

THIRTY-FIRST ANNUAL REPORT

OF THE

EXECUTIVE COMMITTEE

OF THE

Prison Association of New York,

WITH

ACCOMPANYING DOCUMENTS,

FOR THE YEAR 1876.

TRANSMITTED TO THE LEGISLATURE MARCH 16, 1876.

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IN SENATE,

March 16, 1876.

THIRTY-FIRST ANNUAL REPORT

OF THE

for 1875

PRISON ASSOCIATION OF NEW YORK.

PRISON ASSOCIATION OF NEW YORK,
58 BIBLE HOUSE, ASTOR PLACE,
NEW YORK, March 11, 1876. }

HON. WM. DORSHEIMER, *Lieutenant-Governor and President of the Senate:*

SIR.—In accordance with chapter 163 of the Laws of 1846, we have the honor to present herewith the Thirty-first Annual Report of the Prison Association of New York, and respectfully to request that you will lay the same before the Legislature.

THEODORE W. DWIGHT,
President.

SINCLAIR TOUSEY,
Chairman of Exec. Committee.

ELISHA HARRIS,
Corresponding Secretary.

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1875

ANNUAL REPORT OF THE TREASURER.

The Prison Association of New York, in account with Wm. C. Gilman, Treasurer.

Cr.

1875.		
January 8.	By balance of old account.....	\$5,806 14
1876.		
January 8.	By donations to date, as per list.....	1,950 00
	By amount received from the Hon. N. K. Hopkins, Comptroller of the State of New York, being the balance of the appropriation for 1874.....	3,000 00
		<u>\$10,756 14</u>

Dr.

1876.		
January 8.	To cash paid for prison visitation and inspection, including salary of general agent in New York.....	\$4,675 85
	Cash paid for relief of discharged prisoners.....	1,877 45
	Cash paid for rent, fuel, printing, clerk-hire, and other incidental expenses.....	2,770 55
	Balance on hand to new account.....	1,432 29
		<u>\$10,756 14</u>

Cr.

1876.		
January 8.	By balance of old account.....	\$1,432 29

E. E.
NEW YORK, Jan. 22, 1876.

WM. C. GILMAN,
Treasurer.

DONATIONS, 1875.

Abeel, J. H.	\$25 00
Auchincloss, H. & J.	10 00
Brainerd, Cephas	40 00
Badger, Jacob	10 00
Brown, Alex. Hargraves	100 00
Brown, James	100 00
Brown, Stewart	50 00
Brown, John Crosby	50 00
Brown, James M.	25 00
Boker & Co., H.	10 00
Caswell, Mrs. M. H.	10 00
Clarke, Hull	25 00
Corning, H. K.	50 00
Carter, Robert	20 00
Geiston, Miss	20 00
Gilman, Wm. C.	100 00
Hamersly, J. W.	15 00
Hoe & Co., R.	20 00
Johnston, John Taylor	100 00
Murray Fund	25 00
Maghee, Mrs. S. P.	50 00
McKim, J. H.	20 00
Munn, O. D.	25 00
McLanahan, Mrs. C. L.	10 00
Naylor & Co.	25 00
Oathout, Wm.	25 00
Oelrichs & Co.	10 00
Owen, Thomas	25 00
Potter, Howard	50 00
Poppenhusen & König	25 00
Pavenstelt & Co.	20 00
Perkins, Mrs. H. R.	10 00
Rhinelandt, W. C.	100 00
Rogers, C. H.	25 00
Schieffelin, H. M.	25 00
Schieffelin, S. B.	20 00
Singer Manufacturing Co.	25 00
Sheafe, James F.	50 00
Tiffany & Co.	25 00
Titus, James H.	25 00
Wolfe, Miss C. L.	500 00
Wyckoff, H. A.	10 00
Wheelwright, B. F.	10 00
Wheeler & Wilson S. M. Co.	25 00
Anonymous	15 00

1875

Prison Association of New York.

THIRTY-FIRST ANNUAL REPORT

OF THE

EXECUTIVE COMMITTEE.

At the beginning of the year 1875 there were 3,262 convicts in the three State prisons of New York. The six local penitentiaries then contained nearly 3,000 prisoners, and the common jails were crowded in an unusual manner. The disturbed and greatly diminished industries of the country had set loose a vast number of laborers who seemed to make New York their tramping ground.

The sudden release of several hundred convicts, under the operation of the new law of commutation, in June, 1874, permitted the commingling of numerous habitual criminals with the tramps and vagrants then, and since that time, wandering in illness. The police magistrates, and local courts throughout the State, have been constrained to overcrowd the common jails with petty offenders, mostly of these vagabond classes.

Notwithstanding the instant liberation of some 400 convicts from the State prisons in the summer of 1874, there was a larger number of inmates in these prisons at the end of January, 1875, than at any former period of their history, and the number continues to increase. The idle vagrant and common tramp readily becomes a dupe and helper of practiced criminals. The relations of these two classes have become fearfully intimate, and must henceforth be severed as effectually as possible, while the requisite discipline and correctional treatment shall be applied to each class. The increase of habitual criminals, who subsist by depredations on property, is too serious to be any longer regarded as a casual evil, which may cease with the return of general business prosperity and demands for labor. It is chiefly in this class of wretched criminals, who have accepted depredations and larceny as a vocation, that the increase of State prisoners is now noticeable.

The total number of convicts in the prisons at the end of the year 1875, and on the morning of January 1, 1876, was: In the Auburn State prison, 1,427; in the Clinton State prison, 606; in the Sing Sing

State prison, 1,606, and 116 in the Asylum for the Criminal Insane, and 3,596 prisoners in the six local penitentiaries.

A brief statistical summary of the prison and penitentiary population, as reported the 31st day of December, 1875, is here subjoined. The total number in the prisons and penitentiaries, exclusive of the criminal insane, was 7,355, and the total number reported in the three State prisons, at the end of the fiscal year, October 31st 1875, was 2,594.

The record of convictions, as filed in the office of the Secretary of State, shows that, in the year ending last October, there was an increase in the number so returned from the Courts of Record, amounting to 189, and in the returns from Courts of Special Sessions, in the rural counties, and exclusive of cities, there was an increase of 1,865 convictions. There was a decrease in the number of convictions in the Courts of Special Sessions in the cities, as far as reported to the Secretary of State, but we have no accurate records of the great numbers of vagrants and drunken and disorderly persons temporarily committed, but dismissed without conviction.

TABLE No. 1.

STATE PRISON.	Total No. of prisoners in the State Prison, ending 31st Dec. 1875.		Total No. of prisoners in the State Prison, ending on the 31st Dec. 1874.		Total No. of children in the State Prison, under 20 years of age, at the closing of the year ending 31st Dec. 1875.	Total No. of prisoners in the State Prison, under 20 years of age, at the closing of the year ending 31st Dec. 1874.	Total No. of prisoners released in any manner in the year.	Total No. of deaths in the State Prison during the year 1875.	Present capacity for prisoners.
	Males.	Females.	Males.	Females.					
Auburn.....	1,427	189	1,238	238	16	674	17	1,280 cells.	
Clinton.....	226	40	218	195	1	218	5	540 cells.	
Sing Sing.....	1,453	220	1,238	730	1	1,238	1	1,200 cells.	
Males.....	1,243	16	58	45				84 cells.	
Females.....	(1,606)								
Total.....	3,639	245	5	1,086	835	8	1,284 cells.		
Asylum for Criminal Insane:									
Males.....	101		37	50					
Females.....	15		5	8					
Total insane.....	(116)		(80)	(58)					
Grand total.....	3,755	474	29	2,030	1,572	33	3,226		

1875

TABLE No. 2.

COUNTY PENITENTIARY.	Total number of prisoners at the beginning of 1876.		Total number of prisoners at the beginning of 1875.		Total number of prisoners during 1876.		Total number of prisoners during 1875.		Total number of prisoners during 1874.		Total number of prisoners during 1873.	
	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.
Blackwell's Island.....	832	141	694	221	670	203	603	195	562	182	464	150
King County.....	624	192	714	271	616	203	520	175	460	156	372	119
Westchester County.....	200	27	227	35	200	30	187	27	168	23	144	19
Syracuse (Onondaga County).....	200	24	224	35	1,667	313	1,677	313	1,848	315	1,850	315
Albany (Albany County).....	241	34	275	38	863	213	1,074	259	215	1,680	400	579
Buffalo (Erie County).....	381	104	485	107	2,853	506	3,759	2,995	869	3,077	1,011	880
Total.....	3,193	533	3,596	646	94	8,175	10,289	15,004	15,413	10,045	37	7
Total number of children in the penitentiary under 15 years.			10	10	94	8,175	10,289	15,004	15,413	10,045	37	7
Total number of prisoners during 1876.			48	48	789	70	10	94	8,175	10,289	15,004	15,413
Total number of prisoners during 1875.			48	48	789	70	10	94	8,175	10,289	15,004	15,413
Total number of prisoners during 1874.			48	48	789	70	10	94	8,175	10,289	15,004	15,413
Total number of prisoners during 1873.			48	48	789	70	10	94	8,175	10,289	15,004	15,413

* The Joint Board for the construction of the penitentiary has appropriated \$50,000 out of the net earnings of that institution for the last year to construct additional cells.

The annual report of the Inspectors of State Prisons for the fiscal year ending October 31, 1875, shows that there were 3,594 prisoners in the prisons under their direction at that date. Also, that 1,251 convicts had been released from State prisons during the year. The following statistics are derived from that report:—

TABLE No. 3.

	Albany.	Sixth Stn.		Clinton.	Asylum for criminal insane.	Total.
		Males.	Females.			
Number of prisoners October 1st, 1874.....	1,202	1,185	191	551	97	3,156
Number of prisoners October 1st, 1875.....	1,312	1,487	129	523	115	3,594
Total inmates in the year.....	1,829	2,233	195	752	140	4,828
Average daily.....	1,901	2,148	195	* 550	108	3,367
Number discharged.....	466	562	60	199	27	1,254
Number transferred from one to another.....	51	853	6	1	10	920
Number pardoned.....	26	34	—	—	—	60
Number of deaths.....	19	11	1	9	5	48
Number escaped.....	2	7	1	5	—	17
Liberated, expiration of sentence (committed).....	415	470	55	171	2	1,113
Otherwise discharged from imprisonment.....	4	1	—	—	29	35

TABLE No. 4.

Convicts liberated from the State Prisons in June and July, 1874.

LIBERATED IN JUNE.

NAME OF PRISON.	Total number liberated in the month.	Number of criminals against property.	Number known to be vicious in prison.	Number known to be of no hope to be of no hope as to habits.	Number known to have without charge.
Albany.....	147	153	61	67	43
Clinton.....	66	56	12	29	13
Sing Sing.....	166	132	19	51	46
Total number released in June.....	379	341	92	129	102

LIBERATED FROM THE STATE PRISONS IN JULY, 1874.

Albany.....	23	28	10	4	21
Clinton.....	30	18	—	11	6
Sing Sing.....	45	39	5	6	16
Total number released in June and July, 1874.....	477	396	107	160	125

The records of the Police Courts of the city of New York probably exhibit a very fair average proportion of the total number discharged without conviction, and without commitment for the action of higher courts, compared with the total number of arrested persons who are

* Estimated.

brought before the police magistrates. The police justices' reports in this city in 1875, show that out of 84,399 cases of accused and arrested persons disposed of in those courts, 29,733 were discharged by the police justices; thus thirty-five per cent. of the Police Court cases were released, and of the total number of persons whose offenses are referred to the Courts of Special Sessions in this city, more than forty-two per cent. are dismissed because no accusers or witnesses appear. This bare statement of the facts regarding the number arrested and detained, the number discharged by police magistrates, and the proportion of those brought before the Court of Special Sessions who are confronted by no witnesses, is calculated to convey an idea of the importance which attaches to the condition and administration of the police prisons and the interests of the more than 84,000 prisoners who, in the course of the year, are detained in them. The Prison Association has continued to make careful examinations into the condition and management of this class of prisons and lock-ups, and a report upon those in the cities of New York and Brooklyn will be found in a subsequent part of this report, prepared by the Chairman of the Executive Committee.

