.
One skin, genito urinary clinic.
One gynecological clinic.
Two dental clinics.

In addition to the above, the health of two thousand inmates and the sanitation and food are cared for.

In the preparation of this paper I have held the viewpoint of one charged with the responsibility of caring for apparent derelicts in a manner that would bring the best results to the general community, as well as to the individuals cared for.

Considering all the facts as above stated, it occurs to me that all efforts made to bring about the reformation of those committed to our penal institutions must be supplemented by the co-operation of an intelligently conducted and well-equipped medical department.

JOHN L. WHITMAN, Superintendent Chicago House of Correction.

Some Fallacies of Eugenics.—The theories grouped under the title eugenics are just now so enthusiastically embraced by many who are urging concrete action based on them that it is important that attention be called to the fact that these theories are largely old popular fallacies in a new dress. In a lecture delivered before the Federation for Child Study in New York, on January 30, 1913, and published in the May, 1913, number of the *American Journal of Sociology,* the late Lester F. Ward called attention to some of these fallacies. He said: "There has been too much interference with nature's ways. Man assumes to know better than nature how to guide the forces of heredity. He sets up artificial imperatives—the social imperative, the categorical imperative—and he thereby thwarts nature in her wholesome tendencies, which all look to the vigor of the race. It is these manifold social and artificial restraints that are bringing about race degeneracy and social decadence. There is serious danger that the teachers of eugenics may take a false road, and, in so far as they can influence human selection, may work deterioration rather than amelioration. * * * The present eugenics movement is one of distrust of nature, of lack of faith in great principles, of feverish haste to improve the world, of egotism in the assumption of a wisdom superior to that of nature. If it could have its way it would thwart and distort the spontaneous upward movement, and create an artificial race of hydrocephalous pigmies. Fortunately its power is limited and can produce only a ripple on the surface of society."

Dr. Ward proceeds to point out that eugenics lays undue emphasis on the intellectual qualities, especially despising the emotional side of man's nature while nature develops all the faculties and tends to prevent extremes. It is strange, he says, that in the science of the well born all emphasis is laid on the ill born. To read eugenic literature one would infer that the majority of mankind are defectives, while in fact from the best statistical evidence available the number of defectives cannot exceed one-half of one per cent of the

population. Brain increase, he goes on to say, is not at all the needed thing for the improvement of the race. "The chief evils of the world have been due to error, which is a product of reason. Error is in turn the result of the ignorance of man of his environment, and his consequent false reasoning about it. The progress of the world has been due to scientific investigation, by which the true nature of the environment has been made known and the error removed. The thing needed for the improvement of the race is therefore more knowledge and not more brains. * * * In the organic world competition tends constantly to keep the organism far below its possibilities of development. * * * Every plant and every animal possesses potential qualities far higher than its environment will allow it to manifest. The signal success of artificial selection is due entirely to this principle. The truth, however, is ignored by those who avail themselves of the principle. It is ignored by eugenists, who imagine they are adding something to the native powers of men, when all they can do at most is to loose the fetters with which nature has bound them. * * * All that the eugenist could do, if he had full power to transform human beings in conformity with his capricious notions of what constitutes improvement, would be to set free the particular elements of human nature that he should select, and watch the workings of those potential agencies that had been hitherto cramped into quiesence. But all this is *nurture* pure and simple. Nature is unchanged. The hereditary tendencies remain the same. These are beyond the reach of human art. It is the environment that holds hereditary impulse down. Man has no power over heredity. The only thing he can affect is the environment. It is true that man can utilize the laws of heredity. But the utilization of any law of nature consists simply in so adjusting the environment that the law shall operate in his interest. * * * It turns out, then, that after all the discussion of heredity and the hopes hung upon the idea of utilizing it in the interest of race improvement, it is a fixed quantity which no human power can change, while the environment, which Galton affected to despise, is not only easily modified, but is in reality the only thing that is modified in the process of artificial selection, which is the essential principle of eugenics itself. All the improvement that can be brought about through any of the applications of that art must be the result of nurture, and cannot be due to any change in nature, since nature is incapable of change."

Finally Dr. Ward attacks the error that supposes the lower classes, whence the population is being and must be largely recruited, to be inferior. "If there are signs of decadence anywhere they are not in the proletariat. They are to be found among the pampered rich and not among the hampered poor. These, though ill bred, are well born; their infusion into the population imparts to it a healthy tone. * * * So far as the native capacity, the potential quality; the 'promise and potency' of a higher life are concerned, those swarming, spawning millions, the bottom layer of society, the proletariat, the working classes, the 'hewers of wood and drawers of water;' nay, even the denizens of the slums—that all these are by nature the peers of the boasted 'aristocracy of brains' that now dominates society and looks down upon them, and the equals in all but privilege of the most enlightened teachers of eugenics."

E. L.

Possibility of Inflicting Injury by Pathogen Bacteria.—A. Abels, in Gross's *Archiv*, Volume 53, discusses the possibilities of inflicting injuries by pathogen bacteria. This matter is quite pertinent on account of the germ letters which recently appeared in Chicago. That infection by this method is possible, is proved by different well established facts. At the same time the author shows how difficult the detection of such a crime is, especially when the communicated disease is epidemic or endemic in the community. Modern science allows in most cases to establish with almost absolute certainty the cause of death. Either the blood, the brain fluid or the contents of the stomach are examined with the help of chemistry, physiology or the microscope. A criminologist is generally not an expert in toxicology and bacteriology; he must rely on the advice and assistance of reputable scientists. V. v. B.

COURTS—LAWS.

A Revolution in English Criminal Procedure.—In a paper with the above title, prepared for the Berlin Society of Comparative Jurisprudence, and which appears in the *American Law Review* for September-October, 1913, Dr. T. Baty calls attention to some recent English cases in which trial judges have commented unfavorably for defendants on trial for crimes on their not giving evidence before the magistrate but reserving their defense for the trial and on refusal to answer questions by police officers and points out that this new development is in conflict with the general principle of English law that one is presumed innocent until proven guilty. He says: "It is not therefore in the sense that any new legal obligations to answer questions have been introduced, that we assert that a silent revolution has passed over English practice. No law has laid down that accused persons must make full disclosure to the prosecution on pain of condemnation or of contumacy or of fine or imprisonment. Nothing of the kind has happened. An accused is just as much at liberty as before "to keep his mouth shut." But there is a vital change in the attitude of the court to him if he does. No longer is every one presumed to be innocent until he is proven guilty. An accused who relies on the ancient privilege and says nothing which may give a handle to the prosecution will find extremely damaging things said about him at the trial, at any rate if certain judges are presiding. It has been laid down by eminent lawyers in set terms that a prisoner ought to make a full disclosure at the earliest moment to the police, in order to enable them to test his story. This development does not go back ten years."

Dr. Baty goes on to say that the earliest instance of the new attitude appears in a case at Exeter Assises in 1903 before Justice Mills where the defendant was charged with killing a policeman. On legal advice the defendant had reserved his defense and on the trial offered evidence tending to disprove the story of the prosecution. The judge said that the shortness of time which counsel had had for preparing the case might be a reason for not calling other witnesses on his behalf before the magistrate but that it was no reason for the accused not testifying himself (and, of course, submitting to cross-examination), and that the advice given was very bad; that the Criminal Evidence Act was passed for the benefit of prisoners and if the defense was an honest one, it should be given at the earliest possible stage. Accused persons were for the

first time made competent witnesses by the statute referred to which was passed in 1898.

"The new principle, therefore," proceeds the article, "appears in connection with the new Criminal Evidence Act. That act is accordingly seen to put a new pitfall in the way of innocent accused persons. Either they must incur the suspicion which attaches to an accused who dare not go into the witness box to be examined, or they must throw themselves into the witness box at the earliest moment, before they have had proper and full legal advice, and at a stage when the prosecution can take full advantage of their admissions and mistakes." After calling attention to some other instances of this tendency and contrasting it with the settled doctrine as shown by numerous cases the author concludes: "It has, I trust, been made apparent that, whether because of the Criminal Evidence Act or because of the assimilation of the proceedings before magistrates to a public trial, or both combined, an accused person is placed in a strangely ambiguous position, from which he ought to be rescued, either by a clear recognition of his right to preserve silence without prejudice, or else by an immediate remodeling of the whole English system of criminal jurisprudence." E. L.

