


1919

Notes and Abstracts

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NOTES AND ABSTRACTS

Beginnings of a Psychopathic Laboratory in the Criminal Courts of Baltimore.—In 1915, while a member of the house staff of the Phipps Psychiatric Clinic of the Johns Hopkins Hospital, I had a dispensary case which brought me into touch with one of the city police courts. Nothing was known there of modern psychiatric methods, but the presiding magistrate happened to be a very broad-minded man, anxious to make use of anything that would help him to solve the problems brought before him. So, whenever I had a free hour from the clinic, I devoted it to getting a thorough knowledge of this one police court, and to showing the magistrate as well as the police exactly what psychiatry and medical jurisprudence had to offer them. Gradually my work was extended to other police courts. Later to the highest tribunals, the two Criminal Courts of the Supreme Bench. Here I found a very staunch friend and supporter in Judge Gorter. For two years I have been devoting almost all my mornings to these two courts, examining delinquents for mental deficiency, making reports on questions of medical jurisprudence and criminology, both for the judges as well as for the district attorney's office. By this time (1918) I was on the visiting staff of the Phipps Clinic, with my own private practice, so that I was free to dispose of more of my time. In January, 1918, a bill was introduced into the Maryland legislature appropriating \$5,000 yearly for a medical service at the Criminal Courts. This bill passed the House, but was killed in the Senate.

Finally, in June, 1918, the Supreme Bench decided to create the position of medical adviser, with the salary of a bailiff, which they had the power to do without consulting the legislature. I was appointed on June 26th.

This, we hope, is only the first step in the direction of a laboratory, which shall be, not only for the study of psychopathic questions, but also for problems of current criminology and of medical jurisprudence. The mayor of Baltimore, Mr. Preston, has always been very sympathetic when I have spoken to him of my hopes, and there is a possibility that, with his aid, we may next year secure from the City Board of Estimates the necessary appropriation.

During the coming year I intend to spend some weeks visiting those cities which have psychopathic laboratories, so that I may get the benefit of their experience.—JOHN R. OLIVER, Supreme Court, Baltimore.

The following from the *Baltimore Star*, June 26, 1918, relates to Dr. Oliver's activities in the court:

"Judge Gorter today announced that the Supreme Bench, realizing the pressing need of a proper medical examination into criminal cases in the local courts, has appointed Dr. John R. Oliver, an alienist of the Johns Hopkins Hospital, as the medical court officer for this purpose.

"Dr. Oliver has given his services to the Criminal Courts for the last two years without any compensation whatever, and he will now receive as court officer a modest salary. He is one of the best-trained nerve specialists and psychologists of this country and has had a wide acquaintance with mental diseases in relation to crime both in America and abroad. He was on the Phipps house staff for two years and has for some time been on the visiting

staff of the institution. Judge Gorter says he has found Dr. Oliver's services in the Criminal Courts invaluable."

COURTS—LAW

Report of the Vagrancy Court in Chicago.—(Criminal Branch No. 1, Municipal Court of Chicago.)—*Report of Activities from January 29, 1918, to June 24, 1918.*—(Reprinted from the Journal of the Proceedings of the City Council, City of Chicago, for June 28, 1918, pages 543-7.)—"The power of the legislature to define vagrancy is beyond a doubt. Section 270, Chapter 38, Revised Illinois Statutes, has extended the common law vagrant to include juggling or other unlawful games or plays, runaways, pilferers, confidence men, common drunkards, night walkers, lascivious persons, common railers and brawlers, persons who habitually mis-spend their time by frequenting houses of ill-fame, gaming houses or tippling shops, and "all persons who are known to be thieves, burglars, or pickpockets, either by their own confession or otherwise or by having been convicted of larceny, burglary, or other crime against the laws of the State, punishable, etc., and having no lawful means of support, are habitually found prowling around any" (enumerating many public places) "shall be deemed to be and they are declared to be vagabonds." The penalty clause provides a sentence in the House of Correction or County Jail of not less than ten days and not exceeding six months, or the imposition of a fine of not less than \$20 nor more than \$100 and costs of suit.

"The first cases in the so-called Vagrancy Branch of the Court were heard January 29, 1918, and practically all the cases tried since that date, with the exception of the cases of women, have been charged under that portion of the Statute commencing 'All persons who are known to be thieves,' etc., probably 95 per cent of the cases of men have been charged with the offense of vagrancy in an information charging that the defendant 'was an idle and dissolute person and was habitually neglectful of his employment and calling and did not lawfully provide for himself and neglected all lawful business and did habitually mis-spend his time without giving a good account of himself and is known to be a thief having no lawful means of support and is habitually found prowling in and loitering around thoroughfares and tippling shops, in violation of Section 270, Chapter 38, of the Revised Statutes of the State of Illinois.'

"In this large array of cases it is apparent that there has been in Chicago a criminal class, properly designated as 'thieves,' a class without a permanent fixed residence, who may be found generally in company with other well-known thieves at any hour of the day or night at any one of a thousand places, prowling or loitering, without any visible means of support or honest employment.

"The general term 'thief' embraces a variety of activities: burglary, hold-up, robbery, larceny, safe blower, confidence men, shoplifter, pickpocket, wagon thieves, jackrollers, purse-snatchers, and petty pilferers. These all have had their day in court, charged as vagabonds.

"There have been rare instances where the proof of thieving was limited to a single offense or conviction. Ordinarily, the record shows anywhere from three or four offenses to fifteen or twenty, and the record further shows the individual's activities are not limited to any one city. To me it is a compliment

to the intelligence of the detective sergeant or police officer of Chicago, or any city, that they are able intuitively to gather from the crowd the pickpocket or thief, verifying later by the Bertillon system that they made no mistake. . . .

"An interesting group in February disclosed that A had served a term in the House of Correction for larceny and a term in Joliet for burglary. B had served two terms in the House of Correction for larceny. C had served a sentence in Minnesota for vagrancy, and two terms in the House of Correction for larceny. D had served a term in Wisconsin for vagrancy, also a sentence for disorderly conduct, also a sentence in Stillwater Penitentiary for picking pockets, and a term in House of Correction for disorderly conduct, and E, House of Correction for con game, and five years in Federal prison, Fort Leavenworth, Kansas, for postoffice robbing. Not one of these men had any employment or means of support.

"On the vagrancy charges A was sentenced to 6 months in House of Correction; B, 6 months; C, 4 months; D, 6 months, and E, 30 days. A sixth individual, with no criminal record, was sentenced to 6 months, and an individual escaped at time of arrest. . . .

"Aside from the criminal class there was presented to the Court an example of the family with a criminal tendency. Two brothers of the M. family were both before the Court as vagrants, and each was sentenced to six months. The record of J. M. showed:

- Pontiac, robbery;
- Eight months County Jail, burglary;
- One year House of Correction, fornication;
- Six months, House of Correction, burglary;
- Six months House of Correction, driving horse away;
- Six months House of Correction, burglary;
- Twenty days House of Correction, larceny;
- One year Green Bay (Wis.) Reformatory, burglary.

His brother, F. M.—

- Pontiac, larceny;
- Pontiac, burglary;
- Fifty dollars and costs, disorderly conduct;
- Returned to Pontiac;
- Reparoled;
- Returned to Pontiac;
- Reparoled on account of death of mother;
- Returned, violation of parole;
- Eight months House of Correction, burglary;
- Joliet, burglary.

"Another brother has an equally stormy career, and served a sentence in Joliet for burglary. Another brother was never convicted of any offense. The father killed this brother over a quarrel when the boy brought to the home a woman of ill-repute. The father was acquitted on the ground of self-defense in the Criminal Court of Cook County.

"The several instances of criminal records just cited indicate a fair average of several hundred of such cases before the Court since January 29, 1918.

"Only one woman was charged as a well-known thief. N. K. had many aliases, as is usually the case. She was a pickpocket and the wife of a well-known pickpocket. They were brought in about six weeks apart. Both are

now in the House of Correction. N. K. has served two years in Joliet, six months Erie County Penitentiary, N. Y.; six months Female Reformatory, Toronto; four years Jefferson City (Mo.) Penitentiary; three years Stillwater (Minn.) Penitentiary; also ninety days House of Correction, Milwaukee, vagrancy; one year House of Correction, Chicago, larceny, besides innumerable arrests in other cities throughout the country. She frankly informed the Court that at one time she had a trained corps of 'operators' (pickpockets) under her charge.

Results

"After the arrest, offenders were very unwilling to promise to get work. They were tried, however, on the record at time of arrest, and not on promises. The Vagrancy Court anticipated the Government order to work or fight. Men were not released on promises to work; that would be too simple a defense. The Court refused to bring back offenders from the House of Correction on the promise of employment. Some few were brought back when actually called in the selective draft. Twenty-five or thirty went into the military service, and we had positive information that the individual was actually in the service before the order of discharge was entered. Two enlisted in the navy.

"In all the cases tried we found only one case on parole from an Illinois penal institution. A boy paroled from Pontiac, charged with vagrancy, was sent back to Pontiac for violating parole by Parole Officer Reed after the Court had indicated that he would send the boy to the House of Correction. Parole officers inform me that after the establishment of this branch every paroled man and boy 'was on his good behavior, refused to associate with thieves, stayed away from pool rooms and saloons, and would not come into the loop for a thousand dollars.'

"There has been no instance of any one charged with vagrancy who was on probation by judges of this court. At least three cases came to the attention of the Court on probation from the Criminal Court. It was not the fact that they were on probation that attracted attention, but the fact that they had long criminal records and their records clearly placed them beyond the pale of the adult probation law.

"On February 13, 1917, J. O. was placed on probation for one year in the Criminal Court. Previously he had served fifteen days, County Jail, larceny; seven days, County Jail, receiving stolen property; six months, County Jail, enticing females, and six months, House of Correction, larceny.

