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NOTES AND ABSTRACTS

ANTHROPOLOGY—PSYCHOLOGY—LEGAL-MEDICINE.

Obligation of the Schools for the Training of Feeble-Minded Children.

—[The following is abstracted from the latest report of the Superintendent of schools to the Board of Education of St. Louis. It is a portion of Dr. J. E. W. Wallin's report to the Board on the aims and operation of the Psycho-Educational Clinic.—Ed.]

While we may say that the prevention and the elimination of the feeble-minded are the fundamental obligation of society with respect to this class of social incompetents, it is recognized that society cannot, from the standpoint of its own well-being, evade the necessity of caring for, supervising and protecting the feeble-minded already born into the state. The question as to whether or not feeble-minded children should be educated, in addition to being cared for, may be said to have been settled in the early part of the last century when it was demonstrated by Itard, Seguin, Guggenbuehl, Saegert and their followers that the feeble-minded could be improved and rendered more or less self-supporting and law-abiding by systematic training. The obligation of providing a practical type of training for feeble-minded children, so that they can be made to contribute their little mite to the world's work, has now been assumed by all of the leading civilized nations of the earth. The only question now at issue is whether this work should be assumed by residential schools under state, county or municipal control or by public school day classes. Practically this question has largely solved itself, for since society has agreed that these children must be educated, there is no option but to train them in the public day classes, because the provision afforded by the residential institutions are entirely inadequate, and are likely to remain so for some time to come. Moreover, it is more economical to train these pupils in the public day classes than in the residential schools where they would have to be housed and fed at public expense. It is recognized, however, that some defectives ought to be trained in institutions, either because they are so low grade that they cannot betake themselves to the day classes, or because they are not properly environed at home, while others should be permanently colonized at the pubertal period for remunerative service, because they cannot be guaranteed adequate protective oversight in the home and threaten to become a social menace.

It is now generally recognized, however, that feeble-minded pupils should not be educated in the regular grades of the public schools but in separate schools or classes, both because they injuriously affect, and seriously obstruct the progress of, the normal pupils, and because they receive little benefit from the instruction afforded in the regular grades. In consequence of this fact, the following recommendations are offered:

Special Schools. 1. It is recommended that the special classes or special schools, as here defined, should be designed exclusively for feeble-minded pupils. By a feeble-minded child is meant one who suffers from a serious and permanent condition of arrested brain development dating from birth or from early life, by reason of which even the highest grades of children thus affected are rarely able to do school work beyond the third grade

and rarely reach a mentality of ten years, and by reason of which children so affected will find it difficult to acquire sufficient competency to perform their social and industrial obligations in society without proper supervision. By means of suitable mental tests and scales of mental development and a consideration of the physical, developmental, hereditary, pedagogical and social factors it is possible to diagnose feeble-minded children with considerable accuracy, to differentiate various degrees of feeble-mindedness and to differentiate between feeble-minded and backward children. Children who are on the border line between feeble-mindedness and pronounced backwardness and mentally backward children should be assigned to special schools only when special circumstances render this necessary.

2. Negatively, the special classes are not intended to be clearing houses for all kinds of pedagogical misfits. Specifically, the following types of misfit pupils are not eligible for a special class, unless they are so deficient in mental capacity as to be feeble-minded or almost feeble-minded: first, pedagogically retarded or over-age pupils; second, blind or semi-blind, and deaf or semi-deaf pupils; third, speech defectives; fourth, disciplinary, morally unstable or truant cases; and fifth, foreign children unfamiliar with English.

3. While it is desirable to segregate feeble-minded pupils for special treatment at the very beginning of their school careers, provided they have been positively diagnosed as feeble-minded, it is recognized that this involves serious difficulties of an administrative and pedagogical nature. It is, therefore, recommended that the minimal entrance requirement to a special school should be a mentality of six years, or a mental status corresponding to that of the high-grade imbecile, except that doubtful or border line cases (i. e., those almost reaching a mentality of six years) may be admitted upon probation for a period not to exceed 4 weeks.

4. The aim of the training provided in the special class is not merely to afford increased opportunities for individual assistance or instruction, but to provide such differentiated types of work as will meet the peculiar mental, pedagogical, moral, social, industrial, and physical needs of feeble-minded children, and which will maximally stimulate and develop those powers, aptitudes, and interests which they possess. The special class is not instituted for coaching in the literary branches, but for the purpose of providing a program of work so individualized as to meet the developing needs of each child. While it is possible to classify feeble-minded children according to their mentality and thus successfully to offer group instruction in various branches, it is recognized that the need for differentiation both in the methods and in the contents of instruction is greater for subnormal than for normal pupils. For this reason special class teachers and supervisors require special training not merely in the details of the recognized methods of the corrective or remedial pedagogy of the subnormal but also in the wider theoretical foundations of educational psychology of subnormality, so that they may be able independently to psychologize each child and thereby continuously to modify and adapt the training to meet the changing requirements of the individual. In order to obtain teachers and supervisors who are properly qualified to carry on the work of instruction according to these ideals, it is necessary to offer higher salaries for special class work than for regular grade work, so that teachers may be induced properly to prepare themselves for this highly specialized form of service.

5. Special classes are not restoration classes. It is not the aim of special class work to restore feeble-minded children to normality or to a place in the regular grades. It is found in practice that, even with our best efforts, this restoration aim cannot be realized except in a small proportion of cases grading above the feeble-minded status. Our aim therefore, is to supply the feeble-minded continuously with a special program of work in special classes. It sometimes happens, however, that backward children are assigned to special schools. Such pupils should be restored as soon as possible to either the graded or the ungraded classes or they should be transferred to an elementary industrial school.

6. The guiding principle in the organization of the course of study for feeble-minded children should be the practical utility of the subject-matter offered. Because of the fact that the training of the feeble-minded requires a heavy financial outlay by the schools, and because of the fact that the care, control, and support of the feeble-minded imposes a heavy burden upon society, it is desirable that we should concentrate our time and effort upon lines of work which will maximally increase their productive efficiency, and which will render them as happy as possible in their restricted world of opportunity.

7. It has been found in practice that these aims are best realized by providing a preponderance of sensory, motor, physical, manual, vocational, and musical training and a minimum of literary work of a distinctly elementary, concrete and practical nature.

8. It is recommended that the relative amount of time devoted to the various activities in the special classes be apportioned as follows: academic, 35 per cent; manual, 33 per cent; physical training, ten per cent; sensory training, 4 per cent; opening exercises, 9 per cent; and recess, 9 per cent. The committee feels, however, that these divisions should represent a general tendency, rather than an inflexible norm to be applied indiscriminately to all children in the Special Schools. Some children should be given still more manual work, because they acquire few useful literary skills, while others may be given more literary work if they have the capacity to profit enough from it to justify the added expenditure of time and effort.

9. It is recommended that, in order to reduce as far as possible the expenses of special classes to the community, and in order to provide opportunities for the children in these classes to acquire the habit of doing things which have a direct utilitarian value both to themselves and to society, a part of the craft work offered should consist in making articles or supplies which are of use to the pupils themselves, or to the schools; or which can be sold, the proceeds to revert to the special schools for the purchase of materials or for the use of excursions. To illustrate: the girls could prepare and serve daily lunches to be offered at cost to the pupils who wished them, or they could prepare hot lunches for themselves from their own supplies; they could repair and make some of their wearing apparel; make bandages, towels, etc., for the school; wash the school dishes, towels, etc. The boys could manufacture some of the didactic materials needed in the kindergarten, sensorimotor and industrial forms of work, and they could make some of the regular supplies and furnishings needed in any of the buildings.