The convictions in the total of cases summarily decided in Police Courts of the city equalled 65.8 per cent. of the number in their separate jurisdiction (12,145 convictions in 64,050 cases); 820 were bailed to keep the peace; while there were sent from Police Courts to the higher courts, 10,359 cases, or 12.28 per cent. of the total number of arrested persons. The ratio of convictions in the number so sent to the higher courts is about 48 per cent. of that number. The annexed abstract of the primary judicial proceedings taken in the 54,655 committed persons, out of the 84,399 who were arrested in the city of New York during the year 1875, presents a view of the classes of offenses, the ages and sexes of the offenders, and the numbers held under commitment.

ABSTRACT of the Records of Police Courts in the city of New York for the year ending October 31, 1875.

KIND OF OFFENSES.	Total number of persons.	Total number of persons.		Total number of persons.	Total number of persons.	
		Males.	Females.		Males.	Females.
Felonies.....	4,728	4,100	578	3,126	2,787	389
Assault, felonious.....	314	183	24	286	285	16
Burglary.....	800	750	20	598	588	10
Carrying concealed weapons.....	40	40	0	35	35	5
Embezzlement.....	151	149	2	107	105	2
Fake pretenses.....	802	105	11	103	96	7
Forgery.....	94	80	4	37	34	3
Exhibiting gambling implements.....	14	14	0	10	10	0
Extortion.....	10	10	0	6	6	4
Grand larceny.....	1,857	1,263	374	981	828	153
Larceny from the person.....	728	565	163	491	493	0
Selling lottery tickets.....	124	121	3	79	78	1
Perjury.....	10	10	0	6	6	4
Receiving stolen property.....	182	130	22	84	69	15
Robbery.....	208	194	14	142	134	8
Misdemeanors.....	13,405	11,009	1,804	8,053	7,106	947
Assault and battery.....	6,019	5,285	731	3,011	2,714	297
Assault with intent to steal.....	105	104	1	85	85	0
Cruelty to animals.....	205	202	3	220	220	0
Keeping disorderly house.....	208	156	142	317	317	0
Violation excise law.....	1,191	1,148	43	950	950	0
Keeping gambling house.....	23	23	0	30	30	0
Receiving stolen goods.....	162	158	4	120	120	0
Malevolent mischief.....	175	155	20	34	30	4
Selling and exposing obscene literature.....	39	39	0	26	26	0
Perjury.....	4,884	3,750	585	2,850	2,441	409
Violation sanitary code.....	148	139	9	97	95	2
Abandonment.....	415	415	0	137	137	0
Violation corporation ordinance.....	1,619	1,547	72	730	699	31
Discovery contact.....	31,159	19,143	1,967	13,953	7,185	6,768
Intoxication.....	36,091	24,736	11,305	24,517	15,843	8,674
Juvenile delinquency.....	1,923	923	0	507	496	11
Habitual truancy.....	35	36	2	34	22	1
Vagrancy.....	3,619	1,672	1,747	1,111	1,088	1,566

SUMMARY.

	Total number of persons accused.	Males.	Females.
Intoxication and disorderly conduct.....	37,470	.....	.....
Felony.....	3,126	.....	.....
Misdemeanor.....	8,053	.....	.....
Vagrancy.....	3,151	.....	.....
AGES.			
Under 14 years.....	1,572	1,536	336
Between 14 and 20 years.....	3,745	4,327	1,418
Between 20 and 30 years.....	20,894	13,508	7,086
Between 30 and 40 years.....	13,396	10,046	3,349
Over 40 years.....	10,526	7,065	3,471
Age not given.....	712	507	155
Total.....	54,635	36,841	17,814

Not only are great numbers of vagrants and drunks subjected to no conviction and correctional treatment after arrest, but greater numbers still are not subjected to the admonition of an arrest and examination. Nuisances as such vagabonds are, when tramping and begging or stealing

are unweelcome in any court, and most offensive and morally degraded when sentenced to idle imprisonment. The county jails are overcrowded with this class of prisoners. The public sentiment throughout the State demands the prompt amendment of this evil.

Jails crowded with vagabonds and idlers are a nuisance and peril to the community, though by the detention of these outcasts the jail-keepers make their perquisites, while various persons who attach themselves to magistrates and sheriffs, help to enlarge the cost of the transportation and custody of such guests of the county jails. This idle imprisonment of men and youth in the jails is short sighted and blind policy, by which the worst evils of vagrancy and ultimate pauperism are inflicted upon prisoners and the people. Every vagabond needs to be brought under the energizing influences of useful and diligent industry, and made to feel the directing force of superior intelligence, and a strong will of a competent superintendent of such correctional and instructive labor.

The first step toward the desired preparation of a way for correctional discipline of the disorderly, vagrant and other common offenders, now lodging and feeding at public expense in the county prisons, debased and destroyed by idleness, or perilously tramping throughout the State as vagabonds, was taken by the Legislature in 1875, in the Act to define the powers and duties of supervisors in the counties, and to enable every board of supervisors to bring all such committed offenders out from the jails, and put them at suitable kinds of remunerative labor in places, on grounds, or in correctional institutions, under wholesome discipline. Though this law is only permissive, it places upon every county the first responsibility for providing for the proper correctional treatment of these classes.* The Act here mentioned being rendered necessary by certain amendments of the third article in the State Constitution, and being evidently a carefully framed law, is adapted to endure the test of an efficient application of its provisions, and as it prescribes the ways and

* The portion of Section 1 of the Act (chapter 482, Session Laws of 1875), which particularly relates to the powers and duties of boards of supervisors in regard to the correctional employment of offenders here referred to:—

“To purchase, or otherwise acquire, for the use of the county, real estate, * * * * * for jails, and such other places of confinement as may be authorized or required by law for the safe keeping and employment at hard labor of offenders, and for the detention of witnesses, and of women and children, held for trial for offenses where the punishment prescribed is imprisonment for a term less than five years; and also, for establishments for the care of” (etc., various classes of dependents described). * * * * *

“To provide for the employment for hire, or in the work of the county, of persons who shall be convicted of drunkenness or misdemeanor, or as disorderly persons, or vagrants, or of any crime less than a felony, and who may be sentenced at hard labor in the county jail; and to contract with the authorities of any other county for the reception into the penitentiary of such county, and the county and hard labor therein, of any person who may be convicted of any of the aforesaid offenses, and sentenced to confinement at hard labor for a term exceeding sixty days.”

means for establishing the institutions and the industries for the classes of offenders here mentioned, the hope is now warranted that the idle imprisonment of vagabonds, tramps, drunkards, and disorderly persons in the common jails, will soon be superseded by an effectually correctional treatment, and that the perilous tramping of habitual criminals and vagrants will cease, under the faithful application of that law. It may safely be predicted that by the prompt and faithful administration of the proper methods of correctional or disciplinary industry in the several counties, or, at least, by provisions which the counties shall make, the decrease of State prison offenses will be almost as well marked as the decrease of vagrancy and disorderly conduct, for the latter are the highways to the penitentiaries and State prisons.

The annexed summary of the returns of records of convictions in the Courts of Record and in the Special Sessions Courts in the State, during the past year, as far as such records have been filed in the office of the Secretary of State, shows how greatly the crimes against property predominate over all others, and how enormously large is the list of convictions in the latter courts.*

The increase of crime is not so strongly indicated in the court returns which reach the Secretary of State, as in the census of the prisons and penitentiaries year by year. The accuracy of the latter method of enumeration helps to show the nature and extent of deficiencies in the former, but there appears to have been an increasing degree of vigor

* STATEMENT OF THE NUMBER OF CONVICTIONS for Criminal Offenses, reported to the Secretary of State by the clerks and sheriffs of the several counties of the State, for the fiscal year ending October 31, 1875:

Whole number of convictions reported by county clerks in courts of record.....	3,433
Whole number of convictions reported by county clerks in courts of record, included in last annual report.....	3,568
Increase.....	135
The convictions thus reported were as follows:	
Offenses against the person.....	840
Offenses against the person, by last annual report.....	631
Increase.....	209
Offenses against property, with violence.....	719
Offenses against property, with violence, by last annual report.....	716
Increase.....	33
Offenses against property, without violence.....	1,234
Offenses against property, without violence, by last annual report.....	1,422
Decrease.....	188
Offenses against the currency.....	87
Offenses against the currency, by last annual report.....	59
Increase.....	28

and faithfulness in pushing convicts forward to sentence and imprisonment, and in awarding to habitual criminals the longer terms of imprisonment which they deserve, and from these causes, as well as from deficiencies in returns to the Secretary of State, the increase of prisoners appears to be more marked than that of the ratio of recorded convictions reported to the Secretary of State. It also appears to be true, that the sentencing of criminals has probably more speedily and certainly followed their conviction, than was the case during a former period: but no public register of crimes is kept in this State which exhibits the facts respecting the movements of convicted criminals with such completeness and accuracy as to show what criminals fail to be punished according to law, and for what reasons the penalties for crime are not promptly awarded. The want of a thoroughly faithful system of criminal and court records in the State, is apparent at every step of inquiry into the causes and immunities of crime among us. This subject is properly presented in a statement appended to this report.

Executive clemency has been exercised less frequently during the past seven years than in the preceding period. The increasing caution in granting pardon to State prisoners is worthy of the executive head of the government, and if this caution indicates a keener appreciation of the duty of preventing habitual criminals from being unworthily released

Other offenses.....	693
Other offenses, reported in last annual report.....	680
Increase.....	13

Females convicted in courts of record.....	209
Females convicted in courts of record, by last annual report.....	217
Decrease.....	8
Convictions in courts of record, reported by county clerks.....	3,423
Convictions in courts of record, reported by sheriffs.....	2,926
Excess of convictions reported by county clerks.....	495

SPECIAL SESSIONS.

Convictions reported by county clerks.....	34,315
Convictions reported by county clerks in last annual report.....	32,573
Increase.....	1,742
Females convicted in Special Sessions.....	5,894
Females convicted in Special Sessions, by last annual report.....	5,771
Increase.....	123

SHERIFFS' REPORTS OF SPECIAL SESSIONS IN CITIES.

Convictions in Special Sessions.....	60,375
Convictions in Special Sessions, by last annual report.....	61,975
Decrease.....	1,700

from imprisonment, it is a subject for congratulation; but, unfortunately, the habitual and professional criminal is too often able to command, most unworthily, such strong and specious influences and testimony in his favor, as to command more attention than he deserves, while other prisoners more worthy, and even innocent in exceptional cases, disheartened, friendless and ignorant, may never, in prison, obtain the hearing which their cases may deserve. The executive pardon is not therefore, so uniformly based upon innocence, or the reformatory penitence of the prisoner, as upon the merciful view which is taken of his condition. The Prison Association is extremely careful that its officers encourage no unworthy plea of a prisoner for the Governor's pardon. In such duties the aim is to be truly useful and just to society and to the prisoner, as well as to the chief magistrate. But in rendering such service from conscious duty to friendless prisoners and to the State, the words of the late Dr. Francis Lieber, concerning the pardon of convicts, are ever kept in mind. In his introduction to MM. De Togueville and De Beaumont's report on the penitentiary system, that late learned associate said: " * * * It is the certainty of the punishment, not its cruelty, which prevents crime. The criminal, yet at large, calculates on pardon as one of his chances of impunity, and the imprisoned convict, having a chance of being pardoned any day, is deprived of that calm resignation, which certainty of his punishment alone can produce, and which must precede any salutary reflection on his past life, and earnest resolution to become a better member of society."

The records in the office of the Secretary of State show that in the year 1866 there were ninety-four State prisoners pardoned; in 1867 there were seventy-three; in 1868 there were fifty-nine; in 1869 there were fifty-four; in 1870 there were fifty-four; in 1871 there were fifty-five; in 1872 there were seventy-two; in 1873 there were thirteen; in 1874 there were twenty-nine.