"J. D. was placed on probation March 8, 1917, for one year in the Criminal Court. He had been charged in the Criminal Court previously with burglary and assault to rob, and in Indiana had served a sentence of six months in the State Farm on the charge of robbery and assault to kill.

"W. P. was placed on probation October 5, 1917, for one year in the Criminal Court of Cook County. A charge of burglary had been dismissed and he had served ninety days for malicious mischief in the House of Correction; fined \$25 and costs for disorderly conduct; one year in Pontiac and fined \$100 and costs; discharged on two other occasions on charges of larceny; had been in John Worthy School. These three cases were arrested within the probation period. Not one made a pretense of having work.

"The Court has been very careful on the matter of bonds for this class of offenders. There has been a total of twelve bond forfeitures, two of which

were women. Stay bonds have been filed in these cases and supersedeas issued. That means three appeals perfected to the Appellate Court, out of the entire number of cases disposed of.

"There were four changes of venue granted. There have not been to exceed twenty cases where the offender was under twenty-one years of age. Seventeen cases were transferred to the Boys' Court. In the Boys' Court there was one bond forfeiture. Eleven were discharged; three were sentenced to three months in the House of Correction, and one, two months.

"When the vagrancy branch was opened, Chicago was overrun with crime. The Aldermanic Crime Committee had become active; business interests and citizens generally demanded some action on the part of the constituted authorities.

"From the Chicago police records, or, as it is generally termed, from the 'squeal books' of the police department of the entire city, figures have been gleaned that are most convincing as to results. These records show the crimes committed and brought to the attention of the police department. Under the general heading of burglary, robbery, and larceny, the following results are learned:

	Burglary.	Robbery.	Larceny.	Total
October, 1917	349	146	654	1,149
November, 1917	422	245	621	1,288
December, 1917	357	249	537	1,143
January, 1918	258	280	436	974
February, 1918	273	143	334	750
March, 1918	327	101	424	852
April, 1918	293	90	393	776
May, 1918	266	61	474	801

"So that it may appear that approaching summer has not caused the diminution of crime, there is here presented the police record for the same offenses for the months of January to May, inclusive, 1917:

	Burglary.	Robbery.	Larceny.	Total
January, 1917	624	248	674	1,540
February, 1917	551	227	555	1,333
March, 1917	671	246	749	1,666
April, 1917	638	197	690	1,525
May, 1917	543	146	819	1,508

"It will be remembered that the first cases tried in the vagrancy court were heard on January 29th, and after that there has been a steady reduction of crime, whereas a year previous about the same number of offenses occurred in May that were recorded in January.

"The police records show that safe-blowing and pocket-picking have almost been eliminated. The enforcement of the vagrancy law has been the most effective drive ever made in Chicago against pickpockets. The fraternity is either in the House of Correction, or has left the city. More than twenty-five well-known pickpockets are now serving sentences of six months in the House of Correction.

"The records in the clerk's office of the Municipal Court show that in the year 1917 there were 94 cases of vagrancy before the Court, disposed of as

follows: Discharged, 75; dismissed, want of prosecution, 9; committed to the House of Correction, 5; fined, 4; nolle prosequere, 1. Since January 29, 1918, there have been before this branch and disposed of 368 cases, divided as follows: - 302 men and 66 women.

"The records show the following disposition as to the male vagrants: 190 found guilty and 112 discharged. The penalties in the 190 cases were as follows:

6 months, House of Correction....34	3 months, House of Correction....34
5 months, House of Correction.... 2	2 months, House of Correction....27
4 months, House of Correction....24	1 month, House of Correction....59

Fined 10, aggregating total fines, exclusive of costs, \$480.00.

"The record of women offenders shows 37 found guilty and 29 discharged. The penalties in the cases were as follows:

6 months, House of Correction.... 3	2 months, House of Correction....10
4 months, House of Correction.... 2	1 month, House of Correction.... 8
3 months, House of Correction....13	

Fined 1, \$50 and costs.

"Activity on the part of the Police Department on April 4th, 1918, brought into the Court a number of women offenders. The greatest number of women brought in were charged as 'idle and dissolute, common night walkers and lascivious in speech and behavior'; in addition to this, the medical test of these women showed that the majority of them were diseased. All the women convicted were old offenders, and had been in the Morals Court many times. . . .

"I am satisfied that the charge of vagrancy against this class of offenders is the most effective charge that can be drawn. Indeed, good lawyers defending women so charged have told me that it is the most effective action, so far as results are concerned, that they have known.

"I believe if the commanding officers in the several sections of the city kept a card-index system of the women in their territory plying their trade upon the streets, as the Detective Bureau keeps a card system as to the activities of well-known thieves, that in three to six months any commanding officer could clean his territory of this class of offenders. Eventually, the finger-print method of identification for this class should be legalized.

"The work of the Court has been most satisfactory. It has perhaps taken half of the court hours in the trial of cases, the other half day being devoted to the trial of civil cases, other state and city cases being transferred to this branch, and larceny (picking pockets) and gun (2,807) cases. These latter two classes of cases grew out of the vagrancy work.

"Mr. Joseph P. Ryan, Assistant State's Attorney, assigned to this branch, is entitled to credit for the fair and impartial manner in which he has performed his duties. At the same time he has not permitted the public's interests to be secondary to the demands of that class of individual who have appealed to him in the interest of the professional prostitute and thief. That appeal has gone unheeded in this branch.

"There has been no delay in the trial of these cases. Practically all have been disposed of within three or four days after the arrest. This is a new procedure for this class of offenders in Chicago.

"Not only in the trial and disposition of cases has the city been made safer, but the work of the Court and its publicity to the criminal class have caused that class to leave Chicago, and the undesirable element outside of Chicago to stay away from Chicago. Pickpockets, confidence men and thieves in general discuss their lines of endeavor as commercial travelers discuss theirs, and, like the commercial traveler, they consider the towns and cities to patronize, and the good towns and cities to stay away from. In determining the towns to stay away from, the determining factor is the attitude the authorities show in the enforcement of laws and ordinances."

COURTS—LAWS.

To Regulate Sale and Distribution of Drugs in New York.—(Senate, State of New York, 3d Rdg. 562. Nos. 951, 1261, 1440, Int. 802. March 7, 1918.

Introduced by Legislative Narcotic Committee—read twice and ordered printed and when printed to be committed to the Committee on Public Health—committee discharged, said bill amended, ordered reprinted as amended and when reprinted to be committed to the Committee on Finance—reported favorably from said committee with amendments, by unanimous consent, the rules were suspended and said bill ordered to a third reading and to be reprinted as amended.

An Act—To amend the public health law, so as to provide for the regulation and control of the sale, prescribing, dispensing, dealing in and distribution of cocaine and opium and its derivatives, and making an appropriation therefor.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Article eighteen of chapter forty-nine of the laws of nineteen hundred and nine, entitled "An act relating to the public health, constituting chapter forty-five of the consolidated laws," as renumbered article twenty-two by chapter four hundred and eight of the laws of nineteen hundred and sixteen, is hereby renumbered article twenty-four, and sections three hundred and fifty and three hundred and fifty-one of such chapter as renumbered sections four hundred and fifty and four hundred and fifty-one, respectively, by chapter six hundred and nineteen of the laws of nineteen hundred and thirteen, are hereby renumbered five hundred and five hundred and one, respectively.

Section 2. Such chapter is hereby amended by inserting therein a new article, to be article twenty-two thereof, to read as follows:

ARTICLE XXII.

NARCOTIC DRUG CONTROL.

Section 420. Definitions.

- 421. Department of narcotic drug control, commissioner; powers and duties.
- 422. Deputies; secretary, employes.
- 423. Acts prohibited; registry.
- 424. Manufacturer to have certificate.
- 425. Wholesaler to have certificate.
- 426. Orders upon official blanks.
- 427. Acts permitted.
- 428. Possession of drugs further restricted.
- 429. Labels.

- 430. Possession of drugs authorized by labels.
- 431. Administration of drugs by hospitals and institutions.
- 432. Private hospitals and institutions to be authorized.
- 433. Hypodermic syringe.
- 434. Records and reports.
- 435. Drugs to be delivered to department.
- 436. Exemptions from restrictions.
- 437. Records confidential.
- 438. Commitment of addicts; procedure; treatment; discharge.
- 439. Voluntary hospital commitment.
- 440. Fraud, deceit, et cetera.
- 441. False representations, et cetera.
- 442. Revocation of licenses.
- 443. Penalties.
- 444. Exceptions and exemptions not required to be negated.
- 445. Construction of article.

Section 420. *Definition.* As used in this article.

1. Association. The term "association" includes any combination of two or more persons, not incorporated nor constituting a copartnership.

2. Person. The term "person" includes any corporation, association, copartnership or one or more individuals.

3. Department. The term "department" means the department of narcotic drug control as hereby constituted.

4. Commissioner. The term "commissioner" means the commissioner of narcotic drug control hereby created.

5. Physician. The term "physician" means a licensed practitioner of medicine as defined by article eight of this chapter.

6. Apothecary. The term "apothecary" means a licensed pharmacist or druggist as defined by article eleven of this chapter.

7. Dentist. The term "dentist" means a licensed practitioner of dentistry as defined by article nine of this chapter.

8. Veterinarian. The term "veterinarian" means a licensed practitioner of veterinary medicine as defined by article ten of this chapter.

9. Medicine. The term "medicine" means a drug or preparation of drugs in suitable form for use as a remedial or curative substance.

10. Sale. The term "sale" includes offer for sale and each sale made by any person, whether principal, proprietor, agent, servant, or employee.

11. Dispense. The term "dispense" includes distribute, leave with, give away, dispose of, and deliver to or to an agent to be delivered to.