10. There should be established a vocational or trade class or school equipped to provide economically useful forms of industrial training for special class boys and girls when they reach the age of from 12 to 14.

11. The following report of the action of the sub-committee on the feeble-minded, backward and retarded is approved: "The committee through the co-operation of 10 sub-committees is engaged in the preparation of a course of study for the special schools, which will include an outline of the different lines of work to be attempted in the special schools, a statement of the supplies, materials and tools needed in connection with each line of work, and a statement of the methods or processes to be followed. It is hoped that a rough draft of this syllabus can be furnished by the end of the present school year, and that the work will be completed in the course of the next school year."

12. Owing to the inadequate care and supervision afforded many feeble-minded children in the homes and the physical and moral dangers to which they are exposed on the streets and alleys, where many of them spend late afternoons, it would be well if feeble-minded children could be retained on the school premises, until 5 p. m., either for relaxation, recreation or light occupational employments. In such an event it would be well to close the regular program of studies somewhat earlier, for the reason that these children do not reap much benefit from prolonged application to work requiring concentrated attention, in fact such work frequently does them harm. It would also be necessary to employ an assistant to supervise the activities of the children after the close of the regular session.

13. Provision should be made for the after-care or after-guidance of the pupils who are not properly environed, and who must go to work when they leave the special classes. Such provision is needed both for the purpose of saving as many children as possible from failure, and for the purpose of gathering reliable data bearing on the success of our school efforts, at great expense, to train these children and bearing on their ability to take their places in society.

Among the specific functions of such a department would be the following: (1) To make a vocational survey of positions available in the community for mentally deficient children (positions which come within their limited range of capacity, and in which the surrounding social conditions are such as not to impose too great strain on their weak moral natures). The schools need to know the kinds of work in which these children can make good, so that they may more efficiently train them for remunerative work. (2) To aid the children to obtain situations suited to their limitations and to keep them employed in such situations. (3) To explain the children's limitations to employers, so that they may take more personal interest in their welfare and extend them greater sympathy. (4) To protect the children from moral and economic exploitation, and safe-guard them from criminalistic careers when the parents fail adequately so to do. (5) To advise parents concerning measures necessary to be taken for the child's future social and economic welfare (frequently the need of colonization). And (6) to gather reliable data on the after-careers of the children who leave our special classes, so that in the future the schools and other social agencies may more intelligently deal with the numerous perplexing problems which confront society because of the fact that many of its members must always remain children in mind though having the bodies, instincts, and passions of adults.

Adequately to perform this service would require the appointment of one

or more social or industrial advisers, preferably working in conjunction with the psycho-educational clinic and the attendance department. [If the schools are not ready to inaugurate this work, even as a temporary measure, it is suggested that it would be well to invite the cooperative aid of public welfare organizations in this undertaking.]

14. In order to provide for the institutional needs of the feeble-minded of St. Louis there should be established near St. Louis a residential institution of the colony type either under state or municipal control or under the control of the public schools.

15. Efforts should be made to secure the enactment of mandatory laws which will make it possible to commit to institutions those children who have been definitely diagnosed as feeble-minded who do not receive adequate protection and oversight in the home when the parents refuse to commit them voluntarily. The public schools should be held responsible for the diagnosis of the cases and the Juvenile Court for the commitment.

COURTS—LAWS.

Draft of Sterilization Law for Illinois.—AN ACT to prevent the procreation of feeble-minded, insane, epileptic, inebriate, criminalistic and other degenerate persons by authorizing and providing by due process of law for the sterilization of persons with inferior hereditary potentialities, maintained wholly or in part by public expense.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* There is hereby established for the State of Illinois a Eugenics Commission, whose duties are hereinafter defined, and which shall be composed of three persons possessing respectively expert knowledge in biology, pathology, and psychology.

SEC. 2. Immediately after the passage of this act the governor shall appoint the members of the Eugenics Commission, one of whom he shall designate as chairman. Any determination or order concurred in by two members of the commission shall be deemed an order of the commission. The members of the commission shall hold office at the pleasure of the governor, and vacancies in the commission shall be filled by him as they occur. Immediately after their appointment the commission shall assemble, shall organize their body and shall proceed to carry out the provisions of this act. The members of the Eugenics Commission shall be required to devote their entire time and attention to their duties as herein contemplated, and for their services shall be compensated from state funds not otherwise appropriated; and for the performance of their duties as herein contemplated, the aforesaid commission shall be directly responsible to the governor.

SEC. 3. It shall be the duty of the Eugenics Commission to examine into the innate traits, the mental and physical conditions, the personal records, and the family traits and histories of all prisoners, inmates, and patients of all the county and state institutions for the insane, feeble-minded, the epileptic, the inebriate, the criminalistic and pauper classes, and of all individuals of such classes in private institutions supported in whole or in part by state funds, excepting always permanent custodial cases, excepting also any persons in any county jail pending trial or serving a sentence of less than ninety-one days, with the view of determining whether in each particular case the individual is

a person potential to producing offspring who, because of the inheritance of inferior or anti-social traits, would probably become a social menace, or a ward of the state. If after such investigation the commission is of the opinion that a given inmate is a person potential to producing such offspring, it shall be the duty of the commission to make its findings of such persons and record the same in a book to be kept by such commission together with a record of the nature of the extent of such examination and the recommendation by such commission; said commission shall also report its findings and recommendations, including a recommendation of an appropriate type of sterilizing operation to the county or circuit court of the county in which said person shall be located, at least thirty days before the day set for the release of such person from the custody of the state.

SEC. 4. The aforesaid court to which the aforesaid report shall be filed, shall thereupon set a date for hearing of the facts of the case, and shall immediately order that either the person nominated for the operation, his nearest kin, lawful guardian, or close friend, shall be notified forthwith in writing, the time, place and nature of the aforesaid hearing; provided that in cases wherein on account of the mental or physical conditions of the person so nominated, such notification would, in the opinion of the commission, be inadvisable, and wherein, in the same case, the whereabouts of neither of the aforesaid mentioned nearest of kin, lawful guardian, nor close friend within the state be known to the commission, it shall be sufficient for the said commission to indorse the notification statement with a statement of the reasons why such notification was not served.

SEC. 5. On the date previously set for the hearing as herein contemplated, the aforesaid court, shall, with all speed consistent with thoroughness, examine the findings and recommendations of the commission, and shall hear any objections that may be offered thereto. The commission shall be represented at the hearing by the state's attorney, and shall defend their recommendation, and in all subsequent litigation incident to the execution of their duties as herein contemplated, the commission shall have the services of the state's attorney. The court may at its discretion appoint counsel to represent the person nominated for sterilization, and shall fix the compensation for such services, which compensation shall be paid from the funds from which other similar court expenses are now paid. If after due consideration the court is satisfied that the individual prisoner, inmate, or patient nominated for sterilization is a person as found by the commission, namely, one who is potential to reproducing offspring who would probably, because of the inheritance of inferior or anti-social traits, become a social menace, or a ward of the state, it shall be lawful and it shall be the duty of the aforesaid court to authorize and to order the Eugenics Commission to order the responsible head of the institution, in whose charge the particular person nominated for sterilization may be, to cause to be performed on such person, in a safe and humane manner, before his or her discharge or release from the custody of the state, an operation for the prevention of begetting or of conception, as the case may be; and the type of operation may be made a part of the order of the commission in each case; provided that said operation shall not be had within five days after the giving of the order therefor; and the aforementioned responsible head of the institution in whose custody the person subject to a particular order for sterilization may be, shall be directly responsible to the

Eugenics Commission for the execution of the operation as ordered: provided that in such proceedings the report of the said Eugenics Commission shall be competent evidence in the proceedings before the said court.