The Corresponding Secretary and other members of the Prison Association who have had free access to the State prisons, for the benefit of convicts who were about to be released, report that in the past four and a-half years they have in no instance used any influence to secure from the Governor the exercise of pardoning power, except as they have pointed out the way for correctly presenting testimony to the Wardens, the Board of Inspectors and the executive. They also report that the Wardens have cordially given their attention to any case that has seemed to demand clemency or inquiry, and that no interference with the discipline and order of the prisons has occurred from the special opportunities enjoyed by the Prison Association in the performance of its duties in respect to convicts who have been allowed to have interviews with officers

of this body agreeably to the official acts of the Board of Prison Inspectors, dated July 9, 1872.*

The duties of the general agent have been performed with great alacrity and care during the past year. He reports that he has visited 4,832 persons in the detention prisons of New York City and Brooklyn, and that 1,459 discharged prisoners have called at his office and their cases been suitably disposed of. He advised and aided with money, lodging or tools, 471 persons, examined into 346 complaints, of which he induced eighty-seven to be withdrawn because they were too trivial for prosecution, and procured the discharge of 113 persons for various causes shown and which satisfied the courts of the justice of the views which he took of the cases.

His office was removed to No. 83 Nassau street, in this city, in May, 1875, and it has been more thronged by applicants than in any previous year. Stationed as he is in the chief city of the State, he has daily access to nearly one-half of all persons detained for examination and for trial in the commonwealth, and from the proclivity of released convicts to drift into this great rendezvous and hiding place of the criminal classes, the agent's office is crowded with applicants for aid and advice. Useful and steady labor is the best help and the only effectual remedial agency which can be provided for the wants of men on their release from the prisons and the community of criminals. The Association has endeavored to secure such employment.

The system of advising with the convict before his discharge, has been kept up during the past year in the three State prisons, notwithstanding it has been impossible to make suitable provision for each man discharged, the aid and advice of the Association's agent being often rejected or disregarded by the prisoner when liberated. Still, there are cases where the habitual criminal has shown a disposition to amend his life by entering an honorable vocation under great discouragement, and the few cases that occur are not merely encouragement for perseverance in the

* The following action was had by a unanimous vote, and was entered upon the minutes of the State Prison Board, and issued to the Wardens of the respective prisons, July 9, 1872:

"Resolved, That the Agents and Wardens of the several prisons furnish, or cause to be furnished, to such person or persons as may be designated for that purpose at the several prisons by the New York Prison Association in each month, the names, trades, and occupation of all convicts who are to be discharged for the ensuing month; and they are further instructed to permit the person or persons thus designated to have interviews and unobstructed interviews with convicts who are about to be discharged, for the laudable object of advising such convicts, ascertaining their future intentions, and procuring for them useful employment on their discharge from prison, not in any manner interfering with the discipline of the prisons; such interviews to take place at such hours as may be determined by the Agent or Warden of the prison where such convict may be imprisoned, and the Agents and Wardens will aid them in advising the convicts to accept the offers of employment thus held out to the liberated convict, and to avoid evil associates; and that the Agents of the Association shall have access to the records in the Clerk's and Chaplain's offices, in order to properly determine the capacity, social circumstances and character of the convicts."

work, but also furnish criterions that assist in the selection of such men from among the great mass of convicts as are most likely to profit by the help which the Association affords. The great majority, however, owing to the bad influence of the congregated illness in which so large a proportion of our convicts are kept, form affiliations with each other in the prison, which the Association is unable to control, and only apply for aid till such time as they have organized their plans for fresh deceptions. In the Blackwell's Island penitentiary, a system of interviews has been maintained, but the field there is the most unpromising of any which this Association visits.

In the midst of unusual difficulties in securing employment for discharged prisoners, the Association has not thought it expedient to withhold its agent's hand from giving such aid in supplying implements, lodging and temporary subsistence, as the urgent necessities of friendless men have required. Such aid has not been allowed to degenerate into alms-giving, for it has been made an incentive to hope and self-help. Efforts have continued to be put forth by the accredited representatives of the Association, at the several prisons, to establish a personal hold upon the individual convicts before release from imprisonment. This service is performed with all possible care, and is followed by excellent results in most cases in which there existed much strength and sincerity of purpose and desire to cease from evil and learn to do well. Correspondence with such discharged prisoners is maintained until they become well established in a useful career, or are again overtaken by their besetting offenses. The good results witnessed in this service, during the past few years, fully equal the best expectations, and far more than repay to the people the money value of all expenditures by the Association. It is hardly necessary to mention that nearly all who reform from vices and crimes are under twenty-five years of age, and that the instances are rare in which men reform who have been repeatedly in prison or who have been leaders and contrivers of crimes.

The state of female convicts is even more deplorable than that of the other sex. Not only do they seem to have more completely abandoned the hope for a better life, but, in their desperation, their mental and moral condition becomes more hopeless than that of the male prisoners. This is a needless evil, because experience in the female prisons of England and Ireland, where the stimulus of hope is maintained, and methods of skilled and suitable employment are made to give the convict a real assurance of means to live virtuously, the percentage of reformation in female convicts has become large. The good work of Mrs. Pierre Van Cortland, who represents the duties of this Association at the prison for women at Sing Sing, continues to produce the same good fruit as in past years. The utterances of that excellent lady, in the report for the past

as for the previous year, give no uncertain indication of the evils she witnesses, and the improvements which are needed in the women's prison. The crowding of two convicts into one narrow cell, and the promiscuous commingling of all classes of the prisoners, the unsatisfied desire to be employed in the kind of trade, industry and domestic labor best suited to render both the present and future of their lives cheerful and self-supporting, the inconsistent and harmful proximity of the worst criminals of the other sex, the insufficient number and stability of matrons, and the instantaneous, unguided and unsupported release of the women who go from the prison, all combine to render the permanent reformation, or even a reasonable restraint of such convicts from crime, almost impossible. Even if the probability of reforming any large per centage of convict women was far less than it is under the best methods of penitentiary treatment, still, the system of discipline and industry which will restrain the greatest number from relapsing into a criminal career, is plainly the most economical and consistent system for the State to adopt, because women who give themselves up to a life of crime are deprecators and destroyers in that double and aggravated degree in which the most artful, passionate, abandoned and powerful contriver and accomplice becomes man's helper and woman's instructor in the worst of crimes. Mary Carpenter, of England, has well stated the fact, that "the importance of the work of female reformation cannot be doubted, for no one can calculate the amount of crime which may be saved to the country by the rescue of a woman from a vicious life. * * * The expense which a bad woman is to the public, who comes forth from a lengthened imprisonment unreformed, is far greater than any possible cost which might have been incurred in reforming her."*

Mrs. Van Cortland has carefully studied the characteristics and necessities of the female convicts at Sing Sing, and, in our opinion, her urgent plea for the classification, the more suitable employment, and avoidance of herding of such prisoners, is fully warranted by the facts at that prison. Her plea may properly extend to the female wards of each of the six penitentiaries, for more of the young and hopeful classes of State prison women are found in the latter than in Sing Sing. There were 533 female convicts in the six penitentiaries, and 143 in the prison for women at Sing Sing, at the beginning of the present year.†

* Our Convicts: By Mary Carpenter. Vol. II.

† The convict prisons of England contained (in 1872) 1,267 female, and 8,457 male prisoners. There were 376 new commitments of female prisoners, besides thirty-eight remanded from the "refuges," or intermediate homes, to serve out their full time. The English law relating to female State prisoners has been so modified as to offer the convicts an opportunity to enter certain "refuges," wherein they may test their ability and purpose to forsake a criminal career, and the vices by which they fell into crime. During the trial or testing period, in the year 1872, only a few of the thirty-eight were returned to the prisons in consequence of the repetition of their crimes, but were

Every prison exhibits, in its groups of convicts, a number of individuals, who present the deplorable moral consequences of mental neglect, perversity and disease. Diseases of the body, entailed or acquired, disordered minds, corrupted imagination and habits of thought and conversation, ignorance of all high and ennobling truths, and of the means of health and happiness, afflict a far greater number of the criminal population, especially of that class which the laws overtake and consign to the prisons, than the virtuous portion of the community would believe, without the testimony of statistics, or very careful observations on this subject. It has been one of the incidental results of the system of exact inquiry into the condition and personal history of individual convicts in the State prisons that epilepsy, alcoholism, and the inherited nervous and mental perversities of the drunkard's children, the mental and moral depravity entailed by pauperism and a vicious parentage, appear so frequently in the record as to prove that the sequence of crime, character, and a felon's life, is certainly, in many an instance, more than a mere coincidence. In Mr. Dugdale's report upon 233 convicts, whose present condition and past history were carefully investigated by him, these facts stand out in such manner as to have a startling significance. For example, it appears, in the records of these convicts, whose cases were investigated consecutively, and with no attempt at selection, there were forty-six in every hundred who suffered gross neglect in their childhood; forty per cent. of the whole number were orphaned or abandoned in infancy; eighteen per cent. were confessed members and offspring of criminal families; twenty-two per cent. were verified as pauper stock; forty-three per cent. were verified as an inebriate stock, mostly the children of drunkards—in numerous instances both parents being drunkards; thirty-nine per cent. confess that they themselves were habitual drunkards, and no less than twenty-three per cent. of all these criminals belong to families in which insanity, epilepsy and disabling disorders of the nervous system are reported; and of the total number nearly seventy-six per cent. were habitual criminals.

chiefs sent back because of their vices or their acts of disobedience. The results of this most instructive experiment, now ten years in progress, have led the government to give the women convicts nine months, instead of six, as at first provided, as the testing or intermediate term, before release, at the expiration of sentence. Whoever may seek for accurate and convincing information respecting such methods of testing and strengthening the moral and physical health of female convicts, as a means of protecting society, and saving the erring, friendless women from the relapses into crime, supposed to be the rule with discharged female convicts, will find in the records of the "refuges" for convict women the Carlisle, the Stratham and the Finchley, in England, and the refuge at Golden Bridge, and that on Hydesbury street, Dublin, the proof that it is possible to rescue a large majority of female criminals from the ways of crime. Rescue may come far short of reform, but that the duty of rescuing is amply rewarded by a decrease in the amount of crime and the number of offenders, appears to be proved in the experience of England and Ireland.

While the convicts who crowd the State prisons and the penitentiaries thus appear as objects worthy of constant inquiry and concern, the inmates of the sixty-eight county prisons and more than 200 lock-ups in the State continue to receive such attention as the local committees are able to give to them. To these committees in the counties and cities of the State, the Prison Association thankfully acknowledges great obligations, for it is by their good work that every jail is visited weekly and a local interest and living public sentiment fostered and brought into activity to promote the educational, industrial and moral agencies which tend to prevent the causes of crime, and which also visit the prisoner and teach him to cease from evil and learn to do well. Extracts from the regular statements from these local committees will be found in the body of evidence appended to this report.

The county jails have become castles of indolence, where vagrants and tramps find lodging and full subsistence awarded for the petty misdemeanors they have committed. The disturbed and partially suspended condition of the common industries throughout the United States for the past two years has incited vast numbers of the unsettled and least orderly classes of people to seek subsistence by a precarious method of life in the cities and wealthy districts of New York. Probably no other State has suffered so much from tramps and vagabonds. The State prisons contain a great number of these persons, who, within the past two or three years, were detected in crime while wandering as vagabonds and tramps. Professional and habitual criminals have sought to shield their real vocation as thieves and burglars while tramping and asking the bread of charity with the poor laborers who were honestly seeking employment, and with itinerant *lazzaroni* who tramp throughout the State for the misplaced sympathy and the bread of idleness upon which they live. Not only do these three classes of wretched men and youth wander about in each other's company, and often keep company in the jails, but the criminal members of these groups of vagrants bring under their personal sway such of their fellow wanderers as they wish for helpers in their predatory exploits. These causes of crime and the increase of criminals are now under observation by this Association's affiliated committees who urgently unite in the appeal to the Legislature for the vigorous application of a system of correctional and penal industries by which these neglected causes of the increase of crimes and offenders shall be brought under control.

The local committees of co-operation and correspondence, which in the several counties of the State maintain systematic inquiry into sources of crimes, the condition of the jails and prisons, and the wants of discharged prisoners, have continued faithfully to represent the Prison Association, and cause its works to be understood and rendered measur-

ably effectual in every county, as will appear in the abstracts from the reports of these committees given in an appended statement on county prisons.