12. Administer. The term "administer" is limited to personal administration.

13. Cocaine. The term "cocaine" shall include cocoa leaves or any compound, manufacture, salt, derivative or preparation thereof including alpha or beta eucaine or any of their salts or any synthetic compound of any of them, but shall not include decocanized coca leaves or preparations made therefrom or other preparations of cocoa leaves which do not contain cocaine.

14. Opium or its derivatives. The term "opium or its derivatives" shall include opium, morphine, codeine, heroin and any compound, manufacture, salt, derivative or preparation of any of them.

15. Habit forming drugs. The term "habit forming drugs" shall mean cocaine and opium or its derivatives as herein defined.

16. Manufacturer. The term "manufacturer" means one who produces or prepares habit forming drugs from the crude materials or their products or by-products for the use of the drug trade.

17. Wholesaler. The term "wholesaler" includes jobber and means one who sells habit forming drugs in substantial quantities to the trade or for commercial or manufacturing purposes, but not in quantities for personal use or individual consumption and who does not sell at retail.

18. The term "lawful quantity" used in connection with opium or its derivatives means: if opium not more than two grains, if codeine not more than one grain, if morphine not more than one-fourth of a grain, or if heroin not more than one-eighth of a grain in one fluid ounce, or if a solid or semi-solid preparation in one avoirdupois ounce. Such term whenever used shall not apply to cocaine.

Section 421. *Department of drug control; commissioner; powers and duties.* There is hereby created a department of narcotic drug control, the head of which shall be the commissioner of narcotic drug control. The governor, by and with the advice and consent of the senate, shall appoint a commissioner of narcotic drug control who shall hold his office for the term of six years and until his successor is appointed and shall have qualified. A commissioner shall in like manner be appointed upon the expiration of the term. If a vacancy occur in the office of commissioner it shall be filled in like manner for the residue of the term. The commissioner shall execute and file with the comptroller of the state a bond to the people of the state in the sum of five thousand dollars, with sureties to be approved by the comptroller, conditioned for the faithful discharge of his duties and for the due accounting for all moneys received by him as such commissioner. The commissioner shall receive an annual salary of six thousand dollars and his necessary expenses, which salary shall be payable in equal monthly installments. The commissioner is hereby empowered to make all needful or helpful rules, regulations, rulings and decisions which in his judgment may be necessary or proper to supplement or effectuate the purposes and intent of this article or to interpret its provisions or to provide the procedure or detail requisite in his judgment to effectually secure the proper enforcement of its provisions, which rules, regulations, rulings and decisions, when made and promulgated by the commissioner, shall become rules, regulations, rulings and decisions of the department, and until modified or rescinded shall have all of the force and effect of statute. The commissioner may divide the state into not to exceed four districts and maintain a branch administrative office in each, except that in which the capitol is located. It shall be the duty of the commissioner to enforce the provisions of this article and all of the rules, regulations, rulings and decisions of the department. The commissioner may for cause deemed by him to be sufficient, after having given reasonable notice and opportunity to be heard, revoke any certificate of authority issued by the department and revoke, cancel or withhold official blanks issued or applied for. The commissioner shall obtain data and information relative to the extent of drug addiction and the means by which it can be controlled, reduced or eliminated and the means and methods used in its treatment. He shall have the power to inspect and examine any hospital, sanatorium, institution or place in which persons are treated for drug addic-

tion. He shall report annually to the legislature with such recommendations as he may deem warranted. The commissioner and each of his deputies shall have the power to administer oaths, compel the attendance of witnesses, the production of books and papers, and to take proof and testimony concerning all matters within the jurisdiction of the department and in such connection no communication made to a physician shall be deemed confidential. The commissioner shall fix the prices to be paid for blanks procured from the department and the fees, not specifically fixed herein, to be paid upon the issuance of any certificate of authority authorized to be issued by the department. The trustees or other officers having by law the custody of public buildings at the state capitol shall provide for and assign to the commissioner offices for conducting the business of the department.

Section 422. *Deputies; secretary; employees.* The commissioner may appoint and at pleasure remove three deputy commissioners to be known as first, second and third deputy commissioner respectively. Each deputy commissioner shall within the territorial district of the state in and for which he may be assigned to duty exercise all of the powers of the commissioner except the power of appointment to positions, the power to grant and revoke certificates of authority and the power of making and promulgating rules, regulations, rulings and decisions. Each deputy commissioner shall receive an annual salary of three thousand five hundred dollars and his necessary traveling expenses, which salary shall be payable in equal monthly installments. The commissioner shall appoint and may at pleasure remove a secretary, who shall also act as financial clerk, and, under the direction of the commissioner, have charge of the collection of the receipts and disbursement of the moneys appropriated for the expenses of the office. The secretary shall receive an annual salary of three thousand dollars, payable in equal monthly installments. The secretary and each deputy commissioner shall give a bond to the people of the state in the sum of three thousand dollars with such sureties as shall be approved by the commissioner, and shall before entering upon the performance of his duties take and subscribe the constitutional oath of office. The commissioner may also appoint counsel and such employees in his office as may be necessary and fix the compensation of each within the appropriation made and available for such purpose.

Section 423. *Acts prohibited; registry.* No person shall possess, sell, distribute, administer or dispense cocaine or opium or its derivatives except as expressly and specifically authorized by the provisions of this article, and any unauthorized possession, sale, distribution, administration or dispensation of such drugs is hereby declared to be dangerous to the public health and a menace to the public welfare. No manufacturer, wholesaler, apothecary, physician, dentist, veterinarian or private hospital, sanatorium or institution maintained or conducted in whole or in part for the treatment of disability or disease or inebriety or drug addiction shall purchase, receive, possess, sell, distribute, prescribe, administer or dispense cocaine or opium or its derivatives unless prior thereto he shall have registered with the department his name or style, place of residence and place or places where such business is to be carried on, and received from the department a certificate authorizing him to carry on such business. During the month of January after this article takes effect he shall so register with the department. During each month of June thereafter he shall, in like manner, register with the department and for such

second and each subsequent registry shall pay to the department a fee of one dollar.

Section 424. *Manufacturer to have certificate.* Each manufacturer shall before selling or distributing any cocaine or opium or its derivatives within or for use or distribution within the state make application to and receive from the department a manufacturer's narcotic drug certificate authorizing the sale and distribution by him of such drugs within or for use or distribution within the state. He may sell and distribute such drugs within or for use or distribution within the state only so long as such certificate shall remain unrevoked.

Section 425. *Wholesaler to have certificate.* Each wholesaler shall, before selling or distributing any cocaine or opium or its derivatives within or for use or distribution within the state, make application to and receive from the department a wholesaler's narcotic drug certificate authorizing the sale and distribution by him of such drugs within or for use or distribution within the state. He may sell and distribute such drugs within or for use or distribution within the state only so long as such certificate shall remain unrevoked.

Section 426. *Orders upon official blanks.* A hospital, sanatorium or other institution maintained by the United States or the state or any of its political subdivisions, or a public or private hospital or other institution in which persons are treated for disability or disease, or a public hospital, sanatorium or institution in which persons are treated for inebriety or drug addiction, or a private hospital, sanatorium, institution or place in which persons are treated for inebriety or drug addiction which shall have an unrevoked certificate of authority issued by the department, or a wholesaler, apothecary, physician, dentist or veterinarian may possess cocaine or opium or its derivatives only after he shall have obtained the same from the department or in pursuance of a written order to the manufacturer, wholesaler or apothecary offering to sell the same which shall contain the date of the order, the name and amount of the drug ordered and the name and address of the person ordering the same, which said order shall be made in triplicate upon serially numbered blanks to be procured from the department. The person giving the order shall retain one of such triplicate orders on file for a period of two years and send the other two to the person to whom the order is given, who shall retain one of said duplicates on file for a period of two years and upon filling the order shall forthwith mail the other to the department. No order shall be given to a manufacturer or wholesaler unless such manufacturer or wholesaler at the time of the giving of such order is authorized by certificate of the department to sell or distribute the drug ordered within or for use or distribution within the state.

Section 427. *Acts permitted.* Subject to the rules, regulations, rulings and decisions of the department governing the same.

1. *Preparations and remedies.* A person may manufacture, sell, dispense or possess preparations and remedies, not otherwise prohibited by law, which do not contain more than lawful quantity of opium or its derivatives; also liniments, ointments and other preparations containing any of such drugs which are prepared and suitable for external use only; provided that such remedies and preparations are manufactured, sold, dispensed or possessed as medicines and not for the purpose of evading the intention and purposes of this article.

2. *Veterinarians.* A veterinarian may possess cocaine or opium or its

derivatives in such quantities as he may require for the purpose of administering or dispensing and may administer or dispense the same in the course of his professional practice. He may prescribe any of such drugs but not for use by a human being. Each prescription issued by him shall be signed by him and contain in legible English the name and amount of the drug prescribed, the name and address of the owner of the animal for which and the date when the prescription is issued.

3. Dentists. A dentist may possess cocaine or opium or its derivatives in such quantities as he may require for the purpose of administering the same in the course of his professional practice. He may administer the same to persons under his immediate treatment but only in quantities necessary for such treatment.

Apothecaries. An apothecary may, upon prescription written upon an unofficial prescription blank, signed by and containing the office address of a physician and the name, age and address of the person for whom and the date when issued, dispense cocaine or opium or its derivatives, provided such prescription does not contain more than five grains of cocaine or more than thirty grains of opium or more than six grains of codeine or more than four grains of morphine or more than two grains of heroin; also upon a like prescription if it contains any of such drugs in excess of said respective quantities if it be stated upon the prescription that it is to be used in the treatment of a surgical case or a disease other than drug addiction. Each such original prescription, serially numbered, shall be kept by him in a separate file for a period of two years and such prescription shall not be refilled; provided, however, that if any such prescription does not contain more than lawful quantity of any such drug it need not be separately filed; and provided further, that if any such prescription calls for an exempt preparation or remedy prepared in accordance with the "U. S. P.," "N. F.," or other recognized or established formula usually carried in stock by a dealer and sold without a prescription, it need not be separately filed and may, upon request, be refilled.