Proposed Bureau at Washington for the Study of Criminal and Other Classes.—At the instance of Mr. Arthur MacDonald, Mr. Taggart introduced the following bill in the House of Representatives on January 17, 1914. It was referred to the Committee on the Judiciary and ordered to be printed. The bill is designated as follows: H. R. 11887, 63rd Congress, 2nd Session.—[ED.]

To establish a bureau for the study of the criminal, pauper, and defective classes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be established in the Department of Justice a bureau for the study of abnormal classes. The work therein shall include both laboratory investigations and the collection of sociological and pathological data, especially such as may be found in institutions for the criminal, pauper, and defective classes. Said bureau and work shall be in charge of a director, who shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive a salary of $3,000 per annum. He shall make a report once a year, directed to the Attorney General, which, with the approval of that officer, shall be published. For the aid of the director there shall be one psychologist at $2,000 per annum, one translator at $1,400 per annum, two clerks at $1,200 each, and one stenographer and typewriter at $1,000.

SEC. 2. That the director, if necessary for the proper dischage of his duties, may place himself in communication with state and municipal and other officials of this and other countries.

SEC. 3. That for the proper equipment of and carrying on the work of said bureau, the temporary employment of specialists, and the purchase of instruments of precision, books, and periodicals, and rental of rooms, if necessary, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $5,000, or so much thereof as may be required.

Italy's New Children's Code.—The Royal Commission, appointed by the King of Italy, recently published as a result of its work a draft code for the protection of children. For three years it had inquired into the causes of the increasing juvenile delinquency in the kingdom, and minutely examined foreign legislation and efforts for the repression and prevention of crime. Two well-known women served on the commission, and some of their quite radical suggestions were incorporated into the code. This most comprehensive piece of modern European legislation contains all laws concerning minors under 18. One magistrate in each district enforces it, and for this reason he is invested with an absolute power of control and supervision over every agency dealing with children, from the home and institutions to the workshops and places of amusement. It is an immense step in advance, for at the present, officers of several governmental departments are responsible for the enforcement of laws for the protection of minors; the child-helping institutions and societies are not subject to strict state supervision, and there is an almost absolute lack of cooperation between public officers and private charities, especially those conducted by the Catholic church. The antiquated conception that children and minors, even if able to understand the consequences of their deeds, should, when guilty of a violation of the law, be dealt with in exactly the same way as adults, is naturally abandoned. It is explicitly recognized that the moral and physical development of minors under 18 is not complete, and that organized society must interfere whenever children are exploited or ill treated, when they are in danger of becoming morally infected, or fail to receive proper parental care and supervision, thus causing them to come in conflict with the law.

The judge of the Juvenile Court is the supreme guardian of dependent, neglected and delinquent children, also of those mental and physical defectives. He must pay special attention to people and conditions known or suspected to be responsible for the dependency or delinquency of minors. He is in a better position in his dealings with corrupting agencies than the Chicago Juvenile Court judge, for he hears these cases in his own court and punishes the offenders, while his Chicago colleague must bring such cases before very often unsympathetic judges. The Italian Juvenile Court judge is supposed to do a great deal of constructive work like the above named society. The resources of Italy do, however, not allow the spending of large sums for this purpose, hence the co-operation of private agencies is eagerly sought.

Germany already requires that her judges shall have a knowledge of sociology, her juvenile court judges in addition a knowledge of psychology and pedagogy. Special courses have been held for more than 10 years in different parts of the empire for the instruction of judges and other governmental officers in these matters. The new Italian code stipulates that the King shall appoint as juvenile court judge one of the district judges or prosecuting attorneys who has followed courses in the three sciences. The appointment lasts for four years, but as reappointment is always possible, a judge who adopts a definite policy is reasonably sure that he will be able to pursue it for some time. A court of appeals, whose chairman is a judge of the Appellate Court in Rome, hears cases which have been appealed. One councillor at state, a professor of psychology of the university, the director of the department of labor, and three other members of either sex, selected by the secretaries of public instruction, interior and justice, are members of the court.

This court directs the uniform application of the new code throughout the whole kingdom. Any member has the right to inspect at any time, places where children work, amuse themselves, or are cared for.

Regular police officers, detailed to the court, are responsible for the enforcement of the law in the district. They report directly to the judge on the general social, economic and educational conditions in the district. They have discretionary power for taking necessary steps in urgent cases for the protection of minors who are in moral or physical danger. In cities without a juvenile court, a delegate is appointed by the president of the court of appeals for a period of three years. The district judge submits a list of three persons eligible to the position. They must be Italian citizens, by preference married and members of a school board or a charitable society. The delegate has the right to summon people before him and to investigate conditions; the Juvenile Court judge has the final decision. Men and women probation officers are called inspectors. Italian citizenship is not necessary, but they must have some practical training in social work and know of pedagogy and sociology. Boys under ten and all cases of girls are in the hands of women. Volunteers can be appointed by the judge, to whom they are directly responsible. Special officers investigate general conditions of work, saloons, and places of amusement. To minors who are vagrants and vagabonds these officers pay special attention.

The school board furnishes on request of the judge or the delegate, information regarding minors of school age and their home surroundings, their physical development and their progress in school. The board can take the initiative by reporting cases in which court action seems advisable. A special board in each district assumes the responsibility for the care of mental and physical defectives, in co-operation with the judge. A school physician, superintendents of institutions for defectives and if necessary, medical specialists from the committee.

Charitable agencies dealing with children must be legally incorporated. After they have sent in their by-laws, statutes, balance sheets and given account of their employees, the authorities inspect the premises. On their approval the incorporation takes place. The societies can now ask for a public subvention. They must form provincial federations, whose chairman is the Juvenile Court judge residing in the capital of the province. If a society refuses to join the federation, it is placed under stricter supervision, and is not allowed to ask for public funds. All the provincial organizations form a national society, under the chairmanship of a judge from the Appellate Court in Rome. This society shall try to introduce modern methods into the institutions and to obtain a reasonable standard of efficiency by properly training and watching superintendents and their officers.

The new code abolishes the family council and the interference of officers of different courts in cases of orphans, illegitimate, deserted and abandoned children. The juvenile court judge has the *patria potestas*. He appoints guardians where the parents are either dead or are for different reasons temporarily unable to exercise the parental power. The judge controls the activity of the guardian, and can remove those who are negligent or criminal. A guardian, once removed, can never be appointed to another guardianship. A second guardian watches the doings of the first one and shares in the responsibility. Children in institutions are generally placed under the guardianship of the

superintendent or one of his officers. A jail sentence of over five years, condemnation to hard labor, repeated sentences for drunkenness or immorality, crimes against children cause a suspension of the parental power.

Boys under 12, and girls under 16, who have been deserted by their parents, or are of unknown parentage, illegitimate or physically and mentally defective children of poor parents, are cared for by the public poor relief. The recorder notifies the judge inside of twenty days of the death of a father who leaves children under age behind or of the re-marriage of a widow with children. Whenever a person comes to his office to register the birth of an illegitimate child, he must ascertain whether the child is going to be recognized and will have proper care. He puts down all available information, including the address of the registering person and of the place where the child is cared for at present. An unmarried mother confined in a public lying-in ward, is asked by the director of the institution whether she wants to recognize her motherhood or not. If she declines to do so the public poor relief assumes the responsibility. Any information, given by the mother about her child, is considered confidential, and is not given out except on an order from the Juvenile Court judge. Only on a written permit from the orphan asylum can a dependent child be placed in the care of a third person. The permission is refused where an investigation reveals evil influences in the new home. Everybody must notify the court of a case of child abandonment; until the case can be heard the child is temporarily placed in a home. If an institution discharges a dependent, he must be placed in the care of the Juvenile Court. Where the poor board refuses to assume temporary responsibility, the child is cared for by the officers of the court. The juvenile court judge has a consultative vote at the meetings of the poor board.

Compulsory Education.—School attendance is compulsory until the 12th year. The teacher reports truants to the school inspector or truant officer. After an investigation this officer complains about the parents or guardians to the Juvenile Court judge. The school board is represented at the sessions. The school board can suggest to the supervising authorities that buildings and funds of obsolete and useless institutions shall be used for caring for defective children. Many pious foundations were established during the middle ages and later for diseased and destitute people, who are at present cared for in public institutions.