SEC. 6. In case of a decision by the court contrary to the recommendations of the Eugenics Commission, said commission may at its discretion order an appeal to the Appellate Court, and the execution of any such original order for sterilization as herein provided for may be suspended by any judge of the Circuit Court in the county in which the particular prisoner, inmate or patient may be confined, until the hearing and determination of objections to the said order, which hearing shall be had not later than the next special term for motions of the court, and an appeal will lie from the determination of such objections by either party as from an order in a special proceeding. Pending the final determination of such suspended order or of an appeal, the subject of the particular order for sterilization shall remain in the custody of the state.

SEC. 7. After ordering the operation as hereinbefore provided for, any such operation may be performed by any skilled surgeon licensed in the state, who may be designated by the responsible custodian of the person ordered sterilized, and any expenses incurred by the operation shall be borne by the institution in whose custody the person sterilized may be. The aforesaid order shall constitute complete authority for the performance of said operation, and no skilled surgeon, duly licensed in the state, performing the same, shall be questioned in any place or held responsible for the performance of the same.

SEC. 8. It shall be the duty of the managing head of all the state and private institutions subject to the provisions of this act to co-operate with the Eugenics Commission in the execution of their duties as herein contemplated, and to secure appropriate data concerning innate traits, personal records, and family histories and traits of the prisoners, inmates or patients of their respective institutions subject to the provisions of this act, and to furnish said data to the Eugenics Commission at least 60 days before the date set for the release of each particular inmate.

SEC. 9. The Eugenics Commission shall have full authority to make further study of the personal and family histories of persons subject to the provisions of this law furnished as herein contemplated by the managing heads of institutions; and in the prosecution of such investigations the commission shall have the right to summon persons and to administer oaths, and shall have free access to all court and institution records of this state likely to be of service to such investigations.

SEC. 10. It shall be the duty of the Eugenics Commission to keep a permanent record of all business transacted by them, including a record of all cases, and histories examined into, and of all reports and recommendations made by them, and of all orders made and received by them, and annually to report a history of all such transactions to the governor.

SEC. 11. All records of investigations, examinations, reports, recommendations, orders, and personal and family histories made, entered, or secured by the commission are hereby declared to be the property of the state, and shall not be opened to public inspection except upon an order made by a judge of a court of record; provided, however, that all such records may be used for scientific study by the commission.

SEC. 12. Each commissioner and each person appointed to office by the commission shall, before entering upon the duty of his office, take and subscribe the constitutional oath of office. Before entering upon the duties of his office, each commissioner shall give bond, with security, to be approved by the governor, in the sum of twenty thousand dollars, conditioned for the faithful performance of his duty as such commissioner. Every person appointed or employed by the commission, may, in the discretion of the commission, before entering upon the duties of his office, be required to give bond for the faithful discharge of his duties in such sum as the commission may designate, which bond shall be approved by the commission.

SEC. 13. There shall be appointed by the commission a clerk, whose duty shall be to keep all records of the commission, and who shall at all times be and in charge of, and keep open the office of the commission between the hours of eight in the morning and five in the evening throughout the year. The office of the commission shall be in the State Capitol. The commission shall have power upon the consultation with, and the approval of the governor, to appoint and employ counsel and such additional officers and assistants as it may deem necessary to carry out the provisions of this act, and shall fix the salaries, together with the salary of the clerk, by and with the approval of the governor.

SEC. 14. The annual salary of each commissioner shall be ten thousand dollars, to be paid as heretofore provided, and the commission may also incur necessary expenses for office furniture, stationery, printing and other incidental expenses.

Approved _____, 191—

New Legislation in Massachusetts Affecting the Insane.—AN ACT TO ABOLISH THE STATE BOARD OF INSANITY AND TO ESTABLISH THE MASSACHUSETTS COMMISSION ON MENTAL DISEASES.

Be it enacted, etc., as follows:

SECTION 1. The State Board of Insanity, existing under authority of chapter eighty-seven of the Revised Laws and acts in amendment thereof and in addition thereto, is hereby abolished. All the rights, powers and duties of said board are hereby transferred to and shall hereafter be vested in and exercised by the Commission on Mental Diseases, established hereunder, which shall in all respects be the lawful successor of said board. Immediately upon the appointment and qualification of said commission and the taking effect of this act under the provisions of section nine, all books, papers, maps, plans, charts, records and all other documents or equipment in the possession of said board shall be delivered to said commission. All the present employes of the Board of Insanity shall continue to perform their usual duties upon the same terms and conditions unless suspended or removed under the provisions of the civil service rules.

SEC. 2. The Commission on Mental Diseases shall consist of a director, and four associate members, all of whom shall be appointed by the governor, with the advice and consent of the council—the director for a term of five years, and the associate members for terms of one, two, three and four years, respectively, from the date of appointment, as the governor shall designate. Thereafter the governor shall annually appoint, in like manner, an associate member for a term of four years, and every fifth year, a director; shall fill all

vacancies for the unexpired term, and may, for cause and with the consent of the council, remove said members. The director, and at least two of the associate members, shall be physicians and experts in the care and treatment of the insane. The director shall receive such salary, not exceeding seven thousand five hundred dollars, as the governor and council shall determine. The associate members shall serve without compensation, but they, and the director, shall be reimbursed for expenses necessarily incurred in the performance of their duties.

SEC. 3. The commission shall have general supervision of all public and private institutions and receptacles for insane, feeble-minded or epileptic persons, or for persons addicted to the intemperate use of narcotics or stimulants, except the Norfolk State Hospital and the Hospital Cottages for Children at Baldwinsville. When so directed by the governor they may assume and exercise the powers of the board of trustees of any state institution under their supervision in any matter relative to the conduct or management thereof. The commission shall have the same powers relative to state charges in institutions or other places under its supervision, and to their property, as are vested in towns and overseers of the poor in the matter of the support and relief of paupers.

SEC. 4. The director shall be the administrative and executive head of the commission. He shall administer the laws relative to the classes of persons in the institutions under the supervision of the commission, shall prepare rules and regulations for its consideration, shall appoint such agents and subordinate officers as the commission may deem necessary, and shall fix their compensation, subject to the approval of the governor and council.

SEC. 5. The commission shall visit every institution under its supervision at least once a year, and oftener if the governor so directs. It shall ascertain by actual examination and inquiry whether the laws relating to the persons in custody or control therein are properly observed, shall give such directions as will insure correctness in the returns required in respect to such persons, and may use all necessary means to collect all desired information. The commission shall carefully inspect every part of the institution visited with reference to its cleanliness and sanitary condition, the number of patients in seclusion or restraint, the dietary of the patients and any other matters which it may consider material, and shall offer to every patient an opportunity for an interview with its visiting members or agents.

SEC. 6. The commission may annually license any suitable person to establish and maintain a hospital or private house for the care and treatment of the insane, epileptic, feeble-minded, and persons addicted to the intemperate use of narcotics or stimulants, and may at any time revoke the license. No such license shall be granted unless the said commission is satisfied, after investigation, that the person applying therefor is a duly qualified physician, as provided in section thirty-two of chapter five hundred and four of the acts of the year nineteen hundred and nine, and has had practical experience in the care and treatment of such patients. Licenses granted hereunder shall expire with the last day of the calendar year in which they are issued, but may be renewed. The board shall have power to fix reasonable fees for said licenses upon renewals thereof.

SEC. 7. Whoever after the first day of January in the year nineteen hundred and seventeen establishes or maintains such a hospital or private house,

unless duly licensed under authority of this act, shall be guilty of a misdemeanor and shall be punished by a fine of not more than five hundred dollars.

SEC. 8. So much of chapter seven hundred and sixty-two of the acts of the year nineteen hundred and fourteen as is consistent herewith is hereby repealed.