These sixty local committees are now the centers of important influence and support in the endeavor to improve the prison system, and give effect to preventive measures against the beginning of criminal and disorderly life. Though destitute of all legal power to interfere with the evils and the errors they witness, these county committees have become so well informed respecting the sources of crimes and the default in public duty as well as in the laws and proceedings relating to offenders, that the testimony and suggestions they now submit through the Prison Association should receive attention from the Legislature. The reports of these committees to this Association show especially that the common practice of inflicting brief sentences upon the offenders of vagrancy, public drunkenness and petty larcenies, and committing the convict to the county prison, fail to repress such misdemeanors; and, further, that the presence of such convicts in the common jails is an unmitigated evil: that the presence and boldness of habitual criminals throughout the State is also an enormous evil, and that the habitual criminal act is utterly unoperative.

The chairman of the committee in Oneida county recites an instance which graphically illustrates the nature and consequences of this flagrant neglect to enforce the habitual criminal act. Referring to this Association's annual circular, the chairman of the committee says: "In your annual circular that 'professional criminals now constitute such a large, desperate and organized array, as to be almost secure against the ordinary proceedings of the criminal laws; and the habitual criminal's act of 1873 has, at the shame of the State, remained a dead letter.' Oneida county furnishes good proof of the truth of this statement. Throughout the summer a gang of desperadoes made Utica their headquarters. Many burglaries were committed, and the citizens generally became alarmed. The suspected burglars stood on the street corners every day and made no effort to conceal themselves. Owing to the lack of positive evidence against them, an effort was made to secure their arrest under the habitual criminal's act. The police authorities were told by lawyers of distinction that no proceedings could be maintained under that statute; that while it was general in its phraseology, it was meant to be special in its application, and that it could not be properly enforced here.

"The burglars enjoyed immunity from arrest, on the ground that there was no evidence to warrant their detention, until a masked burglary of peculiar atrocity was traced home to them. Ten arrests were made and three members of the gang were tried, convicted and sentenced each

to eighteen years' imprisonment." And, as if to add a fresh illustration of the utter disregard of the habitual criminal's act, the other seven rescals were discharged. (For the sequel of this case, see p. 61 of the present report.)

The county jails in this State are discreditably to a civilized people. They bequeath to us in the nineteenth century and in the centennial of national history, many of the evils of the bridewells and jails of England in Howard's time. Our county jails are also made to serve the purposes of local prisons, in which a great variety of offenses* and misdemeanors are punished by sentences for various terms, from five days to one year. The words of Howard in 1777, may be applied to our New York county jails to-day. " * * * There are few bridewells in which any work is done, or can be done. The prisoners have neither tools nor materials of any kind, but spend their time in sloth, profaneness and debauchery." Even the very first evil which Howard, as the sheriff of Bedfordshire, attempted to correct and did correct, continues in the State of New York in our time, namely,—the gains of jail-keeping being dependent upon the number and vices of the prisoners,—the sheriff, as head keeper, will not reform abuses unless he is made a salaried officer. Howard said in 1777: "I applied to the justices of the county for a salary to the jailor in lieu of his fees." Those worthy county officials replied as county officials would in our day, for the good sheriff and great philanthropist remarks that, "the bench were properly affected by the grievance and willing to grant the relief desired, but they wanted a precedent for charging the county with the expense."

It is deplorable, nay culpable, that the largest profits of jail-keeping and the traditional perquisites of the county sheriff should be dependent upon the increased number of jail prisoners and of their vicious indulgences in the county prison. This evil has been faithfully set forth in reports from the county committees. Particular attention is called to the statements on this subject by the Richmond county committee. The fact that from 80,000 to 90,000 offenders and accused persons are annually lodged in the county jails in the State, and that all grades and ages are promiscuously commingled in nearly all of them, shows how important it is that the condition of these local prisoners should be under constant observation, and an urgent public sentiment be maintained for the faithful enforcement of wholesome regulations in them. The thorough revolution and reform of the local jail and county prison system cannot be very distant, when in every county and city in

* The laws of this State prescribe county jail imprisonment for 387 different offenses.

† See the statements in Appendix of this report; also pages 94-96, Thirtieth Report, and pages 55 and 56, Twenty-ninth Report.

the State the people are aroused to prevent public damage growing out of the existing methods of their administration. The report upon the Tombs and police jails in the city of New York by the chairman of this committee, and the reports on the Brooklyn and Kings county jails show that in these great centers of population, the two county jails are perilously overcrowded, while the police prisons or lock-ups have recently been much improved. The county jails of the counties of Oneida, Orange, and Erie present, in the cities of Utica, Newburgh, and Buffalo, the same culpable herding of prisoners, and unfitness of bad prison structures and appointments, as are conspicuous in the Raymond street jail of Kings county, and in the Tombs of New York.

The detention of witnesses in the common jails is becoming less frequent than in previous years; still, it is true, that in most of the counties, if the courts demand the detention of such persons, the county jail is the common receptacle into which criminal and witnesses, the vagabonds from the purlieus of infamy, the tramps from the highways, are thrust through the same clanking doors, which, in the public estimation, brand with some sort of infamy all who enter at the command of sheriff and jailer. Even in the few houses of detention which have been prepared for lodging and safe keeping of witnesses in the State, such personal hardships, injustice, and needless inconvenience and wrong continue to be experienced by a great portion of the individuals so detained, that not only the reform of these evils is urgently required, but a more rational, just, and effective procedure must be devised for securing the ends of public justice, without such protracted and enforced detention of witnesses. The Prison Association again asks the attention of the Legislature to the evils wrought by the operation of the existing statutes, relating to the management of witnesses, whose testimony is presumed to be necessary in the future trial of accused persons. Whether for the prosecution of civil or criminal cases, certainly there should be no such oppression of poor and friendless persons, who chance to witness an offense or have evidence in regard to it,—that simply because of inability to give bond for appearance, if called for, they must be harshly deprived of liberty, and restrained from pursuing honest vocations. However plausible may be the plea, that an offender may fail of conviction unless a particular poor and needy witness, too friendless to offer any bond for appearance, shall be detained even for weeks or months to await the trial, certainly the manner in which bonds are given and forfeited by witnesses who can offer such security, proves how indispensably necessary it is that there shall be a reformed and safe method of procedure devised for the taking the testimony of every important witness before the trial, if necessary, in such manner as to place the testimony of the witness securely on judicial record, before any criminal or the crime-

capitalists can devise and apply the ways and means of preventing the appearance of those who could testify against them. It is an indisputable fact, that in the most flagrant instances of great crimes, and in all sorts of crimes against property or the person, wherever the witness is material, the crime high, the culprit wealthy or influential, the latter may, under cover, furnish for the witness the bail which the law now allows, so that he shall not appear at trial. The needed reform in this matter doubtless presents complex questions which have delayed the desired amendment of the laws concerning the detention of witnesses; but a State which promptly canceled from its statute book the law of imprisonment for debt, can afford to require that no person shall be wronged and ignominiously treated, because a mere witness of the wrongs or crimes which others perpetrate. Besides all the wrongs and hardships now suffered by witnesses, known to be innocent, the State suffers immense harm, and public justice is cheated of its means to convict the worst criminals, because of the practices possible and ever at hand under the present statutes. Not only does the present method of dealing with detained witnesses work injustice to the persons so detained, and shut them up in silence, while adroit criminals deride the slow motions of the law officers, who, while holding the witness and accuser, let the offender himself elude their grasp, but the failure upon the first examination of witnesses, and upon the instant they are accessible, to demand all the essential facts which they can disclose, as a bar against criminal means of evading justice, is likewise one of the great faults of the statutes regulating these proceedings.

The last Legislature enacted a law to provide for the entire separation of all women and children detained or committed in jails and prisons, and by a subsequent act (to which reference has already been made on pages 7 and 8 in this report), county boards of supervisors have been endowed with the requisite authority and official responsibility for giving full effect to that law. The efforts now being made to secure the beneficent application of the two acts here mentioned will result in great good by the rescue of children from criminal associations and the saving of women from shame and vices which are tantamount to hopeless abandonment to disorderly and criminal life. The local committees of the Prison Association and the best magistrates in the counties are urging the supervisors to make no delay in providing ways and means for giving effect to these laws, for whenever they are put into operation throughout the State, the *discreditable condition* of the county prisons will be remedied, idle imprisonment of vagabonds and the promiscuous herding of detained persons and jail convicts will no longer occur; and the jails then will become merely places of secure detention, where decent and harmless separation of the persons who await examination

and trial shall be so provided that the ways of public justice and the safe-keeping of the accused, before their conviction or dismissal, shall not be a course of tuition in vice and crime and an enforced association and contact with vicious, filthy, and offensive convicts, who now are sentenced under the fiction of "hard labor" for short terms, and in vicious idleness and wanton profanity. Jail reforms must begin with the faithful application of these new laws and with the rigorous enforcement of the law of 1847, relating to jail-keeping. To aid in procuring the application of these new laws, a special committee of this Association has actively co-operated with the State Charities Commissioners and with others concerned in testing the value of labor for vagabonds and able-bodied tramps. The present Legislature has already undertaken to frame laws to meet this urgent want of thoroughly correctional means for the treatment of these classes of dependent offenders.

The long delay in the work of completing the industrial reformatory at Elmira, causes anxiety in regard to possible perversions of that institution from the objects which induced this Association and the Legislatures, in 1869 and 1870, to prepare the basis for a strictly reformatory system of disciplinary industry for young felon convicts, sentenced for the first time. In the winter of 1870, the farm for this industrial reformatory had already been selected: in March, the Legislature ratified the purchase, and in April, the Act defining the objects, and providing for the plan and government of this important institution, was passed. (Chap. 427, Session Laws 1870.) The construction of the building seems to have had in contemplation a kind of showy prison edifice and walled premises, such as this Association could not have considered necessary for any prison. The enlightened counsels of the late General Pillsbury, while he was in the board of commissioners of construction, secured the adoption of certain elements in the plan, which shall provide for a graded system of discipline, but, up to the present time, there has been no development of the great farm, and of plans for the industrial employment of inmates. Upward of five years have elapsed since the expenditures began upon the premises, and as the middle building and south wing are ready for their furniture, the time has manifestly come for placing the institution in the care of its Board of Managers, and a competent superintendent, so that, as soon as practicable, its doors, work-shops, and grounds shall be ready for the admission and employment of convicts. The statement made by a special committee of this Association, in regard to the reformatory, as presented in the appended papers, gives a concise account of the purposes and plan of its first and steadfast friends.

There is an important fact affecting the welfare of the two houses of refuge in the State, which should be mentioned in the plea for preserv-

ing and speedily opening the Elmira reformatory as a place for the industrial and moral discipline of young felons. In the criminal courts, cases of depraved young felons are arraigned at almost every session, in which, from under statement of age or from other circumstances, the lad with all the attributes and habits of a criminal, is committed to the house of refuge. If at the time he is over sixteen years of age, or whenever he passes that arbitrarily fixed date line between boyhood and the aftertime of life, and his "continued habits of vice and crime have become so hardened and inconceivable as to be improper subjects for the discipline of the house and incapable of benefiting by the influences brought to bear upon them," certainly there should be an open door for such young felons at the industrial reformatory. There is an urgent necessity for the immediate use of the reformatory at Elmira to divert from the State prisons the greater portion of youthful first-term convicts who now constitute thirty per cent, and upwards of the felon prisoners sentenced from month to month. These raw recruits in the army of State prisoners would fill up the industrial reformatory quite as rapidly as the condition of the buildings and the organization of the industries and the premises would allow. Added to such commitments, directly from the courts, on first convictions, it seems inevitably necessary to heed the timely suggestion of the Superintendent and Managers of the New York house of refuge, as soon as the Elmira institution will admit of it, namely, "that all refuge inmates whose age and aptitudes in crime require the discipline of criminals, * * * should be returned to the court from which committed to be dealt with as the law may direct."* Though it would be a disastrous policy for the State to inaugurate the work of the industrial reformatory by colonizing therein several hundred young felons from Sing Sing and the other State prisons, or by any system of drafts from those prisons, it cannot be doubted that the houses of refuge can be saved from the perils which at present threaten them from the presence of many mature young criminals, by some method of penitentiary sentence which at and after the age of sixteen years shall commit the turbulent and dangerous individuals to a prison or the reformatory. Experience has shown that it is quite possible to apply reformatory discipline successfully in most cases of youthful criminals under twenty years of age, whatever the degree of turbulence and depravity. The industrial reformatory at Elmira was founded for the beneficent purpose to apply the highest resources of permanently correctional treatment. It must not be diverted from that purpose.