Child Labor Law.—No child under 10 is allowed to work. Children between 10 and 14 need a Juvenile Court license for peddling goods. Children between 12 and 14 are not allowed to work in factories, commercial establishments, in building trades nor in mines above ground. Children between 12 and 16 are forbidden to work in unhealthy and very fatiguing occupations, and where power engines are used, except on a health certificate of a physician. The latter is always requested of girls under 21, who want to work in such places. Except in the sulphur mines of Sicily, where the age limit is 14, no boy under 16 shall work underground. Boys under 16 and girls under 21 shall not work over 8 hours and in no case at night.

Emigration.—Every Italian who desires to emigrate must ask for a passport. The latter is issued only after the Juvenile Court judge has ascertained whether the man has sufficiently provided for the care of his children under 16.

Alcoholism.—At least once a year a lecture is given in each grade of the elementary and higher schools on the danger of the abuse of liquor.

Enforcement of the Law.—The judge, the delegates, and the probation officers can visit the homes, the working places, schools and places of amusement where children habitually go. The judge can close an institution in which grave irregularities have been discovered, he can forbid minors to visit improper shows, dance halls and other doubtful places. Minors are not tolerated at sessions of the Criminal Court.

Punishments.—The judge can reprimand the child in the presence of his parents, master, teacher or guardian, and place him under a probation officer. If the child continues to disobey the explicit orders of the court, he is summoned again; the judge can have him locked up in his own home or in any other place for a couple of hours or days, he can send him into another family, or to an institution, or fine him. If he is unwilling to pay the fine, he might be forced to work for the state or the community, in extreme cases the fine is changed to a jail sentence. Absolutely hopeless cases are sent to reformatories until the boys are 18, the girls 20 years of age. Boys can choose between reformatory and the naval training school or the army. The consent of the parents of the boys is necessary in this case. A case can be reopened by the judge, and on demand of the legal representative of the minor. After careful investigation and due hearing the judge renders his decision. He does not explain his reasons unless he thinks that the case warrants it. The press is not allowed to publish the proceedings. Persons who fail to appear in court after a proper summons are arrested, taken before the court and punished by the judge. Only on order of the judge are copies of the proceedings issued. Minors over 15, their legal guardians and members of the school board can appeal a decision, charging incompetence or overstepping of legal power. The appeal does not suspend the execution of the sentence. Extremely serious cases can be transferred directly to the Criminal Court.

Parents and guardians who have contributed to the dependency or delinquency of a minor can be placed on six months' probation, or can be sent to the work-house for a period of two months or to prison in more serious cases. They can be temporarily disfranchised. People placed on probation must get work, cannot change their residence without permission, are not allowed to frequent saloons and places of amusement, must behave decently, be home before a certain hour at night and report regularly to the court. The judge may order the imprisonment of guilty people on Sundays and holidays.

A first violation of the compulsory education and child labor regulations is punished by a reprimand or a fine. Repeated offenses, on the other hand, are dealt with quite sternly by heavy fines or imprisonment. Ill treatment and wanton cruelty, by which the health of a child is seriously injured, are punished by imprisonment up to 5 years, and in case the death of the child results from such treatment, up to 12 years may be given. To take minors without a working certificate to a foreign country and compel to work is a criminal offense; also to desert them abroad. A saloonkeeper who serves liquor to children under 12 is fined from $10 to $20. For serving boys under 16, who are under the in-

fluence of liquor, a jail sentence and revocation of the license may be the punishment. Officers of charitable institutions shall not give liquor to the children except on a prescription by a physician. Girls under 16 shall not work in a saloon unless it is owned by their father. For sexual crimes committed on children under 16, no extenuating circumstances shall be conceded, but the sentence may be doubled. Whoever induces a girl under 18 to become a prostitute abroad is punished with one year imprisonment and a fine of from $100 to $200. The sentence is increased if the consent of the girl was got by deceit. While the juvenile court has jurisdiction over minors under 18 and people who violate the regulations of the children's code, it has, unfortunately, no power in cases where adults and minors are implicated. The regular courts try these cases, dispose of the adults, and afterwards turn the minor over to the Juvenile Court. Civil courts handle civil suits against minors. The Juvenile Court judge is his own examining magistrate. He does not await the action of the public prosecuting attorney. The minor is assisted in court by his parents or a member of a charitable society. Arrested minors are never placed in the bull pen or the common jail, but cared for until the case is heard, in a home. A minor who has violated a city ordinance may inform the judge and volunteer to pay the minimum fine provided by law. The school board, the master under whom the child works, and other co-operating agencies are notified of the result of the court action. The probation officer sees the minor frequently, but night calls can only be made with the permission of the judge or the consent of the legal guardian. Third persons interfering with the probation officer can be arrested and punished. Weekly written reports are the rule, in urgent cases an officer reports verbatim to the judge.

The royal commission has conscientiously and judiciously tried to improve the general conditions of minors in Italy. Many might believe that the regulations of child labor and compulsory education are far from satisfactory, which is true, but it would mean an immense progress if the code's regulation were uniformly applied in the peninsula. It would be advisable to raise the age of consent and take up the criminal prosecution of sexual attacks *ex officio* and not only on complaint of the legal guardian. The still deplorable regulations affecting illegitimate children will undoubtedly soon see a change for the better, for Italy will be obliged to follow the French example by admitting prosecution of the father. It might be better for institutions before they discharge a child, to communicate with the juvenile court judge, thus giving him a chance to dispose otherwise of the minor. Much of the Juvenile Court judge's time must necessarily be spent with cases of guardianship. Why not relieve him by following the German method, which was so successfully imitated in Switzerland and France, by appointing an officer of the municipal administration as the general guardian of dependent children. He would in case of necessity have to confer with the judge in the interest of his wards.

Admirable is the concentration in one man's hands of all the power to enforce the law and the guarantee that the law will be uniformly applied in Italy by having the supervision in the hands of the court of appeals. The strict supervision of the institutions will also be of immense benefit.

The discussion of the draft code in the newly elected parliament will be followed everywhere with keen interest. V. v. B.

State Association of Magistrates.—The fifth annual conference of the New York State Association of Magistrates was held this year in Niagara Falls. The meetings began on December 12th and were continued for two days; about 50 judges from all parts of the state were present and very lively discussions upon various phases of the work of the lower courts in this state were carried on.

At the first meeting, following the address of President James K. O'Connor, City Judge of Utica, a paper was presented by Mr. George A. Hall in which he brought out the need of a stricter enforcement of the child labor law by magistrates. He quoted figures to show that there had been too great leniency in this regard by many up-state magistrates.

Mr. Charles L. Chute, Secretary of the State Probation Commission, urged that the time was ripe for more emphasis on the positive side of the child labor problem, urging the need of provision for more industrial education and beneficial handwork through the schools.

The difficult problems of bastardy and illegitimacy, with which magistrates are constantly compelled to deal, were then taken up. Judge William C. Gill, of Elmira, urged that fathers must be held to more responsibility for their offspring; the present practice lets them off far too easily with fine or on their bond. The general opinion of the conference was brought out in discussion and was to the effect that as far as possible marriage be insisted on in such cases. The other side of the question, however, was brought out by the Hon. George A. Lewis, of Buffalo, who pointed out that we must not forget the claims of eugenics and the fitness of a marriage in urging or compelling the same for the otherwise desirable end of the legitimacy of the child.

The opinion was expressed that bastardy and rape cases should be heard in private and that the consent of the newspapers not to publish the details of same should be secured. This is now the practice in Buffalo and in other cities of the state.

At the annual dinner, which was held in the evening, a very fruitful discussion resulted on the subject of needed reforms of criminal law and means for improving the standing and efficiency of magistrates' courts. District Attorney Ackerson, of Niagara County, pointed out that present law and court practice often worked to the injury of defendant and people alike. The greatest evil is delay in trial of cases. Through it defendants are often held in jail for months awaiting convening of the grand jury and witnesses frequently are "lost." This might be obviated by prompt trial in magistrates' courts.

Nearly every magistrate present took part in the discussion of these questions. It was pointed out that trials by justices of the peace in towns and villages are inefficient and obsolete and should be abolished. The establishment of district courts to take over this work, presided over by able justices trained in law, was advocated. Said courts should be both civil and criminal. The most pressing need is that magistrates' courts be given more power. In the words of District Attorney Ackerson, "we should make over the law to give magistrates the great burden of the criminal work of the state." "The grandest work the magistrates are doing is the saving of young criminals by probation." "We must raise the dignity and public esteem of these courts. They should be presided over by trained lawyers, but also those who are close to the people. Magistrates should often appear before the people and should use the news-

papers judiciously in order to keep the public in touch with the important work they are doing."