SEC. 9. So much of this act as authorizes the appointment of a commission on mental diseases shall take effect upon its passage. The other provisions hereof shall take effect upon the appointment and qualification of the members thereof, but not before the first day of August, nineteen hundred and sixteen. [Approved June 1, 1916. Ch. 285.]

AN ACT TO AUTHORIZE THE TEMPORARY RELEASE OF PATIENTS COMMITTED TO
INSANE HOSPITALS FOR LIFE.

Be it enacted, etc., as follows:

The provisions of section seventy-five of chapter five hundred and four of the acts of the year nineteen hundred and nine shall apply to the case of a patient committed to an insane hospital for the term of his natural life under the provisions of section one hundred and four of said chapter five hundred and four, after an acquittal by reason of insanity upon an indictment for murder or manslaughter, but the superintendent shall not permit any such person temporarily to leave the hospital without the approval of the governor and council. Neither such permission temporarily to leave the hospital, nor failure to return thereto, shall terminate or in any way affect the original order of commitment. [Approved May 20, 1916. Ch. 239.]

RELATIVE TO TRANSFER OF PATIENTS, ETC., FROM THE GRAFTON STATE HOSPITAL.

Chapter 170 of the General Acts of 1915 extended the time for the completion of the buildings at Grafton and the removal of the patients from the building on Summer street, in Worcester, to January 1, 1917. As the Legislature had not made provision for the custody of these patients elsewhere, and as it was apparent that it would be several years before accommodations would be ready to receive these patients, sections 2, 3 and 4 of chapter 679 of the Acts of 1912 were repealed, which provided for the removal of patients from and the sale of the building on Summer street, Worcester.

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter six hundred and seventy-nine of the acts of the year nineteen hundred and twelve, as amended by chapter four hundred and fifty-six of the acts of the year nineteen hundred and fourteen, and by chapter one hundred and seventy of the general acts of the year nineteen hundred and fifteen, and sections three and four of the said chapter six hundred and seventy-nine are hereby repealed.

SEC. 2. This act shall take effect upon its passage. [Approved June 1, 1916. Ch. 283.]

Report of Special Committee on Revision and Amendment of the
Penal Laws in Pennsylvania.—[The following report was presented to the
State Legislature in Pennsylvania by Edwin M. Abbott, chairman of the Com-

mittee, and secretary of the American Institute of Criminal Law and Criminology. It was unanimously adopted on June 28, 1916.—ED.]

To the Members of the Pennsylvania State Bar Association:

GENTLEMEN: The application of modern penology to the existing conditions in the penal institutions of Pennsylvania, has been the duty delegated to your Committee on Revision and Amendment of the Penal Laws. We have worked in conjunction with the State Commission, having the same object in view. A splendid start was inaugurated when the Legislature of 1915 authorized the employment and compensation of prisoners in the penitentiaries and reformatories, and further removed the restrictions placed upon the number of men to be employed and the nature of their employment.

The same legislation also gave the county authorities power to install a system of employment in the county institutions. So far, this opportunity has been passed by. And this brings us to the present scope of work your committee has before it.

We must consider the problem of the county jail.

How many of our county jails are necessary, except as places of detention awaiting trial?

How many of our county jails are self-supporting?

In how many of our county jails do the inmates work at all, and in how many are they kept in complete idleness?

In how many are goods for sale produced, and who receives the benefit of the income?

These are the problems to be solved.

The greatest difficulty encountered today in all our penal institutions is idleness. It breeds discontent, saps the energy and will-power, and destroys all initiative. It encourages disease and creates new crime. Therefore, to employ the body, and thus employ the mind is the remedy needed.

How can this be accomplished?

In forty-two of the seventy county institutions in Pennsylvania, no work whatsoever is done by any of the inmates. They sit in absolute idleness.

In twelve institutions goods for sale are produced, but in only five of these twelve is the legal allowance of employed prisoners utilized.

In three of these five more than thirty-five per cent were employed in producing goods for sale.

Twenty-six institutions use some of their inmates in other ways. Some do road work, some assist departments of municipal governments, but, generally speaking, idleness rules, and a great economic force is wasted, to the cost of the citizens and the loss of manhood on the part of the prisoners.

The only compensation paid is a mere pittance in Chester, Delaware, Lehigh and Northampton Counties. In non-support cases, Allegheny and Philadelphia are supposed to contribute to dependents for work on the stone-pile, but few have benefited by way of remuneration, although many are compelled to do the work.

It is to correct these evils that we must approach this problem. The county jail must be abolished. Sixty-seven counties can find a more economic method of confining prisoners after sentence. The substitute is suggested in the establishment of six sectional farms, the counties of the state to be grouped,

each contributing its share of expense, and each benefiting by the return either in goods manufactured, or actual cash received.

On these farms will be established institutions for manufacturing and the production of all goods that can be used in the county institutions, located in the counties comprising that particular section. A wage system is inaugurated, and the evolution of modern schools of laziness and crime into beehives of industry and regeneration is fostered.

The act covering this plan is hereto appended. Its support by this association and passage by the Legislature of 1917 would help reduce the cost of operating the legal machinery in sixty-seven counties, provide work for the now idle inmates, and procure some income to assist the dependents of county prisoners in every portion of our state. But it will bring better results than all this. It will remake, build and readjust citizenship. It is doing it elsewhere, it will do it here.

Those who have never transgressed the law will have a kindlier feeling for those who have. The heretofore neglected and maligned prisoner will receive a chance in a new atmosphere. He will learn something worth while "indoors" to take with him "outdoors," and he will be encouraged to make good when he again secures his liberty.

Your committee therefore recommends:

1. That all county jails be abolished except as places of detention, awaiting trial.
2. The creation of six industrial farms for county misdemeanants.
3. The employment and compensation of the prisoners on the six farms; with a distribution of the income along the lines as now provided for the inmates of penitentiaries and reformatories.
4. The passage of the appended act by the Legislature of 1917.
5. An appropriation for the use of the committee so that they can assist in the passage of the necessary legislation.

Respectfully submitted,

ALBERT W. JOHNSON.

E. Z. SMITH.

JOHN A. NAUMAN.

A. D. McCONNELL.

JOHN FOX WEISS.

QUINCY A. GORDON.

EDWIN M. ABBOTT,

Chairman.

[The following bill is a part of the foregoing report. It goes to the Legislature with the support of the State Bar Association.—Ed.]

AN ACT to provide for the establishment and government of six correctional institutions to be known as the Pennsylvania State Farm of the First, Second, Third, Fourth, Fifth, and Sixth Districts, respectively, providing for the care and confinement of prisoners therein, and the transfer of prisoners thereto, and making an appropriation.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby

enacted by the authority of the same, that there are hereby established under the provisions of this act, six correctional institutions for violators of the law, to be known as the Pennsylvania State Farm of the First District, the Pennsylvania State Farm of the Second District, the Pennsylvania State Farm of the Third District, the Pennsylvania State Farm of the Fourth District, the Pennsylvania State Farm of the Fifth District, and the Pennsylvania State Farm of the Sixth District.

SEC. 2. The First District shall comprise the County of Philadelphia.

The Second District shall comprise the County of Allegheny.

The Third District shall comprise the Counties of Berks, Bucks, Chester, Dauphin, Delaware, Lancaster, Lebanon, Lehigh, Montgomery, Northampton and Schuylkill.

The Fourth District shall comprise the Counties of Bradford, Carbon, Columbia, Lackawanna, Luzerne, Lycoming, Monroe, Montour, Northumberland, Pike, Sullivan, Susquehanna, Tioga, Wayne and Wyoming.