In each successive report, for the past thirty years, this Association

* See Forty-eighth Annual Report of House of Refuge, New York, page 11.

has earnestly pleaded for the education and industrial training of the children of neglect and want which constitute the permanent stock of habitual criminals. At last the State has enacted and begun to apply an *obligatory education law*. At once the fact is rendered obvious that a large proportion of truants and "street arabs" evince such depravity and *unconformable* mental social conditions which will render it indispensably necessary for every city and almost every county to apply the resources of industrial and domestic training in order to attain the benefits of such laws for promoting universal education when applied to these unfortunate, depraved and homeless, and worse than orphan, children. Such elementary industrial schools will be founded, and therein will be witnessed the organized method of a State for diminishing and extinguishing its hitherto permanent and uncontrolled sources of habitual and predatory crime. While a public interest in this subject has been extending throughout the State and the practical relations of ignorance and the neglect of children to the growth of crime and vice have come under popular review,—the sources and attributes of pauperism and the chief incapacitating misfortunes of dependent classes in our midst have likewise become the subjects of careful investigation. The latter investigation, under the Commissioners of State Charities, is probably not less important in the study of sources of crime and habitual criminals than in the study of entailed pauperism and helpless misfortune.* It is sufficient that we here refer to the special chapter which, in the last year's report of this Association, was presented as a graphic illustration of the inevitable alliances of criminal characteristics and the perpetuated blight of pauperism and neglected childhood.† The local committees

* In the Thirtieth Annual Report, this committee remarked that: " * * * The most constant duty and no small part of the study and effort of the county committees of this Association relate to the sources and preventable causes of crime. Crime, disease, and pauperism entail evils of their own respective kinds upon successive generations, and as the observations of our local committees show, these evils are interchangeable in the course of their entailment. Thus, the percentage of those in permanently pauperized conditions may, in every county, be traced in a great number of instances to criminals, while the progeny of vicious and vagabond parents crowd the jails and prisons. Ignorance, or utterly defective common education and gross social depravity characterize these classes. To sever the links in the chain of such entailed evils, and to instruct, train and save every child that has such a natural heritage of shame and hopelessness, is to reduce the crime classes and break up the entailment of evils which defy run ailes and curative discipline in adult lives. With these facts in view, this Association and all of its county committees and co-workers, earnestly appeal to the judicial authorities and to the Legislature to secure the administration of laws and correctional methods of treatment for the arrest and repression of juvenile delinquencies, vagrancy, vagabondage and the early stages or sources of criminal life, which shall effectually break up and prevent the growth and entailment of the causes of habitual crime, habitual vagabondage and the hopeless heritage of misfortune, shame and pauperism. So intimately allied are these evils, that it is obviously necessary the State should require the proper authorities of every county to provide for adequately and vigorously enforcing a system of correctional and penal industries by which these neglected classes of the increase of crime and criminals shall be brought under control."

† See Thirtieth Annual Report, Prison Association of New York, 1874; Special study in crime and pauperism, as presented by the "Jukes" family, page 130; lunacy, page 132; pauperism, page 162; crime, page 169; relations of honesty, crime and pauperism to each other, pages 173 and 174.

of this Association are carefully inquiring into these nurseries and preventable sources of crime and misfortune, and urging the most comprehensive application of educational, industrial and moral means for saving children from evil.

The sources, causes, movements and employments, the places of rendezvous, the mutual support or alliances, and wretched life and death of criminals, make up such a repulsive history, that the study of them would not be endurable by cultivated minds, were it not, as in the hospitals and in the presence of pestilential diseases, the science of prevention and the art of healing must be learned. The inmates of the State prisons may offer only a small per centage of criminal characters which will be reformed. Even if none are reformed, they must be attentively guarded and observed, and, in such ways as are practicable, be repressed, for the sake of their own and the public welfare. Weak-willed and feeble, passionate and violent, *timid*, without moral strength tempted, friendless, hopeless; or, with masterly and misdirected faculties and consummate wickedness, as contrivers and organizers of great crimes; or, with a morbid and disordered nature, and silently undergoing the terrible consequences of disease, the convicts in our own prisons cannot be too depraved or too criminal to command the kind of concern and effort which this Association bestows. They are our fellow-beings. They are precisely what the best and noblest among men would have been had the latter been born to all the same heritage, and surrounded and touched by all the same pernicious agencies which those in prison, and all the wrecks of men and women have suffered. It is not for the pity and tender regard of the virtuous classes, but for the saving, the

* The corresponding secretary refers, as a medical observer of these classes, and of physiological facts relating to them, to be quite responsible for the corrections of the view here taken, concerning the preponderance of entailed and acquired defects and faults of body and mind in them, especially in the leading groups of habitual criminals. He not only points to the evidence which appears in the analysis of the 223 consecutive cases presented in the Douglas report, as given in the appended papers, and as shown, also, in the group of criminals described in the thirtieth report, but he points more particularly to the largest observations and records of criminal history. The unshakable habits and habitations, the bodily diseases and morbid appetites, and fixed purposes and will of a large proportion of the habitually criminal classes, are vitally associated with the history of criminal families and individual criminals. In Hon. G. W. Hastings' address on the Repression of Crime, before the British Social Science Association, in 1874, that experienced magistrate of the Worcester-shire Quarter Sessions, stated that in the 6022 male prisoners who passed through the Worcester prison, the average height of the men was two inches less than the average height of Englishmen, as given by Dr. Beddoe, and their weight was correspondingly below the standard. Mr. Hastings remarked: "I have been painfully struck with the low and deteriorated aspect, both mental and physical, of the prisoners in the cells," and he added his statement of adherence to the philosophy of varied measures, educational, industrial, moral and penal, for comprehensively dealing with the causes and the repression of crime. "We have to repress, we have to punish, we have, also, to prevent." (Ann. G. W. Hastings, in Transactions of Social Science Association, at Glasgow, 1874, pages 129-131.) This view of the most radical and far reaching sources of criminal character is not opposed to the doctrine of moral depravity, for the truth of that doctrine is associated with this kind of physiological truth.

helping and correctional hand of strong citizens, that the wants, the wretchedness and the crimes of the offending classes appeal.

All the timid, puerile and sentimental methods of dealing with crime and criminals, result in evil to the offending classes and harm to the public. The idle prison is sure to become the breeding-place of deepest crimes and the haunted castle of wretchedness to its inmates. No apology can be made for permitting the convicts in the prisons and penitentiaries of New York to remain idle, yet, from thirty-five to forty in every 100 convicts in the State prisons are constantly idle, and those who labor are living out their feverish term of incarceration in a moody and spiritless way. These faults of the prison system, and the crime of the State for creating and permitting them, will not be much longer endured without a rebuke from the civilized world, for the prisons of this great State are schools of crime.

The present state of the criminal population of the prisons in New York, as well as the condition and tendencies of the paperized and vagabond classes, present certain plain and very important problems, with which citizens are becoming so familiar, that they will invoke the necessary reforms of law and of administration. The first step in the reform will need to divorce all parts of correctional administration from the behests or touch of partisan interference.

In former reports, this Association has set forth the various causes of the failure and misdirection of the existing prison system. The attention of the Legislature is respectfully invited to the annual reports of the Association for the years 1807 (including a special report on the prisons and reformatories of the United States and Canada), 1868, 1869, 1871, 1872, 1873 and 1874, for statements which have an important bearing on the subjects of penal failures and reforms. The evidence which is embodied in the report now submitted, relates to sources and preventable causes of crime, which need to be reached and controlled. Enlightened citizens in all portions of the State unite with this Association in asking for improved laws and effectual methods for repressing crime, but while thus invoking the action of the government, the people are urged to apply all the resources of education, religion and the virtues and industries of home-life, to prevent the causes as well as practices of crimes and vices. The convicts in prisons, the young novices in crime, and the hopeless vagabonds who are crowded together in the jails, and the abandoned deprelators and adroit contrivers of crimes at the head of the dangerous classes, all alike point to their neglected childhood, and the defects of the education and discipline which they received. The released convicts from the prisons return to their liberty morally feeble and dependent like homeless children, requiring both time and forbearance and the influence of constant industry and friendly guidance to save the

years they have made of their own lives, and to restrain the tendency to relapse into habitual crime. At every step in this work the Association and its affiliated local committees find abundant reasons for seeking to rescue and bring under correctional training all children and youth whenever found in the pathway to crime, or when homeless, ignorant or friendless. The removal of children from alms-houses and other pools of pauperism, as ordered by the last Legislature, and new laws for adopting out and educating neglected children, tend powerfully to reduce the stock of habitual criminals. And in aiding the work of preventing the increase of dangerous classes, the people need to have facilities for the kinds of industrial, truant and correctional schools which shall successfully rescue, by educational training and renewed child-life, the great number who now drift into the whirlpool of crime or sink into the dead sea of pauperism from the want of such training of hands and mind up to the power of organizing their course of life, through self-reliant industry. While the prevention, which is better than cure, for the children of crime, thus engages so greatly the attention of those who search into the history of the dangerous classes for the deeply seated causes of crime, this Association again urges the Legislature to prescribe with the force and authority of a specific law, that in whatever prison, penitentiary, refuge or industrial reformatory the courts hereafter shall commit a convict or delinquent, the persons so committed shall, if under thirty years of age, be trained in some useful employment, and so completely and thoroughly taught as to enable them in free life to earn an honest subsistence and live decently. This seems due alike to the wretched offenders — most of whom are the offspring of misfortune and ignorance — and to the State which seeks the welfare of the whole people.

Citizens are aroused as never before to the duty of discovering and neutralizing whatever causes of crime and depravity may be reached by educational, industrial and moral training; but while doing this service for humanity and for the welfare of society, the State cannot remain indifferent to the inefficiency of a prison system which takes under its discipline young and timid novices in crime, and after the assigned term of imprisonment graduates them, as from a college, to enter the ranks of habitual criminals; which fills the common jails with idle vagabonds and itinerant criminals as county guests, while not a few of the more abandoned criminals and compounders of crimes pray their vocation as the enemies of society unvexed by the local police or the magistrates.

The whole class of habitual criminals, who, by their own alliances, are more effectually protected from arrest than the unwilling witnesses of their bold crimes, the 7,000 convicts now barred in cells of prisons and penitentiaries of the State, and the thrice greater number of criminal offenders who are at large, — the more than 8500,000 which

the convicts annually cost above their earnings, the many millions of property yearly destroyed by them, and the untold degrees of social and moral harm which are caused by the criminal and the vicious, show what the dangerous classes do and what they cost. These predatory and injurious members of society are vastly more numerous than they need be. Besides the great numbers whom early correctional training or educational means could have saved from a life of crime and shame, many who now are in the ranks of habitual criminals and outlaws might have been saved in their first imprisonment, had penal discipline taught them to earn their bread and to work their way up into an honest life through habits of steady industry and the inspiring hope of mental health which useful employments and virtuous endeavors beget. As prisons must be made self-sustaining by being administered upon correctional and reformatory principles.

In these words, this Association reiterates the voice of the people of this State, and it hopes before long to see such essential changes in the prison system, that the criminal at large or he who premeditates crime as a source of income, as well as they who are creatures of passion and fierce impulse, shall fully realize that to be imprisoned is to be placed under such a vigilant moral and industrial discipline, that its wholesome severity will deter them from the act. At the same time, the Association urges that, by all suitable means, encouragement shall be given to the endeavors of the people to correct and heal whatever causes of crime and misfortune can be overcome in the bosom of society, while by the vigilant and impartial operation of the laws and the courts, criminals shall be prosecuted promptly and be punished with certainty, and every prison and penitentiary shall be made a place of correction, in which as many as possible of the convicts shall be saved by needful discipline and instruction, and all shall be deterred from returning to crime and its penalties.