He may also, upon the prescription in writing, signed by a physician and containing his office address and the name, age and address of the person for whom, and the date when issued, within four days from such date, otherwise dispense cocaine or opium or its derivatives within or in excess of the quantities hereinbefore mentioned if such prescription be written upon a serially numbered official prescription blank delivered to him in duplicate, provided he keep one of said duplicates in a separate file for a period of two years and within twenty-four hours mail the other duplicate to the department. Such prescription shall not be refilled.

He may also upon the prescription in writing dated and signed by a veterinarian and containing his office address and the name and address of the owner of the animal for which the drug is prescribed dispense cocaine or opium or its derivatives, provided he keep such prescription on file for a period of two years. Such prescription shall not be refilled.

5. Physicians. A physician may in the course of the legitimate practice in good faith of his profession and for the purpose of relieving or preventing pain or suffering on the part of a patient, or to effect a cure, administer, prescribe or dispense cocaine or opium or its derivatives as follows:

He may upon an unofficial prescription blank issue a prescription which does not contain more than five grains of cocaine, or more than thirty grains of

opium or more than six grains of codeine or more than four grains of morphine or more than two grains of heroin. He may also upon an unofficial prescription blank issue a prescription for such quantity of any of such drugs in excess of such respective quantities as may reasonably be required in the treatment of a surgical case or a disease other than drug addiction, provided such fact be stated upon the prescription. Each other prescription for any of such drugs shall be written upon a serially numbered official prescription blank in triplicate to be procured from the department, signed by him and containing in legible English or Latin the name and amount of the drug prescribed, the name, age and address of the person for whom and the date when the prescription is issued. He shall issue the original and one other of such triplicate prescriptions for delivery to an apothecary and shall retain the other copy on file for a period of two years.

He may administer or dispense to a patient whom he is treating not to exceed two grains of cocaine or fifteen grains of opium or three grains of codeine or two grains of morphine or one-fourth of a grain of heroin.

He may while absent from his office in personal attendance upon a patient whom he is treating dispense, to be taken in his absence, not to exceed fifteen grains of opium or three grains of codeine or two grains of morphine or one-fourth of a grain of heroin.

If he otherwise administer or dispense any of such drugs he shall record in writing upon a serially numbered official physician's dispensing blank in duplicate to be procured from the department, in legible English or Latin the name and quantity of the drug and the form in which administered or dispensed, the name, age and address of the person for whom and the date when administered or dispensed and shall sign the same. He shall keep the original of such dispensing blanks on file for at least two years and shall, within twenty-four hours, mail the copy to the department.

The provisions of this section relating to the conditions under which unofficial and official prescription and dispensing blanks may be used are, to the department, directory only and may by rule or regulation of the department, from time to time, be changed or modified to meet existing conditions.

Section 428. *Possession of drugs further restricted.* No manufacturer, wholesaler, apothecary, physician, dentist or veterinarian shall obtain, possess, control, distribute or dispense any cocaine or opium or its derivatives for any purpose other than the use, sale or distribution thereof by him in the conduct of a lawful business in said drugs or in the legitimate conduct or practice in good faith of his business or profession.

Section 429. *Labels.* Whenever an apothecary pursuant to a prescription written upon an official prescription blank shall dispense cocaine or opium or its derivatives or whenever a physician shall dispense any of such drugs a record of which is required to be kept upon an official physician's dispensing blank, he shall securely affix to the container of such drug a label stating in legible English the name and address of the physician prescribing or dispensing and the apothecary, if any, dispensing and the date when and the name and address of the person for whom and name and quantity of the drug dispensed and contained in the container.

Section 430. *Authorized possession of drugs by consumer.* A person for whom cocaine or opium or its derivatives shall have been dispensed by an apothecary or physician, for the dispensing of which no label is required to be

affixed to the container, and the owner of an animal for which any of such drugs shall have been dispensed by a veterinarian or an apothecary upon the prescription of a veterinarian may lawfully possess the same. A person for whom any of such drugs shall have been dispensed by an apothecary or physician for the dispensing of which a label is required to be affixed to the container may lawfully possess in the container delivered to him by the apothecary or physician and upon which the label signed by the apothecary or physician is affixed an amount of such drug not exceeding that stated upon the label.

Section 431. *Administration of drugs by hospitals and institutions.* A hospital, sanatorium or other institution maintained by the United States or the state or any of its political subdivisions, or a public hospital or other institution in which persons are treated for disability or disease other than drug addiction, or a public hospital, sanatorium or institution in which persons are treated for inebriety or drug addiction or a private hospital or institution registered with the department in which persons are treated for disability or disease other than drug addiction or a private hospital, sanatorium, institution or place in which persons are treated for inebriety or drug addiction and which shall have an unrevoked certificate of authority issued by the department may, under the supervision of a physician, administer cocaine or opium or its derivatives to inmates who are under treatment as patients.

Section 432. *Private hospitals and institutions to be authorized.* Cocaine or opium or its derivatives shall not be administered in nor shall any person be treated for inebriety or drug addiction in a private hospital, sanatorium, institution or place maintained or conducted in whole or in part for the treatment of inebriety or drug addiction unless a certificate of authority shall first have been procured from the department authorizing the same and then only so long as such certificate shall remain unrevoked.

Section 433. *Hypodermic syringe.* No person except a dealer in surgical instruments, apothecary, physician, dentist, veterinarian or nurse, attendant or interne of a hospital, sanatorium or institution in which persons are treated for disability or disease shall at any time have or possess a hypodermic syringe or needle unless such possession be authorized by the certificate of a physician issued within the period of one year prior thereto.

Section 434. *Records and reports.* 1. Manufacturers. Each manufacturer who shall sell or distribute any cocaine or opium or its derivatives within or for use or distribution within the state shall keep a record in detail of all such drugs manufactured by him and a record of all such drugs sold or distributed by him within or for use or distribution within the state, which record shall contain the date of each such sale or distribution, the name and amount and form of each such drug so sold or distributed and the name and address of each person to whom so sold or distributed. He shall quarterly, or oftener if required by the commissioner, make and mail to the department a detailed report, on oath, setting forth all of the information contained in such records.

2. Wholesalers. Each wholesaler who shall purchase or receive or sell or distribute any cocaine or opium or its derivatives within the state or for use or distribution within the state shall keep a record in detail of all such drugs so purchased or received by him, which shall contain the date of each purchase or receipt, the name and address of the person from whom and the name and quantity of each such drug so purchased or received. He shall also keep a like record in detail of all such drugs sold or distributed by him within or for use

or distribution within the state which shall contain the date of each such sale or distribution, the name, amount and form of each such drug so sold or distributed and the name and address of each person to whom so sold or distributed. He shall quarterly, or oftener if required by the commissioner, mail to the department a detailed report on oath setting forth all of the information contained in such records.

3. Apothecaries. Each apothecary shall keep a record of all cocaine or opium or its derivatives purchased or received by him, which shall contain the date of each purchase or receipt, the name and address of each person from whom and the name and quantity of each such drug purchased or received. He shall also keep a record of the amount of each of such drugs sold by him at wholesale or sold or dispensed by him upon official order blanks which shall contain the date when, the name and address of each person to whom and the name and quantity of each such drug so dispensed. He shall also keep a record of the amount of each of such drugs used by him in the preparation of preparations and remedies, together with the amount used for each such purpose and how such preparations or remedies have been disposed of. He shall also keep a record of the gross amount of each of such drugs dispensed by him upon prescription. He shall as required by the commissioner, make and mail to the department a report setting forth such of the information contained in such records as the commissioner may require, together with the amount of each such drug on hand upon the date of such report.

4. Physicians. Each physician shall keep a record of all cocaine or opium or its derivatives purchased or received by him, which shall contain the date of each purchase or receipt, the name and address of each person from whom and the name and quantity of each such drug purchased or received. He shall also keep a record of the gross amount of each of such drugs administered by him to patients, dispensed by him to patients while absent from his office in personal attendance upon them and dispensed by him to patients in quantity not exceeding lawful quantity. He shall also keep a record of each of such drugs otherwise dispensed by him which shall contain the date when, the name and address of each person to whom and the name and amount of each such drug so dispensed. He shall, as required by the commissioner, make and mail to the department a report setting forth such of the information contained in such records as the commissioner may require, together with the amount of each such drug on hand upon the date of such report.

5. Hospitals, sanatoriums and other institutions. Each hospital, sanatorium or other institution authorized by the provisions of this article to administer cocaine or opium or its derivatives shall keep a record which shall contain the date of each purchase or receipt, the name and address of each person from whom and the name and quantity of each such drug purchased or received. It shall also keep a record of the gross amount of each such drug administered. It shall, as required by the commissioner, make and mail to the department a report setting forth the information contained in such records, together with the amount of each such drug on hand upon the date of such report.

6. Dentists and veterinarians. Each dentist and veterinarian shall keep a record which shall contain the date of each purchase on receipt by him of cocaine or opium or its derivatives, the name of each person from whom and the name and amount of each such drug purchased or received. Each dentist shall also keep a record of the gross amount of each such drug administered.

Each veterinarian shall also keep a record of the gross amount of each drug administered or dispensed. He shall as required by the commissioner, make and mail to the department a report setting forth the information contained in such records, together with the amount of each drug on hand upon the date of such report.

