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Notes and Abstracts

NOTES AND ABSTRACTS

The Prevention and Repression of Alcoholism in Anglo-Saxon Countries.—(Original article by Mario Piacentini in *La Scuola Positiva* for December 31, 1916.) Among the Northern peoples the most serious evil is certainly alcoholism. As a matter of fact in Great Britain criminals would be almost non-existent without alcohol. From 1900 to 1910 in England alone 1,750,000 were convicted of drunkenness or of crime having its origin in alcohol. Mercier concluded that in England alcohol is the most fertile cause not only of crime, but of insanity and many species of physical degeneration.

I have frequented the police courts and I can say from my own experiences that a large part of the offences punished were due to alcoholism and among these may be seen a marked percentage of feminine offenders. In a city given to study, and not to industry, like Oxford, there is a large number of public houses wherein is sold spirituous drink and liquors much more harmful than wine or beer, such as gin, whiskey, brandy and stout. In England the climate is very wet; and part of the drinking is climatic and this has its influences on the race, because Northern people drink much more than those of the South. A spirit of reaction has manifested itself and in certain states of the United States alcohol is prohibited and alcoholics are considered persons of an inferior type. It is useful, however, to inquire into the means taken in Anglo-Saxon countries to combat alcoholism.

The struggle against alcoholism may be divided into three classes. Though distinct from each other they are in a sense connected:

A.—Legislative system and social organizations regulating the sale of alcoholic beverages.

B.—Propaganda against alcohol by means of organized societies and with the co-operation of individuals, of the state, and of the church.

C.—Private institutions and state institutions for the care and reformation of alcoholics and alcoholic criminals. Let us examine briefly these three forms of action.

In the comparative history of the laws which regulate the sale of alcohol there have been four systems:

1. Private stores for private profit, but under the control and supervision of the local authorities by which they are licensed. These exist and are known as the licensing system, in Great Britain and Ireland. In the English colonies and almost all of the states in the United States these licenses are renewed from year to year and are revoked for bad behavior. They are not given to persons of bad character or those who have been convicted of drunkenness or crime. In Italy these privileges are frequently given to the greatest drunkards of the country, who then pass on their vices to others. Such a systems finds its complement in a legislative system intended to control the heavier alcohols. Naturally taxes cannot be made too high, as thus the making of contraband is stimulated or, if too low, they stimulate the consumption of alcohol, but on the whole a well-considered tax is one of the most important means of combatting alcoholism. In England the tax upon alcohol introduced by Lloyd George produced about 37 millions sterling, that is to say, 30% of the entire taxes, and in addition to this such taxes result in diminishing the establishments in all of the United Kingdom with the exception of Ireland. Besides this, the tax system results in favoring the consumption of beer which is a beverage of lower alcoholic content.

The second system is where the institutions are conducted by corporations authorized for the purpose or by public dispensaries, but not for anyone's private profit. This does away with incentive to sell and is known as the Scandinavian system, and is now in use in Norway and Sweden. The profits are used for public works. The third system is monopoly run by the state, and this exists in Russia and Switzerland. There is finally a system of absolute prohibition. This prohibition is general, as in certain cities in America, in the states of Kansas, Georgia or Maine, or local, as in certain cities in Canada, Sweden or Norway. When there is a partial prohibition, it is side by side with the other systems; for example, laws applicable to the Indians or negroes of the South and in general to all the people of the Mohammedan religion in certain places. In Scotland and England the sale of liquor was prevented in certain places, because the proprietors by common agreement refused to rent their places for public houses.

Not one of these systems can be called the best, the effect of one or the other depending on many conditions which are peculiar to the locality. For example, the monopoly is covnenient for the country which imports most of the alcohol it consumes. On the other hand, the Italian national riches represented by grape culture, forming one-seventh of its wealth, finds the license system the best. Of course, in the present state of war the taxes are increased and can be raised still higher and in war times a more regular supervision of the number of places is made necessary. Let us examine the propaganda against alcohol. The fundamental principles of the propaganda should be to educate all people to understand the sad effects of alcohol and to avoid abuse. Such education might be made by means of conferences, or public meetings, or publications, and all kinds of education such as theaters, moving pictures, temperance lectures and matters of the like. Two of the most important influences intended to accomplish these ends are the Y. M. C. A. and the Salvation Army. There are many temperance associations in the United States as well as in England and Ireland, and these associations have created millions of persons who are abstainers. In the county of York such a propaganda alone caused a decrease of 60% in the consumption of alcohol.

As to the propaganda and various systems of regulation, both of these form the battleground of the fight against alcoholism, but in the struggle, as in other social activities, repressive measures are necessary when we are fighting against an evil which gives birth to vice. Such repression ought to bear in mind the purpose to reform those who are vicious through alcohol and there should be an attempt to separate completely from society or the home as much as possible those who are incorrigible. In a country where drunkenness is of itself a crime, as in England, a great severity is manifested in the punishment of those who sin for the first time and this in order that punishment will reform and result in preventing the culpable from falling back into chronic offending. Where this cannot be done the drunkard must not be put into a sanatorium or common madhouse, nor in a common prison, but in institutions to help such special categories of those unadapted to social life, where the patient can be kept in restraint until he shows signs of improvement.

There is a discussion of the various institutions in which inebriates are reformed. These are the conclusions from the systems of regulating and repressing alcohol in Anglo-Saxon countries. First of all, it must be admitted that the evil is repressed and effectively, but there is still much to do. Man

has a tendency to be vicious, and with such increase in richness as we have seen there is larger percentage of drunkenness. There is also a larger margin for this. It has been proved that every time the lower classes receive an increase in salary there is automatically an increase in the consumption of alcohol.

The data as to the results obtained in the reformatories are very meager and it seems that less than half of those who are treated are restored to society.—George F. Deiser, Philadelphia.

A Suggestion Concerning the Truant Delinquent.—In our work in the Juvenile Court, we have during the past year given particular study to cases of truancy.[1] The number of cases of this character compared with any other particular form of delinquency is fairly high and on this account we have tried to make some analysis of the problem and suggest a remedy based on our diagnosis.

At the outset we were confronted with the fact that the chronic absentee had other distinguishing characteristics besides being a truant from school. We found that the families of these children were well known to the various branches of the Associated Charities far out of proportion to the usual percentage. We found that low grade labor on the part of the father was the usual thing, and shiftlessness on the part of the mother was more than common. Also the names of truants in the public schools were well known to the Juvenile Court authorities. In short, there seemed to be a vicious circle from father to son of illiteracy, lack of effort, poverty and crime.

These children when questioned as to the reason for their absence are very vague and uncertain; but the substance of it usually is that they do not like to go to school, the work is too hard and uninteresting and the attractions outside too strong to resist. The parents are at heart indifferent and see little use for much education. They look forward to the time when the boy can stop school and go to work, thus adding his small wage to the meager earnings of the father.

We have examined large numbers of these boys physically and except for a lack of nutrition and general muscle tone, we are unable to say that they differ much from ordinary school children of their own class and age. The mental examination however did reveal considerable of interest. Compared with normals, their intelligence quotient was usually from twenty to forty per cent lower than the average. In fact a large majority were actually border line mentalities and a study of the parents, the home and general environment strongly corroborated our findings. The parents had proved by their actions and ne'er-do-well existence that they were but first editions of the truant child.

School systems have been up to the present time very curiously constructed by wise men. The curriculum has been laid out and the child has been forced through if he could go. If school interested him, all well and good; if not, so much worse for the child but the fact stood out very plainly that the child must fit the school rather than the school the child. There

[1]In making this study only chronic absentee children were counted. Those absent for sickness or actual inability of the parent to send the child, if he had the desire to do so, were excluded as not being real truants. Only cases repeatedly absent where there was no good excuse for absence have been considered.

was considered to be only one type of child and he the normal. Also, in the past, it has been customary among truant officers in public schools to gather in the truants and force them back into school until they were sixteen years of age regardless of whether the school was suited to their needs and capabilities. It was anything to comply with the law and the age limit seemed the only consideration. It appears to have almost entirly slipped the attention of the authorities that possibly these children were being forced to attempt things with which their mental capacity could never cope and that thus forcing them into unwelcome and impossible channels only aggravated the condition and hastened the beginning of a criminal career. In short, they seemed to have entirely overlooked the point that an individual study of each truant in respect to his social, physical and mental data was all important in order to make a diagnosis on which appropriate action could be based.

I am happy to say that the tendency today in many cities is to make the school systems more elastic and to give vastly more attention to vocational work and this is as it should be. We have not reached the day, however, when the school child is individualized sufficiently, when his mental make-up is analyzed as well as his physical condition. Today, if a child is tubercular he is arbitrarily excluded from the general class room and given special care. If he has any of the contagious diseases, we would be horrified to think he would be allowed to be treated as a normal child. Should he have a mental capacity however, differing from the other pupils to such an extent that he cannot compete on equal terms, little thought is given. He is prodded along in the regular channel like a tired horse till he finally falls by the way side, where he is soon forgotten.

Such appears to be the case with the average truant. He is incompetent mentally. He simply cannot keep up with the normal child for he has not got the tools and no amount of proding can keep him up. True enough, some things he can do and do fairly well, but his range is limited. The branches, such as arithmetic, are more than his brain can master but with his hands he can make a creditable showing for such work is tangible and interesting. I do not mean to infer that a child of inferior mentality can make a high class mechanic when he would utterly fail as a lawyer or teacher, but I do mean that he will be more likely to take interest and thus succeed fairly well in manual types of work because this requires less independent thinking and is usually under the direction of some one of more superior capacity.

So it would seem utterly useless simply to force truants back again into schools for normal children and especially so since experience has taught us that just in proportion as we individualize the child and place him according to his mental talents, he becomes interested and truancy decreases. Our vocational schools have done wonders to attract the exceptional child.

This being the case, it would seem logical that school authorities should have the power to authorize competent people to examine mentally as well as physically every child and especially those showing first signs of inability to compete and then *arbitrarily* to place them where they could find work suited to their abilities. If this could be done, I believe many more children would continue in school past the usual dropping out point and that much delinquency and antisocial conduct could be prevented. It would also make these children better prepared to meet the struggle of life for they would leave

school not trained in literature and mathematics but would have some small skill in the arts. Better yet, they would have an interest in life which would go far to lessen in the next generation the poverty, shiftlessness, degeneracy of the present.

H. D. NEWKIRK, *Juvenile Court,* Minneapolis.

Fixes Blame for Dope Fiend Evil.—Unscrupulous physicians and druggists and lax laws which make it easy for addicts to procure them through "peddlers" are blamed for the increase in narcotic drug users in Boston and the state. This was made clear in the report presented to the Legislature yesterday by the Commission to Investigate the Use of Habit-Forming Drugs.

The commission recommends, among other drastic changes in the law, that the entire control of distribution and dispensing of narcotic drugs shall be vested with the State Board of Health; that Boards of Registration in Medicine and Pharmacy may be empowered to revoke licenses of unscrupulous physicians and druggists; that unlawful selling and delivery of narcotic drugs should be made a felony; that it should be an offense for physicians and druggists to have any mutual understanding as to sharing profits on drug prescriptions.

It is also recommended that provision for custodial treatment of persons of both sexes addicted to the drug habit be made by the Commonwealth.

The report, which deals with all phases of the traffic in narcotic drugs, is the result of six months of thorough investigation into the entire subject. Dr. Frank G. Wheatley, professor at Tufts Medical College, is chairman of the commission. The other members are Hermann C. Lythgoe, director of the division of food and drugs of the State Department of Health, and Abraham C. Webber, assistant district attorney of Suffolk County.

The commission finds that despite laws passed and enforced as result of previous investigations the use of narcotic drugs in the Commonwealth is increasing. It is pointed out that there are approximately 60,000 drug addicts in this state, and that they are more frequently found in the large rather than the small cities and rural districts.

"The exact number of addicts, however," says the report, "is not for present purposes essentially important, since it has been sufficiently demonstrated to your commission that the drug habit is so prevalent in this state that comprehensive legislation is necessary to more effectively deal with the subject. The lack of effective laws regulating the distribution of these drugs must necessarily foster the drug habit."

The habitual use of narcotic drugs is not confined to any particular class of people, or to any particular trade, occupation or calling. Of 254 persons who applied for drugs to a physician engaged in a thriving practice among addicts, according to the report, during a period of nine months, 171 were male and 83 female. Of the males 115 were single and 56 married, and of the females 36 were single and 47 married.

"In no instance did a patient give his or her age as under 21, although it is a well-known fact that many addicts are under age. Of these persons, 171 gave their ages as between 21 and 30; 70 between 31 and 40; 10 between 41 and 50; one 53 and one 61.