THEODORE W. DWIGHT,

President.

SINCLAIR TOUSEY,

Chairman of Executive Committee.

CEPHAS BRAINERD,

Secretary.

ELISHA HARRIS,

Corresponding Secretary.

NEW YORK, March 14, 1876.

REPORT ON CITY PRISONS OF NEW YORK AND BROOKLYN.

To the Executive Committee, Prison Association of New York:

The undersigned, whom you have honored by electing chairman of your body, respectfully begs leave to report: That during the year now drawing to a close, he has, among other matters, held many interviews with the Inspectors of our State Prisons, the commissioners of charities and correction, and the police commissioners of our own city and county, in regard to affairs under their several departments, the results of which in some instances have been encouraging in promoting the aims our Association have in view, and which it has been working for during the past thirty years.

THE STATE PRISONS.

Though not very much has been done that we desired, yet advances have been made in the minds of the Inspectors in regard to the absolute necessity of separation and classification of convicts, and their constant employment in some sort of labor, as promotive of habits of industry and the preservation of order.

Much difficulty has been experienced in carrying out these reforms, especially in regard to labor, as there has been for some time little or no demand by contractors for convict labor, and there being no authority in law, clothing the Inspectors with power to expend money for the purchase of raw material or tools for the introduction of manufactures into the State prisons, but little work has been found for the convicts to do, and the result is that hundreds of able-bodied men are eating the bread and wearing the clothes of idleness in Sing Sing and Auburn, burdening the tax-payers of the State with the cost of their support.

It is believed that the Legislature may, at its approaching session, as it ought, amend the laws governing the State prisons, so that this terrible evil of idleness shall no longer exist in our penal institutions.

Your chairman regrets to say that the plan of teaching the rudimentary branches of an ordinary education to those convicts in the State prisons who need them, has not yet been carried into effect, for the lack of the necessary funds. At Sing Sing a room has been prepared for school purposes, but not yet used. Hopes are entertained that during the coming year this want may be supplied.

It is also believed that the Board of State Prison Inspectors will, during the year 1876, inaugurate a system of classification of convicts.

PRISONS IN THE COUNTY OF NEW YORK.

The prisons under the care of the Commissioners of Charities and Corrections are generally in as decent condition as their modes of construction will permit. During the year a decided improvement has been made in the city prison known as the "Tombs" by dividing that portion known as "bummers' hall" into two stories, using the lower story (ground floor) by day and the upper story for a lodging-room at night.

The prisoners confined in this part of the prison are of the class known as "drunk and disorderly." Formerly these unfortunates were lodged in a room on the ground floor, under the Court of Special Sessions; this room is now used as a kitchen, and the ground formerly occupied by the kitchen, on the westerly side of the main prison, has been converted into an open yard, for the use of the great crowd of "bummers," always to be found at the Tombs. This change was greatly needed, and I take pleasure in stating that it was readily carried out by the present board of commissioners.

It gives me pleasure also to state that, after consultation with the commissioners, they have authorized the preparation of plans and estimates for the construction of some fifty additional cells in the "Tombs prison," in portions thereof that have not heretofore been used for cell purposes. It was formerly the practice at Blackwell's Island penitentiary, on the arrival of a prisoner, to put away his clothing, whether clean or otherwise (usually otherwise), just as it was found on him or her, and return it in the same condition, on his or her discharge. On the suggestion of your chairman, this miserable practice has been abandoned, and the board now requires that such clothing shall not only be washed, but also repaired, if needed. Another evil of long continuance at that prison has been removed. I refer to the former custom of allowing the prisoners' soil buckets to remain without any covers, during the whole time the men were kept in their cells. On the request of your chairman that unhealthy system has been abolished.

The board is doing much in the way of working the men committed to their care, resulting not so much in money returns toward their support as might be wished, but certainly in keeping them from entire idleness, a great point in the matter of discipline. Much has been done on the islands, by prison labor, in filling in waste lands, improving the roads, erecting buildings for the sick, in building shops for such work as the law will permit, repairing tools, working the grounds for garden purposes, etc., yet the great stumbling block to more productive labor in this department is found in the law creating it, which prohibits the

commissioners from profitably utilizing the labor of the convicts, a prohibition not applied to any other penal institution in the State, and which our Association endeavored to have removed last winter, but without success. It is hoped that a more favorable result may be obtained during the session of the incoming Legislature.

This department is now providing the city prisons with "padded cells" for the use of lunatics, a need long felt, and which our society has frequently urged. Beds also are being placed in some of the prisons for the use of the unfortunate sick who often find their only resting place therein while waiting transfer to some hospital.

A communication was addressed to the board of charities and correction and State Prison Inspectors in regard to the departments under their charge. (See Appendix A.)

NEW YORK POLICE PRISONS.

During the year, your chairman has visited nearly all the police station-houses or lock-ups in the city. In several of them improvements have been made since his former report, and assurances given that other reforms shall be introduced as fast as possible. During the season the board of police commissioners have constructed new prison cells at Manhattanville, and have abundantly provided for light, air, ventilation and water. The board is now constructing new cells in the first precinct station-house, and these also will be properly constructed, the cells in both cases being placed back to back instead of facing each other as in former times. Plans on the old system were made for this latter prison, but on the request of the undersigned were promptly changed.

HOUSES OF DETENTION FOR WITNESSES.

I take pleasure in stating that the police department has, on my application, made, and is making, great improvements in the house of detention for witnesses—which is under its control—improvements that have long been needed, and which that department cheerfully adopted. In this connection it may be proper to state that it has been very encouraging to find all the officials in charge of our penal and detention institutions polite and ready to give consideration to any and all suggestions that concern the condition and improvement of the different departments under their several charges,—showing, it may be said, that they realize the responsibilities of their positions as well as the aims and purposes of our Association, and an appreciation of our efforts.

NEW PRISON AT FORDHAM.

Within the year a new prison has been erected in the recently annexed portion of Westchester county. Before its erection, your chairman, at

the request of and in company with his honor Mayor Wickham, made a visit to the proposed locality and looked at the plans for the prison.

It was found that the old system of having the cells face each other was about to be adopted, but on the request of the undersigned, that plan was changed, and one greatly preferable in the present case, that of placing them back to back, substituted, and on a subsequent visit I found them thus constructed, well lighted and supplied with water and air.

NEW PRISON AT JEFFERSON MARKET.

On invitation, an interview was held by the corresponding secretary and the undersigned, with the commissioners for building the new court-house and prison at Jefferson Market. The plans of the prison seemed to be such as the Association will be pleased with.

PRISON PENS AT THE COURT OF SPECIAL SESSIONS AND TOMBS POLICE COURTS.

After many interviews with the police magistrates and the department of public works, aided by the influence of the mayor, the prison pen in the Court of Special Sessions has been greatly enlarged and that in the Police Court in the Tombs is also about to be improved and made more fit for its intended purpose. Improvements are also about to be made in the prison pen at the Essex Market Police Court. The board of police justices are manifesting much care in having proper places provided for the detention of the unfortunate and criminal classes while waiting official examination.

DETENTION OF WITNESSES.

The Association, as represented by this committee, has interested itself in trying to procure a law that should make it unnecessary to confine witnesses, but has not as yet been successful. Still, it does not abandon the hope of securing the much needed reform.

THE NEW CRIMINAL COURT.

A new criminal court for our city goes into operation in January, 1876. Your chairman considered its creation an act of great necessity, and in a very limited manner aided in its passage through the Legislature, and trusts that its success may justify its creation, and thus meet your approval.

PRISON PEN AT SARATOGA.

While sojourning at Saratoga last summer, I visited the police prison there, and found it in need of reform. On my suggestion, the proper official promptly promised to make the suggested improvements.

Respectfully submitted,

SINCLAIR TOUSEY.

NEW YORK, December 23, 1875.

APPENDIX.

SUGGESTIONS SUBMITTED BY THE PRISON ASSOCIATION.

To the Wardens and Inspectors of Prisons and Penitentiaries:

First. Prison keepers and guards should be thoroughly drilled and trained in their duties, and subject to examination by the board, at least once in three months.

Second. There should be a system of rewards for meritorious conduct on the part of prisoners, as an inducement to good behavior, and the opposite for the contrary. An easy method of encouragement will be found in the wearing, on some part of the dress, a badge of a certain design and color, as a mark of approval, and one of other color and shape when the prisoner is under the ban of disapproval.

Third. The Association again repeats its earnest desire for the classification of convicts, in regard to age and character, and that the board shall reserve the absolute right, in all contracts for prison labor, to adopt this principle.

Fourth. The Society again reiterates its request that idleness shall be entirely prohibited in all the prisons in your department. If labor cannot be made peculiarly profitable, let it, at least, be made disciplinary and educational. Idleness is one of the greatest, if not really the most serious of evils, that befall men and women in prison. Labor of some sort, constant, regular and systematic, is of the first importance in the improvement of the convict's character while in prison, and in fitting him for good behavior when he again returns to society.

Fifth. The dark cells now in use are, it is suggested, entirely inadequate for the purpose intended. The effect of solitary confinement is not produced by them. It is suggested that early steps be taken to supply cells that will better serve the intended purpose, or abolish the system entirely.

Sixth. It is suggested that prisoners be encouraged in habits of cleanliness, in the care of their clothing, and tidy appearance of their cells.

Respectfully submitted,

SINCLAIR TOUSEY,

Chairman of Executive Committee.

ANNUAL REPORT OF THE GENERAL AGENT.

To the Executive Committee of the Prison Association of New York:

GENTLEMEN. — The general agent respectfully submits the following as the report of his labors for the year 1875 —

The duties pertaining to the office have so frequently been defined in these reports, and the committee are so well acquainted with the manner of dealing with both the detained and discharged prisoner, that it will be unnecessary to go into a detailed explanation of the work. Results at this period of the Association's history seem more important than descriptions.

The method of dealing with the prisoner, both before and after discharge, and even until he has become as it were absorbed again into society as a useful member, is so systematized and conducted that few have not the opportunity presented to them of leading a life of industry and rectitude. While in the work for the general amelioration of their condition as prisoners they are dealt with as a class, yet, when the time comes for them to return again to the world, they are treated separately and as individuals; each man as his circumstances and condition seem to require. It is the man himself that must be reached, and the approaches are never the same in different individuals, nor can they ever be carried by assault. The confidence of the man should first be secured, that his mind may be in a receptive condition, thus preparing him to co-operate in any plan proposed for his future welfare. With some men, upon the expiration of the first term of imprisonment there comes a sincere and earnest desire to begin life anew; to make amends, as far as possible, for the past, and to forever cut loose from those habits, associations and vices which have brought upon them only ruin and disgrace. Taken at this stage and before being met by the rebuffs and discouragements incident to the stigma of imprisonment, and previous to reaching the time when the belief arises that every man's hand is raised in unfriendliness, and that in order to equalize conditions their hands are raised against every man, — reformation is no such difficult task as we are led to believe by those who have not witnessed the wise management of unbalanced men. The feeling of confidence on the part of such discharged convicts has been maintained by knowing that nothing was left undone which would promote his best interests, and has kept up that feeling of reliance on the efforts and friendliness which sustain him in his good resolutions.

There has been another serious drawback during the past year in any effort looking toward the improvement of prison discipline and the reformation of the convict before his discharge in the three State prisons. This has been the lack of employment. Within the past few months several of the contractors have suspended work, or relinquished their contracts, and the consequences have been that nearly one-half of the convicts in both Sing Sing and Auburn have been wholly idle. While this condition of prison idleness continues, it is a hopeless task for the general agent to influence the convicts previous to their discharge so that they will at once enter on honest employment when liberated. In none of the prisons have the bad effects of prison idleness been more marked than at Blackwell's Island, because in none has it been more general. Several efforts have been made by this Association to remedy this evil.