The commissioner may require each person authorized to manufacture, distribute, dispense, sell, prescribe or administer any of such drugs, to keep such additional records and make such other further or different reports as he may determine. Each prescription written upon an official blank and each other record, except prescriptions required to be kept by an apothecary, shall be contained in books the leaves of which shall be permanently bound together. Each record required by the provisions of the article to be kept shall be kept in a place easily accessible and shall be accessible to the department for a period of at least two years.

Section 435. *Drugs delivered to department.* All drugs which have been seized and judicially determined to have been unlawfully possessed or the title to which shall have ceased and the same shall have come into the hands of a peace officer shall, upon the direction of a court or magistrate, be delivered to the department. Drugs may be surrendered to the department. All drugs in the final possession of the department may be disposed of by the commissioner.

Section 436. *Exemptions from restrictions.* The provisions of this article restricting the possession of cocaine, opium or its derivatives shall not apply to common carriers or warehousemen or their employes engaged in lawful transportation or storage of such drugs, nor to public officers or employes while engaged in the performance of their official duties, nor to temporary incidental possession on the part of employes or agents of persons lawfully entitled to possession.

Section 437. *Records confidential.* All papers, records, information, statements, and data filed with the department or kept by any person pursuant to the provisions of this article, and all records of proceedings or actions taken by the commissioner or any of his deputies pursuant to the provisions of this article, shall be regarded as confidential, and shall not be open to inspection by the public or any person other than the official custodian of such records, such persons as may be authorized by law or the commissioner to inspect such records, and the persons duly authorized to prosecute or enforce the federal statutes or the laws of the state of New York, but then only for the purpose of such prosecution or enforcement. No employe or other person shall disclose or aid in the disclosure of such, or any part of such, papers, records, information, statements, or data to any person not authorized by law or the commissioner to inspect the same.

Section 438. *Commitment of addicts; procedure; treatment; discharge.* The habitual use of cocaine, opium or its derivatives, except as administered, prescribed or dispensed by a physician, is hereby declared to be dangerous to the public health and safety. Whenever a complaint is made to any magistrate that any person is so addicted, or upon the voluntary application to him of an addict, he may, if satisfied of the truth thereof and that the person is suffering from such drug addiction, commit such person to a state, county or city hospital, or institution licensed under the state lunacy commission or any correctional or charitable institution maintained by the state or any political subdivision thereof, or private hospital, sanatorium or institution having an

unrevoked certificate of authority from the department, for the treatment of disease or inebriety. Any court having jurisdiction of a defendant who is a prisoner in a criminal action or proceeding, if it appears that such defendant is an habitual user of any of such drugs and is suffering as a result of such addiction, may likewise commit such defendant, at any stage of such action or proceeding and may direct a stay of proceedings, or suspend sentence or withhold conviction pending the period of such commitment. Whenever the chief medical officer of such an institution shall certify to the committing magistrate or court that any person so committed has been sufficiently treated, or give any other reason which is deemed by the magistrate or court to be adequate and sufficient, he may in accordance with the terms of commitment discharge the person so committed, or return such person to await the further action of the court, provided, however, that when such a commitment is to an institution under the jurisdiction of a department of correction, or other similar department in a city of the first class, where there is a parole commission established pursuant to law, such commission shall act in the place and stead of a chief medical officer for the purpose of making such a certificate.

Section 439. *Voluntary hospital commitment.* Any public hospital, sanatorium or institution may accept as a charity patient any person voluntarily applying for treatment for drug addiction and any such institution may, if a voluntary applicant signs a statement that he is suffering from drug addiction and desires treatment, in the same manner and subject to the same rules and restrictions as if committed by a magistrate, receive such person without formal commitment, with like effect as if formally committed, subject to discharge when sufficiently treated, or for any other reason deemed adequate. The commissioner or any local health board or officer may likewise on such an application and signed statement place the applicant in any hospital receiving such patients at public expense. The department shall adopt blank forms of applications and orders for such treatment and on request shall furnish copies thereof to any such institution or officer. The provisions of this section shall not restrict the right of any hospital, sanatorium or institution to accept and treat patients for drug addiction at other than public expense.

Section 440. *Fraud, deceit, et cetera.* Any fraud, deceit, misrepresentation, subterfuge, concealment of a material fact or the use of a false name or the giving of a false address in obtaining treatment in the course of which cocaine or opium or its derivatives in excess of lawful quantity shall be prescribed or dispensed or in obtaining any supply of such drugs shall constitute a violation of the provisions of this article. For the enforcement of the provisions of this article statements, representations or acts herein referred to shall not be privileged as confidential communications.

Section 441. *False representations, et cetera.* No official blanks shall be issued to any person who shall have been convicted of a violation of any of the provisions of this article unless the commissioner be satisfied, from proof presented to him, that such violation was not willful. No person shall for the purpose of obtaining any quantity of cocaine or opium or its derivatives falsely assume the title of or represent himself to be a wholesaler, pharmacist, druggist, physician, dentist or veterinarian or to be engaged in the conduct of lawful business in or use or distribution of any of such drugs, nor utter any false or forged order or prescription for or label affixed to the container of any of such

drugs or alter, deface or remove any such label or keep any false record or make any false report under the provisions of this article.

Section 442. *Revocation of licenses.* Any license heretofore issued to any physician, dentist, veterinarian, pharmacist, druggist or registered nurse may be revoked or suspended by the proper officers or boards having power to issue licenses to any of the foregoing upon proof that the licensee is addicted to the use of any habit-forming drug or drugs after giving such licensee reasonable notice and opportunity to be heard. Whenever it shall appear that such licensee has fully recovered and is no longer an addict to any of such drugs, such board may grant a rehearing and in its discretion reissue or reinstate the license of such licensee. Whenever any pharmacist, druggist, physician, dentist, veterinarian or registered nurse shall have been convicted of the violation of any of the provisions of this article, any officer or board having power to issue licenses to any such physician, dentist, veterinarian, pharmacist, druggist or registered nurse may, after giving such licensee reasonable notice and opportunity to be heard, suspend or revoke the same.

Section 443. *Penalties.* A violation of any of the provisions of this article shall constitute a misdemeanor.

Section 444. *Exceptions and exemptions not required to be negatived.* In any complaint, information, indictment or other writ or in any action or proceeding laid or brought under or for the enforcement of any of the provisions of this article it shall not be necessary to negative an exception or exemption and the burden of proof shall be upon the defendant or person proceeded against to establish affirmatively any exception or exemption claimed.

Section 445. *Construction of article.* The provisions of this article shall be construed not as an act in derogation of the powers of the state but as one intended to aid the state in the execution of its duties, and shall be liberally construed so as to carry into effect the objects and purposes hereof. The provisions of this article, so far as they are substantially the same, or cover the same subject-matter, as those of any law repealed by this act, shall be construed as a continuance of such repealed law, modified or amended, according to the language employed herein, and not as new enactments. References in a law not repealed to the provisions of any law incorporated into this article or repealed by this act shall be construed as applying to the provisions so incorporated. The meaning and effect of the terms and language used herein shall be construed in accordance with the provisions of the statutory construction law.

Section 2. The repeal of a law, or any part of it, by the provisions of this act, shall not affect or impair any act done or right accruing, accrued, or acquired, or penalty, forfeiture or punishment incurred prior to the time when this act takes effect under or by virtue of the law so repealed, but the same may be asserted, enforced, prosecuted or inflicted as fully and to the same extent as if such law had not been repealed; and all actions or proceedings, civil or criminal, commenced under or by virtue of any law so repealed and pending when this act takes effect, may be prosecuted and defended to final effect in the same manner as they might under any such law so repealed.

Section 3. All of article eleven-a of chapter forty-nine of the laws of nineteen hundred and nine, entitled "An act in relation to the public health, constituting chapter forty-five of the consolidated laws," as added by chapter three hundred and sixty-three of the laws of nineteen hundred and

fourteen and as subsequently added to and amended, and sections seven-hundred and forty-five and seven-hundred and forty-six of chapter eighty-eight of the laws of nineteen hundred and nine, entitled "An act providing for the punishment of crime, constituting chapter forty of the consolidated laws," as added, substituted or amended; and all acts or parts of acts inconsistent with the provisions of this act are hereby repealed, such repeal to take effect on the first day of February, nineteen hundred and nineteen.

Section 4. Sections four hundred and twenty-one and four hundred and twenty-two of this article and so much of section four hundred and twenty-three of this article as pertains to registry shall take effect on the first day of November, nineteen hundred and eighteen, the other sections of such article shall take effect on the first day of February, nineteen hundred and nineteen.

Section 5. The sum of twenty-seven thousand four hundred dollars (\$27,400), or so much thereof as shall be necessary, is hereby appropriated for the purpose of carrying into effect the provisions of this act. The said amount shall be available for the period of eight months ending June thirtieth, nineteen hundred and nineteen, and distributed as follows, subject to all of the provisions of the act making appropriations for the support of government:

PERSONAL SERVICE.

Salaries, Regular—

Commissioner	\$4,000.00
Deputy, 3 at annual rate of \$3,500 each.....	7,000.00
Secretary	2,000.00
Stenographer or filing clerk, 3 at annual rate of \$1,200 each.....	2,400.00
Stenographer or filing clerk, 3 at annual rate of \$1,000 each.....	2,000.00

MAINTENANCE AND OPERATION.

For expenses of maintenance and operation other than personal service	\$10,000.00
Section 6. This act shall take effect immediately.	

Commitment of Insane in Louisiana.—(Senate Bill No. 79. By Mr. Caldwell.) An act to provide proper proceedings relative to the insane and for the admission of insane persons, whether indigent or otherwise, to the insane hospitals of the state; and to authorize the respective Boards of Administrators to determine the question of indigency, and in all proper cases to require reasonable compensation for care and treatment; and to authorize suit for recovery; and to authorize the parole of patients; and to punish ill treatment of inmates or patients.

