

EASTERN REFORMATORY, NAPANOCH.

FIFTY-SEVENTH ANNUAL REPORT

OF THE

Prison Association of New York.

For the Year 1901.

OFFICE OF THE ASSOCIATION,
135 EAST FIFTEENTH STREET, NEW YORK.

TRANSMITTED TO THE LEGISLATURE FEBRUARY 11, 1902.

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IN SENATE,

FEBRUARY 11, 1902.

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135 EAST FIFTEENTH STREET, NEW YORK CITY,
FEBRUARY 11, 1902.

HON. TIMOTHY L. WOODRUFF, *Lieutenant-Governor, New York:*

Sir.—In accordance with chapter 163 of the Laws of 1846, we have the honor to present herewith the fifty-seventh annual report of the Prison Association of New York, and to respectfully request that you will lay the same before the Legislature.

Respectfully yours,

CHARLTON T. LEWIS,

President.

SAMUEL J. BARROWS,

Corresponding Secretary.

TABLE OF CONTENTS.

| | PAGE |
|---|------|
| Letter of transmittal | 3 |
| List of Officers and Committees | 7 |
| Report of Executive Committee | 9 |
| Report of Corresponding Secretary | 25 |
| Prisons and Jails | 30 |
| Eastern New York Reformatory | 31 |
| Reformatories for Women | 38 |
| The Insane Criminal | 39 |
| Jails | 39 |
| Penitentiaries | 40 |
| New York City Prison | 40 |
| Work House at Blackwell's Island | 43 |
| Raymond Street Jail | 44 |
| Women in Kings County Penitentiary | 46 |
| The Probation Law and Probation Work | 47 |
| Parole Work | 60 |
| Discharged Prisoners | 64 |
| The Treatment of the Criminal, by Charlton T. Lewis | 75 |
| Prison Sunday | 81 |
| Prison Methods, a Sermon by Rev. A. S. Crapsey, D. D. | 88 |
| New Legislation | 91 |
| Probation Law | 91 |
| Parole Law | 97 |
| Indeterminate Sentence Law | 98 |
| Memorial of the Prison Association of New York | 99 |
| John Rochester Thomas | 105 |
| The Treasurer's Account | 107 |
| Local Committees | 109 |
| Honorary Corresponding Members | 110 |
| Life Patrons | 113 |

TABLE OF CONTENTS—(Concluded).

| | PAGE |
|---|------|
| Honorary Members..... | 114 |
| Life Members..... | 117 |
| Contributions..... | 119 |
| Donations of Clothing and Reading Matter..... | 136 |
| Appendix: | |
| Charter of Prison Association..... | 139 |
| By-Laws..... | 145 |
| Index..... | 148 |

LIST OF ILLUSTRATIONS.

1. Eastern Reformatory, Napanoch.
2. Plan of Eastern Reformatory.
3. New City Prison, New York.
4. Home of the Prison Association.
5. The Main Office.
6. Office of the Secretary.
7. Where conferences with the discharged prisoners are held.
8. The Library.
9. The Printing Office.
10. The Kitchen.

OFFICERS FOR 1902.

President.

CHARLTON T. LEWIS.

Vice-Presidents.

WM. P. LETCHWORTH, Rev. WENDELL PRIME, D.D.,
 RR. REV. F. D. HUNTINGTON, ROBERT W. DeFOREST.

Secretary.

EUGENE SMITH.

Corresponding Secretary.

SAMUEL J. BARROWS.

Treasurer.

CORNELIUS B. GOLD, 25 Broad Street, N. Y.

Executive Committee.

Charlton T. Lewis,

| | |
|--------------------------|----------------------------|
| F. P. Bellamy, | Gino C. Speranza, |
| J. Fenimore Cooper, | Richard A. McCurdy, |
| Austin Flint, M.D., | James McKeen, |
| Henry E. Gregory, | Edward B. Merrill, |
| Alexander M. Hadden, | Wm. Jay Schieffelin, |
| John W. Hutchinson, | J. G. Phelps Stokes, M.D., |
| Samuel Macauley Jackson, | Dean Sage, |
| Mornay Williams, | Frank D. Pavey, |
| Wm. H. Gratwick, | J. Seeley Ward, Jr., |
| W. W. Battershall, | Evert Jansen Wendell, |
| J. W. S. Gouley, M.D., | Patrick Farrelly, |

George C. Holt.

STANDING COMMITTEES.

Law.

George C. Holt,
James McKeen,

Frank D. Pavey,
Gino C. Speranza,
Eugene Smith.

Discharged Convicts.

Alexander M. Hadden,
Wm. Jay Schieffelin,

Edward B. Merrill,
H. E. Gregory,
Patrick Farrelly.

Library.

Samuel Macauley Jackson,
Dr. Austin Flint.

Evert Jansen Wendell,

Detentions.

Dr. J. G. Phelps Stokes,
John W. Hutchinson,

Alexander M. Hadden,
Mornay Williams,
Frank D. Pavey.

House.

John W. Hutchinson,

F. P. Bellamy,
Eugene Smith.

Finance.

J. Seeley Ward, Jr.,
Wm. Jay Schieffelin,
Samuel Macauley Jackson,

Dr. J. G. Phelps Stokes,
Cornelius B. Gold,
James McKeen.

REPORT OF THE EXECUTIVE COMMITTEE.

The success of the penal system of any State must depend largely upon three factors: wise laws, good institutions and honest and capable administration. In chartering the Prison Association of New York the Legislature had in mind each of these necessary elements. Devolving upon the Association the power of inspecting all penal institutions, it recognized the necessity of a certain standard of structure, organization and administration. In requiring the Association to report to the Legislature, it established an advisory relationship as to necessary and desirable legislation. It has been the aim of this Association to use this power of suggestion both conservatively and progressively. It has sought to guard against the advocacy of laws whose adoption might impair the prison system of the State; it has urged measures which are needed for its improvement and benefit.

During the last session of the Legislature three laws were passed having an important relation to the judicial and penal system of the State. One of these was the probation law, a second a law extending the indeterminate sentence law; the third a conservative parole law, providing for the conditional liberation of a certain class of prisoners in the State prisons. The passage of these measures since the presentation of our last annual report is an encouraging illustration of the disposi-

tion of the Legislature to adopt laws embodying the fruits of experience in this and other States.

see also pages 49 and 71
THE PROBATION LAW.

The probation law which was urged upon the attention of the Legislature in the last annual report of the Association was promptly drafted into a bill, received careful consideration from committees and was passed with practically no opposition. The law became operative September 1st. Its characteristic feature, as distinguished from suspension of sentence, lies in the great advantage which is given to the judge by placing at his disposal a probation officer, first to make investigations under the direction of the court, and second to exercise a surveillance over those placed on probation. The preliminary investigation furnishes the judge with information which enables him to exercise greater discrimination in imposing or suspending sentence; and subsequent oversight by the officer and the conditions imposed by the court requiring probationers to report at stated intervals, exert upon them a healthful moral pressure. An inquiry recently conducted in the State of Massachusetts by the corresponding secretary of this Association shows that the judges of that State are practically unanimous as to the positive value of probation as an essential part of a judicial system.

Two conditions are necessary for the success of this law: one is the hearty cooperation of the judges; the other is the appointment of intelligent and efficient probation officers. Where there is but a nominal fulfilment of the law, only nominal results can be expected. The judges who have given the new law a fair trial are those who are most heartily in favor of it. As but four months have elapsed since the law went into operation, it

is too soon to tabulate results; but the information lately gained by the Association from probation officers and judges furnishes most satisfactory evidence of the good results already attained. Attention is especially called to the report on this subject of the board of magistrates of the first division of New York comprising Manhattan and the Bronx. (Page 58.)

Experience shows that the best results can be obtained under the system of probation only when the officer is able to give his entire time to the work. The development of experience in investigation, the ability to distinguish first offenders from habitual rounders, the acquisition of the necessary knowledge concerning the environment of offenders, can only be gained by steady and persistent work by the same person at a given court and in a given locality. The long continued training of probation officers is as necessary as the training required for officers in the detective service. The labor of unpaid volunteers who can give but a few hours each week to this work, valuable though it may be as advisory and supplemental to official effort, cannot take the place of the unremitting service of an officer who devotes eight or ten hours a day to visiting jails, investigating cases, attending the sessions of court, and exercising a personal oversight over those placed on probation. The probation officer must be on hand whenever the court needs him.

On the other hand it is eminently desirable to secure the aid of private citizens, both male and female, whose special experience in philanthropic work admirably fits them to advise the judge and to take charge of a certain line of cases. The law wisely makes provision, therefore, for utilizing both paid officers and volunteer workers, and it is gratifying to know that, on the

authority of the board of city magistrates of New York, this arrangement has been successful.

THE INDETERMINATE SENTENCE LAW.

The principle of the indeterminate sentence has been recognized in the statutes of the State for more than twenty-five years. New York may be considered the pioneer State in enacting and applying such a law. It is an essential part of a reformatory system, and is inseparably identified with the administration of the Elmira Reformatory in this State. The success of the law in New York has led to its adoption in several other States, where reformatories based on the Elmira plan have been established.

In passing, therefore, a law at its last session extending in a conservative way the indeterminate sentence to a certain class of first offenders committed to the State prisons the Legislature adopted a measure supported by ample experience.

The provisions are as follows:

"A person never before convicted of a crime punishable by imprisonment in a State prison, who is convicted in any court in this State of a felony, the maximum penalty for which, exclusive of fines, is imprisonment for five years or less, and sentence to a State prison shall be sentenced thereto under an indeterminate sentence, the minimum of which shall not be less than one year, or in case a minimum is fixed by law, not less than such minimum, and the maximum of which shall not be more than the longest period fixed by law for which the crime is punishable of which the offender is convicted."

It is somewhat surprising therefore in view of the long experience of New York State with the indeterminate sentence to find that certain judges should declare themselves as opposed to

the new law and should impose sentences so as to defeat its object. This is effected by sentencing a prisoner so that there shall be no difference, or perhaps, but a few weeks, between the *maximum and minimum* period of his sentence. Indeed there have been cases in which a prisoner has been sentenced to not less than one year and not more than one year, making the sentence absolutely definite, instead of indefinite, as provided by law. The effect of such a sentence is to defeat the evident purpose of the Legislature, and to render inoperative any system of grading, marking, or rewards and punishments which might be established by the superintendent of prisons. It deprives the prisoner of the mental and moral stimulus which spurs him to the best effort when he knows his tentative release from prison will depend upon the record he makes while there. In reference to Elmira Reformatory, the law (chapter 378, section 25, Laws of 1900) provides that "if, through oversight or otherwise, a person be sentenced to imprisonment in the Reformatory for a definite period of time, such sentence shall not for that reason be void, but the person so sentenced shall be entitled to the benefits and subject to the liabilities of this act in the same manner and to the same extent as if such sentence had been made for an indefinite period of time in the manner provided by the penal code."

To secure the operation of the indeterminate sentence to State prisoners it may be necessary to insert a similar provision in the law, applying to them, and providing as in chapter 711, section 9 of the Laws of 1887, that "the courts of the State imposing such sentence shall not fix or limit the duration thereof. * * * But such imprisonment shall not exceed the

maximum term provided by law for the crime for which the prisoner was convicted and sentenced."

THE PAROLE LAW.

The parole law passed at the last session has already gone into effect and nearly two hundred prisoners in the different State prisons and the Eastern Reformatory have received the benefit of its provisions. The restriction, however, of the law to prisoners the maximum penalty for whose imprisonment is five years or less, forbids its application to many who would be excellent subjects for conditional liberation. The distinctions made in the code as to the gravity of offences and the varying penalties affixed to them are not safe or conclusive guides as to the character of the offender, and a man who is sentenced for ten years may frequently be a better subject for parole than one who is sentenced for five. Parole in no case should be granted until the prisoner has sufficiently demonstrated by his conduct in prison the reasonableness of granting conditional liberation. The provision in parole laws making prisoners eligible to parole who have served a certain length of time, dependent of course on the approval of the parole board, is far less satisfactory than a provision requiring the attainment through a graded or marking system of a certain standard of conduct and character. Such a graded system is familiar and general in its application to schools, colleges, and other educational institutions. It is no more difficult to apply it to prisons. It was successfully introduced by Machonochie and Crofton; it has been applied successfully to adult reformatories in the United States. The grading system with conditional parole has been in satisfactory operation in the State prisons of Minnesota and Indiana

for several years. There is no reason why the grading system should not be applied to every penal institution for corrigible offenders. For incorrigibles a different régime may be necessary.

EXTENSION OF THE REFORMATORY SYSTEM.

A grading system, combined with industrial training and a firm discipline under which a prisoner may rise or fall, not by a passive observance of good time rules, but by positive acquisition and attainment, furnishes the essential elements of the reformatory system, and should be applied to all prisoners who are sentenced under a parole law or under the indeterminate sentence. The defect of prisons where the graded and marking system is not applied is that the record of the prisoner is judged rather by what he does not do than by what he does do. If he does not violate certain easy rules he has a record for good behavior based on a small amount of self-control. This negative goodness is very different from the education of the intellect and the will, the eye and the hand through vigorous exercise. We commend therefore to your honorable body and to the State Commission of Prisons the whole subject of the extension of the reformatory system. We cordially approve the establishment of a State reformatory for misdemeanants as recommended by the State Commission of Prisons. The common methods of the courts of imposing a short sentence for misdemeanants on the ground that the offence is a "light one" sets offenders on the high road to felonies and to State's prison. Probation furnishes the best substitute for the short sentence in all cases of first offenders when supported by proper investigation and supervision. A second offence may show that char-

acter or environment are defective and indicate the need of positive educational and reformatory influences.

As pointed out in our last annual report, "the legal distinction between misdemeanants and felons is largely arbitrary and has little or nothing to do with the question of corrigibility and the régime to which the prisoner should be subjected." No better prison régime has been found for the treatment of offenders below the age of thirty years than that established at the Elmira reformatory, and all offenders, whether misdemeanants or felons, should be submitted to similar treatment.

SING SING PRISON.

Among the penal institutions of the State, the one most earnestly demanding the attention of the Legislature is Sing Sing prison. For several years this Association, in common with the State Commission of Prisons and the Superintendent of Prisons, has pointed out the intolerable condition of this prison. In January of last year Mr. Charles F. Wingate, an expert sanitary engineer, was secured by the Association and in connection with a special committee made a detailed report as to the sanitary condition of the prison. The strong condemnation of the condition of the cell building of this prison made by Mr. Wingate and by this committee was thoroughly sustained by the State Board of Health, which, after a supplementary examination by its president and a public hearing, condemned the prison as unfit for human habitation.

On March 27, 1901, a memorial was addressed to your honorable body by this Association and your attention was called to the serious consequences, not only to the health of prisoners, but to the health of the community from failing to remedy these

conditions. This appeal was vigorously supported by the public press, but the Legislature adjourned without taking definite action.

Since that time steps have been taken by the Superintendent of Prisons to protect the water supply from possible contamination from the infiltration of sewage along its course, cutting off one source of infection for typhoid fever. But the condition of the cell building can only be remedied by entirely new construction, and for this a legislative appropriation is necessary.

In his message for 1902 to your honorable body the Governor has added his voice to that of the State Commission of Prisons and declares that "existing conditions should be remedied as soon as possible." There are two ways in which this can be effected. The first is to build a new prison, the second is to add to and reconstruct the old one.

Could the State obtain a sufficient price for the land and plant at Sing Sing, it would be more satisfactory in the long run to build a new prison on modern principles on a site equally convenient to New York, and with sufficient land to enable some of the prisoners to be employed at agricultural labor.

More immediate relief, involving less outlay to start with, can be obtained by reconstructing the present prison and increasing its accommodations. As pointed out in our last annual report, the shops are well situated, and, flooded with abundant sunshine, help in some measure to check the development of tuberculosis engendered in the cell building in which the main difficulties as to drainage, ventilation, dampness and overcrowding center. The Superintendent of Prisons and the State Commission of Prisons have given earnest and careful attention to the question of remodel-

ing the present structure and building additional accommodations. They suggest an appropriation for a new fire-proof roof on the principal cell building, the present roof being of wood, and as pointed out by the Governor, in the event of a fire, "positively dangerous to the lives of prisoners." They propose to extend the present cell building north sufficiently for the construction of 500 cells, the new structure to be a modern building, constructed on approved plans with "plenty of sunlight and ventilation, and with a cellar or basement underlying the structure." On completing this extension the Commissioners propose to vacate 500 of the present cells and substitute a steel structure for the present massive stone one. The lower tier of the present building they would turn into a cellar or basement underlying the whole structure so as to improve the drainage and remove dampness; the small windows in the wall enclosing the cell block are to be enlarged so as to admit more sunlight and air. On completion of the alterations in one-half of the prison the Commissioners propose to rebuild the other half.

Though prison architects might differ as to details of construction there can be no doubt that the plan proposed is practicable and economical. It would not disturb or disarrange the discipline of the prison and would admit of the employment of convict labor to a large extent.

We earnestly commend this plan to the favorable consideration of the Legislature and hope that the necessary appropriations may be made for the vigorous prosecution of the work.

NAPANOCH.

While at Sing Sing the conditions to be met are those which arise from a defective and obsolete structure the difficulties

encountered at Napanoch arise from newness and incompleteness. This prison was designed to relieve the congested state of Elmira Reformatory. Its official title is the Eastern Reformatory. Progress in its construction has been very slow. It was opened for the reception of prisoners on the 19th of December, 1900. One hundred and fifty prisoners were transferred from Elmira as provided by law. The population on the 14th of December, 1901, when inspected by a committee of this Association, was 191. These prisoners have been profitably employed in completing the construction of the prison. The general location was excellent; but the building was unfortunately placed too low on the slope to secure the advantage of the natural drainage which might have been obtained by placing it higher. An elaborate system of drainage on the Waring plan has been introduced. The prison is well lighted and ventilated. The original plan proposed two additional wings and an enclosing wall, all to be erected as far as possible by convict labor. At least a hundred more prisoners should be accommodated at present at Napanoch, but unless they could all be utilized in completing the building, which is somewhat doubtful, they would be obliged to be idle, as no workshop or trade schools have as yet been built for productive or educative industries. Napanoch is not yet fulfilling the purpose for which it was erected. It would seem that no time should be lost in erecting a suitable shop and trade-school building. The reformatory could then be filled to its full capacity, and the per capita cost reduced. The encouraging success of the warden in raising farm products on the small extent of land at his disposal suggests that this agricultural labor might perhaps be profitably extended and the pro-

ducts made use of not only for Napanoch, but for Sing Sing, to which they could be transported with little expense.

ELMIRA REFORMATORY.

In the last annual report of the Prison Association, for the year 1900, a report of the subcommittee, consisting of Messrs. Ward, Stokes, Hadden and Gregory, was printed in relation to the State Reformatory at Elmira. That portion of the report dealing with the question of the increase of insanity at Elmira has been the subject of a reply by the Board of Managers of that institution in their annual report for 1901.

In the report of the Committee of this Association care was taken to give the opinion of the then acting General Superintendent, Dr. Robertson, that there had been no material increase in the amount of insanity at the Reformatory. But the records of the institution seem to disclose facts at variance with this view, and the sub-committee expressed the opinion that the "possible relation of such protracted dark cell 'cuffing up' to the increasing insanity in the Reformatory should be thoroughly studied by the Reformatory authorities."

The records of the institution show that one inmate had been in a dark cell 37 out of the previous 44 consecutive days and that on 25 of these days he had been "cuffed up" for an average of about ten hours per day. Another inmate had been hand-cuffed to the bars of one of the isolation cells for about ten hours a day during 28 of the previous 30 consecutive days.

The Committee asked Dr. Robertson, Acting Superintendent, whether or not in his judgment as an expert alienist such severe and prolonged punishment would not have an unfortunate effect on the man's nervous system? Dr. Robertson replied:

"I should expect it would have an injurious effect on the man's nervous system, because of his general physical condition."

When asked, "Is it not possible that this marked increase in the insane among those who have been so treated in the past two years has been due, in some appreciable measure, to the resorting to isolation?" Dr. Robertson replied, "It has probably been aggravated by the isolation."

Doubtless every competent alienist would agree with Dr. Robertson on this point. Whatever causes may be assigned to the increase of insanity at Elmira in the past, it could be very safely predicted on the highest expert authority that mental diseases at that institution would be rapidly and disastrously multiplied if this form of punishment were continued.

The problem of punishment in a reformatory institution is a difficult one, and we believe the Managers of the Elmira Reformatory have no desire to inflict punishments which are cruel and unusual, but the committee of the Prison Association would hardly have fulfilled their duty as inspectors under the laws of the State if they had not called attention to the serious consequences which might result from the punishments then in vogue.

While we regret that any ground for this discussion has been furnished by conditions at Elmira, we can only be glad that the managers have determined to give this matter their serious attention.

ECONOMICAL ADMINISTRATION.

Attention has been called by the present Executive to the need of greater economy in the administration of all departments of the public service. Various devices have been suggested to secure it. From the standpoint of the taxpayer such suggestions deserve consideration, with reference to our penal system.

We respectfully offer to your honorable body a few observations on this subject.

This Association is emphatically opposed to all extravagance in construction and administration of penal institutions. Fortunately the enlightened principles of prison reform do not require extravagant expenditure for their application. They can be justified on economic as well as on philanthropic grounds. To build a prison which, like the new Tombs building in New York, costs nearly twice as much as was contemplated by the original architects and twice as much as is necessary, is an outrage on the taxpayer, and tends to bring Prison Reform into disrepute. The same is true of the unnecessary duplication of officers and of wasteful administration.

But in considering the question of economy as applied in public service in any department we must equally beware of a short-sighted policy which sacrifices a permanent good to gain a temporary reputation for retrenchment. The real economy of any penal system can only be determined by its results measured over a reasonably long period of years. We must beware of the fascination of an immediate profit to be ultimately reversed by a permanent loss.

With due caution in this respect there are undoubtedly ways in which the penal system of the State can be much more economically administered.

1. The proper coordination and centralization of authority would ultimately result in a great saving to the State. This has been the experience in all countries in which it has been tried. With adequate power to transfer, organize, distribute, or converge for industrial reasons the penal population of the State, it could be much more effectively worked and disposed.

2. The practice of imposing short sentences for habitual criminals results in a great and unnecessary expense for police and judicial service. The obvious relief is to be found in sentencing confirmed repeaters under cumulative or indefinite sentences to a long period of confinement during which their labor may be utilized by the State and by the families of prisoners. Public sentiment may not yet be ready for this measure, but until it is there seems to be no way of reducing the costly appropriation required for the present inefficient system.

3. The probation system should be extended as rapidly as possible. The saving to the State of the cost of imprisonment of probationers and the more serious cost which has arisen from the manufacture by imprisonment of first offenders into confirmed criminals is financially very great.

4. In the construction of prisons it should be remembered that light and air are necessary to economy because necessary to health. Every prisoner placed on the sick list adds to the per capita cost. Tuberculosis is the scourge of all prisons. Its ravages may be partially checked by improved prison construction, especially by cell buildings in which light and air are admitted directly to the cells, as in the workhouse at Blackwell's Island and in the best examples of modern European prison construction.

5. A saving to taxpayers can be effected by still further developing the present system of prison industries, and protecting it from all interference by agitators who speak not in the interest of labor and economy, but in the name of idleness and extravagance. On moral and humane grounds this Association has protested against depriving prisoners of the labor which is necessary for their health and invigoration. Nothing need be

added to what has been said in this direction. But now that the Legislature is summoned to economy in all departments it is timely to emphasize the fact that any further serious disturbance of the system of productive prison labor in this State is unwise and extravagant. At the last session of the Legislature two bills were introduced whose effect if passed would have been to disorganize the prison industries of the State, throw many prisoners out of employment, render useless a large quantity of machinery and impose upon the State the necessity of establishing some new industry. This Association has not maintained that the best test of a prison system is the financial result. It has not desired New York to emulate the example of certain States in which a large profit is derived from a contract or convict lease system. Such a system may prove too costly in the long run. But as labor is one of the most important of all elements in the education and reformation of the prisoner, its intelligent and thorough application in a prison system may be so made as to secure the chief end and without laying any extra burden on the taxpayer. In the interest of economy therefore all propositions to further limit the field of remunerative labor of prisoners should be strenuously resisted.

On behalf of the Executive Committee.

CHARLTON T. LEWIS,

Chairman.

REPORT OF THE CORRESPONDING SECRETARY.

Through correspondence and by personal representation the Association has been brought into affiliation with organizations at home and abroad whose activities have a close relation to our own. In the wide field of philanthropy interchange of counsel and experience is constantly necessary to secure coöperation, prevent duplication and throw light upon obscure problems.

The Association is represented by two delegates in the Civic Council, an organization made up of labor and reform societies of various kinds in the city of New York. The Civic Council takes up many questions which do not lie within the field of this Association, but which include subjects of public interest and importance.

The Association was also represented by three delegates, consisting of the president, Samuel Macealey Jackson, and the corresponding secretary, at a meeting held February 5th, of a committee of 250, to consider measures in relation to the report of the charter commission.

By invitation the corresponding secretary spoke, February 19th, at the monthly conference of the Charity Organization Society on the "Legal Punishment of Drunken and Disorderly Offenders." In preparation for this address the Massachusetts State Inebriate Asylum at Foxboro, Mass., was visited and correspondence conducted with Dr. Crothers of the Walnut Lodge Hospital, Hartford, Conn., and a study made of recent European discussions on this subject. The conference unanimously passed a resolution favoring a State probation law on the lines submitted by this Association.

LEGISLATIVE HEARINGS.

On February 20th I represented the Association at a hearing of the Senate committee on public education in relation to Sen-

ate bill 388, which provided that school boards, boards of education, trustees of school districts and other officials authorized by law to purchase school supplies shall be authorized to purchase the same in the open market when in their judgment it is for the best interests for the schools they represent to do so. Though apparently innocent on its face, this bill was a dangerous blow aimed at the furniture industry of the State prison at Auburn. Had it passed, it would have disorganized that industry, would have made another exemption in favor of a special trade, would have placed increased burdens upon the taxpayer, without any gain to the interest of labor. The bill was opposed by the Superintendent of Prisons and fortunately died a natural death in committee.

Several visits to Albany were necessary in behalf of the probation bill, prepared by the law committee of the Association, and hearings were held on this subject before committees of both houses.

A bill to abolish machinery in the State prisons except such as may be operated by hand or foot power, and except in the manufacture of articles for the use of prisons and charitable institutions, was the subject of an extended hearing before the Assembly committee on penal institutions. The corresponding secretary joined with the Superintendent of Prisons and the secretary of the Prison Commission in opposing this bill, some of whose advocates so far overshot the mark as to advocate the abolition of all machinery, not only within prison but without.