Of the occupations represented there were 10 actors, 9 actresses, 2 advertising agents, 3 bellboys, 1 brushmaker, 4 barbers, 1 broker, 1 automobile truck

builder, 1 bookbinder, 1 bookkeeper, 2 brakemen, 16 clerks, 1 cook, 1 chef, 2 carpenters, 1 cleanser, 2 candy workers, 7 chauffeurs, 1 cigarmaker, 2 dressmakers, 1 dancer, 1 dishwasher, 3 electricians, 1 engraver, 2 expressmen, 2 elevator men, 1 freight clerk, 1 freight car sealer, 1 factory hand, 1 forelady, 1 dealer in furniture, 1 glazier, 5 housewives, 5 housemaids, 2 hostlers, 2 huckster, 2 interior decorators, 1 insurance agent, 1 ironworker, 1 iceman, 1 janitor, 1 jeweler, 1 laundress, 3 laborers, 1 laundryman, 1 longshoreman, 2 mechanics, 1 manicurist, 9 machinists, 1 mason, 1 milliner, 2 musicians, 1 messenger, 1 night watchman, 1 nurse, 1 porter, 1 pyrographer, 2 piano workers, 8 painters, 2 pianists, 1 publisher, 1 pantryman, 1 packer, 1 printer, 2 peddlers, 1 picture solicitor, 1 real estate agent, 1 roofer, 2 rubber workers, 1 restaurateur, 3 salesladies, 15 salesmen, 3 shoeworkers, 1 student, 2 solicitors, 1 shipfitter, 1 shipper, 6 stage hands, 2 tailors, 6 teamsters, 1 traveling salesman, 11 waiters, 14 waitresses, 1 wardrobe woman, 1 weigher, 4 miscellaneous, and 23 giving no occupations.

The habit-forming narcotic drugs commonly used in this state are opium and its derivatives, morphine, heroin, and codeine, cocaine in the form of hydrochloride, and rarely other drugs.

"In view of the fact that physicians and druggists are licensed by the Commonwealth to handle habit-forming drugs, the control of their illegitimate activities is extremely difficult.

"It has been found that some physicians by means of prescriptions, and in many cases by actual delivery of the drug itself, have caused large quantities of narcotic drugs to be given to addicts for self-administration, and no precautions were taken to prevent the drugs from being passed from hand to hand. Common sense would indicate to these physicians that the addict can in this way procure large quantities of the drug from other physicians.

"The extent of the illicit commerce participated in by these 'drug physicians' will perhaps be appreciated from the data that is at hand from investigations in the city of Boston alone. One physician wrote over 800 prescriptions in 20 days and received the usual charge of $2 for each prescription. Another physician wrote over 1,000 prescriptions within a few months upon each of which it was stated that the patient was a habitual user and was reducing, and was also a sufferer from 'asthma.'

"Four thousand and fifty-five prescriptions issued by one physician from May to September, 1916, were found in a single drug store in Boston. One hundred and fifty-six prescriptions of the same physician were found in another drug store, and ninety-nine in a third drug store between the same dates.

"Of another physician's prescriptions 200 were found to have been filled by a single druggist between November 6 and November 13, 1916. These prescriptions with few exceptions called for one dram of morphine sulphate, and in many instances as high as 40 grains of cocaine hydrochoride, and frequently both were included in the same prescriptions."

The commission finds that the present laws are inefficient and should be strengthened. Their suggestions are:

They are not easily understood and capable of misinterpretation. The words "obviously needed for therapeutic purposes" should be further defined.

Enforcement of the laws should be made more certain by the adoption of simplified pleading forms.

The penalties for violations of the law are inadequate and should be increased and new offences defined.

Places resorted to by the drug addicts should be declared and treated as common nuisances, and the police authorities should be given the right to arrest without warrant in certain cases.

The hypodermic syringe and needle should be kept from the addict, and the sale of these instruments regulated.

The boards of registration in medicine, dentistry, pharmacy and veterinary medicine should be given broader powers to cancel and revoke registrations and licenses.

The sale and distribution of narcotic drugs by wholesale and retail druggists should be further restricted.

The State Department of Health should be empowered to makes rules and regulations for the distribution of narcotic drugs through druggists.

Private hospitals and sanatoria should be specially licensed and subject to rigid inspection.

Provision should be made for institutional treatment and care of non-criminal addicts.

Additional provision should be made for the collection of statistics as to the extent of the use of narcotic drugs in the Commonwealth.—The Boston Post, Jan. 5, 1917.

Laboratory Methods in Criminal Investigation.—It is an incentive to vigorous preparation to learn of the interest which is developing in the proposed course in field and laboratory methods in criminal investigation at the Summer Session of the University of California this coming summer, of which I am to have charge. I am therefore pleased to send you my copy of the "copy" as finally approved for publication in the announcements of the university. I am adding my tentative outline for the laboratory course at the University of California which will accompany the lecture course, and also my complete outline for the course in judicial photography, which I will give concurrently at the recently organized Police School in Berkeley.

The program as arranged at this time is sufficiently elastic to permit modification according to the needs of the class which will be assembled. In the main, however, the work will closely follow the outlines which I inclose.

The university course provides for a lecture daily at 11 o'clock and the laboratory work daily in the afternoon. Both the lecture and laboratory courses are in the nature of concerted work by the several gentlemen named in the announcement and myself.

It is the desire of the university authorities to make the course attractive to as wide a range of sociological and criminological workers as possible. In order to accomplish this I am planning to present the lecture material as much as possible from the point of view that the study of the prevention of crime should include a knowledge of the actual course which a criminal action will take in its accomplishment as revealed by the determination of the usual course, through the application of the resources of the scientific laboratory.

The laboratory course will be more technical and will be arranged especially for those who are interested in the detection of crime or the solution of problems in evidence in any type of legal procedure.

There will be but a limited number of lectures with this division of the

work. My thoughts for them are developing on the theme: Psychological investigation has developed the principle of *modus operandi* by which it is shown that the individual criminal usually operates along very narrow lines and with frequent or constant repetition. May not then the application of the resources of the chemical and physical laboratory in the investigation and solution of criminal problems be considered merely an extension of the system of *modus operandi* with the substitution of the principles and laws of physical forces for the psychological? Treated from this point of view the results should tend to promote a greater correlation between psychological phenomena and physical facts when considered under the rules of evidence.

My own work for both of these courses will be presented along the lines laid down by Gross, Niceforo, Lindenau, Reiss, Paul, Jaiser, Dennstedt, and other workers contributing to the precise investigation of criminal problems, seeking the reduction of much of what is called circumstantial evidence to the interpretation of physical facts which ordinarily escape observation.

E. O. HEINRICH, *Examiner of Questioned Documents,*
Tacoma, Wash.

Report of a Case of Kleptomania.—Apropos of the more recently expressed views of experts in Criminology, particularly those of Healy ("Pathological Lying and Stealing") the following case is of interest:—

A young woman of 22 years had for about a year come into conflict with her associates and friends because of impulsive stealing of articles from their rooms; she had no particular use for these things and has frequently returned them openly before being accused. She has never been involved in shoplifting, always stealing from girl associates. Although hard pressed financially, she has never sold anything that she appropriated, or made any personal use of the same.

Physical examination showed no signs of organic disease of the nervous system or other organs. She is a strong, rather attractive brunette, slightly masculine in appearance, e. g., has excessive growth of hair on trunk, eyebrows and lip. Sexually she declares herself to be indifferent towards men, but apt to develop very strong affection for one girl friend at a time. She has always been very daring in her physical activities and in childhood was considered a "tom-boy." She states that as a child, she was subject to angry outbursts, being very sensitive, and at such times would become almost unconscious, but never had fainting spells or convulsions. She said, "when excited everything would stand out large to my vision." She was very fond of and very chummy with her father. She has had no love affairs and has always been very ambitious to make a career for herself in the world.

A few years ago while a college student, she was unjustly accused of petty thieving from her fellow students. This was a great shock to her, in spite of being soon after proved innocent. After graduating from college she came to the city and obtained work as a writer for magazines and has lived at a girls' club. Since taking up her residence there, she has had to fight constantly against an impulse to steal articles from the rooms of the other girls. At the time of these thefts she feels no compunction, but afterwards is very sorry to have caused distress to others, and of late has become very moody and kept to herself a great deal, because of the feeling that she is different from other girls.

Under examination she was found to be very eager and interested in trying to get to the bottom of her morbid impulses and during a stay of two weeks in the hospital no episodes of peculiar behaviour of any kind were observed. At this time she went voluntarily to a sanitarium because of a feeling of uncertainty about herself, e. g., remarked, "I am afraid of what may happen next. When you get rid of one thing, there is always something else and perhaps I shall kill someone next."

Comment:—We have here to deal with a girl who is of a virile type and perhaps homo-sexual in her instincts. After being unjustly accused of theft from a chum she develops some months later a kleptomania for things belonging to girl associates. Is this trait a substitutive form of sexual expression, the reaction of emotional tension in this particular way being due to suggestion and association of ideas? A psychic form of epilepsy might be considered, but there has been no submersion of consciousness at any time.—HAROLD W. WRIGHT, M. D., San Francisco, Cal.

COURTS—LAWS

Should Alleged Confessions Made to Peace Officers After Arrest be Reduced to Writing Before Admission in Evidence?—The main purpose of the provision requiring that alleged confessions made to peace officers after arrest be reduced to writing is to abolish the evils of the "third degree." There is a very strong popular feeling against the methods of certain police officers in the treatment accorded prisoners in the manner that is generally termed the "third degree." I was skeptical on this point before becoming public defender. From my experience, however, in handling over eight hundred criminal matters during the first two years in office, I am thoroughly convinced that there is sufficient abuse of accused persons to warrant action being taken to prevent miscarriage of justice. In case after case accused persons will stay in jail from two to three months awaiting trial, insisting to their attorneys, to the court and to every one who talks to them, that they are innocent of the charges; yet the arresting officers appear at the trials with statements that, regardless of what was said to everyone else, the prisoners have confessed to them. It seems a very strange coincidence that in very many cases where the evidence is insufficient to convict, the police officer appears as the last witness for the prosecution and tells of a confession made by the defendant in the cell of the jail when he alone was present with the prisoner. I am not speaking of isolated cases. Occurrences of this kind are entirely too frequent.

One of the first cases I handled as public defender was that of People v. Montenegro. The defendant and another Mexican were arrested on a burglary charge. Stolen clothing was found in their room. There was no evidence whatever to connect Montenegro with the offense except that the clothing was found in the possession of these two men, and, of course, it is a well-known rule of that that mere possession of the property, under such circumstances, would not be sufficient to convict. In this case the defendant had a reasonable explanation to give concerning the property. Montenegro could not talk English and the arresting officer could not talk Spanish. Nevertheless the officer supplied the necessary proof to make out a case for the prosecution. In this case, however, he went a little too far and the jury apparently became disgusted with a confession in a language that the officer could not understand, and acquitted the defendant. It is difficult to explain why the defendant maintained

his innocence through the preliminary examination and during several months that he remained in jail awaiting trial if he had been so willing to tell the policeman of his alleged guilt.

We have in our office transcripts of testimony taken at the preliminary examination in at least two cases where the accused did not have counsel and in which policemen admitted, under oath, that they had struck the accused after arresting them. The following is taken from the reporter's transcript of the evidence taken at the preliminary examination in the case of People v. Bright and Padillo, page 9. The transcript was filed November 14, 1914. The answer is by the arresting policeman. The defendants were in court without counsel:

"(Question by defendant Bright) When you forced me to tell my name you hit me in the jaw, trying to force me to tell a lie; you kept forcing me to say that I was guilty; and I would tell you a different name——

"A. I slapped you and told you to quit lying."

The following is taken from the reporter's transcript of the evidence taken at the preliminary examination in the case of People v. Claude Johnson, page 12. The defendant was in court without counsel and the questions were asked of the arresting officer. The examination took place June 18, 1915:

"The defendant: You say you seen me coming around the corner running. I was in the street all the time. I seen you coming over the sidewalk and got up and circled into the street.

"A. That was as I seen.

"Q. You didn't tell them how you made me shut up—it was a hard jolt in the jaw, wasn't it?

"A. I gave you a left uppercut in the jaw.

"Q. You didn't tell them what you stopped me with.

"The Court: Any more questions?

"The defendant: No, sir."

A man was recently beaten to death in the city jail of Los Angeles. The district attorney filed an information against a police officer, charging him with responsibility for the death of the prisoner. In this case, however, the defendant was acquitted. Statements by the defendants that they have been misused, physically and otherwise, by arresting officers, after being taken to the jails, are so numerous that one is almost forced to believe that there must be some ground to give them credence.

Experienced police officers on the witness stand are so familiar with the questions which the prosecuting attorneys propound in laying the foundation for the admission of a confession that the answers are on their tongues' ends before the questions are fairly asked. They know that they are expected to state that there were no hopes of reward, offers of immunity, violence, etc., and their answers are readily forthcoming. With most of the experienced policemen it is almost hopeless for the attorney for the defendant to cross-examine on the circumstances of the alleged confession.