At the morning session on Saturday, Judge Appell, of Mount Vernon, and Judge Nugent, of Dunkirk, handled the question of junk dealers and pawnbrokers. It was pointed out that these dealers directly promote larceny and create youthful criminals. It was urged that junk dealers receiving stolen property should be severely dealt with, that they should never be let off with a fine but should be imprisoned. It was also urged that the itinerant collector of junk should be abolished.

Judge Robert J. Wilkin, of Brooklyn, presented the report of the committee on "The Acceptance of Pleas of Guilty in Cases of Felony Without Indictment." (See below.) The committee recommended that a constitutional amendment be sought so that any offender who pleads guilty may be tried before the magistrate's court, without recourse to the grand jury, except in cases of murder and possibly a few other serious crimes. It was pointed out that this reform would decrease the expenses of our courts one-half and would prevent long and unjust imprisonments awaiting trial. Judge Chadsey, of Rochester, pointed out that magistrates should be allowed to defer sentence for two or three days to allow for adequate investigation. A committee was appointed to take steps to secure amendments to effect the above purposes at the coming Constitutional Convention.

The convention also adopted resolutions urging that the Hudson Training School for Girls be immediately enlarged and that a new training school for girls be established in Western New York. Another resolution was also adopted by the conference putting it on record in favor of paying the earnings of men committed to jail direct to their families.

The following officers were elected for the ensuing year: President, Hon. Charles H. Piper, Police Justice, Niagara Falls; Vice-President, Hon. George C. Appell, City Judge, Mount Vernon; Secretary, Charles L. Chute, Albany, N. Y.

CHARLES L. CHUTE,
Secretary of the State Probation Commission.

Acceptance of Pleas of Guilty in Cases of Felony Without Indictment.—The following report of a committee of the New York State Association of Magistrates, under the above title, has been received from Judge Wilkins, of Brooklyn. We are indebted to Judge Wilkin also for the additional explanation and comment.—[ED.]

Some two years ago, the Annual Conference of the Magistrates of the State of New York, held at Albany, had their attention called by Mr. George McLaughlin, secretary of the State Commission of Prisons, to a condition which he felt was wrongful to the citizen who might be charged with an offense in some parts of the state of New York, and also might be harmful to any one who might be charged and be detained unnecessarily in the noisome and objectionable jails extant.

A committee, consisting of Hon. J. B. M. Stephens, County Judge of Monroe County, Hon. John J. Brady, Police Justice, of Albany, and myself, as chairman, was appointed to investigate the subject, and we have been studying the matter since that time.

In addition to this subject, the committee was also given two other points

for consideration, and at the time of the conference, in December, 1912, we reported on the two other items and were discharged from their further consideration.

At that time the State Conference of Magistrates became the New York State Association of Magistrates, and our committee was continued. The work of the committee has been extensive, having communicated with many of the judiciary and prosecuting officers in the states and abroad, and it was thought best for us to consult with the lawyers of the state of New York, feeling that they would be the best ones to remedy any existing evil. With that idea in view we sent to the president and members of each bar association in the state a communication, copy of which follows:

Albany, Sept. 16, 1912.

To the President and Members of the Bar Association of ..... County:

Gentlemen—"At the Annual Conference of Magistrates of the State of New York, held at Albany, on the 9th day of December, 1911, Mr. George McLaughlin, secretary of the State Commission of Prisons, called the attention of the meeting to what he stated was the universal practice in this state, when a prisoner is charged with a felony or a serious misdemeanor, he cannot plead guilty until after indictment.

"The case is best presented in his own quoted remarks: 'While this is true, should it be true, isn't it our duty to ask ourselves the question, "Is this a wise provision of law?" When a man is charged with a crime and has had his examination, then if he desires to plead guilty at once, instead of langishing in jail in some counties from six to eight months before the grand jury meets to take up his case and before he can plead, he should be allowed to plead guilty and receive his sentence at once. Why should not the law provide that, at the prisoner's election, he being a man of sufficient maturity to know his own mind and be governed by his own judgment, he should be permitted to plead guilty and receive what penalty the law is ready to inflict on him, rather than keep him housed up in jail, where he is receiving no benefit, and is maintained in idleness at the expense of the taxpayers for months, waiting for his case to come before the grand jury? I think it would be wise to have this law changed, so as to permit the district attorney to bring him at once before the county judge or other tribunal having jurisdiction to sentence him.'

"The matter was fully discussed and a committee of three was appointed to investigate the subject and call it to the attention of the several bar associations of the state with the view to securing, if possible, suitable legislation to remedy such evils as might exist. The committee communicated with justices, magistrates, district attorneys and other officers in the several counties, with the result that it has been found that many cases of the character described occur each year. It appears that in 1911, 6657 convictions were had, and of this number 1193 were after trial, while 5452 pleas of guilty were received. In some of our counties the grand jury meets but twice a year, early in the spring and late in the fall, an interim of sometimes eight months intervening. The prisoner, therefore, who is held to await the action of the grand jury in such a county, if he is willing to plead guilty and cannot get bail, must be held without action for a long period, when, as a matter of fact, his case could be disposed of were he taken before the county court and sentence be imposed at once.

"The hardship is most marked where, on a plea of guilty, it is discovered by the court that a small sentence, or even a suspended sentence, would meet the necessities of the law, and instead of this remedy being applied shortly after the commission of the crime, no action is taken for several months, although the prisoner has been willing and anxious to plead guilty and receive such punishment as the state, in its wisdom, might inflict.

"The committee have carefully examined the statutes and decisions of the state, in the hope of being able to suggest a remedy by legislation, but has been met with the constitutional provision (Sec. 6, Art. 1, N. Y. St. Cons.) that no person shall be held to answer for a capital or otherwise infamous crime unless on presentment or indictment by a grand jury.

"The practical difficulty in reaching a solution is that all crimes of the grade of felony must be prosecuted by indictment, and no indictment can be found except by a grand jury. In some states there are few felonies, even serious crimes being prosecuted on filing of an information, but in this state it is otherwise.

"In accordance with the resolution of the State Conference, may we call your attention to this matter, at the same time soliciting your interest and such suggestions as may present themselves, looking to the solution of this, at times, most serious problem?"

Signed: Robert J. Wilkin, chairman, Justice Court of Special Sessions, Brooklyn. John B. M. Stephens, County Judge of Monroe County. John J. Brady, Police Justice, Albany. Otto Kempner, ex-officio, Chief City Magistrate, New York City, Second Division.

Correspondence in reply to this communication has been active, and at the last meeting of the State Association of Magistrates, on the 13th inst., a report was made by the committee to the association as follows:

REPORT

To the Officers and Members of the State Association of Magistrates:

"Your committee appointed at the Conference of Magistrates which was held on December 9, 1911, and to which were referred several matters looking to the remedy of abuses in relation to the enforcement of the criminal law, and which reported at the last meeting in relation to all of these matters with the exception of that relating to "The Acceptance of Pleas of Guilty Within a Reasonable Time After the Commission of the Offense," respectfully report:

"That your committee reported at the last meeting showing that much study had been given to the subject in an endeavor to devise a plan which would adequately meet the situation, but that no plan had been found that would wholly remove the objectionable features, except some provision similar to that adopted in some of the states of the Union, notably Connecticut, of the trial of offenders against the law without the necessity of an indictment by the grand jury.

"Your committee found that the practical difficulty in securing action by the courts in the sentencing of prisoners charged with the commission of felonies and the higher grades of misdemeanors was that in the farming counties the expense was so great and the attendance of jurors so inconvenient, that the terms of the county courts were many times deferred from six to eight months, and that therefore, the prisoners who desired a disposition made of

their cases could not be indicted and arraigned before a court of record for the acceptance of a plea. In accordance with the recommendation of your committee, as approved at the meeting of last year, notices were sent out to the president of each bar association in the state of New York, calling the attention of the members to the situation and requesting suggestions looking to the amelioration of the conditions. Action has been taken by several of these organizations, and an excellent paper was presented by Hon. W. Barry, District Attorney of Monroe County, at the last meeting of the State Magistrates' Association, in which he recommended that some action might be taken.

"Your committee was in doubt as to what manner it should present to you a report of their deliberations, but finally concluded that a brief statement of the case be made.