Another bill introduced, referred to the same committee, aimed to cancel the obligation of the different departments of the State to take prison-made goods unless they can be sold as cheaply as in the open market, and be made in what the buyers regard as a reasonable time. This bill would make the purchaser in all cases the judge of the price. At present the prices are fixed by a board of classification and are based on the prevailing market rates. Such a law would have nullified the action of the board and by introducing fictitiously low rates in the competition would have interfered with, if not ultimately destroyed, prison industries. The bill was not reported.

With reference to a bill for the demolition of King's County Penitentiary, the result of inquiry showed that the commissioner of corrections, Mr. Lantry, had no place then available to accommodate the 600 prisoners who would be dislodged by the immediate demolition of the prison. It seemed therefore highly important to defer the removal of the penitentiary, if such a step were deemed desirable, until provision to accommodate the prisoners could be made. The bill was amended to defer the removal for three years, but failed to pass the Legislature.

A bill to establish an inebriate hospital in the city of New York required prompt attention. The bill passed both houses of the Legislature, and its vitality depended upon the approval of the mayor and the Governor. A meeting of the law committee, to which the matter was referred, was held April 24th, and it was voted to authorize the corresponding secretary to represent the Association at a hearing before the mayor, to be held at 12 o'clock the same day. Messrs. Holt, Devine, Rice, Ely and Tucker, representing respectively the State Charities Aid Association, the Charity Organization Society, the City Club, the Association for Improving the Condition of the Poor, were by invitation of the law committee present at the conference and immediately afterwards at the hearing. The glaring defects of the bill were so evident that the mayor promptly assured the committee at the close of the hearing that the bill should be killed by veto.

The legal treatment of the inebriate is one of the most difficult questions in our judicial system. It is now a subject of world-wide interest and study. The failure, through political and other reasons, of various public homes and hospitals for inebriates cannot be said to have exhausted this form of relief. The utter inadequacy of the prevailing method of committing habitual drunkards on short sentences to a common jail or workhouse is too apparent. Apart from preventive measures the only hope for curative measures seems to lie in the erection of an inebriate prison hospital or hospital prison, which, with the régime of a hospital and all moral and regenerative agencies, should combine a power of detention and discipline for lack of

which so-called inebriate homes with their free and easy methods have failed. Such bills as the one referred to above are indicative of a sentiment that curative rather than punitive methods are necessary for the treatment of drunkenness. In this respect they are a good sign, but experience demonstrates the need of having such institutions organized and administered so as to avoid the mistakes and the failures of the past.

Much correspondence and various meetings held in regard to probation, required the personal attention of the corresponding secretary.

MEETINGS.

The corresponding secretary attended as a delegate of the Association the annual meeting of the National Conference of Charities and Correction, held in Washington, D. C., May, 1901. The report of the committee on the treatment of the criminal, of which Charlton T. Lewis, LL. D., was chairman, furnished the basis of discussion in the penological section. A copy of this paper is published in another part of this report. A pleasant feature of the National Conference of Charities and Correction was the attendance of some twelve delegates from Cuba. Prior to their departure for Washington they were entertained in New York by a special committee at a dinner at the Hotel St. Denis. This Association was represented by Rev. Samuel Macauley Jackson, D. D., and the corresponding secretary.

On August 2d I had the pleasure of addressing the Conference of the Brotherhood of the Kingdom at Marlborough, N. Y., on Public Guardianship of Dependents, Defectives and Delinquents, and on September 4th the Conference of Christian Workers at Sealife, L. I., on "Jesus as a Penologist."

Prison Sunday, in accordance with the date fixed originally by the National Prison Association, was observed on the last Sunday of October, October 27th. In cooperation with the Massachusetts Prison Association, a pamphlet was prepared on prison problems, with special reference to the use of ministers on prison Sunday. Six hundred special letters with a printed address to the clergy were sent to the clergy of different

denominations in New York city and throughout the State. Through the kind cooperation of Rev. Dr. Cobb and the consistency, the West End Collegiate Church, corner of Seventy-seventh street and West End avenue, was secured for a meeting under the auspices of the Prison Association on Prison Sunday evening, October 27th. Addresses were made by the president of the Association, Charlton T. Lewis, LL. D., Alexander M. Hadden, a member of the executive committee, and the corresponding secretary. A collection, elsewhere acknowledged, was kindly taken for the benefit of the Association.

October 21st I had the pleasure of conferring with a number of charity and mission workers at the rooms of the Brooklyn Mission, on the subject of probation.

The annual session of the National Prison Association convened in Kansas City on Saturday evening of November 9th, and continued its sessions until November 13th. This Association was represented by the corresponding secretary.

A committee of three was appointed by the National Prison Association, consisting of S. J. Barrows, Z. R. Brockway and Albert Garvin, to take steps to bring the subject of some form of parole law for United States prisoners to the attention of Congress.

I have also spoken in several churches on the treatment of the criminal, and delivered an address before the Young Women's Christian Association of Vassar College, where, under the inspiration of Professor Herbert E. Mills, much attention is given to sociological and penological topics.

Mr. J. Seely Ward, Jr., and the corresponding secretary have served as members of the committee on the treatment of the criminal, appointed by the State Conference of Charities and Correction. The second meeting of this conference was held in New York November, 1901. The corresponding secretary read a paper on "The Supervision of Paroled and Discharged Prisoners," which, with the other papers, will be published in the proceedings of the conference.

S. J. BARROWS,

Corresponding Secretary.

PRISONS AND JAILS.

No important changes have taken place in the prison system of the State during the past year except as it has been affected by the passage of the parole bill, the extension of the indeterminate sentence, and the adoption of the parole law. These are matters which belong, however, more to the judicial machinery of the State and are treated elsewhere. The physical condition of prisons generally is marked by the usual differences in cleanliness, construction and administration, which are inseparable from a system of county administration. The difference between the best jails in some counties and the worst jails in others is the difference between civilization and semi-barbarism. It is of little use to bring such matters to the attention of the Legislature if it has no authority to remedy the conditions reported. Until all our penal institutions come under State authority, we must rely upon local public sentiment to remedy conditions which depend upon local action.

With reference, however, to State institutions the Legislature has both power and responsibility. In the report of the executive committee attention is called to the immediate necessity of rebuilding Sing Sing prison along lines suggested by the State Commission of Prisons. It is to be hoped that the Legislature will promptly make the necessary appropriations to begin this work. No further facts need to be added in regard to this prison save that it is gratifying to note that prisoners are better employed than they were last year.

The institution has been visited several times, but no formal inspection has seemed necessary in addition to the one made in January, an account of which was included in our last report.

The attempts made by opponents of prison labor to displace the industries at Auburn have fortunately not succeeded. The

capacity of the State to turn out excellent work in the manufacture of school furniture is well illustrated at this institution. The State Commission of Prisons recommend the construction of a central power house, a new store house, and new concrete or asphalt floors in the cell building and mess hall.

Attention is called by the Superintendent of State Prisons to the inadequate accommodations at Clinton prison for the isolation of the many prisoners afflicted with tuberculosis whom it is now customary to transfer to this prison. During the last year there were 237 cases in this prison. The Superintendent recommends and is supported in this by Dr. J. B. Ransom, the physician, the construction of inexpensive but suitable buildings for isolating these prisoners. In a memorial to the Legislature concerning the condition of Sing Sing prison and the liability to the development there of tuberculosis, emphasis was laid upon the danger to society from the discharge of prisoners afflicted with this terrible disease. Superintendent Collins in his report just presented to the Legislature likewise calls attention to this danger and says: "From no other class of people is the danger of spreading the disease greater than from prisoners, for when they go out of prison in a majority of cases they make their homes in habitations in which the simplest rules of sanitation are not observed, and the seeds of contagious disease are thus most readily sown. While it is the duty of the State to afford prisoners confined in its institutions the greatest practicable protection from contagious disease, it also seems to be its greater duty, as well as its interest, to protect society by discharging into its midst the fewest possible number of ex-convicts bearing with them the dread germs of tuberculosis."

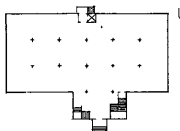
EASTERN NEW YORK REFORMATORY.

December 14, 1901, a committee of the Association consisting of Dr. J. G. Phelps Stokes and the corresponding secretary, visited this institution which has been in process of construction for several years. It was opened October 1, 1900, for the recep-

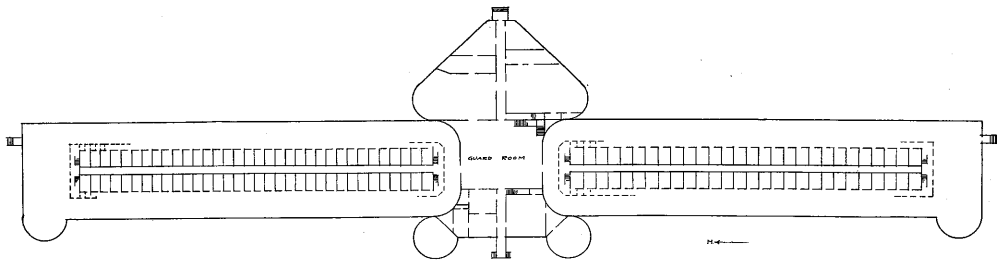
tion of sixteen prisoners who were transferred from Sing Sing; 146 prisoners were subsequently transferred from the New York State Reformatory at Elmira; 113 prisoners were transferred from other State institutions in the course of a year. The average daily number confined was 128. The population at the time of the visit of the committee was 191. The warden is Mr. Silas W. Barry.

Some 272 acres are included in prison reservation. The site is a healthy one and the extension of the railroad will make it easily accessible; but the institution was unfortunately placed too low on the slope and it was thought at one time that it would be necessary to pump all the drainage. This difficulty, however, has been obviated, and for the benefit of those interested in the construction of prisons and the problem of prison drainage we give below a detailed description of the drainage system adopted.

The grounds are made up largely of mountain land. About forty or fifty acres are under cultivation. Employment for prisoners is limited almost entirely to the work of building the unfinished portion of the prison. Warden Berry has, however, utilized a few prisoners on the farm. During the year he was able to produce 1,050 bushels of potatoes, 200 bushels of turnips, 200 bushels of onions, 5 acres of sweet corn, 5,000 cabbage, 4,000 tomato plants, 100 bushels of carrots, and about 75 bushels of parsnips, in addition to a large amount of small garden truck. Six thousand seven hundred pounds of pork have been raised, netting the institution some \$567. Warden Berry's previous experience in practical farming well fits him to conduct an experiment in agricultural prison labor, and he is confident that if sufficient land were placed at his disposal he could raise produce not only for Napanoch but also for other prisons. The available men have likewise been employed in constructing water works, in improving the drainage, and in grading the grounds. No account has been kept of the labor of men thus employed. They are nominally classed under the rules of the State as "idle men," but an exact account of their labor



FIRST FLOOR PLAN.
DINING HALL AND KITCHEN BUILDING.



FIRST FLOOR PLAN.
PRESENT ADMINISTRATION AND PRISON BUILDING.
SCALE $\frac{1}{8}'' = 1'-0''$

FEB 17, 1908
S.M.A.

EASTERN NEW YORK REFORMATORY,
NAFANOCK, N.Y.

would show that the prisoners have done much work which would have cost the State a large sum if let out at contract.

This ought to be borne in mind in considering the high per capita cost of this institution. Owing to the relatively small number of prisoners compared with the force of officers and the expenses incident to opening, the per capita cost per diem for maintenance was unusually high. The total cost of maintenance for the year was \$43,068.58, of which \$22,082.18 was for salaries of officers and \$20,986.40 was for ordinary support, the average expenditure per convict per diem was \$0.922. The present force of officers could handle twice as many prisoners, and there is at present a sufficient number of cells to accommodate them. There is no stockade around the prison. Two guards have charge of from 20 to 30 men. The guards are armed with Smith & Wesson revolvers, .38 calibre, and carry heavy canes. Two escapes only have been made. At the time of the visit of the committee 165 men were at work outside of the building between 7 and 8 hours a day.

The external walls of the prison are of stone. The interior cell block is of brick with iron doors grated. The floors of the cells are of sandstone, which will absorb a good deal of water. The north wing of the prison contains 272 cells, the south wing 224 cells. The cells in the north wing are 9 feet long by 6 feet wide, 8½ feet high. The cells in the south block are 9 feet long, 7 feet wide and 8½ feet high. Eleven large windows on each side of the corridors furnish abundant light. The ventilation is good. Eventually each cell will contain a closet. At present buckets are used. The ventilation from the back of the cell is obtained by connection with the open corridor air space behind the tiers of cells dividing the cell block. The cells are locked by a night bar and are also supplied with individual locks. The doors are 2 feet 3 inches wide by 7 feet high. The gallery surrounding the tiers are all covered, so that injury by falls or suicide by jumping from the galleries is impossible. The roof is not yet finished, but shelter is furnished by a tempo-

rary structure. No punishment cells have as yet been built. The school room is at present used for a chapel.

No industries or trade schools have been established. Six men were at work in the tailor shop who make all the prison garments, with the exception of the underwear. The hospital is constructed on modern principles. There has been but little need of it, as the health of the inmates has been excellent. A few cases of tuberculosis have been transferred to Dannemora. No death had occurred up to the time of the visit of the committee.

The central portion of the center building is occupied as a guard room to the height of the ceilings of the cell wings. The westerly section provides the warden's office in the first story and his living quarters in the second and third stories.

The basement of the center building provides kitchen, boiler room, laundry and storage rooms, and the easterly section of the center building above the first floor provides dining room, chapel, guards' rooms, and hospital accommodations.

The center building above the ceiling of the cell wings is intended to provide chapel space, but as yet it is unfinished and not utilized.

The dining hall and kitchen building at the rear of the main building is not yet in course of construction, but the drawings and specifications are well advanced, and the building will provide dining hall in the first story and kitchen and additional dining room space in the second story.

The chaplain, Rev. Francis H. Pierce, seemed to be deeply interested in his work. In addition to preaching he is conducting a school two hours a day during four days of the week. It is divided into two classes with arithmetic as the basis. Instruction is given in reading, writing and arithmetic. The school is yet in an embryo state. The library contains 683 books. There is an appropriation of \$500 dollars for library expenses; periodical literature is also sent by friends outside. Chapel attendance is not compulsory, but three-fourths of the population voluntarily come.

The amount expended on the construction of the prison up to July, 1901, is as follows:

| | |
|--------------------------------------|--------------|
| Expended by building commission..... | \$711,051 93 |
| By superintendent of prisons..... | 50,070 95 |
| | <hr/> |
| | \$761,122 88 |
| | <hr/> |

DRAINAGE.

Heretofore the liquid waters flowing through the drainage system have passed, without any attempt at purification, to an outlet in a small run, nearly dry in summer, which empties into a branch of Rondout creek. The contents of the night-buckets were deposited each morning in a long open trench, whence the liquids slowly escaped by seepage and evaporation, while the solids accumulated until they had choked the soil and made it impervious. When this condition was reached, the trench was filled with earth and another opened near it. Long before a trench was abandoned and filled, active putrefaction began in the stored sewage and considerable offence resulted.

A modern system of sewage disposal has just been installed by the City-Wastes Disposal Company of New York, and this will hereafter receive and purify all the sewage of the institution, delivering to the creek an effluent practically as pure, so far as organic constituents are concerned, as the water of the creek itself. An outside slop-hopper has been built over the main drain and connected with it, and into this the contents of the night-buckets and their risings will be poured. The drain terminates in an underground tank of concrete, 40 feet long and 24 feet wide, with a hydraulic depth of six feet. The incoming sewer discharges into one end, through two inlets midway between the floor and the water line. Deflector plates check the velocity of the flow and direct the current laterally, so that the sewage is well distributed at the inlet-end and the corners do not stand full of "dead" sewage. The capacity of the tank is about 41,000 gallons, or on an assumed basis of 100,000 gallons

of sewage per day, the sewage of ten hours average flow. The rate of travel through the tank is, therefore, but one and two-tenths inches per minute. During this slow passage the heavier solids sink to the bottom and the lighter fats and flocculent particles rise to the top as scum. By the time the sewage reaches the farther end of the tank, the separation of liquid and suspended matters is practically complete, and the clarified liquid is drawn off, by a collector of peculiar construction, on a plane extending across the entire end of the tank and midway between the deposited sludge and the supernatant scum. The retained impurities are attacked by the bacteria which soon colonize the tank and are reduced to liquid form, passing off in solution in the escaping water. Until liquefaction has become well established, there will be a rapid accumulation of sludge; but in a few weeks the volume liquefied and lost daily will practically equal the incoming solids, and the accretion of deposit will be almost, if not entirely, checked. At rare intervals, say once in two years, the tank should be cleaned; but during this time it will have destroyed a bulk of sludge sufficient to fill it many times.

The liquid escaping from the tank, though free from suspended matters, still contains practically all the impurities originally in solution, but their organic structure has been loosened and its elements are ready for rapid union with oxygen and consequent return to their original mineral form.

This purification is effected by slow filtration through the natural sandy soil, the application being intermittent, so that, as the liquid subsides, air may follow into the pores of the filter beds, stimulating the action of the purifying bacteria colonized on the particles of sand, and supplying the oxygen needed for combination with the nitrogen, hydrogen and carbon of which the filth is composed.

The filtration area comprises 33,800 square feet arranged on the "ridge and furrow" system. Twelve furrows, each 131 feet long and six feet wide at the bottom, with sides sloping at an angle of two to one are provided for the reception of the sewage.

These furrows are fed from four distributing chambers, which in turn are fed by the collector and outlet of the septic tank. The three outlets from each distributing chamber are controlled by a sliding valve which will open any one and close the other two. These valves are connected and controlled synchronously by a single lever near the first chamber, just as railroad switches and signals are operated from a distant tower. The lever locks in three positions. In the first, furrows Nos. 1, 4, 7 and 10 are open and the rest closed; in the second, Nos. 2, 5, 8 and 11 alone are open; and in the third, Nos. 3, 6, 9 and 12 only are accessible to sewage. Each distributing chamber contains a device known as the Adam's Air-Lock Feed, a simple arrangement of air bells and connecting pipes, without moving parts, which permits the entire flow of sewage to pass through the first chamber until the sewage in the open furrow reaches the depth of 18 inches; and then, by causing an air bind in the feed pipe, automatically cuts off its own supply and transfers the entire flow to the second chamber and its open furrow. Here the process is repeated, and again, consecutively, in the third and fourth chambers, the last returning the flow to the first and beginning the cycle anew.

With the alternating lever in the first position, the entire flow *thus passes to furrow No. 1 until the sewage in it is 18 inches deep* (about three hours of average flow on the basis assumed as the maximum). The flow is then turned automatically to furrow No. 4, while the liquid in No. 1 filters slowly away through the ground and is furrowed by air, which causes rapid bacterial combustion of any impurities left in its descent and sweetens the bed for its next period of use. Each furrow holds about 13,000 gallons and on its day of use receives, therefore, say two doses, assuming the total daily flow to be 100,000 gallons. The following morning, the shifting lever is thrown into the second position, and furrows Nos. 2, 5, 8 and 11 receive in rotation the sewage of the day. On the third day the lever is shifted again, and furrows Nos. 3, 6, 9 and 12 are in consecutive use. Thus each furrow, apart from the aeration it receives between the succes-

sive doses on the day of use, has two days of absolute rest out of every three. This is sufficient to ensure high efficiency in purification and absolute inoffensiveness at all times.

The entire tract is underdrained at a depth of about 5½ feet, by tile drains laid under the ridges between the furrows. These are sufficiently close together to prevent any saturation of the soil, and yet no sewage can reach them until it has traversed at least six feet of the filtering medium. These drains lead to a common outlet, where the effluent can be inspected at any time.

The only labor required for the operation of the plant is the daily shifting of the valve-lever, the daily raking over of the resting furrows (to break up any fibrous or greasy coating and admit air to the soil) and the attention needed to keep the beds neat and free from weeds.

No trouble from frost is apprehended. The sewage has a certain amount of initial heat; it is always slightly greasy, and therefore freezes less readily than water; and the purifying process, being fermentative in its nature, generates considerable heat. The system has worked for many years in the rigorous winters of Canada without losing a day.

REFORMATORIES FOR WOMEN.

It is a matter of satisfaction that the new Reformatory for Women at Bedford was opened in May last and that it is already in efficient operation. It is a difficult thing often to make over an old institution, and adapt it to a new method. The new institution at Bedford has the great advantage of starting with an entirely new plant, which has been built with special reference to the classification of the inmates and to the development of the reformatory system.

In addition to the State Prison for Women at Auburn, there are now three institutions to which women may be committed under laws of the State. The House of Refuge at Hudson, the Western House of Refuge at Albion, and the new institution at Bedford in Westchester county. There is no State in the Union which is now so well provided in proportion to its population

with reformatory institutions for women, organized on progressive and enlightened principles. The capacity of Bedford is 238. It is organized on the cottage plan and the whole plant consists of an administration building, reception hall, four cottages, a laundry, power-house, gate-house and stable. The development of this institution which starts with such an excellent physical equipment will be watched with much interest.

THE INSANE CRIMINAL.

New York likewise leads the States of the Union in its provision for insane criminals. The institutions at Matteawan and Dannemora are both well equipped and administered. The former has suffered for some years from overcrowding. It has been relieved by the transfer of prisoners to Dannemora. An endeavor is made to establish a distinction between these institutions so that Matteawan may be used for "court cases" or the unconvicted insane, while the insane convicts may be segregated at Dannemora.

JAILS.

Reports received from committees of the Association show that in certain counties the constant pressure of public sentiment has been effective in securing improved conditions. The work of the State Commission of Prisons in this direction has borne good fruit in various counties in securing renovation and improvement of existing structures and in the building of a number of new jails on modern principles, with distinct quarters for women and provision for the separation of prisoners. It is to be hoped that counties which are backward in this particular may be stirred up to emulate the example of more progressive sections. The State Commission of Prisons calls attention to the large number of Chinese confined in jails in Franklin, St. Lawrence and Essex counties as United States prisoners. The Federal Government should provide sufficient accommodation for such prisoners.

PENITENTIARIES.

Of the six penitentiaries in the State, the most discouraging fact is that not more than three of them are at present furnishing sufficient work for their inmates, and this is an evil which does not require new legislation, but simply the earnest and determined application of existing authority. An industrial difficulty in the penitentiaries is that different work must be provided for long time and short time prisoners. The short term men, unless they have had previous training, cannot be employed in skilled labor, nor can they be easily taught trades. There are, however, various forms of out of door and indoor labor which have been utilized in many penal institutions for short term prisoners.

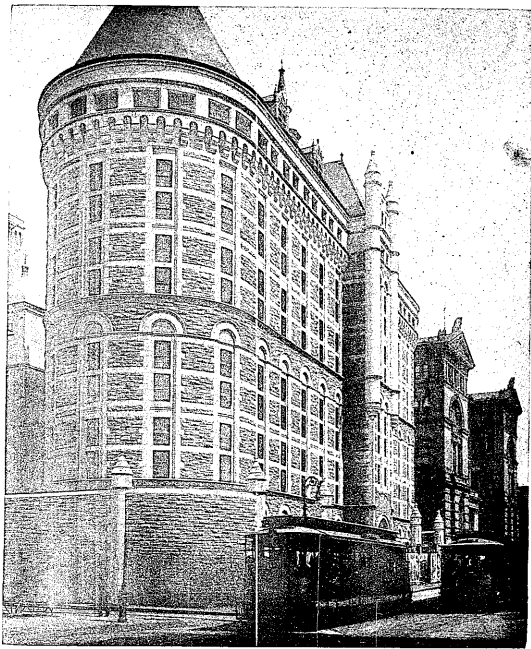
At the New York County Penitentiary at Blackwell's Island progress has been made in rebuilding the central portion of the structure. The inmates are kept relatively well employed, and good discipline has been maintained.

Kings County Penitentiary is healthfully situated and well administered. A large number sent to this institution are vagrants, but work is provided for both long term and short term prisoners.

Reports from the Albany County Penitentiary show an unsatisfactory state of affairs as to the employment of prisoners. In Monroe county the employment is mainly agricultural. The new penitentiary in Onondaga county has attached to it a farm of 120 acres, which furnishes opportunity for out of door labor.

NEW YORK CITY PRISON.

The delay in completing the new City Prison to take the place of the old "Tombs" has become a standing reproach to the city. On March 11, 1901, an inspection was made by the Committee on Detention to ascertain what causes hinder the completion of the new prison. In going from top to bottom of the new structure hardly more than half a dozen men were found at work on any floor. The only explanation offered for the delay



NEW CITY PRISON, NEW YORK.

was the series of strikes and the complication, legal and industrial, growing out of the failure of some of the firms engaged in the work of construction. The prison should have been completed at least two years and a half ago.

The work of construction was further hampered by complications growing out of the change of architect. April 27, 1896, Messrs. Dickson and Withers received their appointment as architects. Contracts for building were let out for all the money appropriated. In 1898 the work was taken out of the hands of Messrs. Dickson and Withers, who are now suing the city for \$25,000 damages, but who still retain supervision of a portion of the work. The steel work, the heating and ventilating, plumbing, elevators, and still other work was given to Messrs. Horgan and Slattery. These architects complained that the beams used in the cell work were too light and substituted heavier cell work costing nearly twice as much. The cell work as originally planned would have cost \$175,000; as reconstructed it costs \$310,000.

The contractors for the ventilating and heating failed. Much delay was caused on that account. One of the principal causes of mischief and delay was tersely stated to the committee to be due to having two captains to command the ship and a varying and mutinous crew.

As to the necessity of the change of architects and the reconstruction of the cell portion of the building the matter is in the courts, and the committee have not deemed it their duty to enter into this dispute. They think it important, however, to call attention to the excessive cost of this building, which will reach a million dollars. It will contain 320 cells. A portion of the building will be used for officers, but making a due allowance for this, \$3,000 a cell is an extravagant cost for a simple prison of detention, or indeed for any prison whatever. A perfectly adequate structure could be built for half the sum, or \$1,500 a cell. In fact very good prisons have been built for from \$1,000 to \$1,200 per cell under conditions of labor and cost of material not differing widely from those prevailing at the present time.

While it is a satisfaction to know the disposition in these days to spend a sufficient amount to secure the best sanitary conditions in new prisons and to provide a separate cell for every prisoner, any undue extravagance in building penal institutions is to be deprecated. A standard of cost unnecessarily high furnishes an argument against the reconstruction of prisons which ought to be replaced by more healthful buildings.