The Fifth District shall comprise the Counties of Adams, Bedford, Blair, Cambria, Cameron, Centre, Clearfield, Clinton, Cumberland, Elk, Franklin, Fulton, Huntingdon, Juniata, McKean, Mifflin, Perry, Potter, Snyder, Somerset, Union and York.

The Sixth District shall comprise the Counties of Armstrong, Beaver, Butler, Clarion, Crawford, Erie, Fayette, Forest, Greene, Indiana, Jefferson, Lawrence, Mercer, Venango, Warren, Washington and Westmoreland.

SEC. 3. Upon the approval of this act a commission shall be created which shall be composed of five reputable citizens of the commonwealth to be appointed by the governor, not more than three of whom shall be members of the same political party, and such commission is hereby authorized by a majority vote to select suitable sites for the state farms. The commission shall serve without compensation, but all of their expenses, actually and necessarily incurred, shall be paid. The commission shall purchase six tracts of not more than five hundred acres of land in each tract, the title to which shall be good and sufficient and approved by the Attorney-General, and such title shall be taken in the name of the commonwealth of Pennsylvania.

SEC. 4. In the selection of sites the commission shall take into consideration the objects and purposes of the institutions and all or as many as practicable of the following enumerated advantages and resources; the land selected and purchased shall be of varied topography with natural resources and advantages for varied forms of husbandry, fruit growing, and stock raising, for brick making and for the preparation of road and paving material, and shall have good railroad, drainage, sewage and water facilities.

SEC. 5. Upon the selection of locations and sites and the purchase of land for the state farms the governor shall appoint a board of trustees for each of said institutions, to consist of five members, who shall be reputable citizens of Pennsylvania, not more than three of whom shall belong to the same political party. Such trustees shall serve without compensation, but their expenses actually and necessarily incurred shall be paid. One member of each board shall be appointed for one year, one for two years, and one for three years, one for four years and one for five years. Thereafter all appointments shall be for a term of five years respectively. In case of a vacancy from any cause, the appointment to fill such vacancy shall be made by the governor for the unex-

pired term. The governor may remove any of the trustees for misconduct, incompetency or neglect of duty, after opportunity shall be given him or them to be heard upon written charges.

SEC. 6. All buildings constructed in pursuance of this act shall be plain and inexpensive in character and the labor in constructing such buildings, improvements and facilities shall be supplied by the persons committed to the institution or confined in the state penal and reformatory institutions so far as found practicable.

The boards of trustees shall procure all necessary materials, erect and equip such buildings, employ such skilled labor as cannot be furnished by the prisoners committed thereto or by prisoners in the state penitentiaries or the Pennsylvania Industrial Reformatory at Huntingdon, and provide all proper facilities for their use and for the practical use of the institution.

When the board of trustees of the state farms shall have made all preliminary arrangements for the construction of the buildings and equipment, they shall notify the governor, who shall issue a proclamation thereon, and thereafter prisoners having more than thirty days to serve may be transferred to the state farm from any jail or workhouse in that district on the order of the governor.

SEC. 7. The boards of inspectors of the Pennsylvania state penitentiaries and of the Pennsylvania Industrial Reformatory at Huntingdon on request from a board of trustees of a state farm, are authorized to transfer to a state farm from their respective institutions any prisoners of special or mechanical ability therein who may be found in the judgment of such board and the board of trustees of the state farm suitable for the purpose, and provide transportation and proper guards therefor; and while such prisoners remain at state farm, they shall be subject to the orders of the managers or inspectors of the institution from which they were transferred as to their return, and in all other respects except as to discipline and government. While at such state farm they shall be under the control, discipline and government and subject to the orders of the board of trustees of the state farm and its executive officers.

The prisoners transferred for the purpose of supplying labor as aforesaid from the state penitentiaries and the Pennsylvania Industrial Reformatory at Huntingdon shall be apportioned as to number by agreement of the managers or inspectors of said institutions respectively, and in case they cannot agree thereon, the governor is authorized to determine the number and kind of mechanics or prisoners of special ability to be transferred from each of said institutions and cause the same to be transferred.

The expense of transportation and transfer of the prisoners used in the construction of building and equipment to and from the state farms shall be paid on bills rendered to the auditor general out of the fund provided for the establishment of the state farms.

The maintenance of such prisoners as are transferred from the state penitentiary or reformatory shall be paid by the institution from which they are transferred; but the cost of such maintenance in excess of the average per capita cost of the prisoners at the institution from which they are transferred shall be refunded to the said institution from the fund appropriated for the state farm.

SEC. 8. When any state farm shall be equipped with buildings and other facilities sufficient in the opinion of its board of trustees to receive prisoners, such board of trustees shall notify the governor and upon such notification the governor shall by proclamation declare the state farm ready to receive prisoners; and thereafter it shall be the duty of all judges of courts of record of that district to commit thereto all persons convicted of the violation of any law of this state, the punishment for which now consists of imprisonment in any county jail or workhouse. All such commitments shall be to the state farm of the respective district.

SEC. 9. The cost of transportation of persons committed to the state farms shall be paid by the counties respectively from which the prisoner is committed and the sheriff of the county shall receive the same mileage and fees for prisoners committed to the state farm as are now allowed by law for transporting prisoners committed to the state penitentiaries and reformatory. When any prisoner is discharged from a state farm, the superintendent or warden thereof shall procure for him a railroad ticket to any point to which said prisoner may desire to go, not farther from said state farm than the point from which he was sentenced, and it shall be the duty of the superintendent or warden or his duly authorized agent, to accompany the prisoner to the railroad station, deliver the ticket to the proper railroad conductor and formally release the prisoner on the train which he takes for his destination.

SEC. 10. In case at any time it shall be found that a state farm can accommodate and care for more prisoners than are of the class above designated, the governor may order to be transferred to the state farm, from the state penitentiaries or the Pennsylvania Industrial Reformatory at Huntingdon, or both, such prisoners as he and the boards of such institutions shall find can be better cared for at the state farm. Such prisoners so transferred may be returned to the institution from which they were transferred whenever the governor and the board of trustees of the state farm shall find such return for the benefit of the prisoners of the institution.

SEC. 11. It shall be the purpose of the state farm to employ the prisoners committed or transferred thereto, in work on or about the buildings and farm and in growing produce and supplies for its own use and for the other institutions of the state; in preparation of road material; and in making brick, tile, paving material and such other products or material as may be found practicable for the use of the state or any political subdivision therein and for the proper and healthful employment of such prisoners.

SEC. 12. For the purpose of the land contemplated in this act, there is hereby appropriated for the use of the commission and board of trustees created by this Act, the sum of two hundred thousand dollars (\$200,000.00), or so much thereof as may be necessary, twenty thousand dollars (\$20,000.00) of which shall be made available June first, one thousand nine hundred seventeen, for the taking of options, and the balance January first, one thousand nine hundred eighteen. For the erection of buildings and other construction and development contemplated by this Act and the running expenses of the commission and the boards and the salaries and expenses of executive officers of the institution, the sum of eighty thousand dollars (\$80,000.00) or so much thereof as may be necessary is hereby appropriated to be available June first, one thousand nine hundred seventeen. Any part of the appropriation for the

purchase of land which shall not be needed therefor shall be placed in the fund for the erection of buildings and other construction and development. Payment of such moneys shall be on requisition of the commission, and on warrant of the auditor general.

SEC. 13. The six boards of trustees acting as a body shall adopt and may amend or revoke or add to at any time rules governing the state farms. Such rules shall be subject to the approval of the governor and shall not be inconsistent with the constitution or laws of the commonwealth or of the United States.