Last winter a bill was prepared and sent to the Legislature which authorized the commissioners of charities and corrections to let out this labor by contract, but it was defeated. The same bill, with some slight alterations, has been reintroduced in the Legislature, and when it becomes a law, we may expect to witness useful changes in the management of that institution and salutary effects on the character and conduct of the prisoners both before and after their discharge.

The majority of the men confined in this institution are without trades or occupation, and have never received any training that fits them for the struggle which is necessary among their class to maintain themselves by honest toil, but should this bill become a law it will become possible to instruct them in many mechanical branches of labor which will prove of benefit to them after their discharge, and enable them the more readily to secure employment and refrain from dishonest practices.

A bill was also prepared which in effect provides for extinguishing a long established and grievous evil — the house of detention for witnesses — by allowing the complainants, and witnesses who are non-residents or unable to give bail for their appearance at the trial, to give their testimony *de bene esse*. For some reasons as yet unexplained, this bill failed to become a law. To confine a witness of a crime for months in a noisy and loathsome prison, in order to have him present at the trial of a criminal who is at large upon bail or who has not yet been arrested, is an outrage against personal liberty that should not exist in a well-organized system of public justice.

DETENTION PRISONS.

In the detention prisons of this city there have been marked improvements during the year; improvements not only in the several district prisons, but embracing the numerous police stations, house of detention

for witnesses, and the prison pens in the several court rooms where the prisoners are brought for examination or trial.

To the energy of the chairman of the executive committee is mainly due this improved condition of the precinct prisons, which heretofore had been allowed to remain unmolested by any outside authority, and were rarely visited even by the authority that controls them. He has also brought about several much needed reforms in the district prisons, and especially in the prison pens of the courts above alluded to. These latter were in many of the court rooms repulsive nuisances, where male and female persons were huddled together in full view of all the spectators, infecting the atmosphere to a degree offensive to those whose duties required their presence during a session of the court. The Tombs have not undergone any particular change, except in the department known as "bummers' hall," where the ten-day prisoners were confined. This has been entirely remodeled, and now presents quite a contrast to its aspect one year ago, when scores were packed together at night in three small pens, known as "dozers' quarters." The main building, as well as the female and boys' department, are remarkably well kept, and all is done for the comfort of the prisoners that can be done in the present structure, with its limited accommodations. Until there is increased cell room, crowding cannot be avoided, and it is out of the question to ask for classification. It is proposed to add some sixty cells in another part of the building, and this, with the completion of the new prison at Jefferson Market, will so relieve the main prison, that some of the reforms, so often urged by the Association, may be introduced with some prospect of their being carried out; but, until then, nothing can be done in that direction more than is already done by the present warden and matrons.

Of Brooklyn, and its detention prisons, little can be said that has not already found place in these reports. The jail in Raymond street still receives the attention of each grand jury that is impaneled, and few juries are discharged without an indictment having been found against this institution. As with the Tombs in this city, every thing is done, perhaps, that can be done for the prisoners confined there, and the abuses which may exist are more the fault of the structure than of the persons in charge. The police prisons are in better condition, taken as a whole, than those in New York, and the majority of them having been recently erected, embody many of the latest improvements in prison architecture.

A frequent inspection, as before remarked, has been productive of good results in more ways than one, and this, together with an increased interest on the part of the public, will lead to the correction of abuses which have been suffered to pass unnoticed, partly from the lack of interest, but more frequently from the lack of knowledge as to what

was required. Public opinion needs only to be educated up to a certain standard, in order to make the commission of wrongs and abuses in our prisons next to impossible, and through the influence of this Association and an enlightened press, it is rapidly approaching that point. It has taken years to bring about this sentiment, and the labors of those engaged in the work have not yet ended. Much remains to be performed, but its accomplishment is only a question of time, and those now interested in, and laboring for these reforms, will yet witness the fruits of all their toil.

DETENTION DEPARTMENT.

To the detained prisoner more time has been devoted than in past years, and the results have, in most instances, been most gratifying. To have restrained a man just entering upon a career of crime,—to lead him back into honest paths just as the prison door opens to receive him, but before he has become contaminated by criminal associations, seems more fruitful of good and lasting results than the efforts in behalf of the discharged convicts. The man arrested for his first offense, committed perhaps in a sudden moment of temptation, or under the influence of strong drink or evil association, is much more susceptible to admonition, more ready to accept sound advice and act upon it, and more energized by that practical sympathy which helps him in his trouble, than is the discharged criminal, who, having served his term of imprisonment, has become callous and reckless.

It is to this, among the young of those who are friendless, that the efforts of this Association are directed, and the detention prisons of this city are constantly filled with this class of persons demanding our services in their behalf. With so large a number it is of course impossible to carefully inquire into the circumstances and condition of each one, but enough is learned to enable us to select those cases which appear the most worthy, or who will be the most benefited by our aid and advice, and they are dealt with as their different cases seem to demand. It is not expected or intended that this investigation shall, even in a majority of the cases, result in the acquittal or discharge of the prisoner, but in facilitating justice, which the court and jury are much better able to do after all the facts are presented in a clear and impartial manner; the guilty are punished according to their deserts and the innocent are discharged, while those whose cases are surrounded with circumstances which seem to be mitigating, are dealt with leniently and are told to sin no more. There is also another class who have some claims to mercy, namely, those who are made the tools of old and experienced criminals. For this work those of but little experience in crime, generally those who have served one term of imprisonment, are selected. This fledgling

who, during his term in the prison, or after his discharge, exhibited a desire to be classed as an expert, though he was the merest tyro, and who felt proud of his association with criminals, is, by a little flattery, induced to carry out schemes of their designing, while they remain safely in the back-ground; their part being to plan the crime and receive the plunder, while he performs the labor and incurs the risk. Should he be arrested, he dare not inform the authorities of the real criminal even if he were able, for fear his life would be in danger upon his discharge. In the majority of instances, he is unable to give the smallest particle of information as to who is the contriver of the crime or where he may be found. The designer of crime makes no confidants of those who are to do or enact what is termed "the dirty work." He meets them by appointment at some convenient quarter, and after instructing them in their duties, or listening to their reports of observation, departs no one knows whither. Criminals of this class are seldom brought to justice; they rarely commit crime themselves and are never seen with criminals or in their places of resort. Their faultless appearance and gentlemanly manner enable them to get information not within the reach of the ordinary foot-pad, and after they have assured themselves that all is right, then, and not until then, is the tool brought into the field, when he is furnished with only sufficient information to enable him to carry out his instructions properly and promptly. Should this tool be arrested in the act, he is, as we before said, unable to give any information as to who are his confederates, and the great criminal goes unpunished. Thus it is that the higher grades of criminals frequently escape, not as it has been said because the law is a net with meshes so constructed that it retains the smaller fish while the greater pass easily through, but because the great fish never come within the net.

The table on the following page sets forth the number of prisoners under the observation of the general agent during the year, and the particular manner in which they were aided. Only prisoners who appear worthy are advised and aided, as seems best suited to their necessities.

It will be seen from the tables, that while the city prisons require the larger share of our time, there is not a detention prison in this city or Brooklyn which has not received attention at our hands, nor is there a criminal court in which we have not appeared in the interests of prisoners. Offenses ranging from intoxication to manslaughter, have been the subjects of the agent's attention, and from offenders, scarcely out of their pinafores, up to the grey-haired violator of the law, who has already passed his allotted time here below, and it may be the larger portion of it, within the prison walls—all can reach his ear and have his counsel and advice.

The following is a summarized statement of the work done in this department:

TABLE No. 1.

Abstract of general agent's records, showing the number visited in the detention prisons of New York and Brooklyn, and the manner in which they were aided by the Association, in 1875.

	City prison.	Second district prison.	Third district prison.	Fourth district prison.	Fifth district prison.	Sixth district prison.	Lawton street jail.	DeWitt street jail.	Other detention prisons.	Totals.
Visited	3,393	442	480	118	19	11	59	97	283	4,888
Advised and aided	379	47	40	16	7	5	13	6	47	471
Complaints examined	369	32	36	7	1	3	13	4	47	471
Complaints withdrawn	60	16	20	1	1	3	9	6	47	346
Discharged, upon recommendation of agent, for cause shown	64	23	11	4	3	5	3	3	113	113
	4,148	554	514	140	33	36	81	140	283	5,849

	First District Police Court.	Second District Police Court.	Third District Police Court.	Fourth District Police Court.	Special Sessions.	General Sessions.	Over and Terminer.	United States District Court.	Totals.
Attended, advised and defended in the courts	19	7	9	2	67	23	1	1	130

Four thousand eight hundred and thirty-two prisoners were visited in the various detention prisons of this city and Brooklyn, and in the various county jails throughout the State, and, as nearly as possible, the prisoner's true condition ascertained, and his case stated before the courts. Four hundred and seventy-one were advised as to their rights before the law, or aided in the several ways in which their condition seemed to require.

Eighty-seven complaints were withdrawn, in the various courts, upon the advice and recommendation of the agent, as being ill-founded or the result of malice, bad feeling or mistake on the part of one or both parties. One hundred and thirteen prisoners were discharged from custody upon his recommendation, including those whose fines were remitted upon his motion.

Three hundred and forty-six cases were investigated, in selecting such as deserved the further aid of the Association. One hundred and twenty-nine were defended before the various criminal courts in the city,

who were unable to provide themselves with counsel, and who seemed to us worthy of all the advice and assistance it was in our power to render. This makes a total of cases in this department of 5,978.

DISCHARGED CONVICTS.

The whole number of prisoners who were discharged during the year, and who applied to and were in some manner aided by the Association, was 1,459. This does not include those who were discharged in previous years, or whose names had at any time prior to the 1st of January, 1875, been entered upon the register, for were those included, it would swell the number to over 2,000, who had in some way been relieved during the past year. A record is made of the man's history when he first applies, but never after that; a memorandum is simply added to the record, showing in what manner he was aided at each subsequent visit.

In table No. 2, it will be seen that Sing Sing furnishes the largest number of any of the three State prisons; in fact more than double the combined number of the other two. The reasons for this are, first, that the great majority of prisoners in this institution are from the city of New York, to which they return immediately upon their discharge; second, at each of the other prisons the Association has an agent, who endeavors to provide for those discharged from the institution with which he is connected, and prevent them from returning or coming to the city; third, the majority of them in the other prisons are from the interior and northern portions of the State, the only exceptions being those sent there by transfer from Sing Sing. Blackwell's Island penitentiary, as usual, furnishes a larger number than all the other penitentiaries combined, and nearly half of the entire number relieved by the Association during the year. It has often occurred to us that, perhaps, this institution was making a heavier demand upon the resources of the Association and the time of its agents, than the circumstances and character of its inmates would seem to justify.

It must be acknowledged by all who have any knowledge of our prisons and prisoners, that the most hopeless and depraved class comes from the above institution, from most of whom little can be expected. Is it wise then, in view of these facts, that nearly one-half of the time of the agents and fully one-half of the revenue of the Association should be devoted to these men, to the practical exclusion of those, in many respects, more worthy and improvable?

The first five months of the year furnish the largest numbers; that for March being unprecedented for any month, while April falls but ten below.

Each prison in the State is well represented, and each month has a fair quota of the entire number discharged, as will be seen, though

those penitentiaries in the interior and western portions of the State send but few of those discharged from their walls to this city. The duties of advising with the prisoner and caring for him after his release from these institutions devolves upon the local committee in the counties where they are situated, and that few ever apply to the general agent indicates that their work is well performed.

The third on the list in point of numbers is the penitentiary of Kings county, and while from its close proximity to New York, and the fact that the institution is a penitentiary and work-house combined, as in fact are all the penitentiaries in this State, except the Blackwell's Island, it might be inferred that the prisoners are of the same class, yet this is not in all respects true. If they are, then the discipline, labor and school-room instruction do much toward their moral and physical improvement.

TABLE No. 2.