To those who know the condition of the old prison it is hardly necessary to point out in detail the great need of an early completion of the new one. On the date of the visit of the Committee on Detentions March 11, 1901, there were 413 inmates—381 males, 22 females. Of the 381 males, 340 were sleeping two in a cell, arranged in what are called "double deckers." There were 32 cells available for boys occupied by 54, so that nearly all the boys in the prison were "doubled up."

At a second meeting of the Committee on Detentions held at 135 East Fifteenth street, on March 19, there were present: Messrs. Hutchinson, Williams and Hadden.

On motion of Mr. Hadden it was voted that the following recommendations be made to the Executive Committee to be communicated, if approved, to the Commissioner of Correction:

1. That but one man be allowed in a Tombs cell; that the surplus prisoners be confined in the district prisons until the completion of the new cells.
 2. That in committing prisoners to the Tombs preference be given to prisoners from the more remote districts so that in cases coming up for bail it would not be necessary to send any distance for a prisoner.
 3. That the Commissioner of Corrections, Mr. Lantry, be asked to have cards put up in the cells warning prisoners against indiscriminate appeals from lawyers.
- Commissioner Lantry promised to carry out as far as possible the recommendations of the committee.

The new commissioner, Hon. Thomas W. Hynes, immediately after assuming his office, January 1, made an investigation of the conditions at the Tombs and is pushing forward the new

building to completion. It is impossible, however, to say at this writing when it will be ready for occupancy.

WORK HOUSE.

On May 2, 1901, the Committee on Detentions, accompanied by the Corresponding Secretary, visited the work house on Blackwell's Island. The following is an extract from a report prepared by the acting chairman of the committee, Mr. Morney Williams.

"Your committee found detained in the work house about eighteen lads, all under 21 years of age, and many of them apparently but little over 16 (though all stated their ages to be over 18), who are detained for various offenses. Six of these young men are employed as runners, being called upon to do errands during a portion of the time. The rest of the boys have no employment whatever, and no education is provided of any sort. The most significant characteristics of the group were the very minor character of the offenses on which they were held and the extremely typical character of personal appearance and mental capacity exhibited by all of the lads. In no case was the offense charged against the person of a serious nature, but in every case the lads gave evidence of the precise class in the community from which "the gang" is recruited. For the most part they had received but very little schooling; the seventh grade in grammar being about the highest grade reached by any one of them. They were of different nationalities, but chiefly born in the United States, and very few of them had been inmates of any institution before coming to the workhouse, only four in all.

It would be difficult to find a more significant instance than is afforded by the case of these lads of the absolute uselessness of a purely penal institution for young offenders.

Here were a group of young men evidently drawn from a class much neglected and liable to become a distinct menace to the welfare of the community, separated from all influences for good, associated with older offenders than themselves, kept in

idleness and without instruction, who, according to the statement of the keepers, were more difficult to deal with than an equal number of older persons, and who, on their discharge from their term of confinement, would have received absolutely nothing except additional opportunities for learning the ways of crime. Their sleeping accommodations were four cells, each capable of accommodating six persons, and two of which, at least, were filled. The only provision made for any occupation was the workhouse library, chiefly contributed, as your committee was informed, by voluntary gifts from missionaries and others, and which was not, apparently, largely used.

It would appear to be self-evident that the system of committing boys of the ages of these lads to the workhouse at all is a wholly vicious one, and that under the present laws the committing magistrates would have been authorized in almost all these instances to send the lads to the House of Refuge, which receives such youths up to the age of 18. If, however, in the case of youths over 18 it shall be necessary until further provision is made to send lads to the workhouse, your committee believes that without very much additional burden in the way either of care or expense, provision could be made by the workhouse authorities for some form of employment, as basket weaving, chair caning, hammock making, or the like, and that after September of this year, in almost all instances, lads charged with the offenses with which these lads were charged should be entrusted to the care of probation officers, and not sent to the workhouse at all.

It is gratifying to note that the new commissioner of correction, Mr. Thomas W. Hynes, is giving special attention to these boys at the workhouse and is forming plans for their removal to Hart's Island, where facilities for work and schooling are to be provided.

RAYMOND STREET JAIL.

Since the last annual report, the Woman's Prison at Raymond Street Jail has been connected by an iron bridge with the main prison, furnishing better facilities for escape in case of fire. But

the need of removing the women to Kings County Penitentiary, or else building a better structure than this old wooden fire trap, is as great as ever. The following is an extract from the report made by Mrs. Caroline Bergen to Hon. Randolph Gugheimer, President of the Borough of Brooklyn:

As to the structural conditions of Raymond Street Jail, a casual observation of the part in present use for women shows it to be inadequate. Closer examination and inquiry into the best of prison methods, with plans to improve as well as to punish inmates, shows the jail to be lamentably lacking.

Over sixty women were in the jail when this inspection was made in the month of June, a number at times increased to 100 or more. No occupation is provided other than the keeping of the building clean, laundry work, and the making of garments by some of the women. No classification, other than terms of sentence, is attempted; no chairs; the beds in dormitories close together; eight or ten in the larger rooms; bed linen and covering not up to the standard required at well regulated almshouses; benches in the hallway between dormitories; no places other than the ones mentioned for eating and sleeping; bathing facilities inadequate; some women serving sentences of six months, others shorter terms, or awaiting trial. My last visit was made on Sunday, June 16, and I saw a number of young women, one an innocent looking girl of 17, who had been arrested at Coney Island the night before, herded in with rougher characters.

Every courtesy was shown me, and opportunity for inspection afforded, and access to records of cases freely permitted. The matron seems kind and interested in inmates, but is handicapped by the meagre facilities, and has only prisoners as helpers.

The sheriff said that among the men many prefer to work, and painting and repairs about the building had been done by inmates, but he questioned if among short term prisoners work could be enforced. I question it not, and consider it a part of

prison discipline to employ inmates. This could be accomplished in a variety of ways without competing with outside industries.

The general arrangement of the men's prison, I am informed by prison experts, is fair, but permitting the men to mingle in the main corridor is pernicious.

WOMEN AT KINGS COUNTY PENITENTIARY.

Mrs. Bergen also submitted in the same report some notes in regard to women at the Kings County Penitentiary:

The penitentiary is admirably situated on high and healthy ground. While building and cells are not in size according to the most modern of such structures, the corridors are ample and the health of the inmates is excellent.

As to women, there were 62 at date of visit, with cells for 150. There were four matrons; clean condition; certain privacy possible by a fresh white curtain before the door of each cell, and some individuality displayed by the care and decoration of each by the inmates; bathing system by spraying, 10 bathing at a time. Women do the laundry work of entire plant. Suggestions as to other work welcomed and likely to be utilized.

Visited hospital wards. Three women in this department, twenty-eight in male hospital department. Dietary ample, "for workers," as the warden properly described his charges. Diet is directed by the physician in charge.

As to sentences; the penitentiary receives prisoners from eight different counties, some women being committed there for as short a term as two months. Other women, committed by same magistrates, as careful inspection of records at both penitentiary and jail will show, are sent to the jail for the same or longer terms.

The weeding out from the jail of longer term prisoners, say six months, and their transfer to Kings County Penitentiary, ought naturally to deplete the number at jail. What then will be needed is simply a house of detention for those waiting trial, or serving the shortest time.

THE PROBATION LAW AND PROBATION WORK.

In January, 1901, the question of securing a probation law for the State of New York was discussed in the executive committee and referred to the law committee for consideration. This committee appointed a sub-committee, consisting of Messrs. Speranza and Barrows, to draft amendments to the Penal Code providing for the appointment of probation officers and defining their duties. Three meetings of the sub-committee and two meetings of the law committee were necessary to get the proposed law into shape. At one of these meetings the committee had the advantage of the valuable suggestions of the secretary of the State Commission of Prisons, Hon. George McLaughlin.

In Mr. J. H. Morgan, of the Assembly, representing the first district of Kings, the committee found an active and interested friend in favor of probation. The bill was presented by Mr. Morgan in the House February 26th; likewise in the Senate the law was introduced and advocated by Senator Cocks.

After a hearing before the Assembly committee on codes, in which the committee showed a sympathetic interest in the subject, the bill was reported with amendments. One of these amendments limits the scope of the bill to cities of the State where it will undoubtedly have its largest field of operation. Another amendment enlarged the scope of the bill by removing a provision that the probation period should be limited to the longest time for which the defendant might have been sentenced. This maximum period in the case of certain offenses might render the probation so short as to be of little deterrent value. It is now to be left entirely to the discretion of the court.

A conference which our president, Mr. Charlton T. Lewis, held with Senator Malby, chairman of the Senate committee on codes, resulted in securing a favorable report from the committee. The bill passed the Legislature without opposition and became a law April 17, 1901, with the approval of the Governor. The bill as passed embodied with a few verbal modifications every essential feature of the original draft. The act was made to take effect September 1, 1901.

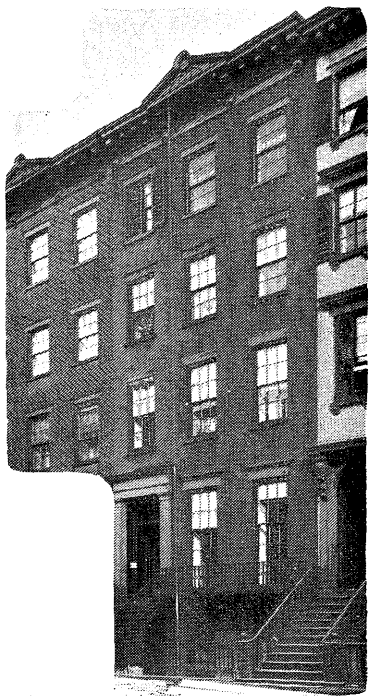
The full text of the bill, on consulting the index, will be found on a succeeding page. We give here a brief synopsis of its provisions:

Under the legislative practice of the State of New York the new law had to be introduced in the form of an amendment to the Code of Criminal Procedure and had to be grafted upon the existing law in relation to the suspension of sentences. The law provides for the appointment of probation officers by the justices of courts having criminal jurisdiction in all cities of the State. Such probation officers may be chosen from among private citizens, male or female, clerks or assistants of the courts making the appointment, or from attachés of the district attorney's office, or from members of the police force or constables. In such cases the probation officer receives the salary or compensation attached to his official employment. Private citizens serve without cost to the city or county. They may be employed and paid by charitable organizations.

It is made the duty of probation officers to inquire into the antecedents, character and offense of persons over the age of sixteen years when directed by the court to do so. Reports thus made are to be filed with the clerk of the court, and when there is no clerk, with the justice thereof. The court has then the power to place the defendant on probation under the charge and supervision of the probation officer. The court may revoke and terminate such probation at any time and may execute the sentence.

If the judgment is to pay a fine and that the defendant be imprisoned until it be paid, the execution of the sentence may be suspended for such time as the court determines. The defendant has thus an opportunity to pay the fine by instalments or within a prescribed period, and when the fine is paid the judgment is satisfied and the probation ceases.

Provision is made for the collection of needful statistics by requiring that the names and addresses of probation officers and the courts to which they are attached shall be transmitted to the Secretary of State, and also detailed information con-



BUILDING OF THE PRISON ASSOCIATION OF NEW YORK, 135 EAST 15TH STREET.

cerning the age, sex, nativity and residence of the defendant and the nature of his offense.

GROWTH OF PROBATION WORK.

The enactment of a probation law in New York is the outcome rather than the beginning of probation work in this State. As in Massachusetts, so in New York, a few individuals who had secured the confidence of the judges demonstrated the value and necessity of probation work before legislation was invoked. Judges occasionally exercised their discretion in minor offenses in giving young offenders another chance. The passage in the State of the law giving judges authority to suspend sentence greatly enlarged the number of such cases. With their multiplication, however, the judges felt the need of advisers in this responsible work. Such an adviser was found at the City Court in the person of Mrs. Rebecca Salome Foster, a woman of great sympathy, judgment, tact and personal devotion to those under accusation. She secured in a remarkable degree the confidence of the judges and was known as the "Tombs Angel."⁸

In a similar way Mr. Erastus Backus, county detective of Brooklyn, has done excellent work in the courts of that borough, especially in looking after boys before and after trial. His work has been commended not only by the judges of the higher courts, but by the police magistrates. More recently Mr. David Willard has devoted himself to work at the Court of Special Sessions, investigating and taking into his custody boys committed to him by the judges.

For more than fifty years the Prison Association of New York has had a representative at the Tombs, to visit those under accusation, to investigate cases when deemed necessary and to furnish information to the judges when desired. For seventeen years Mr. D. E. Kimball has served in this capacity, and from year to year various results of his work have been chron-

⁸ While this report was in the printers' hands Mrs. Foster's tragic death occurred at a fire at the Park Avenue Hotel, New York city, February 22, 1902. It is with a profound sense of her loss that in this report we can only speak of her work as finished, but the results of that work will go on.

icled in our annual reports. His years of experience, tact, knowledge of human nature and trained capacity for distinguishing the "rounder" from the first offender have made his services of great value to the courts, to the offender and to this Association.

Before the enactment of the probation law and several months before it went into effect Judge Warren W. Foster, of the Court of General Sessions, determined to introduce the probation method in connection with his power to suspend sentences. He invited the cooperation of this Association and its agent for that purpose. Some cases which seemed to the judge to require special investigation were referred to Mr. Kimball for report. The investigations thus made brought out facts which were of much value in enabling Judge Foster to decide whether or not to suspend sentence, or whether in the case of young offenders to commit them to the State reformatory. Though there was then no provision for the appointment by the court of a probation officer, Mr. Kimball was recognized by Judge Foster as an agent of the court. The attitude of the judge in the matter and the additional influence thus gained over young offenders is well illustrated in an admonition given by Judge Foster in an early case of this sort reported in the New York Evening Post of March 10, 1961. Two young men came up for sentence. Judge Foster addressed them as follows:

JUDGE FOSTER'S ADMONITION.

"You are both young men. You have been convicted, and if I send you to prison, where you will associate with thieves and criminals, it may be that it will be to your lasting injury, and you will become criminals and war against society so long as you live. Now, there has been established a reformatory, and my policy has been to send young offenders there. But in your case I am going to make a different disposition. I am going to suspend sentence, and I want you to know what it means.

"Suspension of sentence does not mean that you go scot free from this conviction. It means that I may send for you at any time; that I may issue a warrant and have you brought to the bar of this court, and may then sentence you to prison. I may send both of you to State's prison for five whole years, and I

shall do it if it comes to my attention that you are not worthy of the clemency that I am now extending to you. If I find that either of you is doing any wrong, or is leading an immoral or wicked life, I shall issue a bench warrant and bring you here and sentence you.

"If I were to sentence you to prison—and you richly deserve to go to prison, because you are both guilty of the crimes charged—I might make criminals of you for all time; and, under the peculiar circumstances of the case, I did not want to do that. The Prison Association, at my request, has made an investigation into your character. Their report impels me to suspend sentence, but I shall parole you in the custody of Mr. Kimball, who is here, the agent of the Prison Association; and Mr. Kimball has agreed to watch over you and to report to the court your future conduct. If you are good boys, serve your employers faithfully and do no wrong, the court will not send for you, and you will be as free as any other citizen; but if you return to your evil ways, Mr. Kimball will report that, and I shall send for you and then sentence you. You must, therefore, report to Mr. Kimball. He is the agent of the court in this matter."

The work thus begun under Judge Foster has been continued throughout the year. It must not be supposed that only "promising cases" are investigated; cases of all kinds are brought before the agent for his examination. As our agent works in the higher court, and has to deal with offenses which are legally and often ethically of a serious character, it is important that the greatest discretion should be exercised in the investigations and the recommendations based upon them. No immunity must be granted to dangerous criminals. On the other hand, first offenders giving promise of reformation need the opportunity which probation affords to recover their moral poise. Our agent is therefore conservative both as respects the interest of society, and likewise as respects the best interest of the offender. A review of cases shows that about twenty per cent of those investigated have been recommended for probation. In other cases the offender's previous record shows that though this may be the first time he has been brought into court it is not really his first offense. It is not advisable either to have him go back to the same environment. He needs edu-

cative treatment—education of the head, hand, and heart. He is a proper subject for a reformatory. It is the policy of this Association to urge that the reformatory system be utilized as far as possible. When offenders, however, are above thirty years of age they are beyond the age limit for commitment to Elmira, and when guilty of felony must be sent according to the law of the State to a penitentiary or to one of the State prisons.

To illustrate in a concrete way the application of the probation system, and the kind of work that is done by the Association at the Tombs and at the courts a number of cases are described in detail. It will be seen that not only are persons after conviction or confession of crime placed on probation, but through the investigations of our agent the innocent are sometimes vindicated. The following extracts from reports of Mr. Kimball will be read with interest:

AN ACTOR VINDICATED.

C—G—, an actor by profession, under arrest for grand larceny, called me to his cell door to say that he was not guilty of the charge brought against him, that he had no means to retain the services of a lawyer to defend him, and that his wife and three children were without food. On examining the complaint I found that his story was probably true so far as the facts were concerned, but it was a matter to be passed upon by a jury with the usual delay. The family I provided with means to procure food, and secured the aid of a good lawyer to defend the husband and father. He was accused of stealing a ring valued at \$50, the property of a woman who had been receiving instructions from him in the art of acting. She came to him in answer to an advertisement and agreed to pay him \$25 for a course of lessons, but having no money, gave him the ring as security. After having had a number of lessons the would-be actress decided to abandon her idea of going on the stage and demanded the return of her ring. He declined to give it up until paid for his services, and told her that unless she paid he would pawn the ring for enough to pay the bill and send her the ticket.

After much bickering he pawned the ring for \$20 and sent her the ticket. She had him arrested. When the case was brought before a jury the prisoner with the help of the efficient counsel secured by the Association was able to present his side of the story, the district attorney abandoned the prosecution, and the judge instructed the jury to acquit the prisoner, which they did without leaving their seats. The Association kept the family in food and fuel until its supporting member regained his liberty. He says that all his future transactions will be on a strictly cash basis.

AN INDISCREET WATCHMAKER.

A poor Jewish watchmaker, with a wife in delicate health and one child dependent upon him for support, begged me to take up his case. The little family was reduced to a condition bordering on starvation, rent was overdue, and in desperation the poor man pawned five watches that had been entrusted to him for repairs; the customers demanded their property, and caused his arrest when he failed to produce it. On my advice he pleaded guilty and threw himself on the mercy of the court. A number of gentlemen who were in court heard the sad story and made up a fund which was used to redeem the property in pawn; it was proved to the satisfaction of the judge that the prisoner had never been in trouble before and sentence was suspended. He was released on parole in the custody of the Prison Association. He moved away from the neighborhood where he had been in difficulty and is now doing well.

TWO YOUTHFUL FORGERS.

The court directed the agent's attention to two boys who had pleaded guilty to an attempt to commit forgery; one was fifteen and the other sixteen years of age. Both were under arrest for the first time and thoroughly frightened by their brief prison experience while awaiting trial. On investigation it was found that both boys belonged to excellent families, who felt keenly the disgrace brought upon them by their sons. The

youngest boy was employed in a down town business house as an errand boy; he abstracted a check from the firm's check book, filled it out for \$1,400 in what he thought was the right way, but which was ludicrously clumsy, and got the elder boy to present it at the bank to be cashed. The forgery was too evident to deceive anyone, and the bank officials had both boys arrested. As there had been no financial loss, as the prisoners were extremely young and hardly able to properly tell the difference between right and wrong, as investigation had proved that they had never been in trouble of a similar nature before, and as they had not denied their guilt, I recommended that both lads be given another chance, and paroled in the custody of the Association. The court acted favorably on the recommendation and turned the boys over to me after explaining the law to them. Both boys are now leading good lives instead of getting an education in crime from older and worse boys in some institution for criminals.

DRINK DID IT.

Drink was the cause of a young man's undoing who sought my aid when I was passing his cell in the Tombs. His story was brief. He had come to New York for work, having lost his situation in a neighboring city through his habits of drink. Not getting a place right away he went to work at window cleaning for a few cents a day, and lived in cheap lodging houses. He was cleaning the windows in a store one day, and was so befuddled with rum that he was not altogether conscious of his actions. He picked up a typewriting machine and walked off with it, only getting as far as the sidewalk when he was stopped and placed under arrest. He pleaded that he had never been in prison before, that he was the son of a former State official, and could prove it if given a chance, but having no money, supposed he would be obliged to go to prison. I took a list of the people who knew him and communicated with them by mail, explaining the young man's predicament. The response to my request for a history of his past was satisfactory. Good people knew and

were willing to help him. One business man came a hundred miles to certify as to his good character. I reported the facts to the court as found, and it mercifully permitted him to return to the city where he belonged under a suspended sentence, the business man who employs several hundred hands having agreed to give him a place in his factory and to look after him.

BUYING TOO CHEAPLY.

The desire to obtain goods cheap caused a young Italian grocer much trouble, and he is not liable to buy them too cheaply in future after his prison experience. The court asked that an inquiry be made as to the reputation of an Italian who had been convicted of receiving stolen goods, and the circumstances under which the crime had been committed. Investigation showed that the prisoner had always been an honest, hard working man, who by thrift and economy had saved enough money to open a grocery store which was doing a good business. His family, consisting of a wife and five children, the eldest child being but eight years of age, lived in the rear of the store.

A man drove up to his store one evening and offered him some groceries for much less than their market value. He foolishly purchased them, and was arrested. He acknowledged having bought the property, but denied any criminal knowledge or intent. Believing that the end of justice would be subverted if he was conditionally released, I recommended such disposition, and he was liberated on parole for supervision by the Association.

Not all cases are so promising. Minute investigation is necessary to prevent the court from being deceived by appeals for mercy, and to reveal the true character and record of offenders who may be young in years, but are sometimes old in crime.

The following case reported by Mr. Kimball, is an example:

AN UNPROMISING CASE.

Among the cases investigated at the order of the court was that of a boy of 17 accused of forgery. He tearfully begged me to get him a suspended sentence, as he had never been

arrested before, promising to do better if given another chance. He was a handsome lad, and I felt that he was well worthy of mercy. Questioning brought out the fact that he had been employed in many places, but never long in any one. A number of his former employers said he was smart and quick, but not strictly honest. It was also learned that young as he was he had been for a year in a house of refuge for stealing. When I remonstrated with him for his attempt to deceive me regarding his past he laughed and said he would take his medicine, whatever it was. He was admonished by the court and sentenced to the State Reformatory at Elmira where if there is any good in him it is to be hoped that it will be brought out.

A REPENTANT FORGER.

A delicate looking man called me to his cell door in the Tombs and besought the interest of the Association in his case for the sake of his young wife and unborn child. He came to New York from the country two years ago and after many unsuccessful attempts, found steady employment at very small pay in an office. His wages were so small that he could hardly live and support his young wife, and in an evil moment he yielded to temptation and forged the endorsement of his employer on a \$10 check. As he acknowledged his crime, he was advised to plead guilty and throw himself on the mercy of the court. The complainant against him thought he had been sufficiently punished by being kept in jail some weeks awaiting trial. The prisoner fainted away at the bar when released in our care and I was obliged to assist the court officers in carrying him into the corridor.

A MISCARRIAGE OF JUSTICE.

A manufacturer, employing 50 hands in his shop and doing a large business, was convicted of assault. His lawyer was an incompetent practitioner who failed to present his side of the case as it merited, being confident of an acquittal. He was surprised when the jury returned a verdict against his client with a



THE MAIN OFFICE.

recommendation for mercy. The judge asked that an inquiry be made and it was found that the defendant was a reputable man and really not guilty of the charge against him. Wholesale dry goods merchants stood ready and willing to vouch for him in any amount. It was a plain case of miscarriage of justice, and on my report the court released him on a suspended sentence.

A DEFENSELESS HUNGARIAN.

S———M———, born in Hungary and five years in the United States, was found in the Tombs resting under a charge of felonious assault. The man could speak but little English and as he seemed to be an inoffensive, quiet person, an investigation of his case was made. With the help of a sympathetic court interpreter, it was learned that one evening on his way home from work he stopped in a saloon to get a drink. It was a place much frequented by Slavs, who have constant feuds with Hungarians. They made him the butt of their jests and ridicule and finally resorted to violence. Being greatly outnumbered he defended himself as best he could and at last stabbed one of his assailants with a pocket knife. He was then arrested, and on trial made out as good a case of self defense as he could; but his enemies triumphed, for they again outnumbered him. He had no witnesses and the jury convicted him of a minor degree of assault. The police officer said he was a bad man, living on the earnings of his wife and never working to support his family. At the request of the judge, I went to the prisoner's house to inquire as to the truth of these assertions, and found that he had a wife and two pretty children. The house was a model of neatness and some of the furniture was made by the husband from scraps of wood that he had brought home from a picture frame factory where he was employed. The wife said he was always good to her and the children, and never drank to excess. His employers said he was a steady, quiet man who never gave them any trouble. The facts were brought to the attention of the court and the weeping prisoner was told not to take the

law into his own hands again. He was then released on probation in the custody of the Association.

PROBATION WORK IN POLICE COURTS.

Judge Joseph M. Deuel, the president of the Board of City Magistrates, First Division, comprising the boroughs of Manhattan and The Bronx, has been a strong friend of the probation system from the start. The Twenty-eighth Annual Report of the Board, drawn by Judge Deuel, gives the conclusions of the Board of City Magistrates concerning the Probation Law, which in the short space of three months has already demonstrated its value. The report says:

"The General Probation Act, chapter 372 of the Laws of 1901, applicable to prisoners above the age of sixteen years, went into effect September 1, 1901. The magistrates, with faith in its wisdom and belief in its utility, took prompt steps to put it into execution. It was the opinion of a majority of the Board that the best results could be obtained by carefully selected patrolmen from the police department. By the co-operation of the commissioner and chief of police this plan was put into operation. Ten officers, picked from the entire force by as many magistrates, were assigned to this duty, commencing October 1st. Three months' operation under the law has demonstrated the adaptability of such officers for much of this kind of work. Reconciliations have been effected, employment has been obtained, imprisonment has been averted, the expense of penal institutions has been reduced, the revenue of the city has been increased, liabilities have been prevented and good order in the community has been promoted far beyond the money value of the salaries these officers have drawn from the city.

"By appointing police probation officers the magistrates did not intend to confine, nor have they confined, themselves thereto. Several civilians, upon the recommendation and under the pay of charitable and philanthropic enterprises, have been appointed, and each is doing excellent work. It is difficult to determine which of the two—officer or civilian—is striving most to do the greatest good. It may be said that the combination has been eminently successful.

"For the purposes of this annual report a request was sent to each magistrate to select individual cases from those coming before him that would be illustrative of the operation of the law, and the response has been so generous and the cases so

numerous as to make selections extremely embarrassing. It has been thought best, therefore, to exclude particulars and to summarize the benefits and advantages that three months enforcement of the law have disclosed.