In Wharton's Criminal Evidence (edition of 1912) we find these statements:

"Section 622f. The arresting officer has always assumed that it was within his power to institute a summary inquisition, and to extort from the suspected a statement that would confirm his suspicion, and to extort from the party suspected a statement that would confirm his suspicion. . . . Yet, notwithstanding the constitutional safeguard, the inquisition still prevails and is as fruitful of results today as it has ever been since its establishment."

A confession made to an officer of the law, if worth anything at all, should, in most cases, be so overwhelming in its effect as to settle the case. It is difficult to argue that a man in his right mind would confess his guilt to a criminal charge unless he were guilty. We, nevertheless, find many cases of so-called confessions concerning which arresting officers give testimony, yet we find that juries hesitate to act upon them. It is clear that if the testimony of the arresting officers on the subject of confession is to be given due weight, the officers have the liberty and sometimes even the lives of citizens in their hands; notwithstanding the fact that they may be actuated by a desire to get convictions. Such a dangerous weapon in the hands of the arresting officer should be properly handled and the accused person taken to the prison cell should be properly safeguarded. If he is willing to confess at all, and if his confession is of such importance and is given under such circumstances that it should be used against him, there is absolutely no reason whatever why it should not be reduced to writing. If the prisoner will not sign his name to the confession it can not be argued that it is free and voluntary. If the practice of requiring written confessions were pursued we would not have the question presented to the minds of the jury in nearly every case of this kind to determine whether the police officer is telling the truth and whether the confession was ever made, or, if made, was not forced from the prisoner.

The amendment proposed is not entirely for the benefit of the accused. Prosecuting officers should welcome a change which will give them just as good an opportunity to get reliable evidence and which will make their evidence, when once properly obtained, much more forceful before the jury. At the same time it will save well-intentioned officers from unjust criticism. The defendant, on the other hand, will be protected from those of the officers who are not actuated by the highest motives.

I make the recommendation on this point, fully realizing that a majority of the peace officers are performing their duties in a proper and conscientious manner. The amendment is proposed for the purpose of affording better treatment for the efficient and honest officer as well as for the accused.—Argument by Walton J. Wood, Public Defender of Los Angeles County, California, before the California Bar Association.

An Act Providing for the Establishment, Government and Maintenance of a Psychopathic Hospital Under the Management of the Board of Regents of the University of California, Regulating the Admission of Patients Thereto, Their Treatment Therein and Discharge Therefrom, and Making an Appropriation Therefor.—The people of the State of California do enact as follows:

SECTION 1. There is hereby established a psychopathic hospital for the study of, and education regarding abnormal mental states, their nature, causes, results, treatment and prevention, and the dissemination of knowledge in such matters; for the care, observation and treatment within the hospital wards, out-patient department or elsewhere in the state of persons suffering from insanity and other abnormal states; for the investigation, in any part of the state, into the primary or precipitating causes of insanity; and for co-operation with local or state authorities and institutions in preventing abnormal mental states and the aggravation thereof by unfavorable environment.

SEC. 2. The psychopathic hospital hereby established shall be located,

erected, conducted, and maintained by the board of regents of the University of California. The board shall acquire in the name and on behalf of the people of the State of California, lands and rights in lands at or near the University of California medical school in the city and county of San Francisco, upon which they shall erect, equip, furnish and maintain a building, or buildings, suitable for said hospital, which shall be at least sufficient to accommodate one hundred patients and the necessary officers, physicians, nurses and employes and to provide for general administration, treatment rooms, laboratories, and an out-patient department. The board may accept gifts, bequests and devices of real and personal property for such purposes and may acquire such property by purchase, out of any moneys specially appropriated therefor.

SEC. 3. So far as not inconsistent with the provisions hereof the board of regents shall provide for the government and maintenance of the hospital. They shall provide for such out-patient departments, laboratories, social service, field work and co-operation with public officers and institutions as may be necessary and advisable. They shall appoint and fix the compensation and define the powers and duties of the director of the hospital and such physicians, officers and employes as they may deem necessary. The director, by virtue of his position, shall be professor of psychiatry in the University of California and pathologist in the state institutions for the insane and mentally defective. He shall devote his entire time to the duties of his office and shall not engage in any other occupation or business. He shall be in direct charge of the hospital and shall have supervision over all officers, physicians, nurses and employes, subject to such regulations as the board of regents may adopt. The board shall fix the charges for the care of patients able to pay the same; provided, that no physician shall receive any compensation for the treatment of patients therein, except such compensation as he may receive from the state.

SEC. 4. There shall be maintained as a part of the hospital a clinical and pathological laboratory, which shall be a central laboratory for the state hospitals for the insane and mentally defective and a laboratory in which research into phenomena, pathology, causation, treatment and prevention of abnormal mental states shall be carried on.

SEC. 5. No patient shall be admitted or cared for at the hospital without the consent of the director, or his authorized representative, nor otherwise than in accordance with the following provisions:

Voluntary Patients.—A person may, with the consent of the director, or his authorized representative, be treated as a voluntary patient on his written request, if he be of the age of majority, or in the case of a minor on the written request of his guardian. In the event that a person admitted as a voluntary patient demands the right to leave the hospital against the advice of the director, or attempts to do so, he shall be discharged from the hospital.

Temporary-care Patients.—When in accordance with the provisions of Sections 2168 to 2171 of the Political Code, in a hearing as to the sanity or insanity of any person, it shall be made to appear to the court that on account of doubt as to the sanity or insanity of such person an order of commitment is inadvisable, or if in the opinion of the court and the medical examiners the case presents complicated mental or nervous diseases which may be treated at the state psychopathic hospital and by such treatment the mental or nervous dis-

ability may be cured or benefited, the court may, upon the written request of the director of such hospital, or his authorized representative, continue the hearing not to exceed thirty-five days and direct that such person be sent to the state psychopathic hospital as a public or private patient, to be confined, observed and treated during said period of not to exceed thirty-five days. Before the expiration of this period, the director of the state psychopathic hospital shall report to the judge before whom said proceedings are pending the results of his observation and treatment of said patient and shall state whether in his opinion said patient is sane or insane. If observation shows that the patient is insane and the court so decides, the court shall proceed as in other cases. If the results of such observation and treatment show and it is the opinion of the director of the psychopathic hospital that such person is not insane, and the court so decides, then the order for confinement, observation and treatment in the psychopathic hospital shall be vacated and the patient discharged therefrom. Patients shall not be committed by order of court to the psychopathic hospital except for the time and in the manner hereinbefore in this section prescribed.

Transfer Patients.—A patient committed to any state institution for the insane or mentally defective in this state may be transferred to and cared for in the psychopathic hospital; provided, that no patient shall be so transferred to the psychopathic hospital except upon order of the state lunacy commission after the consent both of the director of the psychopathic hospital and the superintendent of said institution have been obtained. No patient committed to any state institution for the insane or mentally defective and transferred to the psychopathid hospital may be discharged from the psychopathic hospital except for the purpose of returning him to the custody of the state institution to which he was originally committed, unless the consent of the superintendent of such institution or an order of a court of competent jurisdiction is first obtained. A transfer patient in the psychopathic hospital shall have the same status as if he were in the institution to which he was originally committed. The cost of the care of transfer patients while at the psychopathic hospital in so far as the same is chargeable against the state shall be defrayed from the funds of the psychopathic hospital, but the expense of transporting such patients to or from the psychopathic hospital shall be paid in the manner prescribed by law for the payment of the expense of transporting patients from one state institution for the insane or mentally defective to another.

SEC. 6. It is the intention of the Legislature that the cost of the establishment and maintenance of the psychopathic hospital shall be paid out of moneys specially appropriated therefor and not out of the general funds of the University of California.

SEC. 7. Out of any moneys in the state treasury not otherwise appropriated, there is hereby appropriated the sum of one hundred thousand dollars, or so much thereof as may be necessary, to be expended by the board of regents in accordance with law in the purchase of land for the state psychopathic hospital.—California Assembly Bill 898. Introduced by Mr. Prendergast, Jan. 25, 1917. Referred to Committee on Hospitals and Asylums.

The Military Occupation of Hostile Territory in the Light of Criminal Law.—(Original article by Artistide Manassero in *La Scuola Positiva* for November 30, 1916.) This is a discussion of the rules of international law

bearing on the occupation, either permanent or temporary, of territory by hostile troops, and it is with particular reference to the occupation of Austrian territory by Italian troops and certain legislative or other provisions of the Italian law for the regulation of such territory that it is written.

The following is a summary of the discussion:

When the Italian troops took possession of certain Austrian territory it is true that the rules of criminal law applicable to it are temporary and contingent, but they are nevertheless necessary. If such a temporary occupation by hostile troops becomes permanent, then, of course, it is necessary to adopt permanent legal rules for the government of such territory.

There is, however, a distinction to be made between complete conquest, that is to say, a definite victory and a provisional occupation. From an invasion we pass to a military occupation, which lasts only while the struggle is going on, and during which military control must prevail. The nature of such military occupation has changed in the nineteenth century prior to which the conquered territory was a prize to be disposed of at will.

Now although an occupation may be only temporary a certain authority must be exercised for the maintenance of public order, but this should be limited to the necessity of the case and without losing sight of the nature of the occupation and the guiding principle on the part of the invader should be to make as little change as possible.

From this it results that the conquering state has a choice of various lines of conduct. It may permit the status quo to continue limiting itself to those material advantages that arise from military occupation. If the invasion is with a well-defined intention to maintain permanent sovereignty over the territory invaded and to exclude forever the defeated sovereign, an administration must be established, distinct from the mere exercise of sovereignty in the name of conquest. These rights arise from possession. But if on the contrary the occupation is merely during the war, the powers of the occupant are limited to the necessities of war. Consequently all the laws in force under ordinary circumstances remain with this exception in full vigor.

See Bonfils, International Law, Paris, Rousseau, 1912, page 764.

It is necessary, therefore, to inquire what changes are legitimate. The following distinctions are observed: First, the civil law; second, the military law, which the army carries with it; third, the laws which must be enforced by the invading state for the maintenance of public order or civil life in the territory occupied. This last named forms the special object of the present discussion.

In the first place the occupying state ought not to modify nor change the civil law in so far as it affects individuals, their interest being private and the state of war being the relation of one state to another and not of one state to an individual or of one individual to another individual. It follows, therefore, that the removal of officials or their provisional retention is a matter largely of discretion and is founded upon purely utilitarian principles. The military authorities, therefore, leave in force whatever orders or decrees may be left without prejudice and suspend such others as circumstances may require. Therefore, the judges are allowed a wide discretion and it is their duty to aid the district judges, giving advice to the population and whatever assitance may be necessary, with impartial mediation. As to the criminal law, the army carries with it its own criminal law. Its first consideration is, of course, its own

security. Upon the army depends the safety of the country and consequently its actions are based on the principle of self-preservation. From this it follows that there are certain measures commonly known as repressive measures, and these are entirely distinct from criminal law as such. Repressive measures are intended only to preserve the power and integrity of the troops, and these do not partake in any sense of the nature of criminal or penal actions. Repressive measures to be effective must be swift and sure. On the other hand as to crimes not affecting the army, criminals are subject to the Italian laws although the offense may have been committed in the occupied territory and the criminal law follows not only the flag but the person of the military. The military courts, however, have exclusive jurisdiction of military offenses.

It is found, of course, that the military tribunals are not sufficient for all forms of penal law in the occupied territory and consequently the ordinary courts must assume jurisdiction of crimes not affecting the army. Certain military decrees were promulgated for the government of occupied Austrian territory and the tribunals have applied not only the provisions of these decrees but the ordinary criminal law as well. The provisions of the criminal code should, wherever possible, be applied. Certain inconveniences arise, however, where Italian merchants have located in Austrian territory subsequently occupied by Italian troops who may come under the provisions of the Austrian law. In view of the fact that questions of this sort might arise, and that if specific provisions be lacking certain crimes might go unpunished, it follows as a matter of course that any tribunal having cognizance of crimes where military decrees are not effective, must apply the ordinary criminal law of Italy. For example, where a soldier committed homicide, he was condemned by the military tribunal, but this tribunal enforced the punishment provided in Article 371 of the common penal code. Concluding it is certainly commendable to take into strict account the principles of international law concerning the laws of the places occupied, leaving to some agency, of course, the questions of detail.

To the editor some comment here seems advisable. The first and irresistible conclusion from this, as from all arguments by a litigant, is that self-interest predominates. The second is the absolute futility of all principles of international law, where the major premise of the argument is inviolate nationalism.

Admitting the nationalistic, and primeval, and "survival of the fittest" principle of self-preservation, all measures based upon self-preservation are sound. But who fashions the major premise? Obviously the country applying the repressive measures. It then becomes the judge of what threatens its existence. It then must judge also what under international law is a proper repressive measure. Having passed its judgment thus on international law, what becomes of international law? The truth is that inviolate nationalism and international law are two conflicting principles the moment that war occurs. And when there is no war international law is an abstraction which the strong nations regard only in moments of benevolence or when stronger nations enforce a sanction.—George F. Deiser, Philadelphia.