SEC. 14. Each board of trustees shall appoint a superintendent of the farm and such other employees as the Board may deem proper, all of whom shall be *bona fide* citizens of Pennsylvania. The compensation and duties of the superintendent and employees shall be fixed by the board.

POLICE.

Police Work a Profession, Not a Job.—American cities are waking up to their need of a more thoroughly trained police force. European cities have realized long since the exactions which efficient police service require and have furnished their officers the training requisite to meet the higher standards.

Chicago and most other cities in this country which require any training whatever have been content with obliging newly appointed policemen to take a months course of instruction. This covers only certain state laws, city ordinances and department regulations, lessons in deportment and personal hygiene, the practice of marksmanship and first aid to the injured. The six weeks' training given the New York city police has been lengthened to cover three months by Police Commissioner Woods, so as to include many more topics and make the work much more thorough. Not only are special courses given to lieutenants and sergeants, but patrolmen are required to take a review course after having served in the ranks several years.

Berkeley, Cal., has led the way in exacting and furnishing still higher police training. Prompted and assisted by the University of California, which is located in that city, courses have been given during the past seven years in elementary psychology and physiology, in the rules of evidence and the principles of criminal law, in the relation of physical defects to crime and in the social causes of delinquency. Chief of Police Vollmer thinks police work is "more of a profession than a job" and that the policeman's training should be more like that of the doctor and the lawyer. "Inefficiency and all the ills that follow in its wake may be expected," he thinks, until this professional status is recognized by the public and prepared for by the police.

Our Chicago police department was offered similar advantages for broader training by professors in the law department of Northwestern university. Without expense to the city they volunteered to teach courses in anatomy and physiology, psychology and hygiene, the nature and laws of evidence and practical sociology. With the aid of other specialists they suggested that insight be given to the several departments of police work, the administration of public relief and of penal institutions. The only conditions required were that officers registering for the course should have proved their capacity to profit by it, and that promotional credit should be assured those who successfully completed the curriculum. It was proposed to hold not more than three periods of instruc-

tion each week and in every way possible to meet the convenience and work within the necessary restrictions of the department.

Although this generous offer was made to Mayor Thompson soon after he took office, the only response thus far made by the administration was a brief acknowledgment stating that the proposal had been referred to the general superintendent of police and the corporation counsel. After this long delay and lack of enterprise upon the part of the mayor and the general superintendent of police it is encouraging that their subordinates in the Police Sergeants' Detective association have sufficient aspiration and initiative of their own to organize themselves a class for the study of criminology which will hold weekly meetings during the summer. The only systematic instruction furnished by the department of police is a few weeks' schooling of new patrolmen, which was well conducted for several years by Capt. Wesley H. Westbrook, one of the few liberally educated men on the force.

Any one living close to the masses of city dwellers realizes how much more human service the police could render if they were trained for it. They could prevent more evil than they are able now to suppress. They could draw more of our youth to the right than they can drive from the wrong. They could protect the innocent, so that there would be less prey to attract the guilty. They could, with a little more patience, tell the ignorant what the law is and prompt them to observe it to far better effect than to trap the unwary and let immigrants ignorant of our ordinances unwittingly become lawbreakers.

If they knew the broader experience in the proper use of the principle of parole, policemen would not so generally be found condemning it on the basis of their own limited observation. If they could follow up the good results of admitting first offenders and those guilty of minor offenses to probation patrolmen arresting such offenders would be found more often co-operating with the probation officer in charge of the case than resenting admission to probation. If the police could learn something of what the courts have been taught about the subnormal condition of many juvenile and youthful delinquents, they could and would enlist in the preventive rather than continue in the punitive efforts toward such unfortunates.

The public would secure no less but all the more protection from the police if they were capable of building up the good among those with whom they might have friendly relations, instead of being only "a terror to evil-doers." Police work would be all the more deterrent if it were more constructive. Patrolmen could have more influence with boys and young men when inclined to take their first wayward steps if they were more like teachers and had more teacher training. Every beat could be something like a parish if the policeman who traveled it were taught to mix more gospel with the law.

After a while the community might come to recognize that patrolman and that captain to be the best who needed to make the fewest arrests, because his beat and his precinct were so well managed. When such a constructive, city-building function is given and rewarded as the best service which the police can render the public, then men of as high class will seek to be commanding officers in police departments as now aspire to be officers in the army and the navy, or to be teachers and principals of our schools.

Chicago could not more surely put itself in the vanguard of civic progress

than by redeeming its police force from the corrupting political influences which have rotted it within, and by giving its many fine and faithful men the chance to attain the higher standards and the more professional status to which they aspire. Some of these men are doing at their own personal initiative, and aside from what they regard as their duty, the very things which should be recognized by themselves and others as the best kind of police work.

These human things which they do impulsively on an appeal to their manhood should be done constantly as the regular duty of an officer of police.

If this type and standard could be set at the top, or if it were made possible for men of this type to become commanding officers, a few such could train the rank and file, with the aid of such a school of police service as Berkeley has and Chicago could have.—From the *Chicago Daily News*, Aug. 19, '16.

GRAHAM TAYLOR, *Chicago Commons*.

Schedule of Subjects Taught in the Detective School, Police Headquarters, N. Y. City.—

<i>Subject.</i>	<i>Hours.</i>
1. Qualities of a Detective.....	1
2. Reports	2
3. Laws and Arrest.....	9
4. Pistol Practice and Handling of Firearms.....	6
5. Pickpockets and Observation (4 lectures, 13½ hours on street)....	17½
6. Loft and Safe Burglars, Trailing and Disposition of Stolen Property (3 lectures, 13½ hours on street).....	16½
7. Observation (6 lectures, 9½ hours on street).....	15½
8. Flat Burglars (2 lectures, 9½ hours on street).....	11½
9. Receivers and Pawnshops (2 lectures, 9½ hours on street).....	11½
10. Automobile Identification (2 lectures, 4 on street).....	6
11. Wagon Thieves (2 lectures, 4 hours on street).....	6
12. Evidence, Moot Court, Court Procedure (4 lectures, 7 hours in court)	11
13. Swindlers (3 lectures, 9½ hours on street).....	12½
14. Unusual Cases	3
15. Identification of Dead Bodies (2 lectures, 3 hours in morgue).....	5
16. Homicide	5
17. Identification, Methods of.....	3
Lineup	21
Examination	3
Police Commissioner	1
Closing	2
Total	164

JOSEPH A. FAUROT,

Inspector Commanding Detective Bureau.

The Commonwealth Club of San Francisco on the Appointment of Police Judges.—The Commonwealth Club's committee on appointment of Judges, of which Grant H. Smith of the San Francisco bar is chairman has

proposed an amendment to Article V, Chapter I of the Charter, providing for appointment of Police Judges by the Mayor.

The amendment as tentatively accepted is as follows:

1. That Section 1, Chapter VIII, Article V, of said Charter be amended to read as follows:

SECTION 1. The court in and for the city and county of San Francisco heretofore created and established and known as the police court of the city and county of San Francisco is hereby continued and shall consist of four judges. The court shall be divided into departments known as Department Number One, Department Number Two, Department Number Three and Department Number Four. The judges of such court may hold as many sessions of the court at the same time as there are judges thereof. The presiding judge shall assign the judges to their respective departments, but any of the judges may preside in any of the departments in the absence or inability of the judge regularly assigned thereto.

The judgments, orders and proceedings of any session of the court held by any one or more of the judges shall be equally effectual as if all the judges had presided at such session. The Police Court shall be open continuously from the hour of eight o'clock in the morning to the hour of two o'clock of the following morning every day, Sundays and holidays included.

The judges of the court shall relieve each other at such hours as may be determined by the presiding judge and may sit concurrently.