"They are as follows:

"First. Punishment without disgrace, and effective without producing embitterment, resentment or demoralization.

"Second. Punishment the judicial officer can accurately measure and devoid of contingencies that often bring inflictions wholly disproportionate to the crime committed.

"Third. Punishment that is borne solely by the guilty and displacing a system that frequently involved the innocent and helpless.

"Fourth. Punishment equally effective, attended by increased revenue to the city and by a saving in expense.

"The foregoing are practical, not theoretical advantages, and are being attained each day in the police courts of the city. It must be kept in mind, however, that the law has had a trial of but three months, and that with each magistrate it was entirely novel and its range of usefulness had to be explored experimentally. New and enlarged advantages will doubtless develop as the magistrates grow more familiar with its possibilities and study out means for its application.

"We have found the law sufficiently elastic to cover a class of cases evidently not within the minds of the draftsman, from which results so beneficial have been obtained as to warrant special mention.

"Disorderly persons, as defined in the first and second subdivisions of section 899 of the Criminal Code, strictly speaking, are not criminals, and the practice respecting them may be regarded, not as a prosecution, but as a special proceeding. Prior to the Probation Law, if the magistrates found there had been an actual abandonment, or that the husband did not provide according to his means, the Code required security for the payment of a weekly stipend for one year, and in default of furnishing the security the husband should be committed for a term not exceeding six months. Such a commitment in no wise benefited the wife and children, was an expense to the public, and suspended for the time being the productive energy of the husband. In many cases it meant great liability to the public; for if there were several children which the mother could not support, some or all of them had to be committed to charitable institutions at a charge on the revenue of the city of \$2 per week, or \$104 per year for each child. Under the new law we have substituted the probation officer for the bondsman, and

thereby enabled the husband to keep at work, and obtained for his family an equitable portion of his earnings. In this class of cases the law has been so efficacious that some of the magistrates have not found it necessary to commit a single disorderly person to the Workhouse since October 1st.

"We extend our thanks to those organizations that have furnished us, free of expense to the city, civilian probation officers; to the University Settlement, for Mr. Frederick A. King; to the Charity Organization Society, for Miss Ada Elliot; to the Salvation Army, for Mrs. Caroline L. Welsh; to the City Mission, for Mrs. Lettie A. Taylor, and to Mrs. John A. Foster as an individual volunteer."

PAROLE WORK.

One of the most important features of the work of the Prison Association is that of the legal custody and supervision of those released on parole from the Elmira Reformatory. During the year 1901, the Association has had in its custody, 314 paroled men. The method of conditional liberation adopted in these cases by the Reformatory marks a great change from the old system of releasing discharged convicts on a definite sentence. Under the rules of the Reformatory no inmate is eligible to parole until he has reached a certain grade in the institution and thereby made a certain record under the conditions of industrial and mental training and deportment prescribed. When thus eligible, his case is carefully considered by the board of managers and he is released on condition that remunerative employment with some reputable firm or person is obtained for him. To this end it is necessary that the friends of the prisoner should exert themselves on his behalf. Such exertions are usually rewarded by success, and some person is found who is willing to take the paroled man at a fixed rate of wages and for a definite time.

It is necessary, however, in order to prevent collusion and deception that such offer of employment should be carefully investigated. This work in the city of New York is conducted by the Prison Association. It is not left to the medium of correspondence, but an agent of the Association visits every

employer to ascertain if the offer of employment is genuine, and if the environment and conditions are favorable. Sometimes an applicant is fortunate in having three or four places open to him. In such cases, our agent selects the place which seems most promising. Occasionally the place offered is not considered desirable, and an unfavorable report is made and the parole deferred until a new position is found. It is only, however, when the conditions and the environment are decidedly unfavorable that an offer of employment is rejected. The managers of the reformatory, the inmates who are seeking conditional release and the agents of this Association are all too grateful to the business men of the community for the kindly interest they take in giving a new opportunity to paroled men to throw any obstacle in the way of the exertion of this generous, helpful spirit. Nothing is more helpful and encouraging in the attitude of society toward the discharged prisoner than this disposition on the part of employers to give a released man a chance to prove himself an honest and industrious member of society.

Very rarely our agent has been deceived by a "fake" place. Such an instance occurred during the last year. An offer of employment to an inmate of the Reformatory made as usual in writing was referred by the superintendent to this Association for investigation. Our agent visited the firm on one of the large business streets of New York. The offer was acknowledged and there was every reason to believe that the young man was fortunate in securing such a position. A favorable report was rendered; the prisoner was released and reported at our office on arrival. Subsequently our agent visited the establishment to learn how he was getting on. He was told that the young man was doing well, that he had gone out for an hour on business for the firm. A month later a similar assurance was given to our agent, but his suspicions were excited when the same reason was given for not finding him at work. Subsequent investigation showed that there had been a collusion between the proprietor and the prisoner; that the offer of employment was not a genuine one and that in reality the prisoner had not been

employed there at all. This was brought out when the young man was rearrested under two charges of theft and returned to the Reformatory. This is an exceptional case, but shows the need of investigating offers of employment made to prisoners and also the need of systematic visitation by our agents while on parole. New emphasis is now laid upon this work of visitation, and the increase of our force enables us to conduct this inspection more thoroughly and systematically than before.

It is made the duty of paroled men to report once a month in person at our office. They also bring letters addressed to the superintendent of the Reformatory stating the amount of money they have saved during the month and any particulars in regard to their work of life. In most cases, of course, such letters embody favorable reports; but investigation shows that such reports are justified. It is an undeniable fact that though exact percentages cannot be given, the great majority of those placed on parole do well and become honest and industrious citizens. The fact that a certain percentage make bad use of their conditional freedom and must be rearrested and returned to the Reformatory is no argument against the parole system. The number of successes shows that it is unnecessary to detain in prison the large number of those who have demonstrated in the Reformatory the wisdom of giving them a tentative release. The failures on the other hand show the wisdom of that feature of the parole law which provides for the return to the Reformatory for further treatment of an offender who has violated his parole without the expense and delay of another trial but simply upon a warrant issued by the superintendent.

The parole system has proved itself to be so effective and valuable after many years of application to reformatory cases that its extension within limitation to those in State prisons under the new law is amply justified. No judge who sentences a man to prison can tell in advance just what time will be necessary to correct the faults of his character, to bring him into a new attitude toward society and to educate him into industrial and social responsibility. The officers of the institution to which

he is committed are much better able under a proper régime to determine when it is wise to extend, as it were, the limits of the prison yard by giving him conditional liberty. He is still in the custody of the authorities, still under the surveillance of the parole officer. He does not receive his absolute discharge until he has earned it by temperate, industrial and orderly habits. "During the last year of the 344 paroled men in the custody of this Association 131 have received their absolute discharge on our recommendation, approved by the board of managers of the Reformatory."

Many of the young men received from the Reformatory prove to be interesting cases and reward any outlay of effort and friendly care. While it is necessary to exercise a supervision which must be firm and vigilant, our aim is to assure paroled men that they can look to us for protection and for temporary aid when necessary. The hardest cases to provide for are young men from the Reformatory who are wholly without friends in the city and who are therefore often detained longer than they otherwise would be because they receive no offer of employment. In such cases it is the aim of this Association to secure them employment. One such case during the last year was of peculiar interest. A young man eligible for parole but without friends in New York was unable to secure employment. He was not strong enough to do manual labor and his early training had been entirely office work. He had a young wife who was almost without means in New York and also in search of employment. It is seldom that we are called upon to get work for both husband and wife. The wife was a modest, diffident little woman without experience in the city. It was necessary to provide for her before any effort could be made to get her husband home. After some days of waiting and disappointment a situation as cashier in a restaurant at a small salary was secured for her. Efforts were then made to get a place for her husband. This was not an easy task, but after a few weeks a situation was obtained for him in an office where hundreds of clerks were employed. There was a happy reunion and the young couple

began life anew. They both retained their work, saved enough to start a home of their own and are now doing well. The young man's conduct for six months was exemplary, and the managers of the Reformatory granted him a final and absolute discharge at the expiration of that period. Both husband and wife thoroughly appreciate the efforts made on their behalf.

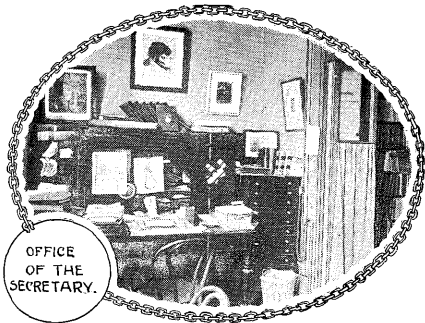
FRIENDLY SUPERVISION.

In a paper read by the corresponding secretary of the Association before the second conference of Charities and Correction of the State of New York attention was called to the need of supplementing official oversight of paroled prisoners by friendly visitation. A paragraph from the address referred to is here inserted:

"If it were possible to organize systematic volunteer supervision on the Swiss plan so that every paroled prisoner could be sure to have at least one friend when he came out in addition to any official parole officer the results would undoubtedly be highly beneficial. Official machinery cannot alone do a work which depends so much for its success upon personal consideration. A good feature of the parole system is that the community has an opportunity to cooperate with the State in trying to re-establish the offender in society. The prisoner is still under the surveillance of the prison administration and he is thus far in the grasp of the law, but he is also within the pale of society seeking to recover his moral poise, and society, which may have been in some way responsible in furnishing the unfortunate environment which led to his downfall, can do a great deal in furnishing those conditions of personal sympathy and industrial opportunity which may lead to his reformation."

DISCHARGED PRISONERS.

All prisoners who are released on parole are of course, physically speaking, released prisoners, but they are not discharged prisoners in a legal sense. Their status is different from that of the prisoner who has served his full time and who on going out received his absolute discharge. It is to be hoped that the indeterminate sentence will ultimately be extended to all prisoners, so that none will receive their absolute discharge



until after a period of conditional release. At present parole is the exception rather than the rule.

There is a radical difference between the relation to society of a prisoner who has completed his term and that of a man on parole. The prisoner with an absolute discharge is released whether he be a fit subject for release or not. He may have no home, no friends, no prospect of employment, but the law which forced him to go to prison on a certain day forces him to go out on another day, without regard to the consequences to him or to society. He is regarded as having paid his debt to the State, and the State has no longer any control over him. The paroled man, on the other hand, is not discharged until he is assured of work, which means also an assurance of food and shelter. For the paroled man there is no need of a "prisoners' home, with the evils which may result from gathering together men who ought to be separated. The paroled prisoner enters at once into natural and normal relations with society. His freedom, however, is conditional upon his good behavior. The State still holds over him the hand of authority, a salutary and restraining influence."

We have considered above the case of the paroled man. But what shall we say of the discharged prisoner who comes out at the end of a definite sentence as most prisoners do? As already said, he has finished his term and the State has no further hold upon him. The best that can be done under these circumstances is to visit the prisoner some weeks before his release, learn all about his age, relationship, education and whatever else will assist in re-establishing him in society. Appeals may be made to friends or relatives to furnish work or shelter, so that the man when discharged may have no dangerous period of idleness or homelessness. Visitation service in this way in the prison may be much more effective than deferring such service until the prisoner is released. At times all that is necessary to re-establish relations of self-support is to reconcile friends to the prisoner or to reconcile the prisoner to his friends.

Renewed emphasis is placed upon the importance of this work by the Prison Association. A few cases will illustrate its value. Two weeks before their release 20 prisoners were visited at Blackwell's Island. It was found that 15 of them practically needed no physical help from the Association. They had friends, families, or homes to which they might go on discharge. Several of them were poor, but they were not dependent. They appreciated the kindly spirit and friendly inquiries of the visitor. One man, a Hebrew tailor, living on the east side, said, "I have a wife and children to go to, and I can get work as soon as I get out. I think it will be better to help someone who needs it more than I do." In the cases of the five who needed help one needed a pair of shoes, another, who is a well-trained cook, needed a working suit of clothes. These were furnished at our office. Another man had to receive food and shelter. The other two needed to be put in relation with their friends. One was a young man, rather feeble mentally, who did not know whether his mother would be willing to receive him on his release. Our agent visited his mother, who was only too glad to have him come home. In another case a young man was not sure that he could go back to the reputable boarding-house where he had lived before and be trusted for a week or two until he obtained work. A visit to the landlady showed that she had much regard for her former boarder and was willing to help him to that extent. He soon secured work, and at last accounts was doing well. These young men did not need to come to our Association, but the service rendered them was far better than giving them meal tickets or lodgings.

Another case was that of a young man who had a married sister from whom he had not heard, and concerning whose attitude toward him he was doubtful. A note to the sister brought her to our office. She was affectionate and forgiving. Her younger brother went on his release to her home, instead of being left to shift for himself.

The most helpless of discharged convicts are those who have

no home, no trade and no friends except those who lead them into temptation and who may rather be called enemies than friends. The danger in such cases is that first offenders may soon lapse into chronic repeaters.

TEMPORARY AID.

Though much can be done to relieve prisoners from want and mendicancy by visiting them before they are released, there is need in every large community of some place where the prisoner who is a subject for temporary help or counsel may find it, and where a generous, helpful influence toward the erring can be exerted; this office is such a place.

During the last year there has been some falling off in the number of "rounders" who apply to us for aid. A cord of wood, a saw and buck in our cellar has had a discouraging effect upon some of the chronic cases, but applicants who are hungry and needy and desirous of obtaining employment are glad enough to submit to the work test. Only to a small extent is food distributed from the kitchen. None are lodged in our building. Arrangements have been made with respectable restaurants and lodging-houses, and meal and lodging tickets are given.

The table on another page will show the statistics of registration in our aid department during the year. Statistics, however, give but an inadequate idea of the results of work of this kind. A fuller presentation of the relief work of the Association was given in an article on "The Released Convict," by Charles M. Skinner, staff correspondent of the Brooklyn Eagle, being the concluding paper in a series on "The Prisons of the Nation and their Inmates," written by him for that journal. We are indebted to Mr. Skinner for taking the photographs, and to the publishers of the Brooklyn Eagle for permission to use the plates prepared from them showing the exterior and interior of our building. The unfortunate condition of the discharged convict is forcibly set forth by Mr. Skinner in his opening paragraphs.

that a 'bum' will not do this work. He will shy at it and find an excuse to run away. The man who really means to earn a place or tools and clothes to resume his trade withal, will do what is asked of him.

"Of course there are oddities among these applicants. The other day while I was chatting with the Rev. Samuel J. Barrows, the wise and optimistic secretary of the Association, a foreigner entered. It was a raw, cold day, and he was lightly dressed, but topped with a stovepipe hat. He was just from Blackwell's Island, he said, and would like some clothing a trifle warmer than he had on, and would also be grateful for a pot hat which would suit better than a tile with his straightened circumstances. He chatted in French and Italian as well as in English, and finally obtained the needed change. He had been a teacher of languages.

"In another instance a West Indian came back to society in January, dressed in a straw hat and pajamas.

"One of the properties of the Association is a store-room filled with clothing. Here it is possible to fit out any applicant, from the ground up, from the offerings that the charitable have made, and the shelves contain coats of many colors, hats of all sizes and diverse shapes, collars, shoes, underclothes and other necessities, all numbered and tagged according to size, and all respectable in appearance. At first the managers were ready in their generosity and gave out small sums of money, but one of them tracked a few graduates one evening to a 'three cent schooner house,' and saw them lift their tankards of chemical beer and drink a health to the 'green guys' of East Fifteenth street. After that money was not distributed.

"The worthy fellow, and there are many such, always has a fair chance to secure employment. Several steamship companies, contractors and others who hire men by dozens and hundreds are always ready to listen to applicants who have the indorsement of the Association. The ex-prisoners are not usually long about the office. They disappear presently, and there is a new soldier in one of the harbor forts, a new fireman in a hold of an outgoing ship, a new pick and shovel man in the tunnel workings, who is a stranger to his mates and who need not assemble them to listen to the story of his past unless he wants to, and is proud of it.

"Are the men appreciative of what is done for them? Fairly so, yes. It is almost impossible to say how many of them give the best proof of their appreciation by avoiding appearances of evil forever after, because they drift away to other States, or they die, or they ship as sailors and disappear in foreign lands, or they change their names and become bank presidents, or

something, but it is thought that 50 per cent. of them reform. Some enthusiasts hold out for 75 per cent. And even the supposed habitual criminal may upset theories by becoming virtuous over night and staying that way till the end, sternly refusing all chances to throw up a good job and go back to stealing.

"There is, for instance, an architect not a thousand miles away who is making at least \$5,000 a year at his profession, and who is not generally known, as why, indeed, should he be, as Number blank from Clinton, where he served eight years for forgery. Then there is a mail robber, a awful man, who served his time, hung about the rooms of the Association for five months, got a place under the government he had robbed, and is now at the head of an important public department, which he serves faithfully, honestly and capably; indeed, he is a man who is not only trusted but respected for his intelligence and ingenuity. Then, what do you say to a professional pickpocket—the slickest fellow in the business; you had to give your watch to him whether you wanted to or not—who is a hotel detective earning \$2 a day, never straggling from the path of rectitude, trusted with everything about the place, and the terror of thieves. Yet that fellow served no less than eight terms in prison for thieving. There's hope in everything and for everybody.

"By its charter the Prison Association of New York is permitted to erect and carry on a workhouse for released convicts, but it has not deemed it wise to act on this provision. It would tend to keep rounders hanging about the place beseeching charity, and make them careless about looking for work elsewhere. It would also tend to bring them into their own society, which is unwise.

"The man who applies to the Association for help seldom lies. He knows it to be of little use. And he is generally willing to be square. He does enough work to pay for the tools, or to hold his claim on them, when work as a mechanic is provided for him, and he is anxious to escape from the world's ken. It is only the professional criminal, the man who deliberately chooses theft as a means of living, who is arrogant or revengeful. One such defiantly said to an agent, who, after the custom, visited him in prison just before his release, to inquire about his family and prospects, 'Yes, I can get work outside, but I won't take it. What do they give me? A dollar and a half a day. I'll steal first.' That is the kind of fellow that a more advanced society may permanently seclude from its advantages and deliberations, yet when that kind of man is a political boss, how tamely we put up with him!

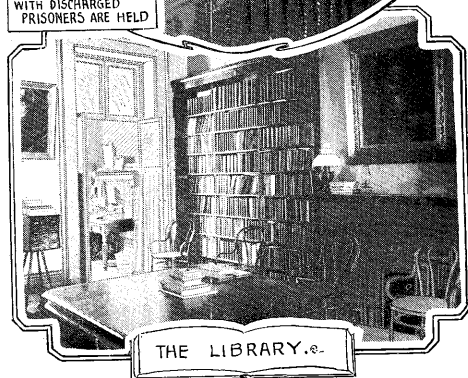
"Regarding the mental attitude of the prisoner, it is surprising that so few of them show bitterness. Mr. Barrows says: 'In Sing Sing 48 in 50 of the men confess that they are justly punished. I find little of a revengeful attitude toward society, and even the judges and prosecuting attorneys are looked upon as necessary parts of the legal machinery, who act without prejudice. Sometimes, however, you will find that some one person has aroused a convict's enmity, and there are threats of retaliation; but usually it is a witness for the prosecution, or the complainant, and not the officers of the law, who are held in such dislike.' And when a complainant shows uncharity, do you wholly blame the convict that he feels a little more than sorry and a little mad? Here, for example, is a lad of 19, who has been serving a half-year sentence for appropriating \$5 from his employer. He yielded to a sudden temptation and was afterward sorry and ashamed. He would have paid the money back and possibly will do so yet. But the punishment was disproportionate. This was a case for the probation officer, not for a jury. His six months in the penitentiary were months of greater heaviness because he never heard in that time from his relatives and supposed they had refused to have anything further to do with him, though it happened merely that they had supposed themselves barred from seeing or writing to him in prison.

"Friendly visits are made from time to time by officers of the Association to men who have reformed, to befriend and encourage them. One day an ex-convict drove to the office in his carriage and said that the Association had helped him. Now, he wanted to pay out some of the money he had honestly earned, in befriending some one else.

"It is not to the credit of this country that so little is done to help the convict who wants to lead a better life, and that so much is done by men hoggish of their privileges to keep him down in the life wherein he finds himself. The cowardice of American officials in dealing with questions that are likely to bring them in conflict with organized labor and their indifference to the opinions of that far larger class that represents unorganized labor is a bar to progress in prison management. It prevents the proper employment and training and teaching of prisoners and disqualifies them for useful life after release. There is a little broader spirit in Europe, and it has been found by Mr. Barrows that where work is active for the betterment of discharged convicts there are fewer recommitments to prison; hence, a lighter burden for the taxpayer to bear; that where relief associations exist there is a better prison management and more active preventive measures; that the tendency of an association is to liberalize public sentiment and that of the



WHERE CONFERENCES
WITH DISCHARGED
PRISONERS ARE HELD



THE LIBRARY, &c.

various methods none promises better than the Swiss, in which every discharged convict, who is not an habitual criminal, may have a patron who shall be to him a guardian and friend.

"Some day we shall not unlikely seclude or exile the incurable offenders—there are not many of them—and to the others we may, with a good grace, extend a helping hand, realizing that, in spite of their faults, which are often exaggerated, they are men and brothers."

GRATEFUL RECIPIENTS.

As to the question raised in the previous article whether recipients of aid are really grateful, it may be said that many prisoners are not demonstrative, but they appreciate nevertheless what is done for them. Many of them are not capable of writing, but those who are sometimes take the pains to send their thanks. Here is such a letter:

Dear Sir.—Though the position I got is only temporary, I hope it will last long enough to put me on my feet again.

I am grateful to the N. Y. P. A. for the humanitarianism shown in my case, and thank you in particular for your kindness and consideration in helping me to keep my head above water in my struggles.

From now on it will be sink or swim, but I do hope to have the pleasure of seeing you again, under brighter circumstances.

Yours truly,

M. D.

P. S.—I got the shirt from L., thank you.

A man came to us who had not only been in prison, but had been sick while there. He was discharged in cold weather and needed clothing. He was given an overcoat and other garments. We received a few days after, the following letter:

My Dear Sir.—So long as you forgot to tell me your name when I got my coats, I know you will excuse the abruptness. I looked so spruce and up-to-date that I fully hope to be settled by some time to-morrow, having had two promises to that effect, but of course want to wait till I get there before being too thankful.

Now what I would like to know is, can you aid me with two or three bowls of soup till I see where I am at? My last penny is gone and I had only a cup of coffee and two crullers to-day for all day, unless some good angel meets me before night time. I am not ashamed to go into any office now, but the "inner man" is causing trouble. I want to tell you I more than appreciate

the coats, gloves, etc., and am more than confident I will soon be settled in a position that will pay me well. I'll manage to get along without the "dough," if I can keep a little life inside, and as I am not finicky in this respect, I shall more than appreciate what ticket you may send me. As I may be working to-morrow, I'm unable to get up during hours, in other words, don't want to miss a good show, if I can get it, even if I have no breakfast. Will you kindly let me hear from you by to-morrow evening in the enclosed envelope and oblige? The next 48 hours is going to be my hardest, but I hope for the best and as soon as I can get salaried place will let you know.

Had I have presented my letter when it was written, I would have been settled ere this, but I hate to ask favors till it gets down to the last notch.

Thanking you a thousand times and assuring you I'm more than trying to do my best.

Sincerely,

G. H. S.

The following letter, from a lady deeply interested in the last correspondent, and who is also a prison worker, was received:

"I do want to thank you for your great kindness to ———. We scarcely knew him when he came to have tea with us. He looked so nice all dressed up, even to gloves, and I am sure 'Our Father' will bless you for clothing a poor brother in such bitter cold weather.

"He is doing very well, and I trust will soon be able to help himself. He is trying hard, poor fellow, and seems to appreciate your kindness and advice. I hope he will prove his gratitude. He is an intelligent man, an expert typewriter, and he ought to succeed."

J. M. E.

THE TREATMENT OF THE CRIMINAL.

REPORT OF THE COMMITTEE OF THE NATIONAL CONFERENCE OF CHARITIES AND CORRECTION, BY CHARLTON T. LEWIS, LL.D., CHAIRMAN.

PRESENTED AT THE MEETING AT WASHINGTON, D. C., MAY 15, 1902.

In this generation a complete revolution is rapidly taking place in the method of dealing with criminals on the part of organized society. Through the greater part of the nineteenth century the animating principle in such dealings has been the punishment of offences; that is to say, the primitive and traditional impulse to inflict injury as a recompense for wrong has been accepted in social and legal life, and made the basis of legislation and administration. The principle has found support in religious feelings and theological notions, which are partly innate and partly traditional. It has been carried very far, and many penal codes have been formed upon the theory that it is possible to define crimes and misdemeanors, to apportion to each by name its relative guilt and to affix to each a grade of punishment proportioned to its guilt. The absurdity of this entire system of thought has no doubt been clearly seen by many thoughtful minds from the first; and various theories have been devised to support the penal systems founded upon it, independently of the doctrine of retribution. The only one of these which can be said to have taken root in the general mind is that the object of the punishment of criminals is to deter others from committing similar offences. It is assumed that whenever a man commits a crime it is the right of society to make him an example, to use him as a means of preventing others from offending. The theory is frequently illustrated by the story of a British judge who, when the horse thief remonstrated against the sentence that he be hanged, answered, "I

hang you not for stealing a horse, but that horses may not be stolen."

This notion, however, is so confusing to the moral sense that it has never commended itself to philosophic thinkers. Moreover, an appeal to facts fails to justify it. It is known to all who have carefully studied the criminal class, their instincts, habits and motives, that the instances in which men are deterred from crime by the apprehension of legal punishment are but few. Such penalties may have some deterrent effect upon those who already have strong influences for good in their social position and associations, but not to any important extent upon habitual criminals.

In the light of social science our penal codes are without consistency or justification. And if these codes are considered historically the investigator is surprised to find that they have never been founded upon a reasoned system of thought, but have grown up as the result of circumstances and accidents. It is but a few generations since imprisonment as a penalty for offences may be said to have been unknown. The punishment for crime consisted of whipping, of the pillory, of personal mutilation, of exile, of fines. Prisons were used to detain prisoners and witnesses, but the imprisonment itself was not regarded as a penalty. As customs became mitigated and refined, and as the barbarism of the penalties commonly inflicted began to revolt the growing spirit of humanity, imprisonment gradually took the place of other punishments, until in most of the penal codes of the civilized world it is now either exclusively or almost entirely substituted for physical suffering. In recent years attempts have been made by able legislators and thinkers to graduate more accurately the degrees of criminality involved in particular offences, to define them with greater care and to proportion the penalties to them with more relation to current conceptions of justice. But every such effort is in its nature condemned to failure. It has become more and more obvious that a particular act legally defined as an offence, proved to a jury, and made the basis of a verdict of

guilty and of the sentence of the court, can in no case furnish a measure of the desert of him who commits it. The grossest inequalities in the terms of imprisonment assigned to particular offences are found in the comparative legislation of different States, and inequalities no less great in the judicial administration of each State where a discretion is intrusted to the judge. No classification of offences can constitute a classification of offenders; and the effect of a period of imprisonment upon the mind and character of a prisoner can in no case be foreseen, nor can it be assumed that the effect, whatever it be, is proportionate to the length of the imprisonment.