A Humane Measure for the Protection and Care of Certain Children.—No principle is more firmly established in this country than that every child ought to have a fair chance. The public school system is a great expression of this principle. The Juvenile Court is an example of the care of the state for those who need special guardianship.

One class of children at present suffers great injustice. A child born out

of wedlock has, at best, a hard struggle before him. Society and the law ought not to make this struggle harder than need be. At present the law stigmatizes a child with the offensive name bastard; and, what is more serious, it fails to secure for him any adequate support from the father; the trifling sum obtainable by the mother, while possibly of some help under conditions of seventy years ago, is now ridiculously inadequate for the support and education which ought to be the birthright of every child born in Illinois.

Our present law also works injustice to the mother and the public. Practically the whole burden for the care of bringing up such a child is shifted from the shoulders of the father, who is primarily responsible for the child's being, to the shoulders of the mother or to public charity. This is not only bad for the child, the mother, and the public; it is bad for the father who ought to face and carry his responsibility.

The existing law, moreover, affords opportunities for blackmail.

For these reasons, the Illinois Committee on Social Legislation presents the following bill, carefully drawn by Judge Fisher, who has had experience in the Municipal Court of Chicago with many of these cases, and who has conferred with a large number of social workers and with judges and lawyers. It is believed that the whole bill, while safeguarding proper interests, takes a much needed step toward giving the child born out of wedlock a fair chance in the world.

Like the Non-support Act enacted two years ago, it is a measure not to increase public expense but to relieve the public of a burden that ought to be carried by the father. And, like that act, the aim is not primarily to punish some one while leaving the child as badly off as ever. It is a measure to provide for the child. It follows the principle of procedure so successful in the Juvenile Court Law. It creates for the child a legal status, but does not attempt to force any other status upon the parties. Read Judge Fisher's brief.—James H. Tufts, President Illinois Committee on Social Legislation.

SUMMARY.

This bill if enacted into law would:

Establish for the child born out of wedlock a status in law similar to that of an adopted child, thus imposing upon its parents obligations for its support, maintenance and education according to their means. Provision is made for the permanent supervision and enforcement of these obligations by the court.

Eliminate the word "bastardy" from the law.

Provide a hearing before a chancellor who, in his discretion, may avert the humiliation of a trial in open court.

Allow the child born out of wedlock to inherit from its father unless specifically disinherited.

Give the child either its father's or mother's name, according to the discretion of the court.

Permit the court to give the custody of the child to the father, if he is willing, or to the mother. In exercising this authority the court may assign the child to the parent best fitted, economically or otherwise, to provide for its support, protection, education and discipline.

Allow the status of the child to be established even if the father leaves the jurisdiction of the court, guarding against injustice to an accused person, however, by allowing his relatives to defend the suit and by allowing him, as the defendant may do in other equity cases, to reopen the suit within three years.

Provide for an allowance to the mother for court costs in order to permit prosecution of cases and for an allowance covering reasonable hospital and medical care for the mother during confinement.

Provide, upon request by the complainant or direction of the court, for the prosecution of cases under this law by the state's attorney, or if a private counsel is had, the defendant, if the issues are found against him, may be compelled to pay the woman's solicitor's fees.

Provide better protection against the blackmailing of accused persons.

A copy of the bill follows:

A BILL FOR AN ACT CONCERNING CHILDREN BORN OUT OF WEDLOCK.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly:

That, when an unmarried woman shall become pregnant or be delivered of a child, such woman, or, if the child is born, the guardian of such child, may file a bill of complaint in chancery, in the county in which such woman resides, or where the alleged father of such child resides, for the purpose of establishing who is the father of the child. The bill of complaint shall make the alleged father of the child a party defendant; and, where the complainant is the guardian of the child, then the mother and the alleged father shall be made parties defendant.

SEC. 2. The defendants to such bill shall be notified of such proceedings by summons, if residents in this state; or by delivery of a copy of the bill, together with a notice of the commencement of the proceedings, to any defendant residing or being without the state, in the same manner as in other chancery proceedings, except that the summons shall be made returnable at any time within twenty days after the date thereof, and that service by a copy of the bill, together with notice of the commencement of the suit, shall be made not less than twenty days previous to the date at which the defendant shall be required to answer.

SEC. 3. Whenever it shall appear from the bill of complaint, or from an affidavit filed in the cause, that any defendant resides or has gone out of this state, or, on due inquiry, can not be found, or is concealed within this state so that process can not be served upon him, and stating the place of residence of such defendant, if known, or that upon diligent inquiry his place of residence can not be ascertained, the clerk shall cause publication to be made, in some newspaper printed in his county; and if there be no newspaper published in his county, then the nearest newspaper published in this state, which publication shall be entitled "Notice to Establish the Civil Status of a Child," and shall be substantially as follows:

A, B, C, D, etc. (Here giving the names of defendants.)

Take notice that, on the.....day of....., A. D..... a bill of complaint was filed in the.....Court of..... County, praying for the establishment of the civil status of a child born, or to be born (as the case may be) to..... (here giving the name of the mother); in which proceeding you have been made a party defendant.

Now, unless you appear within twenty days after the date of this notice and show cause why the prayer in such bill of complaint shall not be granted, the bill of complaint will be taken as confessed, and a decree entered.

.....

Clerk.

Dated..... (The date of publication.)

The clerk shall also, within ten days of the first publication of such notice, send a copy thereof, by mail, addressed to such defendant whose place of residence is stated in the bill of complaint or affidavit, and who shall not have been served with summons.

The certificate of the clerk that he has sent such notice in pursuance of this section shall be evidence thereof.

The notice required in this section may be given at any time after the commencement of the suit, and shall be published at least once in each week, for two successive weeks, and no default or proceeding shall be taken against any defendant not served with summons or a copy of the bill, and not appearing, unless twenty days shall intervene between the first publication, as aforesaid, and the day at which such default is proposed to be taken.

SEC. 4. Every defendant who shall be duly summoned shall be held to answer on the return day of the summons; or, if such summons shall be served less than three days prior to the return day, then three days after such service.

Every defendant served by a copy of the bill, together with a notice of the commencement of the proceedings, shall be held to answer within twenty days after such service.

Every defendant who shall be notified by publication, as herein provided, shall be held to answer within twenty days after the date of the first publication of the notice.

The answer shall have no greater weight as evidence than the bill of complaint.

In default of demurrer, plea, or answer at the time specified, or at such further time as by order of court may be granted, the bill of complaint may be taken as confessed.

Where the only notice given to a defendant is by publication, as herein provided, and defendant defaults, the wife, children, parents, sisters, or brothers of defendant may, on application, be given leave to defend the suit, but they shall not thereby be deemed parties to the suit, nor shall any decree entered in the cause have any greater effect as against the defendant than a decree entered without such defense being made.

A decree entered in any proceeding under this act against a defendant who shall not have been summoned or served with a copy of the bill, or who shall not have received the notice required to be sent him by mail, shall be subject to the right of the defendant to appear and answer the same, as in other decrees in chancery made upon like notice.

SEC. 5. The issues shall be made up on the bill of complaint and answer thereto; and, when the case shall be at issue, or on default of answer by the defendant, the court shall proceed to hear evidence, the same as in other chancery proceedings. If the court shall find that the mother was delivered of a child out of lawful wedlock; that at the time of the birth of the child or at the time of the filing of the bill of complaint the mother was an unmarried woman, and that the defendant is the father of the child, a decree shall be made, setting forth the facts, and decreeing that the defendant is the father of such child, and that as to such father, the child is and shall be, to all legal intents and purposes, his child.

SEC. 6. The court shall also, in such proceeding, determine whether the child shall have the name of the father or mother; whether the father or the

mother of such child shall have its custody; but, in no event, shall the custody be granted to the father unless he is willing to have the custody of such child. Where both the father and mother desire to have the custody of the child, the court shall grant the custody of the child to the parent more fit and able to care for, protect, train, educate, and discipline such child, if, in the judgment of the court, it is for the interest of such child and of the people of this state, that the custody of the child be given to such parent.

SEC. 7. The court may decree that the parents, or either of them, shall provide for the reasonable support, maintenance, and education of such child, designating what amount each shall pay, and how and to whom payable; and, in determining the amount to be allowed, the court shall have reference to the condition of the parties; provided, however, that such decree for support, maintenance, and education of the child shall not be a bar to any criminal prosecution of the defendant for his abandonment or failure to support such child, nor to any proceedings for the support of such child under an act entitled "An Act to Revise the Law in Relation to Paupers," approved March 23rd, 1874, in force July 1st, 1874.

The court may also grant an allowance for the complainant's costs to prosecute the suit, as well as for her solicitor's fee; and may decree that the father pay reasonable expenses for hospital and medical care incurred or to be incurred by the mother during confinement.

In all cases where provision is made for the support, maintenance, or education of the child, for the payment of medical or hospital expenses, or for the payment of the costs of the proceeding, the court shall require the person so decreed to make such provision to give reasonable bond, with or without surety, for the faithful compliance with the decree of the court. Such bond shall be for a period of not less than three years, at the expiration of which time the court shall direct the giving of new bond; and the court may, on application, from time to time after the entry of such decree, make such alterations in the allowance for the support, maintenance, education, care, and custody of the child, as well as in the security given, as shall appear reasonable and proper.

SEC. 8. Any decree entered as aforesaid shall be conclusive evidence of the facts it recites and of the order made; and shall be admissible in evidence for or against the child, or for or against either party to such decree, in any proceeding at law or in chancery, as well as in any criminal proceeding prosecuted for abandonment, non-support, neglect, or contributing to the dependency or delinquency of the child.

SEC. 9. Whenever it shall be made to appear by the bill of complaint or affidavit filed in the cause, that the defendant has no property within the county, or that the departure from the county of the defendant would leave the child born or to be born destitute and without means of support, the court shall, without any further showing, direct the issuance of a writ of *ne exeat republica;* and, upon granting of such writ, the court, judge, or master, in cases where, by law, a master in chancery has the power to order the issuance of such writs, shall endorse or cause to be endorsed upon the bill of complaint what penalty, bond, and security shall be required of the defendant.

The court, judge, or master shall have the power to require the complainant to give bond, with or without surety, conditioned that the complainant will prosecute the bill with effect, as in other cases where the writ of *ne exeat* may

issue; (but where the complainant is not the mother of the child, the court may issue the writ without bond).

SEC. 10. Should the parents of the child inter-marry, the bill shall be dismissed, and the child shall be deemed and held their child as if born in wedlock.

SEC. 11. It shall be the duty of the state's attorney of the county where such bill of complaint may be filed, to represent the complainant in the bill whenever the complainant shall request, or the court shall direct; and to cause such bill to be filed upon request, and to prosecute same until the final determination and disposition of the case; and, if a decree shall be entered, directing the parties to provide for the support and maintenance of the child, to prosecute any motion or motions, petitions or applications to enforce compliance with such a decree.

SEC. 12. No final decree shall be made under this act until after the birth of the child.

SEC. 13. No proceeding shall be started under this act after two years from the birth of the child, unless the father has previously acknowledged the child to be his child, nor at any time after the death of the alleged father.

SEC. 14. No relief shall be granted in pursuance of the provisions of this act if the mother of the child has not resided in the state six months next preceding the filing of the bill, except where conception took place within this state.

SEC. 15. An act entitled "An Act Concerning Bastardy," approved April 3rd, 1872, in force July 1st, 1872, is hereby repealed; provided, however, that this clause shall not apply to proceedings commenced or to be commenced hereafter in cases where the child was born prior to this act taking effect.

A BRIEF FOR THE PROPOSED LAW.
By Judge Harry M. Fisher, Morals Court, Chicago.

The law in Illinois dealing with illegitimacy (Chapter 17, Hurd's Revised Statutes), is entitled "An Act Concerning Bastardy." It is regarded as a civil action, but criminal in procedure. Suit is started by complaint, upon which a warrant is issued. The issue is "whether the person charged is the real father of the child or not," and is tryable by jury. Upon conviction, judgment is entered for an amount not exceeding Five Hundred Fifty Dollars ($550.00), payable One Hundred Dollars ($100.00) the first year, and Fifty Dollars ($50.00) each year thereafter, for nine years. Payment is secured by bond. If the father absconds, he can not be brought back by extradition proceedings.

The money payable under the judgment goes to the mother. She may settle her case for Four Hundred Dollars ($400.00); with the consent of a county court, for less. I doubt whether the whole sum of Five Hundred Fifty Dollars is collected in more than twenty-five per cent of the cases. Usually the child is a charge on the public; this in addition to the disadvantage of being deemed legally and socially a bastard.

I take it for granted that it is generally agreed that this law is wholly inadequate, and out of harmony with modern thought on the subject.