"The usefulness of the grand jury in the states of the Union is largely at an end. Many of the states have dispensed with this expensive and not very useful body. While it originated in England and was an excellent instrument to protect the people from the Crown and from prosecution, at the same time, in the sister country of Scotland, the grand jury has been unknown, and still there has probably been no more and no less hardship imposed on the people in one country than in the other by the authorities. When we adopted the common law in this country, we included the grand jury. Many of the states have discarded it. The state of Connecticut retains it only in cases of murder in the first and second degrees, all other crimes, both felonies and misdemeanors, being prosecuted on information of the district attorney. The grand jury examinations, in nearly all cases, are *ex-parte,* and many times indictments are found for other purposes than true justice. In practically every case, a trial before a petit jury must be had to determine the question, or, if not, the case is *nolled* by the district attorney. If the district attorney, therefore, can prevent the prosecution on motion, wherein are the people any stronger with the grand jury than without it, and if one grand jury will not find an indictment, then the district attorney can wait for another more acquiescent body selected at the next term of the court, which will comply with his wishes.

"Your committee, therefore, would recommend that the whole subject be referred to the next Constitutional Convention, as an amendment to Article I, Section 6, will have to be made if a remedy is to be obtained, and that a committee be appointed by this association to call the attention of the several organizations who might be interested in this important subject. We feel that it is possible that an organization of this character might be misunderstood should it plan to accomplish this reform, as might also the State District Attorneys' Association, but that if a general sentiment is organized, we feel that the matter will be fairly considered and a determination reached.

"All of which is respectfully submitted."

Robert J. Wilkin, Chairman; John B. M. Stephens, County Judge, Monroe County; John J. Brady, Police Justice, Albany, N. Y.

You will notice that our committee, while it suggests a method that might be adopted, also emphasizes the point that we are most desirous of having the subject discussed, with the idea that the best remedy may be suggested.

The matter is, therefore, sent to you with a great deal of pleasure, as the more we send abroad, the subject, for discussion, the sooner the best result will be attained.

ROBERT J. WILKIN, Brooklyn.

PENOLOGY.

Disciplinary Barracks versus Prisons for the Confinement and Reformation of Military Offenders.—The following copy of General Order No. 56 from the War Department at Washington has been received from E. H. Crowder, Judge Advocate General. It outlines an experiment in military discipline that has just been initiated by the War Department. [Eds.]

General orders, No. 56. War Department, Washington, September 17, 1913.

1. General prisoners confined at the United States Military Prison at Fort Leavenworth, Kans., under sentence for purely military offenses alone, whose record and conduct are such as to entitle them to the privilege, will be afforded an opportunity to receive a special course in military training during a portion of the time that would otherwise be devoted to hard labor. To that end, the formation of one or more, but until further orders not exceeding four, disciplinary companies at said prison is hereby authorized and directed.

2. Except in particular cases in which the commandant of the prison deems such enrollment unwise, all general prisoners of the first class (paragraph 30, Regulations, United States Military Prison, 1909), confined at the United States Military Prison at Fort Leavenworth, Kans., under sentences for purely military offenses alone, will be enrolled in disciplinary companies, but no such general prisoner shall in any case be excluded from enrollment in a disciplinary company, or from regular participation in the course in military instruction, because his services may be regarded as desirable or necessary elsewhere.

3. Disciplinary companies will be organized as Infantry, and four such companies will constitute a disciplinary battalion.

DETAILS OF ORGANIZATION.

Disciplinary company—*Officers.*—One captain or first lieutenant detailed as company commander, and 1 lieutenant detailed for duty with the company.

Enlisted men.—One sergeant detailed as acting first sergeant, 1 sergeant detailed as acting quartermaster sergeant, 4 sergeants, and 8 corporals.

General prisoners.—Two under instruction as musicians and 56 under instruction as privates.

The number of general prisoners placed under instruction as privates in a disciplinary company may be increased to 84, in which case the number of enlisted men assigned to duty with the company will be increased by 2 corporals and 2 lance corporals.

Disciplinary battalion—one major or captain detailed as battalion commander, one first lieutenant detailed as battalion adjutant, one sergeant detailed as acting battalion sergeant major, four disciplinary companies.

4. The officers required for duty with disciplinary organizations will be detailed in orders from the War Department, and the enlisted men required for duty as non-commissioned officers of such organizations will be assigned thereto by the commandant of the prison from enlisted men assigned to duty at the prison for that purpose.

5. General prisoners enrolled in disciplinary organizations will be placed under military training and instruction during one-half of each working day, but will be required to work during the other half. Exceptions to this requirement may be made by the commandant in cases of individual skilled workmen, and paroled prisoners absolutely necessary in the work of reconstruction and

in the operation of the railway and in other like employment, but this discretion will not be exercised in such a way as to deprive these men of a fair amount of military training and instruction.

6. When under instruction as members of a disciplinary organization, and during periods of leisure, general prisoners will be dressed in such uniform, without facings or ornaments, as may be prescribed by the secretary of war. For this purpose obsolete service uniforms will be utilized. When at work, general prisoners enrolled in disciplinary organizations will be dressed in fatigue clothing.

7. Disciplinary organizations will be armed and equipped as infantry, with such exceptions as to equipment as may be recommended by the commandant of the prison and approved by superior authority. The firing pins of rifles placed in the hands of general prisoners enrolled in disciplinary organizations will be removed, but may be replaced temporarily while the prisoner is engaged in gallery practice under official supervision within the prison enclosure.

8. General prisoners enrolled in disciplinary companies will be designated by name and not by number; will not be required to work in the same party with general prisoners not enrolled in disciplinary companies; will be quartered in a separate section of the prison; will be seated at separate tables in the dining room and in a separate section in the chapel; will be permitted the privilege of rendering the prescribed military salute; and when under arms, at work, or at meals, will be permitted to converse with each other under the restrictions that govern enlisted men while similarly engaged.

9. The course of military training and instruction for general prisoners enrolled in disciplinary organizations will include: physical training; personal hygiene, including care of the uniform; the school of the soldier, squad, company, and battalion; dismounted cavalry and field artillery drill; elementary signaling; care of arms and equipment; aiming and sighting drill; gallery practice, rifle and revolver; saber drill; estimating distances; pitching and striking tents; hasty shelter—use of intrenching tools; knots and lashings; duties of enlisted men in military bridge construction; and lectures on the duties of enlisted men in the service of security and information—outposts, advance, rear and flank guards, and scouting.

10. Under the foregoing regulations one disciplinary company will be organized at Castle William, Fort Jay, N. Y.

11. General prisoners confined at Castle William, Fort Jay, N. Y., under sentence for statutory or common-law crimes or misdemeanors alone or in connection with purely military offenses, are not eligible for membership in the disciplinary company to be organized at that place. They will be kept separate from purely military offenders so far as prison facilities permit, with further segregation of felons from misdemeanants. The harder labor will be devolved upon felons.

12. At the Pacific branch of the United States Military Prison, Alcatraz, Cal., where are confined only those general prisoners who have been convicted of statutory or common law crimes or misdemeanors alone or in connection with purely military offenses, the application of these regulations will be deferred until it is determined by experience whether the system should be extended to misdemeanants undergoing sentence; but at this branch prison felons and misdemeanants will be segregated so far as practicable, and detachments

to Angel Island and other places in the harbor and to nearby posts for hard labor in construction, improvement, and other public work will, so far as practicable, be drawn from the felon class.

13. The method of dealing with prisoners here outlined is an innovation. The system prescribed is to a certain extent tentative and experimental, and will be extended or its operation circumscribed in the future as experience may suggest.

14. The commandant of the United States Military Prison at Fort Leavenworth, Kans., and of its Pacific branch, and the prison officer, Castle William, Fort Jay, N. Y., will report by letter to the judge advocate general of the army, who will have direction and control, under the secretary of war, of these prisons and their administration. Direct correspondence with chiefs of staff corps and departments, as now authorized, will continue.

15. It is the policy of the War Department to separate, so far as practicable, general prisoners convicted of offenses punishable by penitentiary confinement from general prisoners convicted of purely military offenses or of misdemeanors in connection with purely military offenses. In furtherance of this policy reviewing authorities will designate a penitentiary as the place of confinement of general prisoners sentenced to be confined for more than one year upon conviction of offenses punishable by confinement in a penitentiary under some statute of the United States or under some statute or other law in force in the locality in which the offense was committed (see 97th Article of War), except in individual cases in which the proved circumstances show that the holding of the prisoners so convicted in prison associations with misdemeanants and military offenders will not be to the detriment of the latter. For general prisoners to be confined in penitentiaries under the foregoing rule, reviewing authorities in the United States or Hawaii will designate the United States Penitentiary at Leavenworth, Kans., as the place of confinement, except that such prisoners as are residents of Hawaii, Porto Rico, and the canal zone may be confined in local penitentiaries; and reviewing authorities in the Philippine Islands will designate the penitentiary at Bilibid, Manila, P. I., as the place of confinement.