Meanwhile the positive evils of the system of wholesale imprisonment of offenders, as now generally practised, become more prominent the more they are studied. Practically, the vast majority of our prisons are but schools of criminality. Nearly the whole of the criminal class, recognized as enemies of society, are the graduates of these schools. Imprisonment in itself has no good effect upon the prisoner's character. It furnishes no stimulus to good conduct or check upon evil motives; but it is an unnatural life, and the vast majority of those who are condemned to it degenerate under its influence. Add to this that even if it were the most wholesome and beneficial life of which the inmates of the prisons are capable, yet the practice of consigning them to it for a time predetermined without regard to individual character or special circumstances, solely in reference to the name which the law assigns to the particular act, would rob it of all its value. If it be assumed that the effect of prison life is good upon the character, then imprisonment should be applied for just so long a time as it will continue to be beneficial.

But the entire subject, in order that it may be comprehended as a consistent whole, must be studied upon the basis of recognized principles of social science. The object of the dealings of society with crime is to protect society against the criminal, to eliminate crime. If this be admitted, it is obvious that, if prisons are to find a place in the system of criminal juris-

prudence, it must be as a means contributing to this end. Doubtless they may to some extent be made useful for such a purpose. The criminal as long as he is in prison is disarmed. His warfare against society is suspended. Absurd as it is to send him to prison for a predetermined period, it must be admitted that there are many men whose characters and habits are such that it is best for society at large to keep them in confinement. There can be no justification whatever for imprisoning a man unless his confinement is necessary to protect the rights of others. It follows necessarily that the duration of the confinement must be determined by this necessity. Every sentence to imprisonment should be ended only by the attainment of fitness for freedom. This is the principle of the *indeterminate sentence*, so called, which is already recognized to a limited extent in the legislation of several countries and of several States of the Union, but which has as yet but a narrow and partial application. The principle is universal.

Another principle intimately associated with this, and which is also gradually forcing its way into recognition, is that of probation for convicted offenders. On the vast majority of those who are detected in violations of law and brought before the courts to answer for them it cannot be said with truth that it is a danger to society for them to be at large. In every such case it is a wrong to the offender to send him to jail. A far better course is to extend the paternal and protecting care of the State over such cases through the agency of responsible and trained officers for such time as is necessary to obtain the assurance that their permanent freedom is consistent with the rights of others. In this spirit the well-known Probation Law of Massachusetts has been framed, and it is gradually finding imitators in the legislatures of other States, giving hope that it will soon be in general practice. Its results have already, in the very partial application which it has found, proved extraordinarily beneficial. It has done much to diminish juvenile offences and crimes in Massachusetts and in England, and

promises to be one of the most potent methods by which the State can seek to eliminate criminality.

The system of paroling prisoners under conditional release after they have served part of their terms with credit has already been widely practised in many countries. It has been found an important auxiliary to the reformatory work of well-conducted penal institutions. But its best use is in connection, unquestionably, with the indeterminate sentence. When an offender is found of such a character that he cannot safely be left in freedom, but after proper moral and industrial training in a reformatory institution has given evidence of his capacity and disposition to support himself honestly, he should obtain a conditional release, with proper employment, subject in case of any irregularity to be returned to prison, but with the privilege of earning a complete restoration to independent social life after a sufficient period of trial. This process in connection with the best reformatory institutions of the country has been found to result in the entire re-establishment of a large majority of those to whom its benefits have been extended.

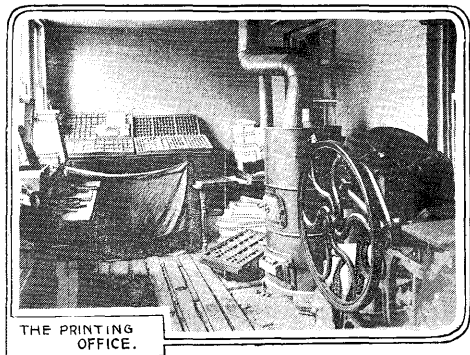
These principles necessarily imply that the internal administration of prisons shall be directed to the education of the inmates and their training in regular and productive industry. Each one of these essential reforms deserves an elaborate discussion far beyond our present limits. The necessity, however, of these improvements in prison discipline is generally recognized; and the chief difficulty met in promoting them is that of obtaining wardens, officers and employees competent in all respects for the work. These positions require not merely high intelligence and great strength of character, but also a profound knowledge of human nature and a special training in the methods of dealing with its degenerate and perverse forms. The administration of the indeterminate sentence, as is well understood, requires peculiar intelligence and training if the very difficult task of determining when a prisoner is so reformed as to justify release is to be entrusted to the prison authorities. It is notorious that the worst criminals are some-

times able to put on the garb of penitence and reform so as to impose on all ordinary observers. Upon this subject all that needs to be said to-day is that in social life every special need, whether of character or of intelligence, ultimately produces its own supply, and that if the true principles of penal legislation are adopted and vigorously carried into effect a body of men competent in all respects to administer these laws will gradually be raised up for the purpose.

Taken together, the principles we have suggested constitute a new system of penal law and are destined completely to transform the method by which society at large deals with crime. We hold, therefore, that every reformer should direct his efforts not merely to the introduction of detailed improvements in our prisons or in our penal laws but to the accomplishment of the great revolution, now clearly in prospect, which shall embody these wholesome and demonstrated principles in the legislation and practice of the State.

Charlton T. Lewis,
R. W. McClaghry,
J. H. Harris,
C. L. Stonaker,
J. W. Willis,
Z. R. Brockway,
Roeliff Brinkerhoff,
J. G. Thorp,

Committee.



THE PRINTING OFFICE.

PRISON SUNDAY.

The National Prison Association of the United States, while under the presidency of the late Rutherford B. Hayes, ex-President of the United States, feeling the vast importance of securing the co-operation of the great body of churches and church members in giving effect to its fundamental principles of the protection of society and the reformation of the prisoner, urged the churches of the United States to set apart the last Sunday in October as prison Sunday. The invitation was accepted in a number of States, and has become a regular feature of the yearly calendar of some of the churches. In order to call attention to this day and advise its observance by the churches a circular was sent out by this Association to about six hundred ministers and churches in the State. One object of the day is to thoughtfully and carefully consider every aspect of the problems of crime; another object is to enlist sympathy for the prisoner and to secure better support for the organizations which are working for his reformation.

The number of churches which responded to this appeal was small compared with the number addressed. The disbursement for postage, printing, and labor amounted to \$99.17, and the collection received from the churches amounted to \$119.56, leaving a balance of \$20.39. Financially considered the return was small, but the educative value of observing such a day in diffusing information and developing public sentiment cannot be estimated in dollars and cents.

It is not always convenient for churches and ministers to keep the date assigned, and in some instances sermons on various aspects of penology have been preached on other Sundays of the year, and contributions have been made at other times.

It is a pleasure to note the prominence which was given to

the day and the theme in St. Andrew's Episcopal church in Rochester. The sermons delivered by the rector, Rev. A. S. Crapsey, D. D., at both the morning and evening services of this church were devoted to the subject, his morning theme being "Prison Material," and the evening theme "Prison Methods." Both of these sermons were printed in full, the morning sermon in the Rochester *Democrat and Chronicle*, and the evening sermon in the Rochester *Union and Advertiser*.

In his morning discourse Dr. Crapsey presented various conditions and influences which are fruitful sources of prison material, emphasizing inheritance, environment, personal neglect and bad laws. He called attention to criminology as "a science to which noble minds are giving themselves just as noble minds have always given themselves to the study of medicine and the practice of surgery."

In his evening discourse Dr. Crapsey set forth with great clearness and effectiveness principles and methods which are essential to the reformation of the prisoner. As this sermon was delivered in answer to the request of this Association, and as it is admirably adapted for instruction and inspiration, we present it here in full:

PRISON METHODS.

A SERMON BY REV. ALGERNON S. CRAPSEY, D. D., OF ST. ANDREW'S EPISCOPAL CHURCH, ROCHESTER, N. Y.

Rev. Algernon S. Crapsey, in compliance with a request of the New York State Prison Association, preached a sermon on prison reform from the following text: "I was * * * sick and in prison and ye visited me not." Matthew xxvi, 43. The preacher said:

As one crosses the Bridge of Sighs from the Doge's Palace to the prison of old Venice and goes down into the dungeons there he wonders what kind of men they were who put their fellow men in such dark and loathsome places. It seems to us of to-day that the real criminal was not the man in the dungeon but the man who put him there.

We have the same feeling when we read of the rack and the thumb screw, of the beatings and the branding, of the breaking on the wheel and the burning at the stake, which were the tortures and the punishments inflicted upon the victims of the law in ancient and mediæval times. We are glad that we were not born in those days of darkness and cruelty.

The modern world differs greatly from the ancient and mediæval in its conception of crime and in its attitude toward the criminal. It looks upon crime as partly the fault of the criminal and partly the fault of the society which produces him. In thinking of the criminal it takes into account his inheritance and his surroundings, and finds, if it can, mitigating circumstances which commend the offender to a merciful judgment. In the estimation of modern thought no man can be so bad as to lose all his rights as a man. Even the lowest are to be treated as human beings.

PURPOSE OF PUNISHMENT.

Whatever punishment a criminal may have to endure, is or ought to be inflicted upon him for his own good. Its purpose is not vengeance, but reformation. It is or should be the intention of the law to correct the bad habits and root out the evil principles from the heart and life of the prisoner, and so to make a repetition of his bad actions impossible. In dealing with a criminal the State may also have in view the good of society. It may inflict punishment as a warning to others that they may take care not to follow the evil ways which have brought the prisoner to his doom.

It is only recently that prisoners have been looked upon as objects of pity and commiseration. Prison reform really dates from the latter part of the eighteenth century. It was John Howard who first roused the attention of western christendom to the frightful condition of its prisons. This good man becoming acquainted, as a peace officer of his county, with the abuses of prison life, spent his time and strength in the interests of the poor wretches whom the law of the land cast into foul dens and left to the tender mercies of brutal jailors. From the days of John Howard and his immediate successor in the work of prison reform, Elizabeth Fry, the improvement of prison conditions and the salvation of the prisoner have engaged the thoughts and enlisted the efforts of the wisest and best men and women in the world.

DECREASE OF PRISON POPULATION.

The consequence of all this effort is seen in the more humane treatment of prisoners and in the decrease of prison population. According to the report of the New York State Commission of Prisons, the prison population of the State of New York on the 1st of October, 1900, was 10,761. In 1895 the same population was 12,661, showing a decrease of 1,900 in five years. These figures include all prisoners, those confined awaiting trial as well as those who are serving under sentence of the court. The

State Commission says: "Had the population of the penal institutions kept pace with the increased population of the State since 1895 the inmates of the prisons would have been approximately 15,000, instead of 10,761. The cost to the State and counties of arresting, convicting and maintaining 4,000 additional prisoners would be approximately \$800,000 annually." Here certainly is a fact which should encourage every lover of mankind. We can safely say that the prison population of the country is steadily decreasing; fewer and fewer men each year become liable to the penalty of the law.

CAUSES OF IMPROVEMENT.

The cause of this improved state of affairs is doubtless to be found in the better conditions of life prevailing in the United States. The public schools, with their more reasonable methods of teaching, the prosperous condition of the commercial world, the taste for athletic and outdoor sports, all contribute to the general improvement of morality and the diminution of crime. But this desirable result is due also to the wiser methods of dealing with incipient criminals. Officers of the law are careful not to press a criminal charge against a man, and especially a young man, if they can avoid it. I have known officers of the law to take great and proper pains to save a man from the shame of arrest and imprisonment.

This may of course be done from a bad motive, and in the interest of the criminal, but in the cases I have in mind the officer acted from the best motives and for the highest good of society. Every officer of the law knows that the worst place in the world to send a man is to prison, and so does what he can to prevent it. And when a man is arrested and confesses his guilt the court keeps him out of prison if it can possibly do so. Sentence is suspended and the offender is allowed to go out on parole. There is an officer appointed to look after these men, to help them in every way to regain their place in the world. This humane system, which is now well organized in the State of New York, does much to keep down the prison population.

Another device of the law which is very helpful in shortening the term of prison residence is what is known as the indeterminate sentence. The sentence names the shortest period a man must serve, and the longest that he may serve. But within that period he may be discharged at any time by the prison authorities if they are convinced that he is ready for liberty. These and other like provisions of the law show that the steady tendency of legislation looks to the reformation of the prisoner, and not simply his punishment.

WHAT REMAINS TO BE DONE.

But although much has been done, much still remains to be done in the way of improving our prison methods. In the good old times if a man was taken sick, the first thing the doctors did was to bleed him. By this process they made a weak man weaker and lessened his chances of recovery. Many a man was sent in this way to an untimely grave. Now we are pursuing the same course with regard to the criminal. He is a man who has little self-respect, and by our prison methods we take away what little he has. We degrade him in his own eyes and in the eyes of all who see him. We very often put him under the charge of brutal men and subject him to debasing treatment, and then in due time turn him loose upon the world a confirmed criminal. The prison has completed the work of demoralization.

Our prisons themselves contribute to this deplorable result. They are great, gloomy piles in the center of some populous town, or surrounded by a large rural population. Their very walls speak of misery and shame and degradation. Some of these prisons have been standing for years, and are saturated with vice and wickedness. The very stranger walking through their corridors feels himself contaminated. Those corridors are haunted by the memory of countless crimes.

Prison officers are, too frequently, men by no means calculated to elevate the moral and spiritual tone of the prisoners. They are without special training, appointed too often for politi-

cal reasons, and think of the prisoners as simply a means of livelihood. The one thought of such officials is their own ease and their own dignity. They have absolute authority over the prisoners in their charge, and many a story could be told of insult and outrage visited by some brutal keeper upon some prisoner far less brutal than himself.

EVILS OF ENFORCED IDLENESS.

Another and most fruitful cause of prison degradation is the enforced idleness of the prisoners. It is almost impossible to speak of this outrage upon humanity in measured terms. One despairs of mankind when he knows that the Legislature of a great State, in obedience to a popular clamor that was without reason, forbade the prison population to engage in useful and profitable employment. Such a law is a disgrace to our statute books and should be removed at once. If there were abuses under the old contract system, let such abuses be corrected; let the State itself employ these wards of the State in useful and profitable work. The State prisons instead of being a source of expense should be profitable to the State, these 10,000 men should earn their own living, pay the expenses of their arrest and conviction and have beside a sum greater or less at their disposal when they leave the prison.

By idleness and by solitude we are doing all we can to complete the ruin of those who are already near enough to destruction. In our own penitentiary, which is accounted one of the best in the State, the officials of which are men who are trying to do their whole duty by the prisoners committed to their care and who deplore as much as I do the system which they are compelled to enforce, the men are locked in their cells at 6 o'clock in the summer and at 5 in the winter and are kept there until 7.30 the next morning—from twelve to thirteen hours in absolute idleness and solitude. It is appalling. I know that if I were subjected to such treatment for six months I should be a moral wreck and my constant wonder is that the moral nature is able to survive such an experience and the prisoner ever

recover his moral tone. One is almost ready to say that the ancient system of torture was better than this. The tortured man was ennobled and purified by his pain. But what shall we say of a system which keeps a man well fed, deprives him during the day of useful and tiring occupation and then shuts him up from early candle-light of a winter evening until sunrise the next morning, in a narrow cell with no other companion than his own evil thoughts? Words cannot describe the wicked folly of such a system.

LINES OF PROGRESS.

We suggest as lines of progress in prison methods first the careful preservation of the self-respect of the prisoner. His dress should not be a badge of degradation. The striped suit which has so long been the prison garb should give place to a uniform that has not its evil associations, a uniform of which the prisoner could be proud instead of ashamed. The prisoner should not be subjected to any shameful personal treatment. Anything like unnecessary exposure should be avoided. The discipline of the prison should be as far as possible military. The prisoner should have his morning roll call and his evening parade. He should be called by his name, not by a number. He should be made to feel every day that he is a man, capable of manly deeds.

Prisons should never be built near centers of population. They should be in remote parts of the country, in the midst of a large acreage of ground, surrounded by stockades, guarded by sentinels and away from the reach of curious people. The State of New York should destroy at once its two prisons at Sing Sing and Auburn. These prisons are reeking with criminality and are foul with evil associations; their names are names of evil omen. They should be leveled to the ground and in their stead should be built houses in the midst of green fields, where the influences of nature would aid in the restoration of the moral health of the prisoners. I was speaking to one of our

wisest judges and he said that the destruction of Auburn prison could not come too soon for the good of the State.

It is absolutely necessary that the officials of the prisons should be men trained to their work. It would be just as sensible—yes, far more sensible—to commit the care of a hospital to some farmer or lawyer or merchant or political worker, as it is to commit the care of our prisons to such men as these.

No man should be thought of for prison employment until he has been schooled to his work. There should be institutions for the training of prison officials, all except the very lowest workmen should have a knowledge of criminology, and they should look upon their business with all the pride of a professional. They are dealing with moral and spiritual disease; they should be physicians of the conscience and of the soul. No great improvement can be looked for in prison life until every prison official is trained to his work and looks upon it as a profession.

The proper employment of the prisoner is absolutely necessary to any hope of his moral recovery, and any employment that will benefit his moral nature must be useful and profitable. Mere carrying of stones from place to place or walking round in a circle can do nothing but degrade the man who does it. A prison should produce all that it consumes. Its food, its clothing, its furniture of all kinds, should be made in the prison and by the prisoners. The most approved machinery should be used in this work. The prisoners should be trained in the various arts and industries. They should be made to understand that if they would eat they must work, and that their comfort in the prison and their speedy discharge from it would depend on the quality and quantity of their work. No other mode of discipline can ever take the place of the discipline of nature which is the discipline of work.

Nature says work or starve. To escape starvation men go to work, and by means of their work their whole nature is developed. This should be the method of training in the prison as it is in the outside world.

CITIZENS AND PRISONERS.

We have now to consider in conclusion the relation of the citizens of the State to the prisoners of the State. These two are members of the same organic society. They act and react on each other. At present they are natural enemies. The criminal preys upon the citizen and the citizen avenges himself upon the prisoner. This warfare will continue until the citizen looks upon the prisoner, not altogether as an enemy, but as an erring brother, and gives him a chance to earn an honest living in the world. *Prison associations stand in this attitude toward the prisoner.* The men and women of these associations wait at the door of the prisons and receive the discharged prisoner as a friend and give him a helping hand and in this way try to change him from a criminal into a law-abiding citizen. Let the present good work go on and the time must come when the prison will pass away with the rack and the thumbscrew.

That day may be far away, but it is a day to dream of, to work and to pray for. By showing kindness here and there to a brother who has fallen we shall ourselves hasten the day when the prisoner shall go forth from his prison house to walk in the light and the air of the world which God has made, a free man among free men.

NEW LEGISLATION.

The corresponding secretary, Samuel J. Barrows, has contributed to the bulletin prepared by the New York State Library a review of new legislation enacted throughout the country concerning crimes and offenses. This review, with that of many other writers covering the whole field of legislation in the United States in the year 1901, is published by the University of the State of New York. It is not thought necessary to repeat it here. As there is much interest, however, in other States in regard to the subjects of probation, the indeterminate sentence and parole, we present the text of laws passed by the Legislature of New York in the year 1901 on these subjects.

THE PROBATION LAW.

The following is the full text of the Probation Law of New York, passed April 17, 1901, to go into effect September 1, 1901. To facilitate comparison with the older portions of the Code of Criminal Procedure which this act amends, the new matter is underscored.

Laws of New York, Chap. 372.

AN ACT to amend the code of criminal procedure, relating to the appointment of probationary officers and defining their duties.

Became a law, April 17, 1901, with the approval of the Governor. Passed, a majority being present.

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

Section 1. Title one, part one of the code of criminal procedure is hereby amended by adding thereto a new section to be known as section eleven-a, to read as follows:

§ 11a. 1. The justices of the courts having original jurisdiction of criminal actions in all the cities of the state, shall from time to time appoint a person or persons to perform the duties of probation officer as hereinafter described, within the jurisdiction and under the direction of said court or justice, to

hold such office during the pleasure of the court or justice making such appointment. Such probation officer may be chosen from among private citizens, male or female, clerks or assistants of the court making the appointment, or from the officers, deputies, assistants or clerks of the district attorney's office in the county wherein the court making the appointment is held. Any officer or member of the police force of any city or incorporated village who may be detailed to duty in such courts, or any constable or peace officer, may be employed as probation officer upon the order of any court or justice as herein provided. No probation officer appointed under the provisions of this section shall receive compensation for his services as such probation officer, but this shall not be construed to deprive any court clerk or court assistant or any officer, deputy assistant or clerk of a district attorney's office, or any officer or member of the police force, or any constable or peace officer, appointed probation officer as herein provided, from receiving the salary or compensation attached to his said official employment.

2. Every probation officer so appointed shall when so directed by the court, inquire into the antecedents, character and offense of persons over the age of sixteen years arrested for a crime within the jurisdiction of the court appointing him, and shall report the same to the court. It shall be his duty to make such report of all cases investigated by him, of all cases placed in his care by the court, and of any other duties performed by him in the discharge of his office, as shall be prescribed by the court or justice making the appointment, or his successor, or by the court or justice assigning the case to him, or his successor, which report shall be filed with the clerk of the court, or where there is no clerk, with the justice thereof. He shall furnish to each person released on probation committed to his care, a written statement of the terms and conditions of his probation, and shall report to the court or justice appointing him, any violation or breach of the terms and conditions imposed by said court, of the persons placed in his care. Such probation officers shall have, as to the persons so committed to their care, the powers of a peace officer.

§ 2. Sections four hundred and eighty-three, four hundred and eighty-seven, nine hundred and forty-one, nine hundred and forty-

two, nine hundred and forty-three and nine hundred and forty-six of the code of criminal procedure, are hereby amended to read as follows:

§ 483. After a plea or verdict of guilty, in a case where a discretion is conferred upon the court as to the extent of the punishment, the court, upon the suggestion of either party that there are circumstances, which may be properly taken into view, either in aggravation or mitigation of the punishment, may, in its discretion, hear the same summarily at a specified time, and upon such notice to the adverse party as it may direct. At such specified times, if it shall appear by the record and the circumstances of any person over the age of sixteen years convicted of crime, that there are circumstances in mitigation of the punishment, the court shall have power, in its discretion, to place the defendant on probation in the manner following:

1. If the sentence be suspended, the court upon suspending sentence, may direct that such suspension continue for such period of time, and upon such terms and conditions as it shall determine, and shall place such person on probation under the charge and supervision of the probation officer of said court during such suspension.

2. If the judgment is to pay a fine and that the defendant be imprisoned until it be paid, the court upon imposing sentence, may direct that the execution of the sentence of imprisonment be suspended for such period of time, and on such terms and conditions as it shall determine, and shall place such defendant on probation under the charge and supervision of the probation officer during such suspension, provided, however, that upon payment of the fine being made, the judgment shall be satisfied and the probation cease.

3. At any time during the probationary term of a person convicted and released on probation in accordance with the provisions of this section, the court before which, or the justice before whom, the person so convicted was convicted, or his successor, may, in its or his discretion, revoke and terminate such probation. Upon such revocation and termination, the court may, if the sentence has been suspended, pronounce judgment at any time thereafter within the longest period for which the defendant might have been sentenced, or, if judgment has been pronounced and the execution thereof has been suspended, the

court may revoke such suspension, whereupon the judgment shall be in full force and effect for its unexpired term.

§ 487. If the judgment be imprisonment, or a fine and imprisonment until it be paid, the defendant must forthwith be committed to the custody of the proper officer, and by him detained, until the judgment be complied with. Where, however, the court has suspended sentence or where after imposing sentence, the court has suspended the execution thereof and placed the defendant on probation, as provided in section four hundred and eighty-three of the code of criminal procedure, the defendant if over the age of sixteen years, must forthwith be placed under the care and supervision of the probation officer of the court committing him, until the expiration of the period of probation and the compliance with the terms and condition of the sentence or of the suspension thereof. Where, however, the probation has been terminated, as provided in paragraph four of section four hundred and eighty-three of the code of criminal procedure, and the suspension of the sentence or of the execution revoked, and the judgment pronounced, the defendant must forthwith be committed to the custody of the proper officer and by him detained until the judgment be complied with.

§ 941. Within ten days after the adjournment of any criminal court of record in this state, the district attorney of the county in which the court shall be held, shall furnish to the clerk of the county a certified statement containing the names of all persons convicted of crime in said court; the crime for which convicted; whether the conviction was upon a trial or upon a plea of guilty and whether sentence was suspended or the defendant placed on probation; the cases in which counsel were assigned by the court to defend the defendant; the sex, age, nativity, residence, and occupation of the defendant; whether married or single; the degree of education and religious instruction; whether parents are living or dead; whether temperate or intemperate, and whether before convicted or not of any crime, and any other information regarding them as may seem to him expedient. If necessary in order to obtain information of these facts, the defendant may be interrogated upon oath in court by the district attorney before judgment is pronounced. He shall also furnish to the clerk of the court a certified statement containing the names of all probation officers appointed by the court, with their address and date of appointment.

§ 942. The clerk or the deputy clerk of the court of special sessions in the city and county of New York shall on or before the first day of February, eighteen hundred and ninety-five, and quarterly thereafter, transmit to the secretary of state a tabulated and certified statement, in the form prescribed by the secretary of state, containing the name of every person convicted of a crime, of every person against whom sentence was suspended, and of every person placed on probation in such court, after October thirty-first, eighteen hundred and ninety-four, and since the date of the closing of each last preceding quarterly report; a description of the offense of which such person was convicted; whether the conviction was upon a trial or upon a plea of guilty; and the date of the conviction; and also a certified statement containing the names of all probation officers appointed by the court, with their address and date of appointment. The police clerks of the city magistrates of the city of New York, shall on or before February first, nineteen hundred and one, and annually thereafter, transmit to the secretary of state, a tabulated statement made from their records, showing the number of males and females convicted of crime during each month in the preceding quarter in the several courts of such city magistrates; the number convicted of each offense, the number sentenced, the number fined, the number of those against whom sentence was suspended, and the number placed on probation; and shall also furnish a certified statement containing the names of all probation officers appointed by the magistrates, with their address and date of appointment. Such statements shall be in the form prescribed by the secretary of state.