The disagreement seems to be as to the extent to which we should go in altering the situation. Some feel that the child's accident of birth should make no difference in his standing in the community, nor in his relation to

his natural parents; others that the bringing of an illegitimate child into the world should be punishable as a crime. Some would have us go to the extent of making the birth of an illegitimate child, by operation of law, a marriage between the parents. A large group interested in this question takes the view that not only the child, but the mother should be protected, by making the father bear the burden of her support, as well as that of the child. Some insist that the burden of proof of innocence rests on the father, and that the law makes it possible for the mother to bring as many defendants to one action as she chooses, from the men who had sexual relations with her during the period of gestation; and that, where the actual paternity can not be established, all such defendants be compelled to contribute to the support of the child.

Whether or not we are ready to accept any of these extreme views is questionable. The time when society will regard the illegitimate child on a par with the legitimate is probably far distant; but there is no reason in law or morals why such child should not, at least, be entitled to support, maintenance, and education at the hands of its natural parents, according to their means.

Our present bastardy law has been in force since 1845, and when a change is attempted of a law in force for such a length of time, it should be done conservatively. No new remedies should be granted by law unless the need for such relief is fairly evident.

The foregoing bill has, therefore, been drafted, with that thought in mind. It aims to secure only such relief as seems generally conceded to be necessary, without touching the extreme measures advocated by many. The underlying idea of the bill is to create, as between the natural parents and the child, the same obligations, as nearly as possible under our present social system, that now exist between parents and children born in wedlock. To that end, the bill provides that the proceeding should not, in the first instance, be criminal, nor should it necessarily be a proceeding for support. Its main purpose is to determine the status of the child, and to establish, by decree of court, who the natural father is. That fact established, the duties and obligations of the father to the child then follow by operation of law, and are the same as between a foster parent and adopted child. It does not, strictly speaking, legitimatize the child, but establishes a relation which might be regarded as an *involuntary adoption*. These duties and obligations are not expressly enumerated in the bill; they follow as a matter of law from the establishment of the status by the decree. The father is subject to all the laws in force for support, maintenance, and education of the child. The child inherits the same as an adopted child would.

To establish this relation, the bill provides a proceeding in chancery, for the following, among other reasons: It has been urged that juries (where the issues may be proven by a mere preponderance of evidence) have, as a rule, been swayed by sympathy for the woman and child, and have paid little attention to any defense of the reputed father; with the result that accusation meant almost certain conviction. This, it is said, has led to many abuses, particularly in the country districts. The law has been made an instrument of extortion on the part of unscrupulous women. Therefore, by putting this class of cases under the jurisdiction of the chancellor, the hearing would be had by the judge, without a jury, and the court would be in a position to inquire into the fairness of the proceedings. Where the good faith of the complainant is questioned,

or when other conditions appearing on the trial justify it, the court could continue the hearing from time to time, until the chancellor is fully advised on all the matters.

The chancellor could also, in a proper case, hear the evidence in chambers, without exposing the parties and witnesses to the humiliation of a hearing in open court.

Moreover, the most serious offenders could be reached by such a proceeding. Under the present law, or any law which falls short of making bastardy a crime, extradition proceedings can not be instituted to bring back a father who absconded from the jurisdiction; whereas, in chancery, jurisdiction may be obtained by substituted service, and the legal status of the child established in the absence of the fugitive father. This method of obtaining jurisdiction is now in use in cases affecting the relation between husband and wife, the adoption of children, and in proceedings before the Juvenile Court. It may, with the same degree of fairness, be resorted to in cases establishing a civil status, as in cases dissolving it. When the relation is established, the father can be brought back for non-support of his child.

The question was raised whether trial by jury in such cases can be abolished. Careful investigation of the law satisfied me beyond doubt that this may be done. The remedy suggested by this act was not known to the common law; nor is this proceeding, in any sense, similar to our bastardy proceedings. Even if this were to be regarded as a suit in the nature of a bastardy proceeding, still it could be made a chancery action, because, in so far as such questions were at all subject to the jurisdiction of the court, at common law they were heard in the ecclesiastical, and not in the law courts, and, therefore, properly belongs to the chancery division. In fact, at common law, the bastard was regarded as *filius nullius;* the child of no one. This law has not been changed in Illinois, although the child is permitted to inherit from the mother. Therefore, a proceeding to make an illegitimate child the child of the father is an entirely new statutory remedy, and may be tried without a jury.

An additional advantage of trying such case before a chancellor is to be found in the fact that a court of chancery, having obtained jurisdiction over the person and subject matter, would have a right to determine all questions affecting the guardianship, support, care, custody, and education of the child; and the guiding consideration for the court would be the interest of the child and the welfare of society. The court could guard against such child's becoming a public charge; inquire into the fitness of either or both parents to have the custody of the child; and appoint some person other than the parents as the guardian of the child, if such action is deemed just and equitable.

In Cook County the judges could designate one judge to try these cases, probably the judge sitting in the Juvenile Court, thus insuring a speedy hearing. In the other counties the need of a preliminary hearing before a justice, and the holding over to the next term of court would be obviated, and time saved.

On the question of service of process by publication, the bill follows the provisions of the chancery practice act, and specifically provides that, within three years after a decree is entered, where substituted service was had, the defendant may come in and get leave to defend the same as in all other chancery cases. Of course, no support order can be made where service was by publication. Resort can be had, however, to the criminal courts for non-support. The right is given to the relatives of the defendant to defend on

their own behalf, without binding the defendant served by publication only. Testimony may be offered by depositions (which can not be done in criminal cases, or even quasi criminal cases, without the consent of the parties).

Provision is made for an allowance for solicitors' fees, and for the payment for the reasonable expenses for hospital and medical care incurred by the mother during confinement.

It is made the duty of the state's attorney to represent the complainant, at her request, or at the court's direction.

Six months' residence within the state is required before a bill can be filed, and a two-year limitation after birth, is made for the commencement of the proceedings.

The word "bastard" is entirely eliminated.

Intermarriage between the parents at any time would legitimatize the child.

The court is empowered to change or modify its decree for support and maintenance any time after the final decree; and it is left to the discretion of the chancellor to determine whether the child should bear the name of the father or the mother.

In a proceeding where the principles of equity guide the court, ample protection is secured for the defendant, and just provision is made for the unfortunate child.

The possibility of using the law as an instrument for extortion will be greatly minimized in such a proceeding. Altogether, in my opinion, we come nearer a solution of the problem, as far as it can now be solved, than by any other proceeding thus far suggested.

There seems to be some difference of opinion as to whether the child should be given the right to inherit. Under the provisions of this bill, if a decree is entered during the lifetime of the father, the child would inherit directly from him (but not collaterally), subject to the power on the part of the father to disinherit it by will. This, in my opinion, is eminently fair. It can work no hardship upon anybody, since the father has the right to disinherit the child; and the provision in the bill that the proceedings abate upon, and no decree can be entered after the death of the father, is a guarantee against unfounded claims to an estate. The rights of the other members of the family are in no way affected, unless the father is willing that the child should inherit. No spurious claims can be made to the estate, since the only evidence of the relationship would be a decree entered during the lifetime of the father.

Fraud by Italian Contractors.—Let us take heart. The contractor who would make money by cheating the very soldiers who are sent out for his own defense as well as that of his other countrymen is not purely an American product.

Two Italian contractors were arrested under the following circumstances:

Caravilli Pietro and his partner took a contract to furnish boots for the infantry and also for the bicycle corps at a given price and in conformity with certain specifications. In a shipment of September, 1916, an examination of 870 pairs of shoes disclosed that some of them lacked a half of the sole, others had heels of old leather and of scraps, and others instead of leather soles had pieces of wood substituted. As a result the contract was annulled and pro-

ceedings brought against the above named and his partner for fraud. These two contractors were able to prove that a shoemaker named Luccini Giuseppe had assumed a sub-contract for a certain part of the work, knowing that it was intended for the use of the army, and he it was who had been carrying on the fraud, and had himself manufactured the shoes in which the fraudulent substitutions had been made.

Immediately we take a dislike to the shoemaker, because instead of showing any defense to a low kind of fraud he resorts to technical objections to the jurisdiction of the military tribunal and for a time succeeds in having the judgment pronounced against him reversed until it reaches the Supreme Court, which decided finally that the military court had jurisdiction and that the judgment pronounced by this court should be carried out. Of all the crimes that come before the courts none seems more senseless and contemptible than that of maintaining a watchdog as a protection against marauders and keeping it either weak or ill by refusing it proper food or shelter.

This case was reported in *La Giustizia Penale* of December 7, 1916.—George F. Deiser, Philadelphia.

To Provide for the Sterilization of Inmates of Institutions having the Care and Custody of Idiotic, Imbecile, Feeble-minded and Insane Persons, in Cases where such Sterilization will Materially Improve the Mental or Physical Condition of Such Persons, and in Cases Where, Owing to the Idiocy, Imbecility, Insanity or Feeble-mindedness of such Persons, not being in Permanent Custody, the Procreation by such Persons would produce Offspring Similarily Affected.—Section 1. Be it enacted by the Senate of House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That within ninety days after the first day of July, one thousand nine hundred seventeen, the board of trustees, managers, or directors of each institution having the care and custody of idiots, imbeciles, epileptics, insane or feeble-minded persons, which institution is supported in whole or in part by appropriations made for that purpose by the General Assembly, shall constitute and appoint a commission to consist of at least one competent neurologist, and one surgeon of recognized ability, who may be appointed from the regular staff of such institution, the duty of which commission shall be to examine the mental and physical condition of the inmates of such institution, and the personal records and family traits and histories thereof, and to determine and report in writing to the board of trustees, managers or directors of said institution, from time to time:

(a) In what, if any, cases, the physical or mental condition of an inmate will be materially benefited by sterilization, there being no probability that such condition of the inmates can be otherwise improved, and

(b) In what, if any, cases, the condition of an inmate is such that by reason of his or her imbecility, idiocy, insanity, epilepsy or feeble-mindedness, procreation by the inmate would produce offspring similarly affected, and there is no probability that the condition of such inmate will improve to such an extent as to render procreation by said inmate advisable The said commission shall accompany said reports with specific recommendations for the sterilization of the inmates reported upon, with the reasons therefor, and the method of sterilization recommended in each case.

Section 2. Upon the receipt of any such report and accompanying recommendations, the said board of trustees, managers or directors of said institution shall consider the same and pass separately upon the case of each inmate recommended for sterilization, and if they approve any such recommendation by an affirmative vote of not less than three-fourths of the members of the board, they shall record upon their minutes an order for the sterilization of the inmate so recommended therefor, specifying in each case the manner in which the same shall be effected; but the sterilization of no inmate in permanent custody shall be ordered unless it shall appear from the report of the commission that the mental or physical condition of such inmate will be materially benefited thereby, and that such condition cannot probably be otherwise improved. The said board of trustees, managers or directors shall thereupon present their petition to the court of common pleas of the county wherein such institution shall be located, reciting the recommendations of said commission, and the action taken thereon by said board of trustees, managers or directors, and praying for an order of said court, approving the order made in each case by the said board and directing the execution thereof.

Section 3. The said court shall thereupon set a day for the hearing of said petition and order that notice in writing of the time, place and nature of such hearing shall be given to the nearest kin, guardian, committee or other legal representative of each person so ordered to be sterilized, as the court may designate. If it shall appear to the satisfaction of the court that such person has no kindred, guardian, committee or other legal representative, or that his or her nearest kin, guardian, committee or other legal representative is financially unable to employ counsel to represent them, the court may in its discretion appoint counsel to represent the person ordered to be sterilized or his or her nearest kin, guardian, committee or other legal representative, at such or any further hearing or proceeding, and fix the compensation for the services of such counsel, which compensation shall be paid upon the order of the court by the county wherein such person so ordered to be sterilized has his or her legal settlement in Pennsylvania, or if he or she has no legal settlement therein, then by the county wherein said institution is located.

Section 4. At the said hearing, and the subsequent proceedings, the board of trustees, managers or directors of said institution shall, if they so request, be represented by an assistant attorney general. If at such hearing the court is satisfied that the persons ordered to be sterilized, or any of them, are, severally, potential to produce offspring and that either

(a) Their mental or physical conditions will be materially benefited by sterilization, and that such condition cannot probably be otherwise improved, or

(b) That by reason of their imbecility, idiocy, insanity, epilepsy or feeblemindedness, procreation by such persons, not being in permanent custody, would produce offspring similarly affected and there is no probability that the condition of such persons will improve to such an extent as to render procreation by them advisable, then

The said court shall order and direct that the order of said board of trustees, managers or directors be approved so far as the same relates to the sterilization of persons concerning the condition of which the court is satisfied as above, with such modifications as may to the court seem proper, and order and direct that the same be carried into execution, unless an appeal from such

findings and order shall be taken to the Superior Court within thirty days from the filing of the same, either by the board of trustees, managers or directors presenting said petition or the representatives as above enumerated of any person directed to be sterilized by such order, and the said Superior Court shall have power to review and affirm, modify or disapprove such findings and order and such appeal shall operate as a supersedeas.