During the hours when the police court shall be open as herein provided, there shall always be at least one police judge and the appropriate officers and attaches in actual attendance on duty in open court.

The mayor shall, from time to time, appoint one of the judges of the police court as presiding judge, who shall hold such office of presiding judge at the pleasure of the mayor, and who shall direct the business of the court and, in that behalf, shall, by general or special rule or order, determine the times when the several judges shall sit, the order of business, the times and places for transacting the same, the distribution of business, the modes of procedure and all matters incidental to the transaction of the business of the court.

No person shall be eligible as police judge unless during the five years next preceding the appointment to such office such person has been an attorney of the state supreme court in good standing and for the same period a qualified elector of the city and county of San Francisco.

Each judge shall receive an annual salary of thirty-six hundred dollars.

The several judges of said court shall be appointed by the mayor, and, subject to the provisions of this chapter, each judge shall hold his office for six years from the date of appointment, provided that each of the judges in office on November 7, 1916, shall hold office for the remainder of the term for which that judge was elected. In case of vacancy from any cause, the mayor shall appoint a successor for a full term of six years.

The office of any police judge shall be vacated by such judge becoming a candidate for nomination or election for any elective, state or county or municipal office, and such vacancy shall be promptly filled by the appointment of another person for a full term. Any police judge who shall resign his office shall not be appointed to any such office by the mayor then in office.

Judges of the police court shall be subject to the recall in the same manner as the elective officers of the city and county, except that the petitions for such recall shall pray for the removal of such officer and the ballot shall not contain the name of any candidate for the office of police judge.

Following the statement of reasons for and against the recall of such officer and the instructions to voters, the ballot shall contain only the words "Shall (name of person) be recalled from the office of police judge?" and following such question shall be the words "Yes" and "No" on separate lines, with a blank space at the right of each in which the voter shall indicate by stamping a cross (X) his vote for or against such recall. If a majority of those voting shall vote "Yes" the office shall thereupon become vacant and the person recalled shall not be eligible to the office of police judge.

If any police judge wilfully or negligently fails to perform any of his official duties he may be removed from office as provided in Section 772 of the Penal Code, as in effect November 7, 1916.

Any person accused of a misdemeanor must be immediately brought before the court and if possible there must be an immediate disposition of the case, unless the accused requests a postponement, all to the end that the accused shall, if possible, not be held in prison nor compelled to furnish bail.

The above proposed amendment will be submitted to the electors of the city and county of San Francisco on Nov. 7, 1916.

From the San Francisco Recorder, Aug. 5, 1916.

Royal Irish Constabulary Cadetships.—(With which may be considered sub-inspectorships of police in Trinidad, Jamaica, and British Guiana).

Age limits, 21 and 26 years. Officers in the army and police officers are allowed to compete up to the age of 28; sons of R. I. C. officers are allowed to compete at 19. Commencing salary, £125 a year, with allowances.

Examinations usually occur once or twice a year, when three or four vacancies are offered for competition. (The vacancies in the West Indian Forces rarely exceed one in each year.) Fee, £2.

The syllabus of the examination contains the following:—(1) Arithmetic; (2) Addition; (3) Orthography; (4) Handwriting; (5) Digesting Returns; (6) English Composition, including epistolary correspondence; (7) Précis; (8) Geography; (9) Reading aloud; (10) British History; (11) Latin or French; (12) The Elementary Principles of Law; (13) Law of Evidence.

N.B.—Candidates for the West Indian Police must take French.

Nominations for cadetships in the Royal Irish Constabulary are obtained through the Chief Secretary to the Lord Lieutenant of Ireland. Nominations for sub-inspectorships in the West Indian police forces are vested in the secretary of state for the colonies. Candidates may be allowed to enter for both the home and colonial services when the examinations are held concurrently, candidates for either appointment must have attained the height of 5 ft. 8 ins., with adequate chest measurement.

Second class inspectors in the Royal Irish Constabulary receive a salary of £165, rising to £180 at the end of five years. First class inspectors receive a salary of £225, rising to £300. The annual rate of pay of county inspectors is £350, rising by £20 a year to 450.

The salaries of the colonial officers vary according to the colony. Thus, in British Guiana sub-inspectors receive a commencing salary of £168 15s., with allowances; in Jamaica the commencing salary is £130, with certain allowances; and in Trinidad the commencing salary is from £200 to £300, with allowances.

—JOSEPH MATTHEW SULLIVAN, *Boston, Massachusetts.*

The Police Court.—The police court always possesses a peculiar fascination for loafers. Here the rowdy, loafer, thief and drunkard are supposed to meet on an equal footing. A burly court officer is stationed at the door to keep out idle busybodies and loafers; the fellow who is supported by the labor of his hard-working mother invariably has the most important business before the court.

The woman who is in such a hurry that she can hardly speak goes away and finds time to waste two hours in the 5 and 10 cent store. The police court runner is in evidence to carry the grist of business to the police court lawyer, and incidentally, to promise in return for his fee, "freedom while you wait." The dock is filled with the offscourings from last night's revels in the saloons; the respectable housewife, who in a moment of weakness, stole some trifling articles from some department store, will soon feel the wrath of the law.

The stereotyped legal "routine," the disposition of judges to believe only one side, that of the police, makes the administration of the criminal law in many of our large American cities a screaming farce. The "tout" is there with ears wide open, hoping to hear information and sell it; the stool "thief" is there to assist the police, and therefore distract attention from his own villainy; the fellow with his "near dope" is sleeping on the benches; the "chump copper" is there dreaming of promotion; the "fallen woman" still promises to reform if wicked men will let her; the second-hand dealer is there to identify thieves and also to feather his own nest.

The idle scamp is also in evidence in the corridors, "buzzing around" and gathering up all kinds of scandal, both criminal and straight; the contagion of ignorance can be seen on all sides. Here on all sides you can see social driftwood on the shore of life; ravelled threads in the "loom of destiny" and culture and refinement go hand in hand with drunken sarcasm, insolent illiteracy, and impudent and vulgar ignorance.

Each and every type of humanity, crooked and straight, is there to keep informed on the business of his neighbor and incidentally neglect his own. The "drunk" who has forgotten the name he gave when arrested adds to the humor of the situation; his lapse of memory delays the court's business and increases the troubles of the clerk.

Volumes could be written about the police court; the "legal slaughter house"; the place where justice too often miscarries, and where mistakes are made which can never be rectified.

JOSEPH MATTHEW SULLIVAN,
Boston, Massachusetts.

MISCELLANEOUS.

Civil Service Examination for Chief Probation Officer in New York City. (Aug. 16, 1916, City Magistrates' Courts.)—

1. Prepare for the use of the magistrates an outline showing—

- a—Under what circumstances first offenders, accidental offenders, and youthful offenders should be given the benefit of probation, and under what circumstances they should not be given the benefit of probation.
 - b—Three classes of offenders who should not be given the benefit of probation.
 - c—A statement of your reasons for each of the recommendations made by you.
2. Prepare an outline showing the classes of prisoners who should, in your opinion, be sent to each of the institutions receiving convicted prisoners from the city magistrates' courts, and give your reasons in each case.
3. Prepare a circular of instructions to your probation officers clearly outlining their powers under the law.
4. Prepare a set of instructions to your probation officers on the probationary treatment of men and women who are addicted to the excessive use of intoxicating liquors.
5. Prepare a description of what is, in your opinion, the best filing system for a probation bureau handling about two thousand active cases each year. Let this system provide for the filing of the original and the duplicate reports of probation officers, the control of terminating cases, the separation of the active from the closed cases, and the largest number of time and labor saving devices that may be used without detracting from the efficiency of the system.
6. Prepare helpful suggestions for the use of the probation officer handling each of the following cases:
- a—A girl who has been placed on probation after conviction for disorderly conduct on the streets, changes her position every week.
 - b—A mother has had her daughter arrested for powdering her face, and tells the probation officer that she did so to frighten the girl and keep her good.
 - c—A man has been arrested on a charge of intoxication and claims that he is subject to fits.
 - d—A girl who has been arrested as an incorrigible states that she has always been a good girl but left home because her mother refused to buy her a dress which she had promised her and for which the girl had worked and saved for eight months. The neighbors do not speak well of the mother but speak highly of the girl who is employed as a stenographer in a department store.
 - e—A prisoner refuses absolutely to speak to the probation officer or to give him any information about himself.