Section 1. Be it enacted by the General Assembly of the State of Louisiana, That whenever it shall be made known to the judge of the District Court by written complaint or information of any respectable citizen that any insane person within his jurisdiction is indigent and ought to be sent to or confined in one of the state hospitals for the insane, or complaint that though not indigent he should be confined, it shall be the duty of said judge of the District Court having jurisdiction of interdiction to issue his warrant ordering such person to be brought in court before him, and thereupon said judge shall cause to be summoned two licensed and reputable physicians, one of whom shall be the coroner of the parish, and the other the physician of the suspected person, if he has

any, and neither shall be related by affinity or consanguinity to him or have any interest in his estate. The judge and the two physicians shall constitute a commission to inquire whether such person be insane and a suitable subject for the hospital for the care and treatment of insane persons, and for that purpose the judge shall also cause to be summoned witnesses who know the person suspected of insanity. The physicians shall in the presence of the judge, by personal examination of such suspected person and by inquiring, satisfy themselves and the judge as to the mental condition of the person being examined. If the two physicians do not agree, the judge shall determine the issue. The provisions of this act shall not interfere with the present method of commitments of insane by the Records of City Courts of New Orleans upon affidavits; provided, however, that the coroner's certificate required under Section 2 of this act be likewise furnished for the insane committed by the Records of the City Courts of New Orleans.

Section 2. Be is further enacted, etc., That the coroner shall ascertain all of the necessary facts to enable him to answer properly the questions embodied in the following form of certificate, to-wit:

State of Louisiana, Parish of.....

The coroner certifies as follows to the following interrogations:

Name of patient..... Nativity..... Race.....
 Sex..... Civil conditions..... Married, Single, Widowed,
 Divorced..... Age..... Present occupation of patient.....
 Former occupation..... How long since patient worked regularly or
 attended to business..... How well does the patient attend to ordinary
 work..... Where born..... Name and address of nearest friend
 or relative..... Relation of same to patient..... Nearest
 telegraph and railroad station or steamboat landing to said friend or relative..
 In the event of death would family wish to claim the body at
 their expense..... Is the patient a criminal insane..... Give
 crime committed..... Present weight of patient..... When did
 present attack of insanity begin..... Present residence.....
 How long lived in the present place of residence..... Place of resi-
 dence for past two years..... If of foreign birth, how long a resident
 of the United States..... Can patient speak English..... Port
 of landing..... Date of landing..... Name of ship.....
 Birthplace of father..... Birthplace of mother..... Maiden
 name of mother..... Education—liberal, good, professional.....
 Read..... Write..... Can patient count ten..... Religion
 Number of children had, if a female..... Age of youngest
 child, if patient is a female..... Name and address of guardian.....
 Value of property of self or husband..... Of parents, if the
 patient is a minor..... Is the patient addicted to the use of intoxicat-
 ing liquors, tobacco, morphine, cocaine or other injurious drugs.....
 If so, to what extent..... Is the patient addicted to any injurious, im-
 proper or immoral habits..... If so, to what extent..... State
 fully and in detail any physical symptoms, injury or disease from which the
 patient is at present suffering..... Is the patient affected by paralysis
 Dropsy..... Blindness..... Deafness..... Dumb-
 ness..... Incontinence of urine or feces..... Hysteria.....
 Emaciation..... Insomnia..... Cancer..... Tuberculosis....

..... Pellagra..... Hernia..... Epilepsy..... Uteric or pelvic disorders..... Is the patient pregnant..... Is the patient now sick in bed..... Is the patient now suffering from acute or chronic alcoholism or delirium tremens..... What were the first symptoms..... Were the symptoms gradual or rapid in onset..... State fully the present symptoms of insanity, particularly whether the patient is violent..... Destructive..... Untidy..... Excited..... Depressed..... Homicidal..... Suicidal..... If homicide or suicide has been attempted or threatened, state when and in what manner..... Does the patient talk to himself..... Assume peculiar attitudes..... Hear voices..... Believe he is being persecuted..... State in what manner..... State any changes that have occurred in the condition of mind or body of the patient since the onset of the present attack of insanity..... Has any restraint or confinement been imposed on the patient, the nature and duration..... Is the patient now in jail..... If not, state in whose custody said patient is, giving name, post-office and telegraph address, distance from telegraph office and railroad station..... If there have been any attacks of insanity previous to the present one, when did they occur..... Give the duration, symptoms and character of each..... State the length of intervals between the attacks..... Was the patient entirely sane and rational between attacks..... If the patient has ever been an inmate of any hospital or other place of detention and treatment for the insane, state when, where and whether he was discharged or recovered or otherwise..... If any of the patient's family or near relatives are or have been insane, mentally defective, epileptic, neurotic, alcoholic, tuberculous, et cetera, state the fact..... The degree of consanguinity..... Whether maternal or paternal..... What, in the opinion of the examining physicians, are the causes of the patient's insanity..... The predisposing causes..... Name and address of physician who last attended patient..... What treatment has been given..... With what effect..... Is the patient normally below or above the average standard of intelligence..... Is the patient a congenital idiot or imbecile..... Describe the appearance, manner and all insane acts and speech of the patient during examination..... State fully anything else bearing on the case as indicating insanity.....

Coroner of Parish.

If the judge determines that said person is insane, he shall make the following order or warrant:

State of Louisiana, Parish or City of....., to-wit: To the sheriff of the Parish of..... and to the superintendent of the state hospital, greeting:

Whereas, I,, judge of said Parish of....., and two physicians, constituting a commission of inquiry, et cetera, into the sanity of said....., have this day adjudged the said..... to be insane and a suitable subject for a hospital for the care and treatment of insane persons, and a citizen of this state; I do, in the name of the said state, command you, the said sheriff, to deliver the said.....together with this warrant, to the superintendent of the.....State Hospital at..... that having a vacancy and being the nearest appropriate hospital, or to the duly

authorized agent of said hospital, to be delivered by him to the said superintendent. And you, the said superintendent, with a vacancy, are hereby required to receive into the said hospital, and into your care and charge, the said....., to be treated and cared for as in insane person.

And I do herewith transmit to you, the said superintendent, the interrogatories and answers thereto, taken by said coroner, touching the sanity of said....., a copy of which has this day been delivered by me to the clerk of court of the said parish or city.

Given under my hand this..... day of, nineteen hundred and.....

.....,

Judge.

Each parish or corporation shall be provided, upon application, by the superintendents of the insane hospitals, with all necessary blank forms. The record of proceedings under this section, together with the warrant of commitment, shall be made in duplicate, one copy of which shall be delivered by the judge to the sheriff of the parish, and the other copy filed with the office of the clerk of court.

If the judge shall commit the suspected person to the insane hospital, he shall make out his order or warrant as aforesaid to the sheriff of the parish, commanding him to convey the insane person to the insane hospital, for which duty the sheriff shall have the right to demand the same fees as are now allowed by law for the conveyance of convicts to the penitentiary of the state, which shall be paid out of the parish treasury, upon the order of the district judge, and likewise all other expenses previously incurred in bringing said insane person before the district judge. Which charges and expenses shall be placed by the sheriff to the credit of the Sheriff's Salary Fund, as provided by Act No. 143 of 1916.

Section 3. Be it further enacted, etc., That persons adjudged insane in accordance with the foregoing proceedings shall be received in the state hospitals for the insane, and there receive proper care and treatment. In any case, however, where it shall be made to appear to the Board of Administrators, or to the superintendent, that the patient is not in fact indigent, but will be able to bear the expense of care and treatment, then an agent of the hospital shall be authorized to make an investigation to determine the question of indigency. He shall have power to subpoena witnesses, take testimony under oath, and to examine any public records relating to the estate of an inmate or of a relative liable for his or her support. All such information shall be submitted to the Board of Administrators. The board, or a committee thereof, appointed for that purpose, shall determine whether such relative shall be required to pay for the support of such inmates or whether such charges shall be made against the estate of an inmate. An order shall be issued to the persons who are determined liable for such payments, requiring them to pay monthly, quarterly or otherwise, as may be arranged, to the board such amount as it or the committee shall deem reasonable and proper. The board shall make all reasonable and proper efforts to collect such amount, and in case of inability to collect from a period of three months, the board shall be authorized to direct the district attorney of the district wherein the debtors reside, to institute civil action in the name of the state to recover the amount due, with interest. All moneys received, as herein provided, or by such suit instituted, shall be paid to the treasurer of each of such institutions. The district attorney shall be allowed as compensation a penalty

of ten per cent of the amount recovered, which shall be assessed as a penalty against the debtor, and recovered by way of costs. The clerk of court shall certify in all cases that the insane person is "indigent" or "not indigent," according to information.

Section 4. Be it further enacted, etc.; That a husband may be held liable for the support of his wife while an inmate of any of said institutions, and a wife for a husband, a father or mother for a son or daughter, and a son or daughter or both for a father or mother, in any case where the Board of Administrators have determined, as hereinabove provided for, that the inmate is not an indigent; provided that in any case where suit is authorized, upon the determination of the Board of Administrators, the court of jurisdiction of the alleged debtor shall have the right to review the question of indigency, as determined by the Board of Administrators, and provided that such alleged debtors shall be permitted to present the defense that the finding of the board is either unreasonable or erroneous.

Section 5. Be it further enacted, etc., That the Board of Administrators may authorize the superintendent to grant paroles to patients, upon such terms and conditions as may, in his judgment, in each particular case, be for the advantage of such patients, provided that he shall have the authority, also, to recall such patients at any time.