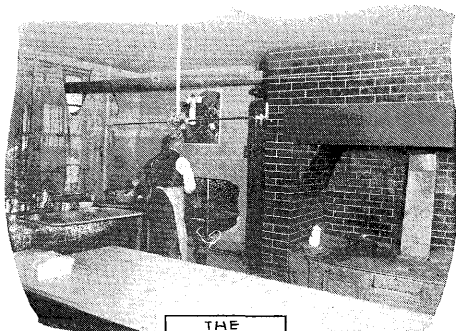
§ 943. On or before the first day of February, eighteen hundred and ninety-five, and quarterly thereafter, the clerk of each county shall transmit to the secretary of state a tabulated and certified statement, in the form prescribed by the secretary of state, of all the matters contained in the statements filed with such clerks by the district attorney of such county after October thirty-first, eighteen hundred and ninety-four; and of the name of each person shown to be convicted by a court of special sessions by the certificate of conviction filed with him by magistrates holding courts of special sessions after October thirty-first, eighteen hundred and ninety-four, and since the date of the closing of each last preceding quarterly report made after October thirty-first, eighteen hundred and ninety-four, and showing the offense for which each person was so convicted; whether the conviction was upon a trial or upon a plea of guilty; the sen-

tence imposed, whether the sentence was suspended, and whether the defendant was placed on probation. Said certified statement shall also contain the names of all probation officers appointed by said courts of special sessions, with their address and the date of their appointment.

§ 946. The secretary of state shall cause this title to be published with forms and instructions for the execution of the duties therein prescribed, and copies thereof to be furnished annually to each county clerk. The forms furnished by the secretary of state as herein provided, shall contain in tabulated form, the nature of every offense upon which a conviction was had, the court before which the defendant was convicted, the character of the sentence imposed, the cases where defendant had been previously convicted, the cases where sentence was suspended, the cases where the defendant was placed upon probation, and the cases where the probation was revoked, together with the age, sex, nativity and residence of the defendant. And a sufficient number of the copies of this title, and of such instructions, and of the forms to be used by the district attorney, or clerk or deputy clerk of the court of special sessions of the city and county of New York, shall also be furnished to each clerk to enable him to furnish at least one copy thereof annually to the district attorney, and the clerk of the court of special sessions of the city and county of New York and the county clerk shall distribute the copies of this title and of such forms and instructions accordingly, and when said county clerk is not a salaried officer his disbursements and compensation for his services under this act shall be a county charge. The expense of the secretary of state in publishing this title and distributing copies thereof, and of such forms and instructions as are herein required, shall be paid by the treasurer of the state, upon the warrant of the comptroller, from moneys in the treasury not otherwise appropriated.

§ 3. All acts or parts of acts inconsistent with the provisions of this act, in so far as inconsistent therewith, are hereby repealed.

§ 4. This act shall take effect September first, nineteen hundred and one.



THE
KITCHEN.

PAROLE LAW.

Chapter 260.

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

Section 1. Sections seventy-four, seventy-five and seventy-six of title two of chapter three of part four of the revised statutes relating to state prisons as amended by chapter three hundred and eighty-two of the laws of eighteen hundred and eighty-nine, are hereby amended so as to read as follows:

§ 74. Every person now confined in a state prison, or in the Eastern New York Reformatory, under sentence for a definite term for a felony, the maximum penalty for which is imprisonment for five years or less, exclusive of fines, who has never before been convicted of a crime punishable by imprisonment in a state prison shall be subject to the jurisdiction of the board of commissioners of paroled prisoners and may be paroled or discharged in the same manner and subject to the same conditions and penalties as prisoners confined under indeterminate sentences. The minimum and maximum terms of the sentences of said prisoners are hereby fixed and determined to be as follows: The definite term for which each such person is sentenced shall be the maximum limit of his term and one-third of the definite term of his sentence shall be the minimum limit of his term.

§ 75. The members of the state commission of prisons shall hereafter constitute a board of commissioners for paroled prisoners for the state prisons and the Eastern New York Reformatory and the board of parole constituted by section two of chapter three hundred and forty-eight of the laws of nineteen hundred for the Eastern New York Reformatory is hereby abolished. The superintendent of state prisons shall appoint a parole officer for each prison. It shall be the duty of such officers to aid paroled prisoners in securing employment and to visit and exercise supervision over them while on parole and they shall have such authority and perform such other duties as the board of commissioners for paroled prisoners may direct. The salary of each parole officer shall not exceed twelve hundred dollars per annum, which together with his actual and necessary traveling expenses, shall be payable from the maintenance fund of the prison to which he is assigned.

§ 76. A majority of the board of commissioners of paroled prisoners shall constitute a quorum for the transaction of business and they shall meet upon dates to be fixed by them in the months of January, April, July and October in each year, and

at such other times as they may deem necessary. Each prisoner confined in a state prison, or in the Eastern New York Reformatory, may upon the expiration of the minimum term of his sentence make application to the board, in writing and in such form as they may prescribe, for his release upon parole, or for an absolute discharge as hereinafter provided, and said board is hereby prohibited from entertaining any other form of application or petition for the release upon parole or absolute discharge of any prisoner.

§ 2. Nothing herein contained shall affect the right or liability of convicts to earn or forfeit commutation of sentence as provided by chapter twenty-one of the laws of eighteen hundred and eighty-six.

§ 3. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

§ 4. This act shall take effect September first, nineteen hundred and one.

INDETERMINATE SENTENCE.

Chapter 425.

AN ACT to amend the penal code relating to the sentencing of convicts to state prisons.

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

Section 1. Title eighteen of the penal code is hereby amended by inserting a new section, to be known as section six hundred and eighty-seven-a, and to read as follows:

§ 687-a. A person never before convicted of a crime punishable by imprisonment in a state prison, who is convicted in any court in this state of a felony, the maximum penalty for which, exclusive of fines, is imprisonment for five years or less, and sentenced to a state prison, shall be sentenced thereto under an indeterminate sentence, the minimum of which shall not be less than one year, or in case a minimum is fixed by law, not less than such minimum, and the maximum of which shall not be more than the longest period fixed by law for which the crime is punishable of which the offender is convicted. The maximum limit of such sentence shall be so fixed as to comply with the provisions of section six hundred and ninety-seven of the penal code.

§ 2. This act shall take effect September first, nineteen hundred and one.

MEMORIAL TO THE LEGISLATURE.

PRESENTED MARCH 27, 1901.

To the Honorable the Legislature of the State of New York:

Your petitioners respectfully represent that they are the Executive Committee of the Prison Association of New York; that this organization was chartered by the Legislature May 9, 1846; that upon it is devolved the duty of visiting, inspecting and examining under an order of the Supreme Court all the prisons in the State, and of reporting annually to the Legislature their state and condition. Your petitioners further declare that under the authority of such an order and in fulfilment of such duty a committee of this Association, the chairman of which was a physician, accompanied by an expert sanitary engineer, visited and inspected the State prison at Sing Sing, N. Y., January 19, 1900, with a view to determine its sanitary condition. The facts developed in this investigation are of such grave importance not only to the inmates of Sing Sing, but to the community at large, that the Prison Association of New York would fail of its duty to the Legislature and to the public, not to say in its solemn duty to the prisoner, if these facts were not immediately urged upon your attention.

In the fifty-sixth annual report of the Association, transmitted to the Legislature January 30, 1901, the conclusions of the investigating committee and of the sanitary engineer, together with the testimony of the warden and physician of Sing Sing, were presented in full and are now in print. These reports show that Sing Sing prison is absolutely unfit for human habitation. It is shrouded in a chilling veil of dampness. The purifying sunlight never penetrates its cells and has not for seventy-six years. The cells are dark, unventilated crypts in which men are compelled to exist on one-third the amount of air necessary for the average human being. Even this pitifully small supply of air is vitiated by foul and poisonous odors from the "backing up" of sewage and the deleterious emanations from defective drainage diffused throughout the prison. These dangerously unhealthy conditions which have engendered typhoid fever and tuberculosis are aggravated by the enforced overcrowding by which two men are obliged to sleep together in a space that might answer for a dog kennel, but into which no thrifty farmer would think in these days of immuring one of his cattle. Neither the humane disposition of the warden nor the continuous vigilance of the physician can overcome

these baleful conditions which are inseparable from the location and structure of the building. Five years ago Warden Sage said that the prison ought to be removed and built elsewhere. Warden Johnson declared to our committee that the one way to improve the building would be to tear it to the ground and build it elsewhere. The Superintendent of Prisons in his report for 1898 says: "The direct and sufficient relief will be found in new construction only." Mr. Charles F. Wingate, the sanitary engineer, says: "I must condemn the entire sanitary arrangements in the most unqualified manner, and urge their radical renovation, or better still, that the prison buildings be condemned and new ones constructed in their place." Mr. Wingate again says: "No one would deny prisoners sufficient food and drink, yet it is no less inhuman to refuse them an ample supply of sunlight and fresh air. Public sentiment would rebel at the thought of confining a convict to half rations, yet the cubic air space provided for each convict in Sing Sing is less than one-third the normal amount, and where the prisoners are 'doubled up' the supply is *one-sixth*. This is very much like lung starvation, and the consequences are and will continue to be serious."

The facts which we now present to the Legislature were laid before the State Board of Health by a committee of this Association. The president of the State Board of Health made an independent investigation subsequent to that of our committee. As a result of the report of the president and of the testimony furnished by this Association, the State Board of Health, on January 30th, unanimously passed the following resolution:

"In view of the condition of Sing Sing prison, as evidenced by the facts brought before us, we deem the sanitary condition such as to render it unfit to be occupied by human beings, and recommend that immediate steps should be taken to remedy these conditions."

The public press of New York city and throughout the State promptly supported the reasonableness of the demand. But thus far no action has been taken by the only authority which can effectually remedy the evil, the Legislature of the State.

We call the attention of your honorable body to the fact that the unfitness of the State prison at Sing Sing is not a new discovery. It has not only been condemned by several of its wardens, but by the Superintendent of Prisons and by the Commission of Prisons. The State Commission of Prisons in its fifth annual report for 1899 says: "The old cell-house or main prison is overcrowded, damp, unwholesome, a disgrace to the State. A new one should be built with all modern improvements in heating, lighting, ventilation and space."

On the occasion of the fiftieth anniversary of this Association, held February 28, 1895, the following resolution was adopted:

"Resolved, That this conference call the attention of the Legislature of the State of New York to the urgent need of a new State prison in the place of the one at Sing Sing. No money spent upon the grounds and buildings can make them adequate to the requirements. It is of imperative importance that a new location be selected, where there will be sufficient room for the construction of new buildings according to approved plans of prison architecture, and where the surroundings can be controlled, and employment given to a portion at least of the convicts in out-of-door work."

It cannot be said, therefore, that this Association was unduly impatient or importunate, if after nearly six years, and with fresh and startling evidence as to these intolerable unsanitary evils, it now makes an urgent appeal for immediate action. The results of long persistent failure to heed the recommendation and appeals of those who are most familiar with Sing Sing are bearing fruit in an insidious disease, which is silently spreading contagion and death. It is the conclusive testimony of medical experts that the conditions which exist at Sing Sing as to dampness, poisonous air and the absence of sunlight are the most favorable that could be established for the development and communication of tuberculosis. This disease it is difficult to combat under the most favorable circumstances of prison life, but it becomes uncontrollable and spreads with fearful rapidity under the worst. Special researches made within the last five years show that tuberculosis under the conditions described is not only swiftly developed in those susceptible to the disease, but that it is constantly communicated to well persons. Attention is called to the alarming fact, presented by Dr. Knopf in a paper on "Tuberculosis in Prison," submitted January 30th, as a part of the fifty-sixth annual report of this Association. The infectiousness of tuberculosis is now a demonstrated fact of medical science. There is remarkable agreement as to the way in which the disease is promoted. When the prison at Sing Sing was built these medical facts were not understood; but if the State of New York had deliberately undertaken to establish a plant for the development and spread of tubercle bacilli it could hardly have created a generator more favorable for its propagation than the prison at Sing Sing. What is also clear is that such mitigations as have been suggested cannot remedy the radical defect in the structure of the building. In the best modern prisons the cells have a capacity of one thousand cubic feet, and they are accessible to sunlight and properly drained. In Sing Sing the cubic capacity of the cells is but 145 cubic feet,

and one-fourth of the prisoners being "doubled up" are limited to but 72½ cubic feet. An idea of the relative amount of air space of the best prisons as compared with Sing Sing may be seen from the following diagram:

Air Space in Sing Sing Compared with the Best Prisons.

| | | |
|--------------|-----------------|--|
| | 1900 cubic feet | |
| Sing Sing: } | 130 cubic feet | |
| { | 75 cubic feet | |

The practice of confining prisoners in dark cells, where they died from lack of air, was common in mediæval times. Sing Sing prison was built with no such intention, but it cannot be denied that this is the punishment inflicted there, a punishment which must be absolutely repudiated by every consideration of justice and humanity. The Constitution of the United States forbids "cruel and unusual punishment". Yet cruel and unusual is any form of punishment which under the guise of depriving a man of his liberty deprives him of his health or life. Grand larceny is not a capital crime in New York. Yet a man sentenced to Sing Sing for such a felony may be sentenced to early death as surely as if he were doomed to the electric chair. If he escapes tuberculosis he owes it to the strength of his constitution; if he has any predisposition to the disease it will surely develop. Every prisoner and all connected with the prison are obliged to run the gamut of this terrible infection, and it is not owing to the mercy of the State that they are not smitten by the disease. Such a punishment is unpardonably cruel and excessive. The apology for criminal negligence which the State will not permit to an offender cannot be invoked with any more justice by the State itself when it permits year after year this tuberculosis factory to remain after its dangers and tendencies have been repeatedly brought before the Legislature.

The only objection which has been advanced against the demolition and removal of Sing Sing prison is the objection of cost. But the cost of building a new prison to accommodate the entire population of Sing Sing would not be more than twenty cents per capita of the population of the State of New York, as the income from the sale of the present site would pay for the site of a prison with ample grounds. In a wealthy State like New York, in a time of prosperity, the pitiful plea of poverty cannot be raised for the avoidance of a great public duty which has been postponed year after year on precisely the same ground, and will be postponed indefinitely unless the public conscience is awakened. But a tyro in political economy may easily perceive that the proposed saving to the State in

postponing this urgent duty is altogether fictitious. It is not economical to turn able-bodied prisoners into invalids and to transform a prison into an institution for the generation of disease. An able-bodied prisoner who is capable of earning his own support while in prison, and of contributing something to the support of his family, becomes, when infected by tuberculosis, not only a charge upon the State while in prison, but a burden upon the community when he comes out. What could be more illogical than to make an appropriation for a sanitarium for tuberculosis in the Adirondacks while maintaining at Sing Sing a public establishment to propagate the disease? We are well aware that there are people who are altogether indifferent as to what becomes of men after they are sent to prison, and who assume that such an institution as Sing Sing may be a benefit to society by killing them off. But this is not the prevailing sentiment in the great State of New York, which has taken advanced, humane and intelligent ground in the treatment of crime. These unthinking people fail to see that Sing Sing prison is as dangerous to the community as it is to the prisoner. They forget that the prisoner is to come out. Every year between 700 and 800 inmates from this prison are turned loose in society. No rules of the Board of Health placed in our public vehicles making expectation a misdemeanor can prevent the victim of tuberculosis from spreading the seed of disease in the community. In his paper on tuberculosis Dr. Knopf has called attention to the danger to the public from this source. The discharged prisoner takes the disease with him to his home and into public shops and vehicles, and the revenge which the State has taken upon him in compelling him to contract the disease he in turn inflicts upon the community.

If Sing Sing prison were a private factory and dormitory, the condemnation of the Board of Health might be immediately enforced. Is it just for the State to maintain a public institution in an unsanitary condition, alike obnoxious to the public laws and the public health; an institution which has been condemned by the Superintendent of Prisons, twice condemned by the State Commission of Prisons as a disgrace to the State, and within two months by the Board of Health? Should not the State while inflicting punishment upon those who disobey the sanitary code pay some heed itself to the code it has framed and some respect to the unanimous condemnation of this institution by a State board charged with the important duty of maintaining the health of the community?

Under these considerations and in view of the important and alarming facts presented, we earnestly renew our appeal to the

Legislature to take immediate action for the abolition of Sing Sing prison and for the erection on a suitable site of a prison constructed on modern sanitary principles.

We urge also the appointment of a suitable commission to consider what steps are necessary for the improvement, reconstruction or centralization of the penal institutions of the State.

CHARLTON T. LEWIS,
President.

(On behalf of the Executive Committee.)

EUGENE SMITH, *Secretary.*

SAMUEL J. BARROWS, *Corresponding Secretary.*

JOHN ROCHESTER THOMAS.

At a meeting of the executive committee of the Prison Association of New York, held November 21, 1901, a special committee, consisting of Messrs. Jackson and Speranza, appointed at the preceding meeting to draft a minute in relation to our late associate, Mr. John Rochester Thomas, presented their report. And on motion of Mr. Eugene Smith, seconded by Vice-President Letchworth, who spoke briefly upon his acquaintance with Mr. Thomas, it was ordered that the minute be adopted as the expression of the executive committee and spread upon the minutes, and a copy sent to the family of Mr. Thomas. The minute was as follows:

“John Rochester Thomas was born in Rochester, N. Y., on the 18th day of June, 1848. After receiving a school education he entered an architect's office in his native city, later studied his profession in Europe, and in 1868 went into business for himself. Being remarkably gifted and thoroughly trained, he early attracted notice. In 1882 he removed to this city and has connected his name with numerous noteworthy structures, to mention only a few, the armory of the Eighth Regiment, N. Y. (1889), and that of the Seventy-first Regiment, with the Second Battery (1893), the Second Reformed church on Lenox avenue, and the Calvary Baptist church on West Fifty-seventh street. It will also be recalled that he won the first place over 133 competitors in designs for the new City Hall, which in 1890 it was proposed to build at an expense of \$25,000,000. The scheme was never carried out, but to Mr. Thomas was given the architect's part in the Hall of Records now building.

“But in this committee we allude chiefly to his service in the course of penology. He did not venture to criticize prison methods, but he spoke with authority upon prison construction. In 1874, though so young, he was appointed by Gov. John A.

Dix, architect and sole commissioner for the erection of the New York State Reformatory at Elmira. Samuel J. Tilden, who in 1874 succeeded John A. Dix as Governor, retained him in office. Mr. Thomas was thus enabled to complete the buildings which are justly esteemed models of their kind. His success at Elmira led to his selection as architect of the New Jersey State Reformatory at Rahway (1899), and of the Eastern New York Reformatory at Napanoch (1899). He embodied his views on prison architecture in his paper on the subject which he read at the Congress of the National Prison Association, held in Pittsburg, Pa., in 1893, and which was separately issued and attracted wide notice.

"It was his work in this branch of penology, which is surely not the least important, which led to his election to the executive committee of this Association in 1893. It was always a pleasure to have him with us, and we knew we could count upon his hearty interest in all the efforts of the Association for the physical, mental and spiritual improvement of the criminal. It was then with sorrow that we saw in his appearance when last at our meetings that his health was failing, and with a sense of personal loss learned that he had passed from earth. This sad event took place in Winchester Park, Thousand Islands, Wednesday, August 28, 1901, and we lost in him an honored associate and fellow worker. We here express our grateful thanks for what he was permitted to perform, and convey to those most deeply affected by his death our sincere sympathy. He lives not in vain who contributes to the progress of the race. He leaves a precious memory who links his efforts to those of his predecessors that have striven to make the path of the criminal back to honesty and virtue possible and easy."

TREASURER'S ACCOUNT.

FOR THE YEAR ENDING OCTOBER 31, 1900.

| <i>Dr.</i> | |
|---|--------------------|
| Donations | \$6,087 32 |
| Borrowed on mortgage on No. 135 East Fifteenth street | 5,500 00 |
| New York State Reformatory..... | 1,100 00 |
| Rents | 605 00 |
| Balance in Mechanics National Bank, October 31, 1900 | 61 54 |
| | <u>\$13,353 86</u> |
| <i>Cr.</i> | |
| Expenses of agency in New York city for discharged convicts and persons under arrest..... | \$3,724 61 |
| Expenses of State organization, prison and jail inspection and county work..... | 3,381 03 |
| Paid off mortgage on No. 135 East Fifteenth street..... | 4,000 00 |
| Old indebtedness paid..... | 1,166 67 |
| Extraordinary repairs on No. 135 East Fifteenth street | 488 21 |
| Interest on \$4,000 and \$5,500 mortgages on No. 135 East Fifteenth street..... | 198 12 |
| Taxes and water rents on No. 135 East Fifteenth street | 155 43 |

108 ANNUAL REPORT OF THE PRISON ASSOCIATION OF NEW YORK.

Balance in Mechanics National Bank, October 31,

1901..... \$239 79

\$13,353 86

(Signed)

CORNELIUS B. GOLD,
Treasurer,

We hereby certify that we have examined the accounts and
vouchers of Cornelius B. Gold, Treasurer, and find them correct.

(Signed)

JOHN SEELY WARD, JR.,
ALEXANDER M. HADDEN,
Auditing Committee.

Disbursements November 1 to December 31, 1901.. \$1,474 97

LOCAL COMMITTEES.

The county committees of the Prison Association are now in process of reorganization. It has been thought best therefore to omit the list of committees in the present report, as such lists would necessarily be very imperfect. The corresponding secretary will welcome suggestions from the different counties in relation to local work.

HONORARY CORRESPONDING MEMBERS.

UNITED STATES.

Alabama.—R. H. Dawson, Montgomery; Miss Julia S. Tutwiler, Livingston; Mrs. R. D. Johnston, Birmingham.

Colorado.—J. S. Appel, Denver; Wm. F. Slocum, Colorado Springs.

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Connecticut.—Francis Wayland, New Haven; John C. Taylor, Hartford.

Florida.—L. B. Wombell, Tallahassee.

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Indiana.—Thos. E. Ellison, Fort Wayne; Alvin T. Hert, Jefferson; C. H. Reeve, Plymouth.

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Louisiana.—Michael Heymann, New Orleans; Clarence F. Law, New Orleans.

Maine.—William Sawyer, Portland.

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Massachusetts.—W. F. Spaulding, Boston; F. B. Sanborn, Concord.

Michigan.—Levi L. Barbour, Detroit; L. C. Storrs, Lansing.

Minnesota.—Samuel G. Smith, St. Paul; Austin H. Young, Minneapolis.

Missouri.—Thos. P. Haley, Kansas City.

New Jersey.—E. J. Anderson, Trenton.

New York.—Z. R. Brockway, Elmira.

North Carolina.—Col. W. F. Beasley, Plymouth.

North Dakota.—N. F. Boucher, Bismarck.

Ohio.—Gen. R. Brinkerhoff, Mansfield.

Oregon.—Earl M. Wilbur, Portland.

Pennsylvania.—I. J. Wistar, Philadelphia.

ANNUAL REPORT OF THE PRISON ASSOCIATION OF NEW YORK. 111

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Texas.—John N. Henderson, Dallas; L. A. Whatley, Huntsville.

Vermont.—L. D. Hazen, St. Johnsbury.

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Washington.—John B. Catron, Walla Walla; Hon. Ernst Syster, Tacoma.

District of Columbia.—Hon. Fred H. Wines.

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CANADA.

James Massie, Toronto, Ontario.

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A. Rivière, Secretary Société Générale des Prisons, 52 Rue d'Amsterdam, Paris; Mons. Robin (pasteur), 21 Rue Piatt, Belleville, Paris; Mons. Bonneville de Marsangy, No. 7 Rue Pen-thievre, Paris; Dr. Paul Balliere, 128 Boulevard Haussman, Paris; R. Bérenger, Vice President du Senat, 11 Rue Portalis, Paris.

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RUSSIA.

Hon. Michael Kazarin, Department of Prisons, St. Petersburg.

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*Deceased.

*Deceased.

| | |
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| P. W. Engs. | W. H. H. Moore. |

* Deceased.

118 ANNUAL REPORT OF THE PRISON ASSOCIATION OF NEW YORK.

| | |
|-----------------------|--------------------------|
| William F. Mott. | Cornelius Smith. |
| David Olyphant. | James O. Sheldon. |
| E. Parmly. | Dr. J. G. Phelps Stokes. |
| Thomas Prosser. | Charles N. Talbot. |
| Howard Potter. | I. T. Terry. |
| Percy B. Pyne. | Allen Tucker. |
| Robert Ray. | Samuel Auchmuty Tucker. |
| James I. Raymond. | Rev. S. H. Virgin. |
| George A. Robbins. | Abram Van Nest. |
| Samuel Sloan. | Bleecker Van Wagenen. |
| William D. Sloane. | A. Ward. |
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| Frederick K. Stevens. | Mrs. E. V. S. Winthrop. |
| William H. Scott. | W. H. S. Wood. |
| Leo Speyer. | E. J. Woolsey. |
| Olivia E. P. Stokes. | Mrs. E. J. Woolsey. |
| John Stewart. | W. Walker. |
| James F. Sutton. | Samuel Wetmore. |
| Austin Sherman. | Andrew C. Zabriskie. |
| B. B. Sherman. | James McKeen. |

CONTRIBUTIONS.