[2079146, A. G. O.]

BY ORDERS OF THE SECRETARY OF WAR:

LEONARD WOOD,
Major General, Chief of Staff.

OFFICIAL:

GEO. ANDREWS,
The Adjutant General.

Restrictions on Prisoners' Mail.—The following data compiled by J. J. Sanders, parole clerk of the Arizona state prison, shows the restrictions placed on mail of the inmates of the various state penal institutions of the United States. It is taken from the report of the superintendent of the Arizona state prison of February 1st, 1913.

Arizona—The inmates of the Arizona state prison are all allowed the privilege of an unlimited daily letter mail. All of the leading magazines and periodicals and several of the leading daily newspapers of the country are subscribed to and paid for by the state. These are turned into the library for the use of all the prisoners.

Alabama—The inmates of the Alabama state prison are allowed the privilege of an unlimited daily letter mail. They are also allowed the daily newspapers and such of the current magazines and periodicals as they may desire.

California—The inmates of the California state prisons at Folsom and San Quentin are allowed to write one letter each per month. In addition, they may write special letters by permission of the warden. They are allowed to receive all letters of proper character sent to them. They are allowed the newspapers and magazines with the exception of those published within the bounds of California.

Colorado—The inmates of the Colorado state prison, while their conduct is good, are allowed to write five letters per month. If any special letters in regard to important matters are necessary, permission to write them may be obtained from the officials. They are allowed to receive all the mail sent to them. They are also allowed the daily newspapers and the current magazines and periodicals.

Connecticut—The inmates of the Connecticut state prison are divided into three grades—according to their general conduct. The men of the first grade are allowed to write one letter each week and receive any reasonable number; the men in the second grade are allowed to write one letter each month and receive any reasonable number; the men in the third grade have no mail privileges. The men in the first and second grades are allowed to receive weekly newspapers and two current magazines. No daily newspapers are allowed.

Georgia—The inmates of the Georgia state prison are divided into three grades. The men in the first and second grades are allowed to write two letters per month and receive all that are sent to them. The men in the third grade are not allowed to write or receive letters. All prisoners are allowed the daily newspapers and the current magazines and periodicals.

Idaho—The inmates of the Idaho state prison are allowed to write four letters per month and receive all letters sent to them. They are not allowed to read the daily newspapers, but are allowed the magazines and periodicals.

Illinois—The inmates of the Illinois state prison are allowed to write one letter every five weeks. They are allowed to receive all the letters sent to them. One daily newspaper is allowed them, also the current magazines and periodicals.

Indiana—The inmates of the Indiana state prison are allowed to write one letter every two weeks. They are allowed to receive all letters sent them, but are not allowed the daily papers. They are allowed to receive weekly newspapers and two magazines per month.

Iowa—The inmates of the Iowa state prison are allowed to write four letters per month and receive all letters sent to them. They are also allowed the daily newspapers and the current magazines and periodicals.

Kansas—The inmates of the Kansas state prison are allowed to write one letter every three weeks. Permission can be obtained to write special letters on important matters. They are allowed to receive all letters sent them and are also allowed the daily newspapers and current magazines and periodicals.

Kentucky—The inmates of the Kentucky state prison are divided into three grades, according to their conduct. The men in the first grade are allowed to write four letters per month; the men in the second grade may write one letter per month, and the men in the third grade are not allowed to write any letters. The inmates are allowed to receive all letters sent them. They are

not allowed the daily papers, but are allowed the weekly papers and magazines.

Maine—The inmates of the Maine state prison are allowed to write four letters per month and receive all letters sent to them. They are not allowed the daily newspapers, but are allowed the weekly newspapers and current magazines.

Maryland—The inmates of the Maryland state prison are allowed to write one letter per month and receive all letters sent to them. They are not allowed to read the daily newspapers, but are allowed the current magazines and periodicals.

Massachusetts—The inmates of the Massachusetts state prison are allowed to write one letter every three weeks and receive all the letters sent to them. They are not allowed to read the daily newspapers, but have the privilege of the weekly papers and current magazines.

Michigan—The inmates of the Michigan state prison are allowed to write three letters per month and receive all letters sent to them. They are also allowed the daily newspapers and the current magazines and periodicals.

Minnesota—The inmates of the Minnesota state prison are allowed to receive all the letters sent them. The first grade men are allowed to write four letters per month; the second grade may write two per month, but the third grade men have no mail privileges. The men are not allowed the daily papers, but are allowed the weekly papers and current magazines.

Mississippi—The inmates of the Mississippi state prison are allowed an unlimited daily letter mail. They are also allowed to have daily papers and all such magazines and periodicals as they may desire.

Missouri—The inmates of the Missouri state prison are allowed to write four letters per month and receive all letters sent them. They are allowed the daily newspapers and current magazines and periodicals.

Montana—The inmates of the Montana state prison are allowed to write one letter each week and receive all letters sent to them. They also have the privilege of the daily newspapers and the current magazines and periodicals.

New Hampshire—The inmates of the New Hampshire state prison are allowed to receive all letters sent to them. The first grade men are allowed to write two letters per month; the second grade one letter per month, and the third grade men none. They are not allowed any newspapers, but are allowed the current magazines.

New Mexico—The inmates of the New Mexico state prison are allowed to write five letters per month, and all letters received for them are delivered daily. They are also allowed the daily newspapers and the current magazines and periodicals.

New York—The inmates of the New York state prisons at Auburn and Clinton are allowed to write one letter per month and receive all letters sent to them. They are allowed the weekly papers and current magazines but no daily newspapers. The inmates of the state prison at Comstock are allowed to write two letters per month and receive all letters sent them. They are also allowed to receive the daily papers and the current magazines. At Sing Sing Prison the privileges are the same as Auburn and Clinton. At Elmira the men are allowed to receive all letters. The first grade men may write one letter per month; the second grade men one letter every two months, and the third grade men are allowed to write no letters. The Elmira inmates are not allowed the

daily newspapers, but the current magazines may be had from the prison reading room.

New Jersey—The inmates of the New Jersey state prison are allowed to write one letter each month. They are allowed to receive one letter each week. Are not allowed the daily newspapers, but are allowed the magazines and periodicals and one weekly newspaper.

North Carolina—The inmates of the North Carolina state prison are allowed to write ten letters per month and receive all letters sent to them. They are also allowed the daily newspapers and the current magazines and periodicals.

North Dakota—The inmates of the North Dakota state prison are allowed to write four letters per month and receive all letters sent to them. They are also allowed the daily newspapers and the current magazines and periodicals.

Ohio—The inmates of the Ohio state prison are divided into four grades. The men in the first and second grades are allowed to write three letters per month and receive all letters sent to them. They are also allowed the daily newspapers and the current magazines and periodicals. The men in the third and fourth grades are not allowed to write or receive any letters, neither are they allowed any papers or magazines of any kind.

Oklahoma—The inmates of the Oklahoma state prison are allowed to write one letter every three weeks and are allowed to receive all letters sent to them. They are also allowed the daily newspapers and the current magazines and periodicals.

Oregon—The married inmates of the Oregon state prison are allowed to write four letters per month and the single men only one letter per month. All the inmates are allowed all letters sent to them. All are allowed the current magazines and the daily newspapers.

Pennsylvania—The inmates of the Pennsylvania state prison are allowed to write one letter per month. They are also allowed to receive all letters which may be sent to them. They are not allowed the daily newspapers, but are permitted to read the current magazines and periodicals.

Rhode Island—The inmates of the Rhode Island state prison are allowed to write and receive as many letters as they may desire. They are also allowed the daily newspapers and the current magazines and periodicals.

South Carolina—The inmates of the South Carolina state prison are allowed to receive only one letter per month and write only one letter per month. They are not allowed any newspapers of any description, but are allowed to receive the current magazines.

Florida—The inmates of the Florida state prison are allowed to write and receive such letters as they may desire, so long as the letters contain nothing which the officials do not think is all right. They are also allowed the daily newspapers and the current magazines and periodicals.