Section 6. Be it further enacted, etc., That whoever shall assault, assault and batter, or strike or maltreat a patient or inmate of any insane hospital of the state shall, upon conviction, be fined not exceeding five hundred (\$500.00) dollars and imprisoned not exceeding six months, at the discretion of the court.

Section 7. Be it further enacted, etc., That all laws or parts of laws on the same subject matter, in conflict herewith, be and the same are hereby repealed, and especially is Act 253 of 1910 repealed.—W. O. Hart, New Orleans.

PAROLE—PROBATION

Parole in Indiana During Twenty-one Years.—The indeterminate sentence law has attained its majority. It is old enough to stand alone. It is engrafted into both law and practice and is a part of the common mind of our citizenship. Our people would not be willing to change and go back to the old form of definite sentence and harsh punishments. The men and women who have been paroled from the state penal institutions have had care and treatment and training in the endeavor to reclaim them and restore them to citizenship. The results as here given show the fruit of the reformatory system in operation in this state under the indeterminate sentence and parole law for a period of twenty-one years. It is a matter in which the people of Indiana ought and do take great pride.

From April 1, 1897, to April 1, 1918—twenty-one years—11,903 men and women were paroled from the State Prison, the Reformatory and the Woman's Prison under the operations of this law. Of this number, 7,191 having made good reports for the required length of time after their release, never less than a year, were given their final discharge. In the case of 416, the maximum of the term for which they were sentenced expired while they were on parole and they were no longer held under supervision. One hundred and eighty-five died, 742 were reporting at the close of the year. This leaves 3,369 to be accounted for. They were the delinquent ones. All of them, constituting 28.26 per cent, of the whole number paroled, violated their paroles. One thousand, nine hundred and

twenty-seven were apprehended and returned to the institutions. The remaining 1,442 are at large.

A careful record of the earnings and expenses of these paroled prisoners is kept. The reports show an aggregate of \$3,393,324.09 earned, in addition to which many received board, lodging and laundry. Personal expenses amounting to \$2,761,349.66 were reported, leaving a balance on hand of \$631,974.43. The fire at the Reformatory in February, 1918, destroyed some of the records and the earnings for four months are not included.

INDETERMINATE SENTENCE AND PAROLE LAW, APRIL 1, 1897 TO APRIL 1, 1918

	State Prison, Michigan City.	¹ Reforma- tory, Jefferson- ville.	Woman's Prison, Indian- apolis.	Total.
Total number released on parole...	4,694	6,849	360	11,903
Returned for violation.....	841	989	97	1,927
Delinquent and at large.....	441	961	40	1,442
Served parole and granted discharge	2,865	4,160	165	7,191
Sentence expired during parole....	141	249	26	416
Died while on parole.....	74	102	9	185
Reporting April 1, 1918.....	332	388	22	742
Total	4,694	6,849	360	11,903
Percentage of unsatisfactory cases.	27.31	28.46	38.05	28.26
Earnings of paroled prisoners.	\$1,409,522.55	\$1,976,778.18	\$7,023.36	\$3,393,324.09
Expenses while on parole....	1,101,272.40	1,656,239.16	3,838.10	2,761,349.66
Savings	\$ 308,250.15	\$ 320,539.02	\$3,183.26	\$ 631,974.43

Tenth Annual Conference of the National Probation Association.—

A representative attendance of probation officers, judges and others engaged in the social work of courts gathered at Kansas City May 14-21, to discuss their work. It was brought out at the meetings that the probation officers' problems have been intensified by war conditions, but except for the difficult problem of the young girl delinquent, which has been acute in many communities, it was the general testimony that delinquency has not increased through the war. The work of the probation officers, however, is increasing every year due to the greater acceptance of this method of dealing with offenders by the courts and by communities generally. It was the testimony of many officers at these meetings that whereas the number of cases handled by their respective offices has increased very greatly, the financial support and the number of probation officers to handle the increased work has not kept pace.

Emphasis at the meetings was placed upon discriminating case study and scientific investigation. Mr. H. R. Ennis, former President of the Board of Public Welfare of Kansas City, gave an illuminating address on the problem of drug addicts. It was generally agreed that the drug addict is not a case for probationary treatment, but for the special hospital.

¹These figures are less complete than formerly, the records having been destroyed in the fire of February, 1918. Earnings for October, November, December, 1917, and for January, 1918, are not included.

—A. W. Butler, Secy., Charities and Correction Commission, Indianapolis, Ind.

Dr. H. H. Hart, in his report on the rural juvenile court, emphasized anew the fact that rural delinquency and neglect is as yet largely an unsolved problem. We must establish adequate courts with trained probation officers, places of temporary detention, as well as preventive agencies working throughout the rural districts.

Emphasizing the study of the individual, Mr. L. A. Halbert said: "A man's moral character consists in the response he will be able to make to ideas of right when he gets them. Delinquents have a sort of philosophy by which they justify their acts. Sometimes acts are based on the nervous system which the delinquent inherited from his parents. Moral treatment is treatment with ideas. Certain ideas are necessary to reform any man. One is that no matter how many other people are to blame he is not excused.

"There is no evidence that you are giving a man bad treatment because you make him suffer mental distress. If you can make him feel his loss of friends and respect and manhood, and couple that with the thought that he can and must regain them or at least deserve them again, you have done him a service."

Emphasis was placed upon the need of developing more uniform and higher standards in supervising persons on probation. Mr. Charles L. Chute, Secretary of the Association, presented a report of a special investigation of the various methods used throughout the country, showing great discrepancy in the methods used and the results obtained. The Association authorized the appointment of a special committee to adopt standards.

A feature of the conference was the report by Miss Evelina Belden, Special Agent of the Federal Children's Bureau, of the nation-wide study which the bureau has undertaken of courts dealing with children. This study was begun at the request and with the co-operation of the National Probation Association. The Association pledged its support and assistance to the Federal Bureau in its study of juvenile courts through its special committee on the subject.

The development of domestic relations courts and the co-ordination of their work with juvenile courts was an important subject of discussion. Affirming its position of last year the Association went on record as being in favor of the establishment of a family court to handle all matters relating to children, non-support and divorce. The following recommendations were adopted:

First—That an active educational campaign be conducted by members of this Association for the establishment of Family Courts throughout the country. This can be accomplished through the newspapers and other publications and by the aid of clubs and societies interested in social work. We believe that the necessity for these courts and their purpose should be presented to the public. Local sentiment must be created before any progress can be made.

Second—While local conditions may demand some changes in the plans for the Family Court as provided in the resolution contained in the report of 1917, we feel that the leading principles contained in the resolution should be followed and insisted upon by social workers.

Third—That the court may have a fixed, definite and certain policy governing its proceedings and work we recommend that the judges of these courts be appointed or elected for a term sufficient in length of time to afford the opportunity to develop the social service program necessary in carrying out the work for which the court is designed. The rotation of judges, such as prevails in some of our larger cities, should be discouraged so far as it applies to the Family Courts, as it has been abundantly shown in juvenile and domestic rela-

tions courts that this principle has been productive only of chaos and constant conflict in the work incident to these courts.

We further recommend the judges of these courts be selected because of their especial knowledge and information concerning social service work, as well as their legal attainments in knowledge of the law.

Fourth—That an immediate effort be made in all jurisdictions to obtain probation forces in the divorce courts, for the purpose of investigating the alleged grounds for divorce, and the home conditions and environment of the children of the parties in the divorce action, and for supervising the homes and children after the decree is granted.

Four of the sessions of the Association were conducted as joint sessions with the Division on Delinquents and the Division on Children of the National Conference of Social Work. The plan was unanimously voted a success and the Executive Committee was authorized to seek its continuance for next year.

The following officers were elected:

President, Charles W. Hoffman, Judge Court of Domestic Relations, Cincinnati, Ohio.

First Vice-President, Edwin J. Cooley, Chief Probation Officer, Magistrates' Courts, 300 Mulberry street, New York, N. Y.

Second Vice-President, Herbert C. Parsons, Secretary, Massachusetts Commission on Probation, Court House, Boston, Mass.

Third Vice-President, Miss Maude E. Miner, Member, New York State Probation Commission, 130 East 22nd street, New York City.

Secretary-Treasurer, Charles L. Chute, Secretary, State Probation Commission, 58 North Pearl street, Albany.

—Charles L. Chute, Secy., State Probation Commission, Albany, N. Y.

Shall Illinois Have a Probation Commission?—The question, Does Illinois need a Probation Commission? should be approached through the discussion of probation, its organization and operation in Illinois.

In simple language probation implies giving a misdemeanant an opportunity to pursue his livelihood in ordinary community life, under a form of supervision, after his guilt has been established by the court. Probation, in other words, offers a third possibility. It is a middle ground between imprisonment and complete liberation in the case of the man or woman guilty of an offense.

Has the most intelligent use been made of this third possibility in dealing with those pronounced delinquent, is often asked? Do those advocating, promoting and administering the probation facility have a clear idea of the possibilities and limitations of probation? Have many of us been satisfied to believe that the general idea of probation is good and helpful to the probationer simply because we have a lurking feeling that incarceration is too severe in certain cases of delinquency and complete liberation would be unsafe to the community; hence probation?

If probation is to be of value it must offer some real possibilities not found in prison life or not present in the liberation of the offender. It must be a process of treatment and not an event or incident of longer or shorter duration. A prison sentence is too often a mere incident and not a process of treatment in the character and life of the offender. The mere fact that the individual is imprisoned has too often been depended upon to bring about a change in the demeanor of the individual imprisoned. Prison administration,

too often has not proceeded as a treatment for the men and women within its walls.