NOVEMBER AND DECEMBER, 1900.

| | |
|--------------------------------|--------|
| American Leather Co. | \$5 00 |
| Archbold, John D. | 25 00 |
| Astor, Mrs. J. J. | 20 00 |
| Barbour, Robert | 5 00 |
| Ballantine, Robert F. | 50 00 |
| Beekman, Mrs. John N. | 5 00 |
| Billings, Mrs. Frederick. | 10 00 |
| Blandy, Graham F. | 5 00 |
| Blumenthal, George. | 15 00 |
| Bonsall, Mrs. S. W. | 5 00 |
| Brewer, W. A., Jr. | 5 00 |
| Bristol, John I. D. | 5 00 |
| Brown, Wm. Harman. | 5 00 |
| Brush, Miss M. H. | 7 00 |
| Budge, Henry | 20 00 |
| Buttlar, Robert. | 10 00 |
| Cash | 10 00 |
| Coit, George M. | 10 00 |
| Colgate, William. | 25 00 |
| Cook & Bernheimer Co. | 5 00 |
| Coulter, Charles J. | 10 00 |
| Deas, Mrs. Helen L. | 10 00 |
| DeLafield, M. L. | 5 00 |
| Dodge, Rev. D. Stuart. | 25 00 |
| Douglass, R. D. | 25 00 |
| Eidlitz, Otto M. | 10 00 |
| Elliott, W. P. | 5 00 |
| Erlanger, Abraham. | 2 00 |

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| Evarts, Wm. M., Hon.* | \$10 00 |
| G. W. W. | 10 00 |
| Gerry, Elbridge T., Hon. | 25 00 |
| Goodwin, James J. | 25 00 |
| Gray, John Clinton | 10 00 |
| Griswold, J. N. A. | 15 00 |
| Guild, Fred'k A. | 10 00 |
| Gurnee, A. C. | 10 00 |
| Harper, Mrs. Jos. W. | 5 00 |
| Heide, Henry | 10 00 |
| Hoffman, F. B. | 10 00 |
| Hun, Dr. Henry | 5 00 |
| Huntington, Rev. W. R. | 25 00 |
| Huyler, John S. | 10 00 |
| Iselin, Adrian | 100 00 |
| Iselin, William, & Co. | 10 00 |
| Keteltas, Miss Alice | 25 00 |
| Kelley, A. W. | 10 00 |
| Lacombe, Hon. E. Henry | 5 00 |
| Landon, Mrs. Henry H. | 10 00 |
| Lord, Dr. Benjamin | 10 00 |
| Lord, Mrs. Geo. deForest | 10 00 |
| McCook, John J., Col. | 10 00 |
| Macy, V. Everit | 25 00 |
| Macy, Mrs. W. H. | 10 00 |
| Maillard, Henry, Jr. | 5 00 |
| Marquand, Henry G. | 5 00 |
| Miller, Mrs. A. | 10 00 |
| Minturn, Mrs. J. W. | 10 00 |
| Moir, Mrs. William | 20 00 |
| Morgan, George H. | 15 00 |
| Morgan, Mrs. James P. | 10 00 |
| Munn, Charles A. | 5 00 |
| North, Thomas M. | 5 00 |
| Pinkerton, Robert A. | 10 00 |

*Deceased.

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|--------------------------|---------|
| Planten, John R. | \$10 00 |
| Post, Abram S. | 5 00 |
| Raymond, Charles H. | 25 00 |
| Robb, J. Hampden | 20 00 |
| Root, Charles T. | 5 00 |
| Sackett, Henry W. | 3 00 |
| Schiff, Jacob H. | 25 00 |
| Schieffelin & Co. | 10 00 |
| Scllew, T. G. | 10 00 |
| S. E. W. | 100 00 |
| Smith, James Rufus | 10 00 |
| Spool Cotton Co. | 25 00 |
| Speyer, Leo | 10 00 |
| Starr, Theo. B. | 10 00 |
| Stone, Mason A. | 5 00 |
| Strong, Mrs. Theron G. | 5 00 |
| Swezey, Mrs. Noah T. | 5 00 |
| Thomas, Dr. T. G. | 10 00 |
| Tootle, William | 20 00 |
| Trowbridge, James A. | 10 00 |
| Vander Poel, Mrs. S. O. | 5 00 |
| Warburg, F. M. | 10 00 |
| Waterbury, Mrs. C. A. | 10 00 |
| Witherbee, Mrs. E. S. | 15 00 |
| Willets, John T. | 10 00 |
| Williams, George G. | 20 00 |
| White, S. V. | 10 00 |
| Whitehead, A. Pennington | 5 00 |
| Wolff, Lewis S. | 10 00 |
| Wormser, Mrs. Isidor | 10 00 |
| Zimmerman, Mrs. M. E. | 10 00 |

1901.

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| Abbott, Rev. Lyman | 5 00 |
| Abbott, William N. | 1 00 |
| Adams, Mrs. M. | 10 00 |

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| Adams, Mrs. Thatcher M. | \$10 00 |
| Agramonte, Mrs. E. | 2 00 |
| Aldrich, Mrs. H. D. | 10 00 |
| Aldrich, Mrs. James Herman. | 5 00 |
| Alexander, J. Henry. | 5 00 |
| Alexander, Dr. W. T. | 10 00 |
| American Leather Company. | 5 00 |
| Anonymous. | 5 00 |
| Anonymous. | 1 00 |
| Anonymous. | 1 00 |
| Anonymous. | 1 00 |
| Anonymous. | 2 00 |
| Anonymous. | 1 00 |
| Archbold, John D. | 25 00 |
| Arnold, Constable & Co. | 25 00 |
| Auchincloss, Mrs. H. D. | 25 00 |
| Auchmuty, Mrs. R. T. | 25 00 |
| Austin, Nichols & Co. | 10 00 |
| Avery, Samuel P. | 10 00 |
| A Friend. | 50 00 |
| A Friend. | 10 00 |
| A Friend. | 5 00 |
| Babcock, Samuel D. | 10 00 |
| Babcock, H. D. | 5 00 |
| Bacon, Mrs. Francis McNeil. | 5 00 |
| Baker, Miss Clara A. | 5 00 |
| Baker, George F. | 25 00 |
| Baldwin, Dr. Helen. | 5 00 |
| Ballantine, Robert F. | 50 00 |
| Barbey, Henry I. | 25 00 |
| Barbour, Rev. Robert. | 5 00 |
| Barnabee, Henry Clay. | 5 00 |
| Barnes, Richard S. | 20 00 |
| Bartlett, Mrs. P. G. | 10 00 |
| Bates, Mrs. J. E. | 1 00 |
| Batjer, Henry. | 10 00 |

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|---------------------------------------|--------|
| Batten, Rev. L. W. | \$5 00 |
| Bauchle, Thomas H.*. | 10 00 |
| Baylies, Mrs. N. E. | 10 00 |
| B. B. | 10 00 |
| Beach, Capt. Warren C. | 5 00 |
| Beckhard, Martin. | 5 00 |
| Beekman, Mrs. John N. | 5 00 |
| Behr, Herman, & Co. | 5 00 |
| Beknap, W. E. | 2 00 |
| Belmont, August, & Co. | 25 00 |
| Benedict, James H. | 10 00 |
| Benjamin, Cornelia A. | 10 00 |
| Benjamin, Miss Florence I. | 2 00 |
| Bernheimer & Schmid. | 10 00 |
| Betts, S. R. | 10 00 |
| Bier, Mrs. Sylvan. | 10 00 |
| Billings, Mrs. Frederick. | 5 00 |
| Billings, Frederick. | 20 00 |
| Blair, B. F. | 5 00 |
| Bless, Rev. John C. | 5 00 |
| Blood, Samuel S. | 20 00 |
| Blumenthal, George. | 15 00 |
| Blungart, Louis. | 10 00 |
| Boardman, Mrs. Lansdale. | 5 00 |
| Bogert, E. C. | 100 00 |
| Bogert, S. G. | 10 00 |
| Bourne, Miss Emily H. | 10 00 |
| Brackett, George C. | 10 00 |
| Bradford, Mrs. W. H., Sr. | 20 00 |
| Bradley & Smith. | 10 00 |
| Braese, Mrs. A. E. | 10 00 |
| Brennan, Michael. | 10 00 |
| Brewer, William A., Jr. | 5 00 |
| Brewster, Robert S. | 25 00 |
| Brooklyn Third Unitarian Church. | 9 00 |

* Deceased.

| | |
|-------------------------------|----------|
| Brown, Addison..... | \$5 00 |
| Brown, Edwin H..... | 5 00 |
| Brown, John Crosby..... | 25 00 |
| Brown, M. Bayard..... | 750 00 |
| Brown, Miss Susan F..... | 2 00 |
| Brown, William Harman..... | 3 00 |
| Brush, Miss M. H..... | 5 00 |
| Bryce, Miss..... | 5 00 |
| Budge, Henry..... | 20 00 |
| Burden, Henry, 2d..... | 10 00 |
| Butler, Howard Russell..... | 5 00 |
| Butler, Richard..... | 5 00 |
| Butler, Mrs. Theron R..... | 10 00 |
| Butler, Wm. Allen..... | 25 00 |
| Butler, Willard Parker..... | 5 00 |
| Butterworth, Mrs. Geo. F..... | 5 00 |
| Cahn, Mrs. N..... | 5 00 |
| Caldwell, E..... | 25 00 |
| Callaway, S. R..... | 10 00 |
| Campbell, Miss C. B..... | 10 00 |
| Canfield, C. B..... | 1 00 |
| Carter, Rev. Samuel T..... | 10 00 |
| Cash..... | 25 00 |
| Cash..... | 5 00 |
| Cash..... | 1 00 |
| Cash..... | 2 00 |
| Case, Mrs. Clinton P..... | 3 00 |
| Castree, John W..... | 25 00 |
| Cauldwell, Mrs. W. A..... | 5 00 |
| Century Co..... | 10 00 |
| Chisolm, Benjamin Ogden..... | 10 00 |
| Chisolm, George E..... | 10 00 |
| Clark, Edward Severin..... | 100 00 |
| Clark, F. Ambrose..... | 1,000 00 |
| Clarkson, M. & H..... | 10 00 |
| Clinch, Mrs. Anna C..... | 10 00 |

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|------------------------------|---------|
| Coe, Rev. E. B..... | \$10 00 |
| Coit, George M..... | 10 00 |
| Colby, Howard A..... | 25 00 |
| Colgate, William..... | 50 00 |
| Collins, Miss Ellen..... | 30 00 |
| Comstock, James C..... | 5 00 |
| Cornell, J. Harvey..... | 5 00 |
| Cook, Charles T..... | 25 00 |
| Cornell, Robert C..... | 5 00 |
| Corning, Fred. Gleason..... | 10 00 |
| Coulter, Charles J..... | 10 00 |
| Crimmins, Hon. John D..... | 25 00 |
| Cropsey, Mrs. James C..... | 2 00 |
| Crosby, Mrs. Edward N..... | 10 00 |
| Culver, Mrs. Everett M..... | 10 00 |
| Curley, J..... | 2 00 |
| Currier, Edwin A..... | 5 00 |
| Curtis, Warren..... | 5 00 |
| C. P. S..... | 100 00 |
| Dana, Charles..... | 5 00 |
| Davidson, Mrs. M. L..... | 10 00 |
| Dean, Frank..... | 10 00 |
| Deas, Mrs. Helen E..... | 10 00 |
| De Coppet, Henry..... | 25 00 |
| De Forest, Robt. W..... | 10 00 |
| DeKlyn, B. F..... | 35 00 |
| Delafield, Miss Julia L..... | 2 00 |
| Delafield, Maturin L..... | 5 00 |
| Delano, Warren, Jr..... | 10 00 |
| Denton, E. M..... | 1 00 |
| Dix, Rev. Morgan..... | 10 00 |
| Dodge, Cleveland H..... | 25 00 |
| Dodge, Rev. D. Stuart..... | 25 00 |
| Dodge, Mrs. George E..... | 10 00 |
| Dodge, Norman W..... | 50 00 |
| Dodge, William E..... | 25 00 |

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| Dodge, Mrs. W. E., Sr. | \$10 00 |
| Donald, James | 10 00 |
| Donohue, John J. | 10 00 |
| Dornitzer, Mrs. Henry | 10 00 |
| Dotter, Charles T., Jr. | 5 00 |
| Draper, Mrs. Henry | 10 00 |
| DuBois, Mrs. Eugene | 5 00 |
| Dutch Reformed Church collection | 28 61 |
| Dutton, E. P. | 10 00 |
| Dwight, Mrs. M. E. | 5 00 |
| Eaton, Mrs. Dorman B. | 6 00 |
| Edgar, Mrs. James A. | 10 00 |
| Eidlitz, Otto M. | 10 00 |
| Einstein, Wolff & Co. | 5 00 |
| Eisenmann, G. F. | 10 00 |
| Elder, Mrs. Matilda A. | 10 00 |
| Elliott, William P. | 5 00 |
| Emanuel, Miss C. | 1 00 |
| Emery, John J. | 25 00 |
| Erlsloh, Rudolph A. | 5 00 |
| Erlanger, Abraham | 2 00 |
| E. C. | 30 00 |
| Fabnestock, H. C. | 25 00 |
| Fallon, John J. | 10 00 |
| Farmer, Miss Mary J. | 10 00 |
| Ferris, Franklin | 1 00 |
| Field, Mrs. William D. C. | 2 00 |
| Fish, Mrs. Nicholas | 10 00 |
| Fischer, B. & Co. | 5 00 |
| Fisk, Mrs. Harvey E. | 10 00 |
| Flower, A. R. | 25 00 |
| Floyd, John G. | 10 00 |
| Foot, Dr. E. B. | 3 00 |
| Forrester, George B. | 10 00 |
| Foster, Frederick de P. | 10 00 |
| Foster, J. Hegeman | 10 00 |

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|--------------------------|---------|
| Foster, Mrs. Scott | \$10 00 |
| Fox, Norman | 5 00 |
| Fraser, Alex. W. | 5 00 |
| Frost, William Henry | 7 00 |
| Furness, Miss C. | 10 00 |
| Fourteenth Street Church | 14 13 |
| G. W. W. | 10 00 |
| Gannett, W. C. | 5 00 |
| Garner, Mrs. Thomas | 10 00 |
| Garrettson, F. T. | 5 00 |
| Garrigues, W. A. | 10 00 |
| Geer, Mrs. Walter | 25 00 |
| Germond, Rev. Philip | 2 00 |
| Gerry, Hon. Elbridge T. | 25 00 |
| Gibbs, Miss H. D. | 2 00 |
| Gibson, Mrs. Henry S. | 2 00 |
| Gilbert, George N. | 3 00 |
| Gold, Cornelius B. | 50 00 |
| Goodridge, Mrs. Frederic | 10 00 |
| Goodwin, James J. | 25 00 |
| Gray, A. F. | 3 00 |
| Gray, Hon. John Clinton | 10 00 |
| Greene, J. Ashton | 20 00 |
| Greenough, John | 10 00 |
| Griswold, Mrs. Chester | 5 00 |
| Grunenthal, Philip H. | 2 00 |
| Guild, Frederick A. | 5 00 |
| Gurnee, A. C. | 10 00 |
| Gurnee, W. S. | 10 00 |
| Haight Stephen S. | 1 00 |
| Halsted, Miss Anna B. | 15 00 |
| Ham, James M. | 5 00 |
| Hanson, Miss L. | 10 00 |
| Hare, J. Montgomery | 5 00 |
| Harley, John J. | 10 00 |
| Harper, Mrs. Joseph W. | 5 00 |

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|----------------------------|--------|
| Harriot, Mrs. S. C.* | \$5 00 |
| Harrison, Mrs. Mary L. | 10 00 |
| Havemeyer, John C. | 50 00 |
| Hawley, Mrs. John S. | 10 00 |
| Hayden, Henry W. | 10 00 |
| Hayes, Hon. Patrick | 10 00 |
| Hearn, J. A., & Son | 25 00 |
| Heath, Frank E. | 10 00 |
| Heimerdinger, J. E. | 10 00 |
| Heissenbuttel, Frank H. | 5 00 |
| Henderson, Miss M. W. | 5 00 |
| Hendricks, Miss Eleanor | 5 00 |
| Henry, Mrs. H. S. | 5 00 |
| Hertzel, Miss Caroline M. | 5 00 |
| Herrmann, Mrs. Esther | 10 00 |
| Hewitt, Hon. Abram S. | 5 00 |
| Heymann, Seligman | 1 00 |
| Hildburgh, Henry | 10 00 |
| Hill, Adam | 10 00 |
| Hoe, Mrs. Robert | 10 00 |
| Hoe, R., & Co. | 25 00 |
| Hoffman, Very Rev. E. A. | 10 00 |
| Hogan, Charles M. | 10 00 |
| Holt, Henry | 10 00 |
| Holt, Robert S. | 10 00 |
| Hoppin, William W. | 10 00 |
| Howells, George A. | 1 00 |
| Hubbard, General Thomas H. | 20 00 |
| Hubbard, Mrs. Thos. H. | 50 00 |
| Hudson Presbyterian Church | 10 00 |
| Huleu, Victoria A. | 5 00 |
| Humphreys, Alex. C. | 10 00 |
| Hun, Dr. Henry | 5 00 |
| Huntington, Rev. W. R. | 40 00 |
| Huyler, John S. | 10 00 |
| Hyde, Clarence M. | 100 00 |

* Deceased.

| | |
|----------------------------|---------|
| Inslee, Miss Eliza | \$10 00 |
| Iselin, Adrian | 100 00 |
| Iselin, William, & Co. | 10 00 |
| Jackson, R. C. | 2 00 |
| Jackson, Samuel M. | 35 00 |
| Jackson, Mrs. W. H. | 10 00 |
| Jacobi, Dr. Abram | 10 00 |
| Jaffray, Robert | 10 00 |
| James, Darwin R. | 10 00 |
| Jarvis, Dr. N. S. | 25 00 |
| Jenkins, A. B. | 25 00 |
| Jessup, Morris K. | 50 00 |
| Johnston, Howard A. | 12 00 |
| Judson, Henry I. | 10 00 |
| K. H. G. | 25 00 |
| Kelley, A. W. | 10 00 |
| Kellogg, Mrs. Charles | 10 00 |
| Kendall, The Misses | 10 00 |
| Kennedy, John S. | 100 00 |
| Keteltas, Miss Alice | 25 00 |
| Knapp, Milton | 10 00 |
| Knauth, Nachod & Kuhne | 20 00 |
| Knopf, Dr. S. A. | 10 00 |
| Kohnstamm, Joseph | 2 00 |
| Kyle, James, & Son | 5 00 |
| Laidlaw, Mr. Henry B. | 10 00 |
| Landon, Mrs. Henry | 10 00 |
| Langdon, Woodbury G. | 10 00 |
| Lange, J. D. | 5 00 |
| Lanier, Mrs. M. M. | 10 00 |
| Lanman & Kemp | 5 00 |
| Lawrence, Miss Caroline T. | 5 00 |
| Lawrence, Cyrus J. | 10 00 |
| Lawrence, E. N. | 25 00 |
| Lefferts, Frederick R. | 10 00 |

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|-----------------------------|--------|
| Leshner, Mrs. S. R. | \$5 00 |
| Lester, David B. | 10 00 |
| Letchworth, Hon. Wm. P. | 25 00 |
| Lewis, Charlton T. | 25 00 |
| *Lewisohn, Leonard | 25 00 |
| Livingston, Miss Ann Ludlow | 5 00 |
| Lobenstine, Wm. C. | 10 00 |
| Lockman, John T. | 10 00 |
| Lockwood, Homer N. | 5 00 |
| Lord, Franklin B. | 10 00 |
| Low, Hon. Seth | 10 00 |
| Low, Wm. G. | 25 00 |
| Lowell, Mrs. Caroline H. | 2 00 |
| Ludlam, Geo. P. | 10 00 |
| Lusk, Dr. W. C. | 5 00 |
| Lydig, David | 10 00 |
| Lynes, Mrs. Elizabeth | 10 00 |
| McCampbell, Theron | 1 00 |
| McCook, Col. John J. | 10 00 |
| McCord, Wm. H. | 25 00 |
| McCurdy, Richard A. | 50 00 |
| McDonald, Miss Bessie F. | 5 00 |
| McKesson, Irving | 5 00 |
| McKim, Robert V. | 5 00 |
| McLane, Mrs. Adelaide L. | 5 00 |
| MacLaren, Mrs. F. | 25 00 |
| McLean, John S. | 10 00 |
| McMahon, James | 25 00 |
| Mackay, Mrs. B. | 5 00 |
| Macy, V. Everit | 25 00 |
| Macy, Francis H. | 20 00 |
| Mager, Mrs. F. Robert | 10 00 |
| Maillard, Henry, Jr. | 5 00 |
| Maitland, Robert L. | 10 00 |

*Deceased.

| | |
|---------------------------------|--------|
| March, Miss Virginia A. | \$5 00 |
| Marston, Edgar S. | 5 00 |
| Marvin, Dr. D. M. | 5 00 |
| Mason, Miss H. S. | 5 00 |
| Mason, James Weir | 5 00 |
| Matthews, Albert | 5 00 |
| Maxwell, Henry W. | 25 00 |
| Maxwell, Mrs. Robert M. | 20 00 |
| Maynard, Mrs. Effingham | 5 00 |
| Meigs, Ferris J. | 10 00 |
| Meigs, Mrs. Titus B. | 10 00 |
| Merriam, Miss Annie L. | 5 00 |
| Middleton & Co. | 10 00 |
| Milbank, Mrs. Joseph | 50 00 |
| Miller, Mrs. A. | 10 00 |
| Milligan, John C. | 1 00 |
| Minturn, Mrs. John W. | 10 00 |
| Moir, Mrs. Wm. | 25 00 |
| Moore, F. C. | 10 00 |
| Moore, W. H. H. | 10 00 |
| Morgan, E. D. | 20 00 |
| Morgan, Mrs. I. B. | 10 00 |
| Morgan, Mrs. J. Pierpont | 10 00 |
| Morse, Daniel P. | 10 00 |
| Mott, Lewis F. | 5 00 |
| Mott, Wm. F. | 10 00 |
| Moulton, Miss Mary | 20 00 |
| Munn, O. D. | 5 00 |
| Munroe, Mrs. Chester | 5 00 |
| M. J. B. | 2 00 |
| Nagle, Conrad F. | 5 00 |
| "N. C. N." | 10 00 |
| Nicholls, Seth | 10 00 |
| North, Thos. M. | 10 00 |
| Nyack First Presbyterian Church | 10 00 |

| | |
|-----------------------------|---------|
| O'Connor, Thomas H. | \$25 00 |
| Ogden, Mrs. Chas. W. | 20 00 |
| Ogden, Mrs. Gouverneur M. | 10 00 |
| Olmsted, Mrs. Chas. T. | 20 00 |
| Olyphant, J. Kensett. | 10 00 |
| O'Neill, Mrs. H. | 10 00 |
| Othout, Mrs. Jane E. | 10 00 |
| Opdycke, Mrs. Emerson | 10 00 |
| Opdyke, Mrs. W. S. | 5 00 |
| Openhym, Wm., & Sons. | 10 00 |
| O'Reilly, Cornelius | 10 00 |
| Osborn, Mrs. Wm. Church. | 10 00 |
| Osborn, Mrs. W. H. | 10 00 |
| Otterson, Miss Lucy | 5 00 |
| Palmer, General W. J. | 50 00 |
| Parish, Miss Susan D. | 25 00 |
| Parsell, Mrs. H. V. | 10 00 |
| Parsons, Mrs. Edwin. | 20 00 |
| Parsons, F. A. | 25 00 |
| Parsons, John E. | 10 00 |
| Peabody, Geo. Foster. | 75 00 |
| Pearsall, J. W. | 5 00 |
| Peck, C. C. | 5 00 |
| Penfold, Miss Josephine. | 10 00 |
| Perkins, Goodwin & Co. | 5 00 |
| Pettigrew, R. H. | 2 00 |
| Phelps, Stowe | 5 00 |
| Pinkerton, Robert A. | 10 00 |
| Plant, Albert | 10 00 |
| Planten, John R. | 10 00 |
| Polk, Mrs. Wm. M. | 5 00 |
| Pomeroy, H. A. | 10 00 |
| Post, A. S. | 5 00 |
| Pouch, F. E. | 5 00 |
| Powers, Mrs. Jennie Turner. | 5 00 |

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| Prall, Rev. Wm., Rector St. Paul's Church. | \$5 00 |
| Pratt, Herbert L. | 10 00 |
| Prime, Rev. Wendell. | 50 00 |
| Putnam's Sons, G. P. | 10 00 |
| Raven, Austin A. | 10 00 |
| Read, Wm. A. | 25 00 |
| Renssen, Miss Elizabeth. | 10 00 |
| Rhineland, Miss Serena. | 200 00 |
| Richter, J. H. | 10 00 |
| Riker, Samuel | 10 00 |
| Rives, Geo. L. | 20 00 |
| Robb, Hon. J. Hampden. | 20 00 |
| Robbins, Chandler | 10 00 |
| Roberts, John E. | 10 00 |
| Rollins, W. F. | 5 00 |
| Ross, W. A., & Bro. | 10 00 |
| Sachs, Louis | 5 00 |
| Sackett, Henry W. | 10 00 |
| Sage, Dean | 100 00 |
| Saint Gaudens, Augustus. | 10 00 |
| Sallinger, Edward | 5 00 |
| Schafer Bros. | 10 00 |
| Schieffelin, Mrs. Wm. Jay. | 10 00 |
| Schieffelin, Wm. Jay. | 20 00 |
| Schieffelin & Co. | 10 00 |
| Schiff, Jacob H. | 25 00 |
| Schott, Chas. M. Jr. | 10 00 |
| Schuyler, Miss L. L. | 5 00 |
| Schwab, Mrs. Gustav | 5 00 |
| Scribner, Mrs. J. Blair. | 20 00 |
| Seligman, Mrs. Jesse. | 5 00 |
| Seligman, Isaac N. | 25 00 |
| Shepard, Mrs. Elliot F. | 25 00 |
| Shipley, Miss Elizabeth. | 1 00 |
| Slade, Francis Louis. | 5 00 |

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| Slicer, Mrs. Thomas R. | \$5 00 |
| Smith, Dr. A. H. | 5 00 |
| Smith, G. | 2 00 |
| Smith, Geo. C. | 10 00 |
| Smith, James Rufus. | 10 00 |
| Smith, Wm. Alex. | 20 00 |
| Smith, W. Wheeler. | 10 00 |
| Speers, James M. | 20 00 |
| Speyer, Leo. | 10 00 |
| Speyer & Co. | 10 00 |
| Spool Cotton Co., The. | 25 00 |
| Stamford Mfg. Co. | 20 00 |
| Starr, Theo. B. | 10 00 |
| Start, Miss Mary. | 5 00 |
| Stetson, Mrs. F. L. | 25 00 |
| Stevens, Mrs. Byam K. | 5 00 |
| Stewart, Hon. W. R. | 10 00 |
| Stickney, Joseph. | 10 00 |
| Stokes, Anson Phelps. | 25 00 |
| Stokes, J. G. Phelps, M. D. | 50 00 |
| Storer, Mrs. Albert. | 5 00 |
| Thomas, Dr. T. Gaillard. | 10 00 |
| Thomson, John W. | 10 00 |
| Thorne, Samuel. | 10 00 |
| Tiebout, C. H. | 5 00 |
| Tiffany & Co. | 20 00 |
| Tooth, Wm. | 20 00 |
| Townsend, R. H. L. | 10 00 |
| Tuck, Dr. Henry. | 5 00 |
| Tuckerman, Alfred. | 10 00 |
| Twitchell, Herbert K. | 2 00 |
| Uhlmann, Frederick. | 10 00 |
| Ullman, E. S. | 10 00 |
| Vanderpoel, Mrs. John A. | 5 00 |
| Vanderveer, Miss E. F. | 1 00 |

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| Van Ingen, Mrs. E. H. | \$10 00 |
| Van Santvoord, A. | 10 00 |
| Vermilye & Co. | 10 00 |
| Vernon, Harold. | 3 00 |
| Wagner, John. | 5 00 |
| Warburg, F. M. | 25 00 |
| Ward, John Seely, Jr. | 50 00 |
| Washburn, Wm. Ives. | 5 00 |
| Waterbury, Mrs. C. A. | 10 00 |
| Watertown First Presbyterian Church. | 25 32 |
| Weeks, Mr. A. A. | 25 00 |
| Welch, Mrs. Alexander M. | 5 00 |
| Wells, Henry C. | 5 00 |
| Wells, Miss Julia Chester. | 10 00 |
| Wetmore, Dr. J. McE. | 10 00 |
| Wheeler, F. Merriam. | 10 00 |
| Wheelock, Dr. Geo. G. | 10 00 |
| White, Mrs. Stanford. | 10 00 |
| White, S. V. | 10 00 |
| Whitcomb, P. R. | 10 00 |
| Whitehouse, Mrs. J. H. | 10 00 |
| Whitlock, Mrs. D. B. | 10 00 |
| Whiton, S. G. | 10 00 |
| Wicke, Wm. | 10 00 |
| Wiggins, T. C., M. D. | 10 00 |
| Willecox, Wm. G. | 5 00 |
| Willets, John T. | 10 00 |
| Williams, Geo. G. | 20 00 |
| Winthrop, Egerton L. | 25 00 |
| Winthrop, Mrs. Greenville. | 25 00 |
| Wintringham, Sidney. | 25 00 |
| Witherbee, Mrs. F. S. | 15 00 |
| Wolff, Lewis S. | 10 00 |
| Wormser, Mrs. Isidor. | 10 00 |
| Yonkers Westminster Church. | 5 00 |

DONATIONS OF CLOTHING.

| | |
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| Hospital Book and Newspaper Society. | Mrs. E. Perry. |
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Rev. T. R. Slicer.
Katherine Bacon Smith.
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Miss Spafford.