Section 5. When the order of any such board of trustees, managers or directors of any such institution, for the sterilization of an inmate of such institution shall have been approved by the proper court of common pleas as aforesaid, and no appeal to the Superior Court shall have been taken from the order of said court approving the same within thirty days after the filing of such order, or if any such appeal shall have been taken, then at any time after the filing of a decree of the Superior Court affirming the findings and order of the said court of common pleas in the premises, the persons ordered to be sterilized in said order shall be sterilized by the surgeon member of the commission recommending such sterilization, or by such other skilled surgeon as the board of trustees, managers or directors of said institution may select and designate, in the manner designated in the order of said board, unless otherwise directed by the court approving said order or by the Superior Court on appeal, and any expense incurred thereby shall be defrayed by such institution. The aforesaid order shall constitute complete authority for the performance of said operations, and no surgeon performing the same shall be held responsible in any place for the performance thereof.

Section 6. It shall be the duty of the commission appointed by the boards of trustees, managers or directors of each of the institutions aforesaid, to keep a permanent 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 all operations performed pursuant to their recommendations, and to annually make a report in writing of such records to the Secretary of the Board of Public Charities. All expenses necessarily incurred by the commissions herein provided for shall be paid from the appropriations made for the support of the institutions by which they are respectively appointed. The cost of all legal proceedings not otherwise hereinbefore provided for shall be paid by the county from which the inmate or inmates respectively, concerning which such proceedings are had shall have their legal residence, or if such inmates have no legal residence, then at the cost of the county in which the institution of which they are severally inmates is located.

Juvenile Delinquency.

Juvenile Delinquency in Italy.—Professor Carrara of the Institute of Legal Medicine and Criminal Anthropology takes issue with a good deal of pessimistic writing on the subject of juvenile delinquency. While he admits freely that the number of juvenile delinquents has increased in recent years, and increased out of proportion to increase of population, yet he produces figures to show that this increase tallies very closely with the increase of delinquency summed up for all ages. There are apparently no new nor startling causes at work driving youth into crime. On the contrary, the various patronages, protective societies, etc., are actively combatting the adverse conditions threatening children. Three of Professor Carrara's tables will bear reproduction in part.

TABLE I.

ABSOLUTE INCREASE OF JUVENILE DELINQUENCY.

Ages.	Number delinquents annually per 100,000 population in each age group. 1891-1895.	1896-1900.
9 to 13	131.57	147.04
14 to 17	665.37	719.38
18 to 21	1,118.34	1,124.46
All ages	548.39	551.83

TABLE II.

PROPORTION OF JUVENILES (9 TO 21) TO ALL DELINQUENTS.

Year.	Percentage of Total.	Year.	Percentage of Total.
1890	22.96	1896	23.77
1891	23.70	1897	23.44
1892	22.95	1898	23.78
1893	22.46	1899	23.19
1894	23.52	1900	24.16
1895	23.28		

TABLE III.

PROPORTIONATE CONTRIBUTION OF EACH AGE GROUP TO TOTAL CRIMINALITY, PERIODS 1891 TO 1895 AND 1896 TO 1900.

Age Group.	Percentage of Total Criminality. 1891-1895.	1896-1900.
9 to 13	2.37	2.82
14 to 17	9.37	10.20
18 to 21	11.45	10.65
21 to 25	13.69	14.69
25 to 30	14.99	12.07
30 to 40	21.15	20.62
40 to 50	13.72	14.41
50 to 60	7.96	8.23
60 to 70	3.74	3.87
70 and over	1.03	1.19

(Mario Carrara, la frequenza e la natura della criminalita infantile. From Archivio di Antropologia Criminale, Psichiatria e Medicina Legale, Vol. XXXVII, 1916.)—A. J. Todd, Minneapolis.

PAROLE.

The Meaning of the Parole Law.—Notwithstanding the wide-spread discussion of the parole law, there is still a general misunderstanding of its meaning and purpose. In many quarters it is still regarded as a form of clemency rather than a method of treatment and a means of supervision.

A number of states still cling to the idea that only those who are first offenders should be paroled, whereas the second or third offender may need the supervision more than the first offender. In many cases first offenders would make good without parole, but repeated offenders are just the ones who need prompt employment, close supervision and the continuous assistance of the state.

A remark recently made by the deputy warden of a certain institution indicates the common attitude. He stated that all men who were any good were paroled from the institution, and implied that it was not worth while to offer any assistance to the remainder of the prison population. As a matter of fact, however, only a small proportion of the men are paroled from that institution, whereas some ninety per cent of the men are paroled from Illinois, Indiana, Massachusetts and other states. About seventy-five per cent of them make good, and yet they are doubtless no better men than those in the institution where the deputy thought nothing could be done with them.

The parole law should never be regarded as a form of clemency or release from punishment. This construction is often put upon not only the parole law, but the adult probation law. The man who is put on probation should not for a moment get the idea that the charge against him has been dismissed. He is still subject to punishment unless he can keep within the law and maintain good conduct.

The great advantage of both laws from the economic standpoint is that when violations occur, the defendant may be sent to prison under probation, or returned to prison under parole without the further cost of a new trial.

It is hoped that judges, prison officials, parole and probation officers and the public in general may come to understand that effective personal supervision will accomplish more for the average offender than incarceration.—F. Emory Lyon, Chicago.

Police.

Conferences on Police Administration and Practice in Boston.—At the request of Mayor Rockwood of Cambridge a series of conferences on Police Administration and Police Practice was held for members of the Cambridge Police Department during the period from January 8th to January 18th inclusive.

Five conferences on the general principles and problems of police administration in Europe and America were given by Raymond B. Fosdick, Lecturer in the New York City Police School for Recruits.

Four conferences on police methods and practice were given by Inspector Cornelius F. Cahalane of the New York City Police Department.

All the conferences were held at Police Headquarters, Central Square, Cambridge.

OUTLINE OF CONFERENCES.

I—POLICE WORK IN EUROPE AND AMERICA.

For Commanding Officers, Captains, Lieutenants, and Sergeants.

Monday, January 8, at 2 p. m. Mr. Fosdick.

Policing as a profession—Its growing importance in cities—Police work more difficult in the United States than in foreign countries—Mixed character of our city populations—Legal safeguards which curtail the powers of the police—Emphasis placed by American law upon the liberty of the citizen—Cumbersome legal procedure in America as compared with the procedure in other countries—Delay in American court procedure a deterrent to police effectiveness—The large powers of the German police—Their right to make ordinances—Their right to fine—Their right to control public meetings and the utterances of the press—Their power over discharged prisoners—Inadequate tenure of American police executives as a deterrent to effective police work—Long tenure of office in England—In Germany—In France—In Austria—Politics and the police force.

II—ORGANIZATION OF THE POLICE DEPARTMENT.

FOR COMMANDING OFFICERS, CAPTAINS, LIEUTENANTS, AND SERGEANTS.

Tuesday, January 9, at 2 P. M. MR. FOSDICK.

Military *vs.* civil conception of the police—Military organization in continental European countries—Civil organization in England and the United States—State control *vs.* municipal control of police—European cities invariably under state control—American cities almost invariably under municipal control—State control of police in Boston, Baltimore, and St. Louis—The organization of London's police department—Its problems—Its decentralized character—The organization of the Berlin department—Its centralized character—Organization of the department in other European cities—Police organization in large American cities—Centralization *vs.* decentralization in police organization—The Italian *Carabinieri* system—The German and French *Gendarmerie* system—Northwestern Mounted Police system.

III—TRAINING OF POLICEMEN.

FOR COMMANDING OFFICERS, CAPTAINS, LIEUTENANTS, AND SERGEANTS.

Wednesday, January 10, at 2 P. M. MR. FOSDICK.

What should a policeman know—Different conceptions of police in Europe and America—Police training schools in London—Berlin—Vienna—Paris—Rome—Liverpool—New York—Chicago—Philadelphia—and other cities—The need of such schools—The sources of police recruits in various European countries and in the United States—Canada—The training of detectives.

IV—THE UNIFORMED FORCE.

FOR COMMANDING OFFICERS, CAPTAINS, LIEUTENANTS, AND SERGEANTS.

Thursday, January 11, at 2 P. M. MR. FOSDICK.

The duties of a uniformed force—Salaries—Uniforms—Promotions—Discipline—Methods of patrol—In London—In New York—In Vienna—In Berlin—In smaller cities—Control by lieutenants—Control by sergeants—Principles of traffic regulation—Traffic methods in London—In Paris—In Berlin—In Vienna—In New York—In smaller American cities.

V—NEWER METHODS IN THE DETECTION OF CRIMINALS.

FOR COMMANDING OFFICERS, CAPTAINS, LIEUTENANTS, SERGEANTS AND DETECTIVES.

Friday, January 12, from 2 to 4 P. M. MR. FOSDICK.

Criminal record files—Their fallibility—Europe's long search for an accurate system of identification—The Bertillon system—The rise of dactyloscopy (the finger-print method)—The passing of the Bertillon system of identification—The development of dactyloscopic bureaus—In England—In Germany—In France In Italy—In Canada—In the United States—The necessity of a national system of identification—The need of an international bureau of identification—Crime indexes and registers—In Berlin—In Vienna—In Dresden—In Munich—In Paris—Classification of photographs in Budapest—In Berlin—Use of photographs in Hamburg—Tattoo and deformity registers—Handwriting registers—Newspaper clipping registers—Classification of crimes by methods—Use of this system in Dresden—The working of this system in England—The German system of police registration (*Meldewesen*) in relation to the detection of crime—Laboratory methods in the detection of criminals—The researchs of Dr. Hans Gross—Of Dr. R. A. Reiss—Of Dr. Alfredo Niceforo—Development of scientific methods in Germany—German "murder satchels"—Relation of physical and

chemical laboratories to the detection of crime—The development of microphotography—The study of the pathology and psychology of criminals in its relation to the detective problem.

VI—METHODS OF PATROL.

FOR LIEUTENANTS, SERGEANTS, AND PATROLMEN.

Monday, January 15, *at* 3 P. M. (for officers on night duty) and
Monday, January 15, *at* 8 P. M. (for officers on day duty).

Inspector CAHALANE.

The purpose of patrol—Preparation for patrol—Punctuality—Relieving other officers—How to patrol—On which side of the street—Where to patrol in relation to crowds—Danger of being decoyed from post—Precautions in leaving post—Reasons for leaving post—Methods of getting assistance—Methods of answering calls—Method of covering posts during absence of other officer.

VII—DUTIES OF THE MAN ON POST.

FOR LIEUTENANTS, SERGEANTS, AND PATROLMEN.

Tuesday, January 16, *from* 3 *to* 5 P. M. (for officers on night duty) and
Tuesday, January 16, *from* 8 *to* 10 P. M. (for officers on day duty)

Inspector CAHALANE.

Powers of observation chief requisite of the man on post—Must train himself to scrutinize and be able to describe faces, dress, walk, actions, and events—Must be able to estimate speed in vehicles—Makes of automobiles—How to describe automobiles—What to observe in passing through a street—Earmarks of suspicious persons—Duties of patrolmen in regard to stores and business places—In regard to residences—In regard to vacant houses—In regard to unoccupied buildings—In regard to street lamps—In regard to dangerous street conditions—In regard to places of bad repute—In regard to nuisances—In regard to intoxicated persons—In regard to detectives seeking information.

VIII—THE MANAGEMENT OF A STATION HOUSE.

FOR COMMANDING OFFICERS, CAPTAINS, LIEUTENANTS, AND SERGEANTS.

Wednesday, January 17, *from* 2 *to* 4 P. M. Inspector CAHALANE.

Cleanliness in attire—Neatness of desk—Attitude toward citizens and subordinates—Use of telephone—Necessity of courtesy and patience with the foreign element and those who cannot make themselves understood—Attitude toward superiors and subordinates—Relations with the uniformed men—Importance of keeping in touch with changes in laws and ordinances, rules and regulations—How to question for the purpose of bringing out material facts—Whom to question—Needless interrogation of persons in front of desk—Searching the prisoner—What to do with property—How to mark it—Importance of observing the prisoner—Unconscious or sick prisoners in cells—Interviewing prisoners in cells—What to do with aided cases—Relation to the station house to the hospital—What to do with children—What to do with female prisoners—What to do in cases of cruelty to animals.

IX—THIEVES.

FOR COMMANDING OFFICERS, CAPTAINS, LIEUTENANTS, SERGEANTS AND DETECTIVES.

Thursday, January 18, *at* 2 P. M. Inspector CAHALANE.

Burglars—Their dress—Their methods—Duties of police in connection with burglars—Dutch housemen—Flat thieves and flat burglars and their methods

—Duties of the police in relation thereto—Thieves living in flat districts—Disposal of plunder—Loft burglars and their methods—Prevention of loft burglaries —Safe burglars and their methods—Duties of the police in regard to safe burglaries—Store burglars—Store-window burglars—Vacant house burglars—Use of street-cars by burglars—Burglar tools—Methods of the police in meeting different classes of thieves.