Nevada—The inmates of the Nevada state prison are allowed an unlimited daily mail, both incoming and outgoing. They are also allowed the daily newspapers and the current magazines and periodicals, so long as their conduct is good.

South Dakota—The inmates of the South Dakota state prison are divided into three grades. The first and second grade men are allowed to write two letters per month and receive all letters sent them. They are also allowed the

current magazines and the daily papers after they have been censored by the officials. The third grade men have no mail privileges.

Texas—The inmates of the Texas state prison at Huntsville are allowed to write two letters per month and receive all that are sent them. They are also allowed the daily newspapers and the current magazines. The inmates of the state prison at Rusk are allowed practically the same mail privileges, although the warden there states that he allows his men to write special letters upon request.

Utah—The first grade inmates of the Utah state prison are allowed to write four letters per month and the second grade men are allowed to write one letter per month. All are allowed to receive all letters sent to them. Both grades are allowed the daily newspapers and the current magazines and periodicals.

Vermont—The inmates of the Vermont state prison are allowed to write one letter each per week and are allowed to receive all letters sent to them. They are also allowed the daily newspapers and the current magazines and periodicals.

Virginia—The inmates of the Virginia state prison are allowed to write one letter every two months and are allowed to receive all letters sent them by their friends and relatives. They are not allowed to read newspapers of any description, but are allowed to read the current magazines and periodicals.

Washington—The inmates of the Washington state prison are allowed to write one letter every month, and all mail received for them is delivered. They are also allowed the daily newspapers and the current magazines and periodicals.

West Virginia—The inmates of the West Virginia state prison are divided into two grades. The first grade men are allowed to write two letters per month and the second grade men are allowed to write one letter per month. All inmates are allowed to receive all letters sent to them. All are allowed the daily newspapers and the current magazines and periodicals.

Wyoming—The inmates of the Wyoming state prison are allowed to write three letters per month and receive all letters that are written to them. They are not allowed the daily or weekly newspapers, but are allowed the current magazines and periodicals.

Wisconsin—The inmates of the Wisconsin state prison are allowed to receive all letters written them by their friends and relatives. They are allowed to write two regular letters each month and as many extras as the deputy warden deems necessary. They are allowed the current magazines and religious and weekly papers, but no daily papers.

There may be a grain of sense in sharp mail restrictions, but where is it?

R. H. G.

PROBATION AND PAROLE.

The Indeterminate Sentence and Parole Law in Indiana.—For the crimes of treason and of murder in the first degree, the sentence in this state is either death or life imprisonment. For persons convicted of felony for the third time (habitual criminals) and those found guilty of murder in the second degree or of rape upon a child under ten years of age, the punishment is life imprisonment. All other persons convicted of felony are subject to the pro-

visions of the indeterminate sentence and parole law of 1897 and its amendments. This law applies to men over 16 years of age and women over 17. While it is called "indeterminate," it is in reality limited by the minimum and maximum terms prescribed by statute for specified crimes.

The law is in force in the State Prison at Michigan City, the Reformatory at Jeffersonville and the Woman's Prison at Indianapolis. In the Woman's Prison the parole board includes the superintendent and the physician in addition to the board of trustees; in the State Prison and Reformatory it is made up of the members of the board of trustees only. The parole boards are "prohibited from entertaining any other form of application or petition for the release upon parole or absolute discharge of any prisoner" than the application of the prisoner himself. They may parole prisoners who have served their minimum term and are believed capable of becoming law-abiding citizens. In granting paroles, the boards take into consideration not only the applicant's record as a prisoner, but his ability to maintain himself if free and the sentiment of the community from which he came. The boards are allowed a wide latitude in granting paroles and in withdrawing paroled prisoners from liberty. All their acts are guided by what they believe to be the best welfare both of the prisoner and of society.

Ordinarily paroled prisoners remain under supervision for at least one year. This is an adopted rule and not a requirement of law. They are visited frequently by the parole agents and are required to report regularly. No one is permitted to leave the institution until a place of employment has been found for him.

Sixteen years' experience shows that out of every one hundred prisoners paroled, 57 fulfll their obligations and are discharged from supervision, 26 violate their parole, 2 die, the sentence of 6 expires during the parole and they are automatically discharged; the remaining 9 are under supervision at a given time, reporting regularly.

The percentage of parole violators varies but little in the three institutions: 765 out of 2,916, or 26.2 per cent, at the State Prison; 1,198 out of 4,670, or 25.6 per cent at the Reformatory; 61 out of 213, or 28.6 per cent at the Woman's Prison.

The financial report of the paroled prisoners makes an interesting showing. Their earnings during the time they reported, up to September 30, 1913, amounted to $2,142,253.31; expenses, $1,774,672.42; savings, $367,580.89. In other words, these men and women instead of costing the state an average of $172.00 a year each (the average per capita cost of maintenance in the two state prisons and the reformatory for the year 1913), have been released under superivison and have earned their own living and at the time they ceased reporting had on hand or due them savings averaging nearly $50.00 each. This is not regarded as the most important result of the system, but it certainly is a highly valuable feature.

Taking up the institutions separately, the records show that the State Prison has paroled 2,916 men since the law went into effect, of whom 1,688 have been discharged, the sentence of 134 expired during the parole period, 515 violated their parole and were returned to prison, 250 parole violators are at large, 51 died and 278 are reporting. Their financial reports indicate earnings amounting to $823,136.69; expenses, $629,800.69; savings, $193,336.00.

The Reformatory reports 4,670 men paroled, of whom 2,666 have been discharged, the sentence of 295 expired during the parole period, 609 violated their parole and were returned to prison, 589 parole violators are at large, 78 died and 433 are reporting. Their financial reports indicate earnings amounting to $1,315,642.76; expenses, $1,143,075.54; savings, $172,564.22.

The Woman's Prison reports 213 women paroled, of whom 105 have been discharged, the sentence of 23 expired during the parole period, 35 violated their parole and were returned to prison, 26 parole violators are at large, 7 died and 17 are reporting. Their financial reports indicate earnings amounting to $3,473.86; expenses, $1,793.19; savings, $1,680.67.

AMOS W. BUTLER,
Secretary State Board of Charities, Indianapolis.

Antonelli on the Indeterminate Sentence.—"Le garenzia del Diritti individuali e di famiglia a tempo indeterminato," a subject chosen by Ferri for the "Scuola d'applicazione guiridico-criminali" of Rome, on the indeterminate sentence, is applied to an article by Rodolfo Antonelli, of that school, in the July-August number of *Il Progresso del Diritto Criminale*. As might be expected from the school of the author, and the name of the chooser of the subject, the article is marked by most positivistic tendencies. The *Scuola positiva* and *Sociologia criminali* are the most often cited authorities. The essay takes up the question of the indeterminate sentence from a positivistic standpoint, and finds it in every way to be recommended. He lauds it in its individual, family and social phases, and states that it best fulfills the curative function of punishment from the juridical, moral and economic standpoints. Under the two later phases, the author deals with prison-farms and prison labor, both of which he believes to be necessary reforms. He further believes in an absolutely indeterminate sentence, that is, in the abolition of the minimum and maximum.

Without a translation, it would be impossible to take up his reasons and the details of his plan. His last section, however, in the short span of a review, may well be given in full:

"Substitute for the vagueness of moral responsibility the natural responsibility of the physico-psychic constitution of the delinquent; for the concept of punishment that of cure.

"Enlarge the scope of social responsibility for prevention, cure and possible extirpation of the disease of crime by the system of indeterminate sentence.

"Give the prisoner in place of useless days spent in solitary confinement with its hypothetical cure through introspection, the open air, sun and toil.

"Apply to those whom the ancient Romans called "furiosi," segregational and curative methods.

"Give the family more direct means of communication with the prisoner by means of frequent letters less censored by the prison authorities—letters of the greatest importance for psychology, which are of great weight in avoiding the pests of prison life, prostitution and adultery.

"Give the prison authorities a right to act as a pardon board.

"Make every prisoner work according to his age and physical power.

"Have medical specialists.

"Let the prisoner's work support him and his family, and repair the damage of his crime.

"Make provision for the ex-convict.

"Such means will afford sufficient protection for the individual, his family and society under a system of absolutely indeterminate sentence—at least, in the present economic condition of society."