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Mrs. Wetmore.
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DONATIONS OF PROVISIONS.

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Ferris & Co.

O'Donohue Coffee Co.
Rohe & Brother.

APPENDIX.

CHARTER OF THE PRISON ASSOCIATION OF
NEW YORK.

AN ACT to incorporate the Prison Association of New York.

Passed, May 9, 1846, by a two-thirds vote.

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

Section 1. All such persons as are now or hereafter shall become members to the said association, pursuant to the constitution thereof, shall and are hereby constituted a body corporate, by the name of "The Prison Association of New York," and by that name have the powers that, by the third title of the eighteenth chapter of the first part of the Revised Statutes, are declared to belong to every corporation; and shall be capable of purchasing, holding and conveying any estate, real or personal, for the use of said corporation; provided that such real estate shall never exceed the yearly value of ten thousand dollars, nor be applied to any other purpose than those for which the corporation is formed.

§ 2. The estate and concerns of said corporation shall be managed and conducted by its executive committee, in conformity to the constitution of the said corporation, and the following articles that now form the constitution of the association shall continue to be the fundamental laws and constitution thereof, subject to alterations in the mode therein prescribed.

ARTICLE I.

The objects of the association shall be:

1. The amelioration of the condition of prisoners, whether detained for trial, or finally convicted, or as witnesses.
2. The improvement of prison discipline and the government of prisons, whether for cities, counties or States.

3. The support and encouragement of reformed convicts after their discharge, by affording them the means of obtaining an honest livelihood, and sustaining them in their efforts at reform.

ARTICLE II.

The officers of the society shall be a president, vice-presidents, a corresponding secretary, a recording secretary, a treasurer and an executive committee. There shall be the following standing committees, viz.: a finance committee, a committee on detention, a committee on prison discipline and a committee on discharged convicts. The number of the executive committee shall consist of not more than thirty-five, of whom not more than ten shall be officers of the society and not more than twenty-five shall be persons other than officers.

ARTICLE III.

The officers named in the preceding article shall be ex officio members of the executive committee, who shall choose one of their number chairman thereof.

ARTICLE IV.

The executive committee shall meet once in each month and keep regular minutes of their proceedings. They shall have a general superintendence and direction of the affairs of the society, and shall annually report to the society all their proceedings, and such other matters as shall be likely to advance the ends of the association.

ARTICLE V.

The society shall meet annually in the city of New York, at such time and place as the executive committee shall appoint, and at such other times as the president, or, in his absence, one of the vice-presidents shall designate.

ARTICLE VI.

Any person contributing annually to the funds of the association not less than five dollars shall, owing to such contribution, be a member thereof. A contribution of \$500 shall consti-

tute a life patron; a contribution of \$100 shall constitute an honorary member of the association for life; and a contribution of fifty dollars shall constitute a member of the association for life. Honorary and corresponding members may, from time to time, be appointed by the executive committee.

ARTICLE VII.

A female department shall be formed, consisting of such females as shall be selected by the executive committee, who shall have charge of the interest and welfare of prisoners of their sex, under such regulations as the executive committee shall adopt.

ARTICLE VIII.

The officers of the association shall be chosen annually at the annual meeting, at which time such persons may be elected honorary members as shall have rendered essential service to the cause of prison discipline.

ARTICLE IX.

Any society having the same object in view may become auxiliary to this association by contributing to its funds and co-operating with it.

ARTICLE X.

The executive committee shall have power to add to any of the standing committees such persons as, in their opinion, may be likely to promote the objects of the society, and shall have power to fill any vacancy which may occur in any of the offices of the association, intermediate the annual meetings.

ARTICLE XI.

This constitution may be amended by a vote of the majority of the society at any meeting thereof, provided notice of the amendment has been given at the next preceding meeting.

The officers selected for the current year, under the constitution, shall continue to be the officers thereof until others shall be duly chosen in their places.

And it is hereby further enacted that no manager of said society shall receive compensation for his services.

§ 3. The said executive committee shall have power to establish a workhouse in the county of New York, and in their discretion, to receive and take into the said workhouse all such persons as shall be taken up and committed as vagrants or disorderly persons in said city, as the Court of General Sessions of the Peace, or the Court of Special Sessions, or the Court of Oyer and Terminer, in said county, or any police magistrate, or the commissioner of the almshouse may deem proper objects; and the said executive committee shall have the same power to keep, detain, employ and govern the said persons as are now by law conferred on the keepers of the bridewell or penitentiary in said city.

§ 4. The said executive committee may, from time to time, make by-laws, ordinances and regulations relative to the management and disposition of the estate and concerns of said association, and the management, government, instruction, discipline and employment of the persons so as aforesaid committed to the said workhouse, not contrary to law, as they may deem proper; and may appoint such officers, agents and servants as they may deem necessary to transact the business of the said association, and may designate their duties. And the said executive committee shall make an annual report to the Legislature and to the corporation of the city of New York, of the number of persons received by them into the said workhouse, the disposition which shall be made of them by instructing or employing them therein, the receipts and expenditures of said executive committee, and generally all such facts and particulars as may exhibit the operations of the said association.

§ 5. The said executive committee shall have power, during the minority of any of the persons so committed to the said workhouse, to bind out the said persons so being minors, as aforesaid, as apprentices or servants, with their consent, during their minority, to such persons and at such places, to learn such proper trade and employment as, in their judgment, will be most

conducive to the reformation and amendment and future benefit and advantage of such persons.

§ 6. The said executive committee, by such committees as they shall from time to time appoint, shall have power and it shall be their duty to visit, inspect and examine all the prisons in the State, and annually report to the Legislature their state and condition, and all such other things in regard to them as may enable the Legislature to perfect their government and discipline. And to enable them to execute the powers and perform the duties hereby granted and imposed, they shall possess all the powers and authority that, by the twenty-fourth section of title first, chapter third, part fourth of the Revised Statutes, are invested in inspectors of county prisons;* and the duties of the keepers of each prison that they may examine shall be the same in relation to them as in the section aforesaid are imposed on the keepers of such prisons in relation to the inspectors thereof. Provided, that no such examination or inspection of any prison shall be made until an order for that purpose to be granted by the chancellor of the State, or one of the judges of the Supreme Court, or by a vice-chancellor or circuit judge, or by the first judge of the county in which the prison to be examined shall be situate, shall first have been had and obtained, which order shall specify the name of the prison to be examined, the names of the persons, members of the said association, by whom the examination is to be made, and the time within which the same must be concluded.

STATE OF NEW YORK:

IN SENATE, May 8, 1846.

The bill having been read the third time, two-thirds of all the members elected to the Senate voting in favor thereof,

Resolved, That the bill do pass.

By order of the Senate,

A. GARDNER,

President.

*See section 24.

STATE OF NEW YORK:

IN ASSEMBLY, April 24, 1846.

The bill having been read the third time, and two-thirds of all the members elected to the Assembly voting in favor thereof, Resolved, That the bill do pass.

By order of the Assembly,

A. C. CRAIN,

Speaker.

APPROVED, this 9th day of May, 1846.

SILAS WRIGHT.

STATE OF NEW YORK,
SECRETARY'S OFFICE.

I have compared the preceding with an original law on file in this office, and do certify that the same is a correct transcript therefrom, and the whole of said original.

In testimony whereof, I have hereunto affixed the seal of this office, at the city of Albany, the fifteenth day of May, in the year of our Lord one thousand eight hundred and forty-six.

ARCH'D CAMPBELL,
Deputy Secretary of State.

[Revised Statutes, part IV, chap. 3, title 1.]

§ 24.* It shall be the duty of the keepers of each of the said prisons to admit the said inspectors, or any one of them, into every part of such prisons; to exhibit to them, on demand, all the books, papers, documents and accounts pertaining to the prison or to the detention of the persons confined therein, and to render them every facility in their power to enable them to discharge the duties above described. And for the purpose of obtaining the necessary information to enable them to make such reports as is above required, the said inspectors shall have power to examine, on oath, to be administered by either of the said inspectors, any of the officers of the said prisons, and to converse with any of the prisoners confined therein, without the presence of the keepers thereof, or any of them.

*See section 20 in last revision.

BY-LAWS.

I. There shall be a stated meeting of the executive committee on the third Thursday of each month, and special meetings shall be held on the requisition of the chairman or any three members of the executive committee. The call for a special meeting shall, in all cases, state the business to be transacted at said meeting.

II. At every meeting of the executive committee five members shall be necessary to constitute a quorum.

III. The order of business at every stated meeting shall be as follows:

1. The reading and approval of the minutes of the last preceding meeting.
2. Report of treasurer.
3. Reports from standing committees.
4. Report from the corresponding secretary.
5. Reports from special committees.
6. Report from the general agent.
7. Miscellaneous business.

At a special meeting no other business shall be transacted than that for which the said meeting was called.

IV. The chairman shall appoint all special committees; and no person nominated by him shall be excused, unless upon reasons satisfactory to the meeting.

V. The chairman shall decide all questions of order, subject to an appeal; and the rules of order shall be those embodied in Cushing's Manual, so far as they are applicable.

VI. There shall be four standing committees, namely: A committee on finance, a committee on detention, a committee on discharged convicts, and a committee on prison discipline.

VII. It shall be the duty of the finance committee:

1. To devise ways and means for obtaining the funds necessary to carry on the work of the association; and they may, at their discretion, employ an agent to collect the requisite funds.

2. To audit all bills against the association; and no bills shall be paid by the treasurer unless approved by the committee and countersigned by the chairman.

3. To audit and report upon the treasurer's accounts annually.

4. To invest and control the surplus moneys of the association, under the authority of the executive committee.

VIII. It shall be the duty of the committee on detention:

1. To inquire, as far as may be practicable or necessary, into the causes of commitment of persons in the prisons or houses of detention in the cities of New York and Brooklyn, and to adopt proper measures for procuring the discharge or providing for the defense of such as shall appear to be entitled thereto.

2. To visit frequently the prisons under their charge, and to endeavor to improve both the physical and moral condition of the prisoners in all suitable and practicable ways.

IX. It shall be the duty of the committee on discharged convicts:

1. To correspond with prison agents or superintendents relative to the character and trades of prisoners, and to ascertain, previous to the discharge of each prisoner, his feelings, views and capabilities, with a view of making the best arrangements for his future employment.

2. To keep a record of all persons who will employ discharged prisoners, and of their several occupations; to procure such employment for prisoners and applying therefor as seems best adapted to the capacity of each; to hold correspondence with employers; to keep a record of the conduct and prospects of those for whom places have been obtained, that they may be sustained and encouraged with the idea that a continued friendly interest is felt for them.

3. To secure suitable boarding places for discharged prisoners, where they will not be exposed to corrupting influences, taking care not to have more than one in a place, where it can be avoided.

4. To see that the prisoners are provided with suitable clothing, of a kind that will not attract particular attention.

X. It shall be the duty of the committee on prison discipline: To give attention to the internal organization and management of prisons, embracing the physical and moral influences to be exerted on the prisoners during their confinement. This duty shall be comprised under the following heads: Health, reformation, convict labor, administration and internal police, comparison of different prison systems, visitation of prisons and houses of reformation, and the whole subject of criminal law and penal justice.

XI. One or more agents may be appointed by the executive committee to assist the standing committees in the performance of their duty.

XII. The recording secretary of the association shall be the secretary of the executive committee; and it shall be his duty to keep the minutes of the proceedings of said committee, to record them in a book provided for that purpose, and to give due notice of all the meetings of the committee.

XIII. The corresponding secretary shall conduct the correspondence of the executive committee and of each of the standing committees; when required shall act as the general financial agent of the association, and shall report at each stated meeting of the committee.

XIV. The treasurer shall receive and safely keep all moneys belonging to the association; shall pay over the same as directed by the finance committee; shall report at each stated meeting of the executive committee; and shall give such security for the faithful discharge of his duty as that committee shall require.

XV. The president, chairman of the executive committee and corresponding secretary shall be members, ex officio, of all the standing committees.

XVI. No alteration shall be made in these by-laws, except upon notice of the proposed amendment given at a previous meeting of the executive committee.

INDEX OF SUBJECTS.

| | Page. |
|--|------------|
| Actor vindicated, An..... | 52 |
| Adams's Air-lock Feed..... | 37 |
| Agricultural labor for prisoners..... | 19 |
| Aid to prisoners' families..... | 66 |
| Airspace in Sing Sing..... | 102 |
| Albany county penitentiary..... | 40 |
| Appendix..... | 139 |
| Architect of New York reformatories..... | 106 |
| Association for Improving the Condition of the Poor..... | 27 |
| Auburn State prison..... | 26, 30, 88 |
| Backus, Erastus..... | 49 |
| Berry, Silas W..... | 32 |
| Basket weaving..... | 44 |
| Bedford reformatory..... | 38 |
| Bergen, Mrs. Caroline, report on Raymond street jail by..... | 45, 46 |
| Blackwell's Island, workhouse on..... | 23, 43 |
| Boys, vicious system of committing to workhouse..... | 44 |
| Brookway, Z. R..... | 29 |
| <i>Brooklyn Eagle</i> | 67 |
| Brotherhood of the Kingdom..... | 28 |
| "Buying too cheaply"..... | 55 |
| By-laws..... | 145 |
| Centralization of penal authority..... | 22 |
| Charity Organization Society..... | 27 |
| Chapel attendance..... | 34 |
| Charter of Prison Association..... | 139 |
| Chinese prisoners in jails..... | 39 |
| Citizens, relation of, to prisoners..... | 90 |
| City Waste Disposal Company..... | 35 |
| Civic council of New York..... | 25 |
| Clinton prison..... | 31 |
| Clothing for ex-convicts..... | 70 |
| Cocks, Senator..... | 47 |
| Code of Criminal Procedure, amendment to..... | 48, 91 |
| Collins, Superintendent, report on contagious diseases..... | 31 |
| Corresponding secretary, report of..... | 25 |
| reference to..... | 70 |

| | Page. |
|--|-----------------------------|
| Cottage plan for reformatories..... | 39 |
| Committee on parole law for United States prisoners..... | 29 |
| Committees of P. A. N. Y..... | 5 |
| Conditional liberation..... | 60, 79 |
| Constitution of the United States, quoted..... | 162 |
| Contributions..... | 119 |
| Convict lease system..... | 24 |
| Crapsey, Rev. A. S..... | 82 |
| Criminal, treatment of, report on..... | 28 |
| Criminology a science for noble minds..... | 82 |
| Crofton..... | 14 |
| Cuba, delegates from, to Conference of Charities..... | 28 |
| "Cuffing up" at Elmira..... | 20 |
| Cumulative sentences..... | 23 |
| Dannemora..... | 39 |
| tuberculosis in..... | 34 |
| Dark cells, use of, at Elmira..... | 20 |
| Defenceless Hungarian, A..... | 57 |
| Deuel, Judge J. M., report from, on probation..... | 58 |
| Dietary in penitentiary..... | 46 |
| Discharged convicts in Europe..... | 64, 72 |
| prisoners, opportunities for..... | 61, 64 |
| Discipline of work, the discipline of nature..... | 89 |
| Donations of clothing..... | 136 |
| provisions..... | 138 |
| reading matter..... | 137 |
| "Double deckers" in cells..... | 42 |
| Drainage at Sing Sing..... | 17 |
| Drunkards, short sentences for..... | 27 |
| "Drink did it"..... | 54 |
| Eastern reformatory..... | 19, 31 |
| Economy in administration..... | 21 |
| Elliot, Miss Ada, of C. O. S..... | 60 |
| Elmira reformatory..... | 12, 13, 16, 19, 20, 60, 106 |
| Evils of enforced idleness..... | 87 |
| Ex-convicts, letters from..... | 73 |
| Executive committee, report of..... | 9 |
| Extravagance in construction..... | 22 |
| "Fake" places..... | 61 |
| Farm products, raising of..... | 19 |
| Felony, maximum penalty for..... | 12 |
| Filtration area..... | 36 |
| Financial results not best test of prison system..... | 24 |
| Fines paid by instalments..... | 48 |

| | Page. |
|--|-----------|
| Foster, Judge W. W., admonition by..... | 59 |
| Foster, Mrs. John A..... | 60 |
| Foster, Mrs. Rebecca Salome, "The Tomb's Angel"..... | 49 |
| Friendly supervision..... | 64 |
| Friendly visitation..... | 72 |
| Fry, Elizabeth..... | 84 |
| Furniture industry in prisons..... | 26 |
| Garvin, Albert..... | 29 |
| general probation act..... | 28 |
| Habitual criminals, extravagance of short sentences for..... | 23 |
| Hadden, A. M., motion by..... | 42 |
| Hammock making..... | 44 |
| Hart's Island, removal of boys to..... | 44 |
| Hayes, Rutherford B..... | 81 |
| Health of prisoners..... | 16, 99 |
| Honorary members..... | 114 |
| corresponding members..... | 110 |
| House of Refuge, Hudson..... | 38 |
| Albion..... | 38 |
| Howard, John..... | 84 |
| Hynes, Thos. W..... | 42, 44 |
| Illustrations of probation system..... | 52 |
| Incorrigibles, régime for..... | 15 |
| Incurable offenders..... | 73 |
| Indeterminate sentence law..... | 9, 12, 78 |
| text of parole in..... | 98 |
| Indiana State prison, operation of parole in..... | 14 |
| Indiscreet Watchmaker, An..... | 53 |
| Industries at Auburn..... | 30 |
| Inebriate hospital for New York..... | 27 |
| Insane Criminal, The..... | 39 |
| Insanity at Elmira..... | 20 |
| Inspectors of P. A. N. Y..... | 21 |
| Institutions for training prison officials..... | 89 |
| Investigation of probation cases..... | 51 |
| Isolation in relation to insanity..... | 20, 21 |
| Jails, improved conditions in..... | 39 |
| "Jesus as a Penologist"..... | 28 |
| Judges' opinion as to probation..... | 10 |
| Juvenile offences diminishing..... | 78 |
| Kimball, D. E..... | 49 |
| reports from..... | 52 |
| King, F. A., of University Settlement..... | 60 |
| Klugs county penitentiary, demolition of..... | 27 |
| well administered..... | 40 |

| | Page. |
|---|--------|
| Lads in workhouse..... | 43 |
| Laws passed at last Legislature..... | 9 |
| Legal punishment of drunken and disorderly offenders..... | 23 |
| Legislative hearings..... | 25 |
| Letter of transmission..... | 3 |
| Letters from ex-convicts..... | 73 |
| Library, appropriation for..... | 34 |
| Life members..... | 117 |
| patrons..... | 113 |
| Local committees..... | 109 |
| Machinery in State prisons, bill to abolish..... | 26 |
| Machonochie..... | 14 |
| Malby, Senator..... | 47 |
| Massachusetts, effect of probation in..... | 10 |
| probation law of..... | 78 |
| Inebriate Asylum..... | 25 |
| Prison Association..... | 28 |
| Mattewan prison..... | 39 |
| McLaughlin, George..... | 47 |
| Meal and lodging tickets..... | 67 |
| Memorial to the Legislature..... | 39 |
| Mills, Herbert E..... | 29 |
| Minnesota State prison, operation of parole in..... | 14 |
| Miscarriage of justice, A..... | 56 |
| Misdemeanants and felons, distinction between..... | 16 |
| reformatory for..... | 15 |
| Money aid not given..... | 70 |
| for men leaving prison..... | 87 |
| Morgan, J. H..... | 47 |
| Monroe county penitentiary..... | 40 |
| Napanoch..... | 18 |
| National Conference of Charities and Correction..... | 28 |
| National Prison Association..... | 29, 81 |
| New legislation..... | 91 |
| New York city prison..... | 40 |
| county penitentiary..... | 49 |
| <i>New York Evening Post</i> , report of case in..... | 59 |
| New York State Library, bulletin of..... | 91 |
| Officers, list of..... | 7 |
| Onondaga penitentiary..... | 40 |
| Parole law: 9, 14; text of..... | 97 |
| for United States prisoners..... | 29 |
| work..... | 60 |
| Paroled men, duty to report..... | 62 |
| prisoners, number of..... | 14 |

| | Page. |
|---|--------|
| Penal Code, amendments to..... | 47 |
| Penalties as deterrent..... | 76 |
| Penitentiaries, six in New York..... | 40 |
| Pierce, Rev. F. H..... | 34 |
| Prices of prison goods, how fixed..... | 26 |
| Principles of penal law..... | 80 |
| Prison Association of New York, resolution adopted by..... | 101 |
| importance of work of..... | 66 |
| associations..... | 90 |
| employment..... | 89 |
| made goods in open market..... | 26 |
| "Prison Material," theme of sermon..... | 82 |
| "Prison Methods," theme of sermon..... | 82, 83 |
| Prison industries, protection of..... | 23 |
| officials should be trained..... | 89 |
| what they should be..... | 86 |
| population of New York..... | 84 |
| Sunday..... | 28, 81 |
| Prisons and jails..... | 30 |
| as schools of criminality..... | 77 |
| construction of..... | 23 |
| "Prisons of the Nation and their Inmates"..... | 67 |
| Prisoners' home..... | 65 |
| Prisoners should be called by name, not number..... | 88 |
| Probation law: 9, 10; work of..... | 47 |
| text of..... | 91 |
| in Massachusetts..... | 78 |
| officers: duty of..... | 48 |
| information from..... | 11 |
| training of..... | 11 |
| substitute for short sentence..... | 15 |
| system, economy of..... | 23 |
| work in police courts..... | 58 |
| Punishment, purpose of..... | 84 |
| Punishments, severity of, at Elmira..... | 20 |
| Ransom, Dr. J. B..... | 31 |
| Raymond street jail..... | 44 |
| Reformatories for women..... | 38 |
| Reformatory system, extension of..... | 15 |
| "Released Convict, The"..... | 67 |
| Repentant forger, A..... | 56 |
| Reports: of Executive Committee, 9; of Corresponding Secretary..... | 25 |
| Robertson, Dr., 20; opinion on relation of isolation to insanity..... | 21 |
| <i>Rochester Democrat and Chronicle</i> | 82 |
| <i>Rochester Union and Advertiser</i> | 82 |

| | Page. |
|--|----------------|
| "Rounders," labor test for..... | 67 |
| Sanitarium for tuberculosis..... | 103 |
| School furniture..... | 31 |
| Sentence, suspension of..... | 48 |
| Sewage disposal..... | 35 |
| Shops at Sing Sing..... | 17 |
| Short sentences for habitual criminals..... | 23 |
| Sing Sing prison..... | 16, 17, 31, 72 |
| memorial concerning..... | 99 |
| rebuilding of..... | 30 |
| should be destroyed..... | 88 |
| tuberculosis in..... | 17 |
| Sketch of John Rochester Thomas..... | 105 |
| Skinner, Charles M., GT; extract from writings of..... | 69-73 |
| Solitude and idleness, evils of..... | 87 |
| State Board of Health, resolution of..... | 190 |
| State Charities Aid Association..... | 27 |
| State Commission of Prisons, report of..... | 100 |
| State prison for women, Auburn..... | 38 |
| Statistics, collection of..... | 48 |
| of registration in aid department..... | 67 |
| Striped clothing..... | 88 |
| Swiss plan of supervision..... | 64, 73 |
| Taxpayers, outrage on..... | 22 |
| Taylor, Mrs. J. A., of City Mission..... | 60 |
| Temporary aid..... | 67 |
| Thanks of justices to organizations furnishing probation officers..... | 60 |
| Thomas, John Rochester, minute concerning..... | 105 |
| "Tombs Angel, The"..... | 49 |
| Tombs, New York..... | 22 |
| recommendations for administration..... | 42 |
| Treasurer's account..... | 107 |
| "Treatment of the Criminal, The"..... | 75 |
| Tuberculosis at Sing Sing..... | 17 |
| in Clinton prison..... | 31 |
| "Tuberculosis in Prison," by Dr. Knopf..... | 101 |
| Two youthful forgers..... | 53 |
| Unpromising case, An..... | 55 |
| Volunteer probation officers..... | 11 |
| Walnut Lodge hospital..... | 25 |
| Waring plan of drainage..... | 19 |
| Water supply at Sing Sing..... | 17 |
| Weish, Mrs. C. H., of Salvation Army..... | 60 |
| Willard, David..... | 49 |

| | Page |
|---|------|
| Williams, Mornay, report from, on workhouse..... | 43 |
| Wingate, Charles F., 16; report of..... | 100 |
| Woman's prison, Raymond street jail..... | 44 |
| Women at Kings county penitentiary..... | 46 |
| Work, discipline of nature..... | 89 |
| Workhouse, Blackwell's Island, construction of..... | 23 |
| for released convicts..... | 71 |