Chief Schuettler of the Chicago Police.—H. F. Schuettler, Chicago's new Chief of Police joined the police force as patrolman on June 13, 1883; was appointed patrol sergeant in March, 1888; lieutenant of police in August of the same year; captain of police in January, 1890; assistant general superintendent of police, November 1, 1903, and was appointed general superintendent of police, January 11th, 1917.

The following is a brief summary of some of the more important cases which he has handled during his connection with the police department.

1. The Dr. Cronin murder case.
2. The Haymarket anarchists.
3. The Adolph L. Luetgert case.

On the night of May 1st, 1897, Louise Luetgert, *nee* Bicknese, disappeared from her home on Hermitage avenue, directly back of her husband's sausage factory, which stood on the corner of Hermitage and Diversey boulevard.

Luetgert did not notify the police until May 8, which aroused Mr. Schuettler's suspicions and terminated with Luetgert's arrest and conviction.

On May 17, Luetgert was arrested and charged with murder. The body of his wife was dissolved in a large vat, on the bottom of which two rings—one with the initials "LL", and seven bones—were found, and some corset steels were found in the furnace.

The first jury disagreed, but the second sent Luetgert to the penitentiary for life, where he died shortly after.

4. The Car Bandits case.

On the morning of August 30, 1903, the car barns of the City Railway Co., at 63rd and State streets, were held up, and Frank Stewart, the night receiver, was killed. William B. Edmond, the cashier, and William Biehl, entry clerk, were shot and wounded. A motorman who was off duty, J. B. Johnson, was also shot and killed. The bandits took $2257.00 in currency.

Early in November, 1903, information reached Mr. Schuettler that one Marx, had two magazine revolvers, and was boasting that he was wanted for murder. Officers Quinn and Blaul were assigned to locate and arrest him. On November 22, they sighted him in Greenberg's saloon, Robey and Addison streets. Marx killed Quinn and turned on Blaul. His revolver missed fire and Blaul shot him twice, arrested him, and for two days Marx refused to talk. On November 24, he made a full confession to Mr. Schuettler, admitted killing the motorman, Johnson, and implicated VanDine and Niedemier in the robbery of the car barns and the shooting.

Chronology of case: Car Barn Murder, August 30, 1903; Killing of Detective Quinn, November 22, 1903; Confession of Marx, November 24, 1903; Capture of Niedemier, VanDine and Roeski, November 27, 1903; Bandits placed in County Jail, November 30, 1903; Trial of Marx, Niedemier and VanDine began January 10, 1904; Jury completed, February 5, 1904; Bandits found guilty, March 12, 1904; Sentenced to be hung, March 26, 1904; Executed, April 22, 1904.

5. The Mrs. F. C. Hollister case.

Mrs. Hollister was murdered January 12, 1906. Her body was found in an alley, January 13, 1906. Richard Ivans, arrested same day, confessed to Mr. Schuettler shortly after. Trial commenced March 1, 1906. Found guilty and sentenced to death three weeks later. Executed June 22, 1906.

6. The Mrs. Gentry Murder case.

Mrs. Gentry murdered January 6, 1906. Constantine fled from Chicago, January 6, 1906. Arrived in New York, January 7th, 1906. Sailed from New York, February 28, 1906. Landed at Naples, March 15, 1906. Sailed from Genoa, April 27, 1906. Arrived at Buenos Ayres, May 4, 1906. Sailed from Buenos Ayres, June 10, 1906. Landed in Italy, July 15, 1906. Sailed from Genoa, November 16, 1906. Arrived London, November 26, 1906. Sailed from London, January 19, 1907. Landed in New York, January 27, 1907. Arrested, April 2, 1907. Tried and sentenced to life imprisonment in penitentiary, September 17, 1907, where he committed suicide shortly after.

7. Mary Renda Poison case.

The mysterious attempt to poison the family of Frank Renda, which resulted in the death of Mary Renda, 4 years of age, on April 10, 1908, with arsenic, and resulted in the arrest of Renda's boarder, Fancisco Nicolosi, who confessed to Mr. Schuettler, after first accusing Mrs. Frank Renda, the mother of the child. The above confession was changed and he admitted the guilt. He was sentenced to the penitentiary for life.

8. The T. Webb case, auto bandit.

January 20, 1913, Webb killed officer Hart while being arrested and escaped. Webb taken and identified, February 4, 1913. On February 10, 1913, Mr. Schuettler got a confession from Claude Rose, chauffeur, who drove Webb in his hold-ups. Webb was sentenced to the penitentiary.

Wesley H. Westbrook, First Deputy Superintendent of Police of Chicago.—The new First Deputy Superintendent of the Chicago Police force was born February 20, 1875 in Hamilton County, Nebraska, near the town of York. His father was a Civil War veteran. His mother belonged to a New York family that was prominent in the abolitionist movement.

When the First Deputy was 16 years old, the family moved to Wright County, Missouri, where he lived three years before he went to Texas, where he worked at picking cotton and other like occupations. In the fall of 1895 he came to Chicago to get an education with the intention of finally becoming a lawyer. He went to high school for a while, and supported himself as best he could. Owing to sickness and other unfortunate occurrences, it became necessary for him to secure a position. One day when he called at the police station for his newspapers that he was delivering on a route, a burly policeman was bragging that he could throw anyone in the station. The Captain jokingly said that here was a little newsboy that could throw him. The policeman replied that the newsboy was not very little but he could not accomplish the feat. A test of strength in a wrestling match was indulged in in the squad room in the station and the newsboy won out. The Captain suggested that he take the examination for patrolman that was soon to be held. The First Deputy was greatly in need of a job and he acted accordingly, and was chosen as one of 45 out of some 900 applicants and was sworn in as a patrolman on December 14, 1896.

On April 26, 1898 he enlisted in the First Infantry for the Spanish-American War and was sent to Cuba. On his return he was sick with fever and chills until about 1900. From 1900 to 1903 he studied law at the Illinois College of Law, now associated with the De Paul University.

His advancements have been as follows: made Sergeant in 1905, Lieutenant in 1912, Captain in 1916 and First Deputy Superintendent in 1917.

Since he has been in the Department, he has worked as patrolman traveling a beat, in Schuettler's office on gambling, obscene pictures and literature, worked out of the detective bureau for six years, and while there he was detailed part of the time as drill master of the Department and as shooting instructor.

In 1910 he joined the Second Infantry and was elected First Lieutenant, and resigned after two years.

In the early part of 1913 he was made Director of Instruction of the Police School and remained there most of the time for two years. While he was Director of Instruction at the Police School, he revised the record books of the Department, about 28 in all, and during his stay there about 700 men passed through the school.

From the time he was made Lieutenant in 1912 until he was made First Deputy in 1917, he was transferred some 15 or 16 times from one station to another.

Probably the most spectacular and dangerous piece of work that has been done by the First Deputy was the capture of a crazed negro in July, 1916, when he was Captain at Warren Avenue Station.

Prisons.

Forward Steps in the Missouri Penitentiary.—The Missouri State Prison at Jefferson City, in the midst of its unsolved industrial problem, may, nevertheless, be said to have joined the ranks of progress in prison reform. In the first place the appointment by Governor Gardner makes the administration a matter of statesmanship rather than one merely of discipline, as heretofore.

Mr. Painter had just completed a term as Lieutenant Governor and as a foremost citizen of the state and legislature, he had long been active in corrective legislation. Although as yet he is quietly studying the situation, he has already inaugurated definite plans for improvement. Among these may be mentioned an opportunity for out-door recreation, which has heretofore been denied the inmates of this largest penal institution of the United States.

Former Warden McClun had secured an enlarged area within the prison wall, and the additional space will now make possible weekly exercise, drill, recreation and games. Warden Painter is also planning a prison school for the first time in the history of the institution. He has found that of the 2,700 inmates, a very large proportion are entirely illiterate, and a comparatively small per cent have gone beyond the elementary grades.

Furthermore, beginnings are being made looking toward a measure of self-government of the citizens of this "Peaceful Village," as the Warden has styled the population within the walls. The inmates were asked to elect from their number a delegate for each section of the various cell blocks to represent them in plans for a gradual modification of the rules of the institution. This "Advisory Board of Delegates," on the 17th of February, formulated their first

statement of purpose, and on the following day in chapel, their statement was read to the assembled populace, setting forth constructive plans for the welfare of the institution, and asking co-operation for the mitigation of some of the rigors of prison life.

If to this well conceived plan for improvements may be added intelligent legislation to provide adequate employment for the prisoners, then we may look for rapid advancement toward an efficient and harmoniously organized prison.

And with this new spirit pervading the institution, it is hardly conceivable that the practice can much longer continue of "stretching up" prisoners as a punishment, as is now done. Nor does it seem probable that this great state will much longer allow its prisoners to be discharged, except first offenders, without any discharge fee with which to make a new start in life.

These short-comings are quite sure to be remedied, and many good things may be looked for under the promising leadership of Warden Painter.—F. Emory Lyon, Chicago.

PROBATION.

New York State Probation Commission.—Greater use of probation for offenders in all classes of courts, more salaried probation officers at work, more persons under their care, and better results than in any year before, are the outstanding facts in the Tenth Annual Report of The State Probation Commission of New York just submitted to the legislature of that state.

The total number of persons, including children, placed on probation during 1916 was 19,686, one thousand more than in 1915. At the end of the year there were on probation 13,433 persons, one-third of them children. This was 13 per cent more than the number one year previous. There are now 189 salaried probation officers at work in New York besides 171 volunteer officers.

That there is a close relation between the use of probation in the courts and the prison population is shown by the fact that since probation began to be generally used, about ten years ago, the population of the state penal institutions has not kept pace with the growth in the general population. During 1916, while there was a large gain in the use of probation, the state prisons decreased in population by 348. Elmira Reformatory's population decreased from 1,279 to 818. All other reformatories, penitentiaries and jails showed a decrease in population during the year. Undoubtedly probation, which substitutes a period of discipline and watchful supervision by the probation officer for confinement in prisons and reformatories, is now getting in its effect.

Most first offenders are tried out on probation; they do not come back. In 78.3 per cent. of all cases finishing probation last year, the probationers complied with all conditions and were reported discharged with improvement. In 11.4 per cent. they were re-arrested and committed; in only 4.8 per cent. they absconded or disappeared from supervision.

The probation officers last year investigated 27,462 cases before sentence, and made a total of 96,851 visits to the homes of probationers They actually handled $209,514, of this $139,155 was paid to families of men on probation for their support. The remainder was for fines and restitution to injured parties, all collected by probation officers in small installments out of the

probationers' earnings. In addition to the money actually handled by the officers, they supervised the payment of $403,049 for family support. About half of this was collected by the Department of Charities of New York City from persons on probation, the payments being checked up and enforced by the probation officers.

Out of sixty-two counties of the state, thirty-five now employ probation officers. Out of fifty-eight cities, nineteen employ probation officers and eighteen others use salaried county officers. The county system, with a central office serving for several courts in the county, has proven most successful.

The Probation Commission receives monthly reports from every officer in the state, and publishes full statistics. Representatives of the commission visited and investigated probation work in ninety-seven courts during the past year. Many improvements were brought about as a result of these investigations. Campaigns for securing new officers were carried on by the commission in eight counties and seven cities. The commission conducts annual conferences of probation officers and of the magistrates of city and village courts each year. It acts as a clearing house for information on probation work.

The following recommendations for improving the work are made in the report:

1. That every city and county should secure the services of one or more salaried probation officers appointed under the civil service. Small cities and villages should obtain the services of salaried county officers.

2. That a sufficient number of officers be employed in every court so that no officer should be required to supervise more than fifty probation cases at any one time. Wherever possible, both male and female officers should be employed.

3. That salaries of probation officers should be made more adequate. The officers should be given proper office quarters, clerical help and traveling expenses, so that they may cover their territory and give their cases close supervision, thus getting more effective results.

4. That persons be not placed on probation who are feeble-minded, confirmed drunkards and habitual offenders. Provision should be made for all courts to secure the services of physicians, trained in the study of mental defects, to examine all delinquents. In the large courts well equipped psychopathic laboratories should be established. The state is urged to make proper provision for the special institutional care of the feeble-minded.

5. That the work of courts dealing with domestic relations and children's cases be brought as closely together as possible and that such courts be given broader jurisdiction to deal with cases effectively without convicting them as criminals.

6. That probation officers constantly endeavor to come into close and intimate contact with their probationers, visiting them frequently, securing employment and otherwise assisting them. That they investigate all cases in advance and keep more complete records of their cases.