J. L.

Prison Baseball at the Massachusetts Reformatory.—Prison baseball has been in vogue in Massachusetts prisons for more than a generation. It is encouraging to see those upon whom the law has placed its seal of degradation enjoy themselves in the pursuit of our national pastime. Here we have no umpire baiting. We have an ideal baseball game without any unnecessary kicking and fighting. The umpire is a prisoner, and so are the scorers and all the players. And playing is really first class, when we consider the lack of practice due to confinement. The base running is somewhat below the average of a good team in the outside world. The battery work I consider good; the outfielding is all that can be desired and the only radical defect in the playing is a little weak infield playing. The scoring of the games would do credit to Foster, O. P. Gaylor and other great baseball scribes to whom our national game is a scientific study. The applause is hearty from the prison audience. Credit for good playing is freely given along with criticism for "bonehead" plays. The players enter heartily into the spirit of the game and in this manner the game is a great help to enforce prison discipline. The ball playing is better in reformatories than in state penitentiaries, because in the reformatories youthful offenders are confined. The inmates there average in age from 15 to 35 years, whereas in the state prisons the inmates are of more mature years, and consequently much slower in an athletic way, and the ball played by old offenders is neither as fast nor as good as that delivered by the youthful inmate. JOSEPH MATTHEW SULLIVAN, Boston, Mass.

STATISTICS.

Lynchings During 1913.—"In the year that has just passed fifty-one persons, all colored save one, were put to death by mobs. The number of persons lynched in 1913 was thirteen less than the number, sixty-four, for the year 1912. In fact, this is the smallest number of lynchings for any one year since a record of lynchings has been kept. This is gratifying and indicates the possibility of a time when, throughout the length and breadth of this land of ours, no individual will be put to death without due process of law. If all the people, white and black, will work together in a courageous manner I feel quite sure that this time can soon be brought to pass.

"In spite of the small number of lynchings for the year I feel that in several instances innocent persons were put to death. At Greenville, Ga., a black man was lynched for murder. A few days later another person confessed to the crime. Two apparently innocent colored persons were put to death at Germantown, Ky. The *Memphis Commercial Appeal,* in commenting on this lynching, said: "These negroes had furnished no possible motive for the deed."

"At Houston, Miss., a colored man accused of murder was lynched. It was later discovered that the wrong man had been put to death. At Spartanburg, S. C., through the bravery of the sheriff, a mob was prevented from lynching a

colored man accused of rape. Some time later a white jury found him not guilty of the crime.

"I find another striking fact about the lynchings for the last year, namely, that twenty-one of the persons put to death were only charged with some crime, that is to say, about half of the persons lynched in 1913 were only supposed to have committed some crime.

"The number of those who were put to death for particular crimes were as follows: Murder, 10; rape, 5; attempted rape, 5; accused of killing officers of the law, 4; cause unknown, 4; shooting an officer, 3; murderous assault, 3; accused of murder, 3; attacking white persons, 3; killing white persons in disputes over trades, 2; frightening women and children, 2; attempted murder, 2.

"One person was put to death for each of the following offenses: For being accused of horse stealing, disorderliness, general lawlessness, supposed burglary, insulting remarks. As I have at other times said lynchings have largely ceased to be the result of the usual crime. Of fifty-one persons put to death this year, only ten, or a little less than 20 per cent. were guilty or accused of rape. I find that lynchings occurred during the year in fifteen states. These states and the number of lynchings in each are: Alabama, 3; Arkansas, 1; Georgia, 10; Florida, 4; Kentucky, 3; Louisiana, 5; Mississippi, 9; Missouri, 1; Montana, 1; North Carolina, 1; Oklahoma, 4; South Carolina, 2; Tennessee, 1; Texas, 5; North Dakota, 1.

The record of lynchings for the year in detail is as follows:

JANUARY.

17—Henry Mouseon, colored; murder; Paris, Texas.

FEBRUARY.

7—Andrew Williams, colored, accused of murder; Houston, Miss.

8—David Rucker, colored, Houston, Miss. The mob discovered that it had lynched Williams by mistake.

—George McDonald, colored; disorderly; Barney, Ga.

15—Charles Tyson, colored preacher; cause unknown; near Shreveport, La.

22—Willis Webb, colored; killed two colored women; lynched by mob of his own race; Drew, Miss.

23—A 17-year-old negro boy; assault and battery on a young white man; Manning, S. C.

25— —— Washington, colored; cause unknown; Elysian Fields, Texas.

25—George Redden, colored; accused of horse stealing; near Karnack, Texas.

25—Jim Greene, colored; was whipped by his landlord, Samuel Spicer. Greene, out of revenge, later fatally shot Mrs. Spicer; Andalusia, Ala.

28—Two unknown negro tramps charged with killing a policeman; Cornelia, Ga.

MARCH.

21—John Gretson, colored; accused of murder; Union, Tenn.

26—Henry Brown, colored; in jail for attempted murder of his family, seriously wounded the sheriff with a club when he entered the cell to lock Brown up for the night; West Point, Miss.

APRIL.

7—J. C. Collins, colored, for shooting officers who were attempting to arrest him; Monidak, Mont.

MAY.

5—John Henry Moore, colored, for firing pistol and creating a disturbance; Appling, Ga.
12—Sam Owensby, colored, for killing a white man in a dispute over the trade of a cow; Franklin, Ga.
—Unknown, colored, attempted murder; Issaquena, Miss.
—Unknown, colored, murderous assault; Springfield, Miss.
—Unknown, colored, murderous assault; Hickory, Miss.

JUNE.

4—Richard Galloway, colored, accused with two others of attacking a party of white men; Newton, Texas.
13—Dennis Simmons, colored, accused of rape and murder; Anadarko, Okla.
19—William Norman, colored, rape and murder; Hot Springs, Ark.
21—William Redding, colored, for shooting an officer; Americus, Ga.

JULY.

6—Roscoe Smith, colored, for the murder of a sheriff; Yellow River, Fla.
7—Unknown, colored, rape; Milton, Fla.
10—Kid Tempers, colored, for being lawless and assisting a criminal to escape; Blountsville, Fla.
23—Sam White, colored, accused of attempted rape; Haines City, Fla.
27—John Shake, colored, supposed to be a burglar, who, while attempting to rob a store, shot the proprietor; Dunbar, Ga.
27—Two negroes, near Germantown, Ky.; no motive assigned for the deed.

AUGUST.

11—Richard Puckett, colored, charged with attempted rape; Laurens, S. C.
14—Sanders Franklin, colored, for shooting a white man to death in a dispute over the price of a watermelon; Ardmore, Okla.
14—Henry Ralston, colored, for killing a white boy whom he found in his melon patch; Ardmore, Okla.
14—George Winkfield, colored, accused of rape and murder; Lexington, Mo.
15—Robert Lovet, colored, for killing two white men; Morgan, Ga.
23—Wilson Gardner, colored, half-witted, for frightening women and children near Birmingham, Ala.
25—Joe McNeeley, colored, shooting an officer; Charlotte, N. C.
25—Virgil Swanson, colored, accused of murder; Greenville, Ga. A few days later another negro was arrested and confessed the crime.
27—James Comeaux, colored, for attacking an Italian merchant who had accidentally swept dirt on his (Comeaux's) shoes as he was passing the store; Jennings, La.

SEPTEMBER.

20—Henry Crosby, colored, for frightening a white woman in her home by his strange actions; Lewisville, Miss.
21—Will Davis, colored, for killing two white men and wounding a third near Franklin, Texas.
25—Walter Brownlee, colored, accused of attempted rape; Marks, Miss. Opinion at the time was divided as to the guilt or innocence of the accused one. At a mass meeting held at Marks later in the day resolutions were adopted condemning the lynching.
26—Joe Richardson, colored, accused of rape; Litchfield, Ky.

OCTOBER.

22—Warren Eaton, colored, for making insulting remarks to a white woman; Monroe, La.

NOVEMBER.

4—John Cudjo, colored, accused of killing a deputy sheriff; Wewoka, Okla.
21—General Boyd, colored, accused of attempted rape; Walton, Ga.

DECEMBER.

5—Unknown, colored, accused of attempted rape; Halesburg, Ala.
16—Ernest and Frank Williams, colored, confessed murder; at Blanchard, La.
16—Cleve Culbertson, white, convicted of murder; at Williston, N. D.

BOOKER T. WASHINGTON, in Chicago *Record-Herald,* Dec. 31, 1913.