Probation may be a process of real treatment provided advantage is taken of all the possibilities present. Moreover, if probation is a process of treatment, it is quite probable that all cases will not respond to it. The first principle in probation, therefore, is the selection of cases. For successful probation work it is absolutely necessary that there be a very careful and intelligent selection of the men, women, boys and girls who give promise of responding to this particular plan. This selection is of first importance. In certain cases the same elements in society which constituted the environment of the individual who committed an offense, if properly applied to the individual, will produce a normal condition, while in other cases it may be impossible to improve the individual if he remains in the same environment in which he had his downfall.

Every act, social or non-social, is committed because of one or two fundamental sources of influence: First, inherent elements within the individual; and, second, environmental circumstances and influences which come in direct contact with the individual. We immediately think of an individual as possessing certain inherent elements which have an influence upon his impulses and desires, such as mentality, moral trend and development, physical condition, temperamental qualities, etc. We also readily think of certain environmental elements—such as early training, companionship, education, family conditions, mode of livelihood, the general moral atmosphere, economic pressure, and many very definite extenuating circumstances which might extend into indefinite numbers. These are the elements and forces within and surrounding the life of an offender, an accurate knowledge of which must be had and underlie intelligent use of probation. I wonder under the present system of probation in the United States and in Illinois if these elements are given full and proper consideration in connection with the selection of cases to be placed on probation.

Certain offenses, for example, in themselves give obvious evidence that probation is desirable. In other words, the offense itself, to one experienced in the use and results of probation, would indicate immediately, a probationary treatment. For example, the offense of non-support is obviously an offense that should be dealt with in general through the proper adjustment of the individual in community life. Non-support is a result of non-work and non-productiveness. Incarceration in prison, as yet at least, is absolutely unable to supply this failure on the part of the man to support his family. A helpful readjustment of the man in economic life, with close supervision and earnest encouragement, might easily transform the former non-productive member into a productive member of society. Probation would furnish this process of treatment. Again, larceny under economic oppression is an indication that probation might be successful. Relieve the economic pressure and the extenuating circumstances causing the offender to steal will at once enable him to pass the temptation of theft. Probation is a source through which to accomplish this.

Probation therefore to be successful must begin far back of the formal pronouncement of sentence and the formal application of probation.

Following the selection of cases based upon a study of the offense itself and a knowledge of the elements involved in the action of the individual, comes, logically, the treatment or administration of probation. Probation officers are

physicians and probationers the patients. The probation officer should give as attentive consideration to his probationer as a physician does to his patient. The selection of cases for probation may be compared to the diagnosis of a case of illness. A successful physician after diagnosing his case decides whether or not hospital treatment is necessary, or that the patient may return to his home and follow certain prescribed treatment. Just so a judge and probation officer may decide after diagnosis that the case needs intensive institutional treatment such as found in a prison or reformatory, or the offender may return home and follow certain prescribed probationary requirements. The successful physician does not dismiss his case after the patient is advised to return home and follow treatment. The physician is attentive in his follow-up work. Just so should the probation officer be attentive to the follow-up work and progress of his probationer.

The probation officer must be able and permitted to apply all his resources and those of the community to each probationary case. The probation officer must be able to:

First—Closely and accurately inform himself of the progress of his probationer.

Second—To know that the probationer's essential relationships to his family and society are satisfactory.

Third—To be able to deal promptly and adequately with any unsatisfactory probationary condition.

Fourth—The probation officer must have time and opportunity to give much thought to the many and varied needs of his many and varied probationers.

Fifth—He must have the opportunity to know thoroughly, analyze and determine the usefulness of all the resources that might be applied to his cases of probationers.

All this emphasizes the importance of a well-organized probation system. It brings us to the point of saying that possibly probation as a system is unwise and untimely unless the local unit in which it is used is able to provide a system that will make possible the operation of all the elements heretofore indicated. Probation officers must be capable and specially equipped for their delicate duties; it must be made possible that the number of cases assigned to each officer is kept low enough so that effective work may be done in each case; the qualifications and duties of the probation officers should be placed on such a high plane that men and women of preferred caliber will become interested and prepare themselves to assume the duties of this work. Unless this can be done may not probation as a system be unwise?

What has all of this to do with the subject—should Illinois have a probation commission? It is simply to stimulate us to ask the question—what has been the experience of Illinois to date in the development of the probation system? It is also intended to stimulate us in the thought that successful probation for an entire state is impossible without uniformity and high-grade standards which may be applied in local units of jurisdiction.

The present Illinois system provides:

First—That the County shall be the unit of probation.

Second—That probation may be extended to adults and juveniles.

Third—That probation is permissive, not mandatory.

Fourth—In dealing with cases, legal restrictions and lines are drawn as to the types and degrees of delinquency that may be placed on probation.

Fifth—Each locality or unit of jurisdiction is left to establish its own policy and requirements in connection with the administration of probation, with the result that there is no uniformity or assurance of high-grade standards throughout the state.

The development of a system under the foregoing condition easily permits, a lack of uniformity and quality of standards established in the various localities; no assurance of the most intelligent selection of cases for probation; no assurance that the most successful methods will be applied to certain types of cases; no opportunity of comparing experiences in one locality with another to promote efficiency and helpfulness; no provision or encouragement for the improvement or extension of the system; no strong incentive for the development of probation in undeveloped localities. It probably should not be contended that the county unit is not the proper jurisdiction in which to administer probation. It probably is the most desirable unit. The state, however, it seems to me, has a definite relationship to probation. While it probably is undesirable to place in the hands of the state as a unit the administration of probation to cover local communities, the state should have some definite conscience and relationship to the system as a whole. Otherwise, there is just such a development as has occurred in Illinois—a sporadic or spotted development. At the present moment there are probably not more than 35 of the 102 counties that have appointed probation officers for adults, to say nothing of the standards that may be developed in the 35 counties that may have probation officers operating. It is deplorable that a system which is considered good has not been extended to two-thirds of the communities of Illinois. It is also true that in spite of the reasonableness of probation for juvenile offenders, and it seems to me probation should be extended to every juvenile offender at some time in his career of delinquency, in spite of this great necessity 45 of the counties of Illinois at this moment do not have the services of a probation officer for juveniles.

It may be reasonable to conclude that in view of the many years during which probation has been a possibility in Illinois that the poor showing on the side of standardization, extension and improvement of the system justifies a further effort from some source. Might not that source be the state? Is it not time for the state through some avenue of its administrative organization to exercise a certain supervisory and advisory authority over the system of probation? If the state established a department, whether it be known as a probation commission or otherwise, to standardize, extend, improve and promote probation, great strides of beneficial service to probationers throughout the 102 counties of Illinois would occur. Such a central effort on the part of the state could interpret for the various undeveloped communities their needs and encourage them to develop service to meet these needs along the line of probation. Such a department would be recognized by a state legislative body as authority for legislation to improve and extend the work of probation throughout the state. Local communities, judges, probation officers, and others, could call upon such a state department for surveys, investigations, and indeed actual probation work for a short time while the local community might be getting under way to provide its own probation service. It seems therefore wise at this time to advocate definitely that the State of Illinois, through some avenue of its administrative organization, establish a service looking toward the standardization, extension and more efficient local administration of probation service.—(From an address by W. S. Reynolds, Supt. of the Illinois Children's Home and Aid Society, before

the Illinois Branch of the Institute of Criminal law and Criminology, Chicago, June 1, 1918.)

Louisiana Convicts Lose Stripes for Neat Uniform.—Thanks to the enterprise of Henry Fuqua, superintendent of the Louisiana Penitentiary, the ugly, depressing and often degrading "convict stripes," the repellant uniforms with broad black bands running laterally, have been abandoned and the massive, towering, and gloomy "walls" at Baton Rouge, with their catacomb-like cells, void of light and ventilation, sweating dampness and chill, have been torn down.

The convicts now wear a neat uniform, made of a good grade of striped bed ticking, sufficiently distinctive to identify them as convicts and not sufficiently conspicuous to challenge general attention wherever and whenever they appear for work. They are now received at a neat, well-arranged "receiving station" about 2½ miles from the center of Baton Rouge. The first impression of a "fresh fish" at the "walls" in the old days was enough to give melancholia to a cast-iron statue of Mirth. The first impression of a "fresh fish" when he leaves the motor van that takes him to the new station is one of cleanliness, order, discipline. It was impossible to make the old "walls" look clean, no matter how hard the captain in charge drove the men at their jobs of washing and whitewashing. The place was unsightly and it required strenuous work to keep it from being insanitary.

TWO CONSPICUOUS REFORMS

These two are the most conspicuous of Mr. Fuqua's reforms, in which he has improved on the good work of the other managers who preceded him. Former Governor Heard doubled the size of the cells at the walls by cutting out alternate walls, and effected other desirable changes within the means of the Board of Control. The first thing the late Colonel C. Harrison Parker did when he became president of the Board of Control for the second time in 1912, was to order army socks for the prisoners. Colonel Parker, after long opposition to a parole system, consented to it in 1914 and aided in its adoption. The present parole law, adopted since Mr. Fuqua became manager, does not allow for the parole of life termers, but it more liberal than its predecessors in other details. One of the less obvious but highly important reforms established by Mr. Fuqua is the extension of the "trusty system" to jobs as guards. The guards wear no penitentiary uniforms. They are armed. They get no salaries and that saves the management a large sum annually.

This innovation follows the success of the "trusty guard" system in Mississippi and the indications up to the present are that it will be so successful in Louisiana that it will never be abandoned. The establishment of it required considerable backbone, for the pressure on Mr. Fuqua to retain the old system of "all hired guards" by friends of the same was doubtless maintained for some time after he indicated he would make the change.

The new buildings at the receiving station are made of stone and brick from the old walls and steel and iron bought for the purpose. Most of the work was done by convicts, but it was necessary to employ masons and metal workers.—E. E. MOISE, in the *New Orleans Item*, July 7, 1918.