Largely as the result of the extending use of probation and its more successful application, the population of the state penal and reformatory institutions has not kept pace with the increase in the population of the state. Compilation of figures secured from the State Prison Commission and the State Board of Charities shows that the total population of all penal and

reformatory institutions in the state increased from 18,454 in 1908 to 20,413 in 1916, or 10.6%. From census returns it is estimated that the population of the State increased 12.7% during this period. During the same period the number on probation increased 412%. The last complete figure for institutional population is for June 30, 1916. Since that date there has been an actual and remarkable decrease in prison population.

Good times and plenty of employment account for part of the recent decrease but the New York Commission states that it believes and the institutional heads generally believe that the effect of probation is now apparent and that the decrease will be permanent.

Inasmuch as it has been found that the average per capita cost of a year's maintenance in penal institutions of the State is $219.63 and the average cost of a year's probation, including all salaries and expenses of probation officers and appropriations to the State Probation Commission, is $21.94, the economy of probation is evident. These figures, however, are for maintenance alone and take no account of the immense cost to the State for construction of institutions.—Joel D. Hunter, Chicago.

Illinois Plans for a State Commission.—At the semi-annual meeting of the Illinois Probation Officers Association (a non-public association) a committee of five was appointed to prepare the necessary bills to create a State Probation Commission for Illinois; the committee being instructed to report to the executive committee of the Probation Officers Association.

Since the committee has been appointed the Illinois legislature has passed Governor Frank O. Lowden's Civil Administrative Code. This Code eliminates all the State Boards and Commissions which in the last few years have controlled the penal and charitable institutions of the state and places these institutions under the Department of Public Welfare. One of the problems which will undoubtedly early engage the attention of those in charge of this department will be the probation work of the state.—Joel D. Hunter.

The Philadelphia Municipal Court. — Mrs. Jane D. Rippin reports that the Philadelphia Municipal Court is organizing a separate group of women to work with the colored offenders because that branch of the work has become more complicated lately on account of the large increase in the migration of colored people from the south.

The Philadelphia Municipal Court has also obtained an abandoned school from the Department of Education. This school has been remodeled, the first floor being converted into a court room and offices for the probation officers, clerks of the court, etc. The second floor is devoted to clinical work and also has treatment rooms for cases of both physical and mental disorder. The third floor is used as a shelter for the women and girls.—Joel D. Hunter.

Smaller Number of Cases in Los Angeles. — Mr. Harold K. Vann, Chief Probation Officer of the Juvenile Court of Los Angeles County, reports that the number of cases in the Juvenile Court have been reduced in the following ways: "(a) by assigning to other agencies those cases which should be handled by them rather than the Probation Department; (b) by eliminating cases carried on the books where wards had passed completely from jurisdiction both as to time and residence; (c) by compelling certain wards to assume the responsibility, for their own good, of walking alone, supporting themselves, and depending on their own resources rather than leaning so

heavily upon the probation officer; (d) by dismissing from probation those who had in every way made good and seemingly would stay good and who desired as a reward to receive a clean record, yet who because they had been placed on probation until 21 were still being carried. In all of the above cases the steps taken have been very satisfactory and while in a few cases we had to take back those who were allowed to go, yet in a very great majority our judgment was sustained. Through the above methods the number on probation has diminished as follows:

On probation July 1, 1914.....2,539
On probation July 1, 1916.....1,795

The number of cases in court has also been lessened:

The number of new cases 1914.....1,681
The first six months 1916..... 588

This makes a total for the year of 1,176. This is a reduction of 505 cases. That this reduction is due to our methods is shown in the fact that all fields of complaint give a proportionate falling off. Four leading fields show the following comparisons:

	1st 6 mos. 1915.	2nd 6 mos. 1915.	1st 6 mos. 1916.
Police	395	349	303
Other Parties in City & County	171	169	107
Parents	62	62	39
Humane Society	61	26	3

This result comes, (a) from better probation work, emphasizing probationers' opportunities and keeping in closer touch with the wards, (b) by securing closer co-operation with the family and other interested agencies, (c) by presenting to the public through a number of our officers in the way of lectures the needs of the home and the child and the necessary co-operation with the law and our department These have averaged one a week throughout the year and have been given before such bodies as the Parent-Teacher Association, Churches, Women's Clubs, Father and Son meetings, Brotherhood meetings, Boys' Clubs, Fraternal Organizations, Business Men's Clubs, Young People's organizations in churches, Social Economics Class University of Southern California, etc.; (d) by handling in our own office and in the complaint department cases which would otherwise have come into court and adjusting matters to the satisfaction of all concerned. Personally, I have handled some thirty cases during the month of August in this way, which would otherwise have come into court."—Joel D. Hunter.

MISCELLANEOUS

Annual Meeting of the National Committee for Mental Hygiene.—The ninth annual meeting of the National Committee for Mental Hygiene, Inc., was held February 7th at the Hotel Biltmore.

Mr. Otto T. Bannard, treasurer, announced that gifts amounting to more than $30,000 for general expenses had been contributed during the past year by four donors, one of whom had pledged $100,000 toward an endowment fund that is being raised. The Rockefeller Foundation contributed $34,000 for special purposes, such as surveys of conditions among the insane and feeble-minded.

Short addresses were given by Dr. Walter E. Fernald on "Supervision of the Feeble-minded in the Community"; Dr. William A. White, "Influence of Mental Hygiene Upon Methods of Dealing With Crime and Criminals"; Dr.

William L. Russell, "Some of the Indirect Results Which May Be Expected to Follow Our Surveys of the Care and Treatment of Mental Diseases"; Professor William H. Burnham, "The Role of Mental Hygiene in Education"; Dr. E. E. Southard, "The Community as a Unit for Mental Hygiene Work"; Dr. Henry R. Stedman, "The Teaching of Mental Hygiene in Medical Schools."

Dr. Thomas W. Salmon, medical director, Dr. Frankwood E. Williams, associate medical director, and Mr. Clifford W. Beers, secretary of the committee, reported on the work of the past year. Surveys have been completed in the states of California, Colorado, Connecticut, Georgia, Louisiana, Pennsylvania, South Carolina, Tennessee, Texas, and Wisconsin, and are now in progress in the cities of Chicago and New York. States' societies for mental hygiene are now organized in sixteen states, while steps have been taken towards the organization of societies in several other states. During the coming year emphasis will be laid upon the educational work of the committee. A feature of this work will be the publication of a quarterly journal, "Mental Hygiene," the first number of which was issued during the past month.

The following officers for the ensuing year were elected: Dr. Lewellys F. Barker, president; vice-presidents, Prof. Charles W. Eliot, Dr. William H. Welch; treasurer, Otto T. Bannard; medical director, Dr. Thomas W. Salmon; associate medical director, Dr. Frankwood E. Williams; secretary, Mr. Clifford W. Beers; executive committee, Dr. August Hoch, chairman; Dr. George Blumer, Prof. Stephen P. Duggan, Dr. William Mabon, Dr. William L. Russell, Dr. Lewellys F. Barker, Dr. Walter E. Fernald, and Mr. Matthew C. Fleming; finance committee, Prof. Russell H. Chittenden, chairman; Mr. Otto T. Bannard, Mr. Wiliam J. Hoggson, Dr. William B. Coley.

CLIFFORD W. BEERS, Secretary of the Committee.

Illiteracy and Crime.—The bright little Joliet Prison Post, a review edited by the prisoners of the Illinois State Penitentiary, speaks its mind about illiteracy and crime in this sane and interesting manner:

"One of the most popular, but highly erroneous, beliefs of the day is that illiteracy and crime are closely allied. It is customary to plead for a wrongdoer that he did not enjoy the advantages of an education when young. Accepting this view authorities are installing schools in state prisons and reformatories. Quite recently a survey was made of the prisoners in the Ohio State Penitentiary, which served to upset some of the cherished notions concerning them.

In a total population of 1,886 it was found that 1,181 had received the major portion of their elementary education, and only 309 were illiterate. There were 26 university graduates on the rolls and 106 high-school graduates. The survey was made by a man convicted of forgery who was educated at Lake Forest College, near Chicago. There were other novel discoveries. For instance, 31 of the prisoners were total abstainers in the matter of drinking liquor, and 701 asserted that they drank in moderation. Intemperance was admitted by 1,148. Marriage, apparently, made no difference, as the prisoners were about equally divided in respect to social condition. The survey indicated that it was not illiteracy so much as dependency that caused the young to adopt a criminal life. Of the whole number of prisoners, 982, or nearly 50 per cent, began to earn their living before they were 15 years old; 770 were self-supporting between 15 and 20, and only 22 were older when they began to work for gain.

Nor are the moral senses of confirmed criminals blunted. Of all those

examined only one justified law-breaking, a junk dealer, who bought stolen goods. The rest admitted a sense of wrongdoing. It is rather unpleasant to demolish hypotheses, such as the belief in illiteracy as an impelling cause of evil. They are so soothing and furnish many opportunities for good works on the part of sympathetic reformers."

It is to be hoped that the editor of the Prison Post will send a marked copy of the review to those senators and congressmen who think the illiteracy test will solve the immigration problem.—Joseph Matthew Sullivan, Boston, Massachusetts.

National Conference of Charities and Correction.—The prominence of penology in the proceedings of the National Conference of Charities and Correction, which the second half of its title indicates, is well justified this year. The outline of its program for the meeting at Pittsburgh, June 6-13, is sprinkled through with discussions relating to crime. Thomas Mott Osborne of Auburn, New York is chairman of the committee on corrections. According to the plans of this division, the leading addresses will be made on the subject, "Broader Aspects of the Prison Problem." Supplementary section discussions will be devoted to the three logical parts of the modern prison reform movement, "Diagnosis," "Remedy," and "Result." An additional meeting will be devoted to discussing the technique and problems of administration of colony farms.

Alcohol and drug inebriety will come up for treatment in the division on mental hygiene, of which Dr. Owen Copp of Philadelphia is chairman. "The Gathering of Moral Forces" is scheduled by Robert A. Woods of South End House Boston, as one of the main topics of the division on community programs. The National Probation Association will meet at Pittsburgh at the time of the Conference. One of its leading features will be a report on the work of courts of domestic relations. Separate sessions will likewise be held of national organizations of police women and of police matrons.

Thirty-five hundred delegates are expected to attend this series of meetings. They will occur under the presidency of Frederic Almy, secretary of the Charity Organization Society of Buffalo. He has announced as the subjects of his presidential address "The Abolition of Poverty." The prevention of human distress has been adopted as the main objective of the discussions of the Conference.

Boston Saloons Out of Politics.—"The police are the eyes, ears, hands and feet of the licensing board in handling Boston's saloons."

That is the declaration of Police Commissioner O'Meara, and in voicing this idea he repeats practically word for word similar sentiments given tongue by Mayor Curley and by Secretary Epple of the licensing board.

Much of the success claimed for the way Boston's saloons are handled Commissioner O'Meara attributes to the close co-operation prevailing between the licensing board and himself. In fact, the police commissioner states frankly that he believes it essential to the satisfactory working of the present license system in Boston that the licensing board and the official in charge of its "eyes, ears, hands and feet" work hand in glove.

Stephen O'Meara, Boston's commissioner of police, ought to know whereof he speaks. He has been at the head of the police force here ever since it has possessed a single head. That is eleven years. He is now serving his third term of five years, having been reappointed last year by the present governor,

a Republican. Six years ago he was reappointed by a democratic governor. His first appointment came to him when he was in Europe, where he had gone with his wife after his retirement from business following the sale of the Boston Journal, of which he was editor and publisher.

"If either the police commissioner or the license commisisoners were crotchety and quibbling a jolt would come quickly in the machinery of saloon supervision," declared Commissioner O'Meara. "Cordial co-operation is essential, and we have it.

"The police captains have orders to watch the way saloons, hotels and other liquor licensees obey the liquor law and carry out the regulations of the licensing board. All infractions they report at once to me and I send duplicate reports to the board."

Commissioner O'Meara turned up a stack of reports which lay on his desk.

"Here are some reports from the stations which have just come in," he said. "A saloonkeeper has had a door opened through a partition. All changes in the interior of a saloon must first be approved by the licensing board. Inasmuch as the captain has not been notified that any permit has been granted for a door where there was no door before he makes haste to report.

"Here is another report on the number of rooms and other qualifications of a place which the owner wants to open up as a hotel. He has a saloon on the ground floor. Such places we scrutinize very carefully. The report shows this place has only sixteen rooms. That isn't enough."

Commissioner O'Meara laid aside his sheaf of reports and continued:

"Given harmony between the police force and the licensing board, I doubt much whether any system of saloon regulation superior to Boston's and applicable to a big city has yet been found. It is safe to say that Boston has separated its saloons from politics."

That the licensing board possesses ideas similar to the police commissioner's as to the desirability of co-operation is shown by the following extract from its annual report just published:

"We wish heartily to thank the police department, acting through Police Commissioner O'Meara, for its willing and active assistance. Such assistance is, of course, provided for in the act by which the board is constituted, but the commissioner has gone further than heretofore in investigating and reporting the conduct of the licensees."—Warren Phinney in Chicago Daily News, Jan 18, 1917.