LEONHARD FELIX FULD,
Civil Service Commission, New York City.

Award of Corpus Juris Scholarships.—The \$500.00 corpus juris scholarships, founded in 1915 for the encouragement of postgraduate work in law, have been awarded as follows:

Clarence G. Shenton, Carlisle, Pa., Dickinson College of Law, '16. Mr. Shenton will take his post-graduate work at Columbia University, New York.

Louis E. Levinthal, Philadelphia, Pa., Law School of the University of Pennsylvania, '16. Mr. Levinthal will remain at Pennsylvania for his post-graduate work.

John C. Teevan, Chicago, Ill., John Marshall Law School, Chicago, Ill., '16. Mr. Teevan will enter the Law School of Northwestern University, Chicago, Ill., for his post-graduate work.

These scholarships, each of the value of \$500.00, have been awarded in competition by a theses on the subject:

"The Common-Law System of Judicial Precedent Compared with Codification as a System of Jurisprudence."

Each contestant established eligibility for the Scholarship Competition by winning the CYC Prize for highest scholarship standing upon graduation in 1916. The competition for the CORPUS JURIS SCHOLARSHIPS was thus limited to the first honor men of the three-year law schools where the CYC Prize is offered.

The judges of the theses were Dr. John D. Lawson, formerly Dean of the Law School of the University of Missouri, and Editor of the "American Law Review;" Harry Cushing, Esq., author, and formerly Dean of the Law School of Columbia University; and Prof. H. Gerald Chapin, Esq., Editor of the "American Lawyer," author, professor of law in the New Jersey Law School of Newark, N. J., and lecturer in the Law School of New York University.

We are furnishing you the above information as a news item of general interest to the profession in response to requests from several legal magazines for the names of the winners of the CORPUS JURIS SCHOLARSHIPS.

Under separate cover we are sending you the announcement of the CYC prize and CORPUS JURIS scholarships, published early this year in accordance with which announcement these scholarships have been awarded. The CYC prize and scholarship offer will be continued for the school year 1916-17.

From THE AMERICAN LAW BOOK COMPANY.

Massachusetts Fugitives from Justice.—The Commonwealth of Massachusetts demanded and received of the authorities in other jurisdictions and received interstate rendition of 105 fugitives from justice during the year 1915. Forty-four fugitives from justice in Massachusetts were arrested in the state of New York, 7 in Pennsylvania, 2 in Maryland, 2 in Minnesota, 3 in Missouri, 2 in Dominion of Canada, 2 in Michigan, 6 in New Hampshire, 9 in Illinois, 1 in Georgia, 2 Secretary of the Navy, 2 Chief Justice of the District of Columbia, 9 in New Jersey, 1 in Virginia, 1 in South Carolina, 5 in Connecticut, 1 in Oregon, 1 in Rhode Island, 4 in Ohio, 1 in District of Columbia. Total, 105.

The crimes committed by fugitives were: Larceny, 32; non-support, 13; violation of liquor law, 1; desertion and non-support, 4; attempt to commit larceny from the person, 1; attempt to commit larceny, 4; desertion wife and minor children, 1; stealing personal property, 1; receiving stolen goods, 1; murder, 3; forgery, 5; forgery and larceny, 1; begetting illegitimate child, 4; begetting and neglecting to support illegitimate child, 1; violation of child, 1; fraudulently procuring entertainment at an inn, 1; enticing away child for an unlawful purpose, 1; taking false oath and conspiracy, 1; neglect of minor child, 1; stealing, 3; breaking and entering, 4; desertion, 7; conspiracy to

steal, 1; non-support of wife and minor children, 1; larceny and receiving stolen property, 1; polygamy, 1; libel, 1; rape, 1; concealing personal property, 1; bastardy, 3; robbery, 2; assault with intent to murder, 1; adultery, 1. Total, 105.

Suffolk County returned 47 fugitives, Norfolk 6, Middlesex 11, Hampden 5, Worcester 9, Hampshire 4, Essex 9, Bristol 3, Plymouth 4, Berkshire 5, Barnstable 1, Franklin 1. Total, 105.

Massachusetts arrested 19 fugitives from justice and delivered them over to the proper authorities as follows:

New York demanded, 5; Maine, 2; New Jersey, 2; New Hampshire, 1; California, 3; Oregon, 1; Rhode Island, 1; Wisconsin, 1; Vermont, 1; Illinois, 1; Michigan, 1. Total, 19.

The offenses committed by these fugitives were:

Criminal usury, 1; desertion, 2; murder, 1; larceny by bailee, 1; larceny, 4; grand larceny, 1; rape, 2; abandoning minor child, 1; carnal abuse, 1; assault, 1; malicious destruction of personal property, 1; cheating by false pretences, 1; breaking and entering and larceny, 1; desertion and non-support, 1. Total, 19.

All requisitions were regular and in lawful and proper form.

JOSEPH MATTHEW SULLIVAN,
Boston, Massachusetts.

The Professional Bondsman.—The assistance and friendship of a professional bondsman is a necessary asset for every thief; we hear a great deal of loose talk concerning the extortions of professional bondsmen, but that only emanates from the thief. But there is another side to the story. Thieves have good and bad credit just the same as any business house; a thief thinks that he ought to get bail for five dollars a hundred (unsecured); that is, twenty-five dollars for a five hundred dollar bond and larger sums in like proportion. The surety in many cases is unsecured for the balance, and the question I would like to have answered is this: "What business house to make a five per cent profit would risk 95 per cent of its capital?" The answer is that none exist that would take such heavy risks. Of course in this country there are professional bondsmen who stand in with thieves and derive quite a revenue from bailing out arrested persons; there are sureties who will protect thieves and bail them out whenever it is necessary. These bondsmen will bail out a thief as often as three or four times in a week or ten days. Thieves on the East Side of New York City go to work stealing every day as systematically as a mechanic goes to his daily work. How they can whine to enlist a lawyer's sympathy to get them out of jail; the surety usually gets cash to the amount of 5 per cent of his risk, and the remainder in unfulfilled promises by the remaining members of the mob. Professional thieves are "long" on promises and "short" on fulfillment. Extortion talk comes from the thief who "holds" out on his "pals" and who uses "jail arithmetic" to cover up his "shortage" and rascality. The professional thief thinks that his dollar is sacred; they ask the public to pay for the risk they run in stealing in order that their dollar can exact more spending value than the honest citizen's. It is getting harder every day for a thief to get "by;" they want iron-clad agreements that their money will be returned unless certain conditions occur; all a man gets for working for

them is the privilege of spending his own money and getting in debt with his friends. Professional bondsmen are "fixers" in a small way; the surety gets even with thieves by "boosting" up his expense account. It is a well-known fact that thieves are "from Missouri," but in Missouri they don't show them, but simply complain of them under the "eighth clause," and this ends all their cheap talk. The disparagement of successful legal work is only a mean subterfuge to save money; they think it a compliment to unload their troubles upon straight people who have troubles of their own, and the "conceit" of thieves is so astounding that they will never be accused of modesty.

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