1875.	FROM STATE PRISONS.			FROM PENITENTIARIES AND REFORMATORIES.								FROM DETENTION PRISONS.					
	Sing Sing.	Albany.	Clinton.	Of other States.	Blackwell's Is. penitentiary.	Albany penitentiary.	Wm. Wadsworth penitentiary.	Reformatory.	Syracuse.	Blackwell's Is. reformatory.	House of Refuge.	School ship.	City prison.	London street jail.	Haymarket jail.	Other jails.	Total.
January	72	11	7	9	44	30	1	1	2	6	1	1	4	1	1	2	140
February	33	7	7	4	61	9	1	1	2	1	1	1	4	1	1	2	128
March	32	11	7	4	51	39	1	1	2	6	1	1	4	1	1	2	173
April	34	6	7	4	40	24	1	1	2	6	1	1	1	1	1	2	163
May	31	10	7	4	50	21	1	1	2	5	1	1	1	1	1	2	138
June	33	6	7	4	47	19	1	1	2	5	1	1	1	1	1	2	133
July	31	7	6	6	47	19	1	1	2	5	1	1	1	1	1	2	125
August	30	4	5	5	33	10	1	1	2	4	1	1	1	1	1	2	123
September	19	4	4	4	23	6	1	1	2	4	1	1	1	1	1	2	72
October	31	4	4	4	37	8	1	1	2	5	1	1	1	1	1	2	91
November	40	2	2	1	40	11	1	1	2	5	1	1	1	1	1	2	113
December	28	6	6	4	41	12	1	1	2	5	1	1	1	1	1	2	109
	346	77	48	38	626	171	31	5	7	4	51	2	2	36	7	6	1,459

It will be noticed that the work-house, while it is not a prison proper, contributes fifty-one of its former inmates who have received aid from the Association. It is a rule of the office to decline to relieve any person discharged from this institution, for the reason that not having been committed for crime, but for vagrancy, intoxication or disorderly conduct, they properly belong to the public authorities, or should be assisted by some one of the many benevolent institutions in the city, whose province it is to relieve the destitute. But each month there are those who apply, the exceptional circumstances of whose case seem to make it a proper one for the Association to relieve, and all such are properly cared for.

The same rule exists in respect to those sentenced to the city prison, but as in the case of the work-house exceptions, thirty-six who had served short terms in the Tombs were aided in some manner during the year.

CHARACTER OF PRISONERS.

The character of the prisoners discharged from the several prisons in the State varies greatly, those discharged from the Blackwell's Island penitentiary being the worst. They gain nothing from prison discipline, for there is none, and instead of coming out better, in the majority of instances they are worse than when they entered.

Of no other institution in this State can such an unqualified statement be made, though in many of them, as for example Brooklyn, Buffalo and Albany, the material is much the same.

There is not that marked difference in the character of the convicts in the three State prisons that there is in the six penitentiaries, though the men at Sing Sing, coming as they do mainly from New York, are of somewhat different type and are perhaps not as susceptible of reformation.

SUMMARY.

The various ways in which the 1,459 discharged prisoners were helped by the general agent during the year, is shown in the following summary :

Five hundred and three were assisted to employment, or obtained it either directly or indirectly through the general agent's efforts, or through the advice and information given at his office. This, of course, includes many temporary situations, but in them there was a double object gained: the men were again in honest employment, and upon leaving their place at the expiration of the time for which they were employed, had a reference which might prove serviceable in procuring another situation.

With such an indorsement of respectability, the foundation for self-respect may be laid, stimulating hope and urging perseverance and pertinacity in seeking a new place.

One hundred and thirty-six of this number were sent to situations secured for them out of the city, either through the agencies of the Association or through the influence of the relations or friends of the applicant, who were unable to provide them with means sufficient to reach the point where work awaited them. No man, however, has been aided to go out of this city during the past year except to definite offers of employment, as the country has been so overrun with idle vagabonds that it has not been considered wise to send men out in search of work when the probabilities were that they would be unable to obtain it through their own unaided efforts.

Seven hundred and thirty-two discharged convicts, without home or friends, and unable to find employment, were provided with temporary board and lodging, until such a time as some provision could be made whereby they could support themselves. Sometimes this care was continued for weeks, as long as we felt assured the men were making adequate exertions to find employment. The difficulties and obstacles in their way we fully appreciated, and threw into consideration as justification for the extension of help.

Three hundred and twenty-seven were provided with means to reach their friends at a distance, every man being sent to those of his relations who would promise to give him a home, and aid him in his endeavors to begin life anew. To obtain from them such offers of aid was, in many instances, no easy task. With some, correspondence was begun long before the man's discharge, and sometimes continued for weeks after his release, before consent could be obtained to receive and care for him, regardless of his past life. From several who have thus been provided for we have received encouraging letters, filled with thanks for the reconciliation which had been effected through our intervention, while, from others, report comes that all the influence and entreaty of friends have not been sufficient to cause them to hold fast to their resolves to do better.

Four hundred and eleven were supplied with such clothing as they absolutely required, many being furnished with an entirely new outfit, this being necessary to enable them to make a presentable appearance when applying for work.

Ninety-two were provided with tools, it being necessary in almost every case where a situation is found for a skilled mechanic, to give him the tools to work with, as but few employers care to loan their tools to irresponsible help, and their fellow workmen have only such a number as they require for their own use.

Seventy-four prisoners' families were aided during the year in various ways, under circumstances which seemed to justify this expenditure, although such help is intended only for the prisoner and his family after his discharge.

The following is a more condensed statement of the work in this department: Three hundred and seventy-seven aided to employment in this city, or near at hand; 126 sent to situations in the country, and remote from this city; whole number furnished with employment, 503; 732 provided with temporary board and lodging; 327 sent to their homes and friends at a distance from the city; 411 supplied with clothing suitable to the season; ninety-two furnished with tools; seventy-four prisoners' families relieved; making a total of 2,065 cases in which relief was afforded to discharged prisoners, exclusive of the families aided.

The difference between this number and the number entered in the register is accounted for from the fact that many of them had been discharged in previous years, and were not entered again upon the register, or they were relieved in several ways; as, for instance, one man may have received clothing, board and tools, and is of course entered up separately under each of the above items.

Table No. 3 is a summary of the condition of the 1,459 men aided during the year at the office of the general agent, and deserves careful study. It covers the more important points of their lives and habits, and conveys a more complete understanding of the causes of crime and the conditions under which crimes are committed, as well as the character of the criminal classes. The fact appears that a large majority are young men under thirty years, while the number over thirty is exceedingly small. About two-thirds of the applicants are foreign born, and only one-third claim to have any trade.

The importance of education has been so frequently urged in the reports of the Association, that it seems unnecessary to open the question again, but if arguments were needed, what more convincing one could be advanced than the figures in the table, which show that only forty-four out of 1,459 were well educated. That intemperance, ignorance and idleness go hand in hand, and are the prevailing causes of all crimes, cannot be doubted, when it is seen that only 210 out of over 1,459, even claimed to be temperate, and in all probability this number should justly be reduced one-half to represent the facts. How far the social condition, parental relations and home training enter into the conditions which make crime possible, can be learned from the tables, as well as the character and condition of the majority of those who perpetrate crime.

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TABLE No. 3.—RECAPITULATION.

	STATE PRISONS.										PENITENTIARIES AND REFORMATORIES.										DEPARTMENT PRISONS.					Totals.
	Sing Sing.	Auburn.	Clinton.	Other states.	Totals.	Blackwell's Island.	Kings county.	Albany.	Eric county.	Rochester.	Syracuse.	Board work.	House of refuge.	School ship.	Totals.	City prison.	Ludlow street jail.	Raymond street jail.	Other jails.	Totals.						
Age:	346	317	43	38	694	688	171	37	5	2	1	5	2	2	806	32	1	2	839	1,459						
20 to 25	31	33	6	4	74	61	11	4	1	1	1	1	1	1	82	1	1	1	85	45						
25 to 30	31	31	6	4	72	61	11	4	1	1	1	1	1	82	1	1	1	85	45							
30 to 35	31	31	6	4	72	61	11	4	1	1	1	1	1	82	1	1	1	85	45							
35 to 40	31	31	6	4	72	61	11	4	1	1	1	1	1	82	1	1	1	85	45							
40 to 45	31	31	6	4	72	61	11	4	1	1	1	1	1	82	1	1	1	85	45							
45 and upwards	31	31	6	4	72	61	11	4	1	1	1	1	1	82	1	1	1	85	45							
Nativity:	122	93	22	17	254	230	111	31	4	2	2	2	2	2	328	11	2	3	344	545						
Free born	122	93	22	17	254	230	111	31	4	2	2	2	2	328	11	2	3	344	545							
Foreign born	122	93	22	17	254	230	111	31	4	2	2	2	2	328	11	2	3	344	545							
Education:	1	1	1	1	4	6	1	1	1	1	1	1	1	1	6	1	1	1	6	14						
Illiterate	1	1	1	1	4	6	1	1	1	1	1	1	1	1	6	1	1	1	6	14						
Read only	1	1	1	1	4	6	1	1	1	1	1	1	1	1	6	1	1	1	6	14						
Can read	1	1	1	1	4	6	1	1	1	1	1	1	1	1	6	1	1	1	6	14						
Well educated	1	1	1	1	4	6	1	1	1	1	1	1	1	1	6	1	1	1	6	14						
Religion:	112	90	11	21	234	206	131	31	5	1	1	1	1	1	338	1	1	1	341	570						
Protestant	112	90	11	21	234	206	131	31	5	1	1	1	1	1	338	1	1	1	341	570						
Catholic	259	229	37	25	541	515	247	61	2	2	2	2	2	2	523	1	1	1	525	843						
Other	1	1	1	1	4	6	1	1	1	1	1	1	1	1	6	1	1	1	6	14						
Irish	1	1	1	1	4	6	1	1	1	1	1	1	1	1	6	1	1	1	6	14						
Foreign	1	1	1	1	4	6	1	1	1	1	1	1	1	1	6	1	1	1	6	14						

Occupation.	STATE PRISONS.					PENITENTIARIES AND REFORMATORIES.					DEFENTION PRISONS.					Totals.		
	Sing. Slag.	Albany.	Clinton.	Other states.	Totals.	Blackwell's Island.	King's county.	Albany.	Brooklyn.	Syracuse.	Rochester.	School ship.	Totals.	City prison.	Ladies' street jail.		Deport street jail.	Other jails.	Totals.
Clerks and book-keepers.....	17	1	1	5	28	33	2	2	1	1	1	1	1	1	1	1	1	1
Teachers.....	137	3	1	5	146	17	5	7	1	1	1	1	1	1	1	1	1	1
Laborers.....	191	32	31	33	387	58	11	5	1	1	1	1	1	1	1	1	1	1
Totals.....	346	47	43	38	504	68	131	31	5	7	4	5	1,409	36	1	1	1	1,459
Single condition:																		
Single.....	326	29	28	28	411	57	106	31	5	7	4	5	1,369	36	1	1	1	1,409
Married.....	109	45	15	11	184	11	24	1	1	1	1	1	111	1	1	1	1	111
Without.....	11	2	4	1	18	1	1	1	1	1	1	1	11	1	1	1	1	11
Parental relations:																		
Parents living.....	317	32	30	31	389	51	116	32	5	7	4	5	1,341	37	1	1	1	1,389
Parents dead.....	129	25	13	11	184	17	14	1	1	1	1	1	107	1	1	1	1	107
Totals.....	346	57	43	38	604	68	131	31	5	7	4	5	1,448	38	1	1	1	1,459
Moral condition:																		
Moral.....	91	11	7	2	111	20	43	11	2	4	3	3	169	7	1	1	1	169
Immoral.....	255	36	36	36	393	48	88	20	3	3	1	2	1,240	29	1	1	1	1,240
Totals.....	346	47	43	38	504	68	131	31	5	7	4	5	1,409	36	1	1	1	1,459
Convictions:																		
1.....	302	46	50	38	366	44	107	34	5	5	2	2	1,069	43	1	1	1	1,069
2.....	109	15	15	11	150	24	18	1	1	1	1	1	130	1	1	1	1	130
3.....	113	15	11	11	150	24	18	1	1	1	1	1	130	1	1	1	1	130
4.....	11	1	1	1	14	2	1	1	1	1	1	1	14	1	1	1	1	14
5 times and upwards.....	11	1	1	1	14	2	1	1	1	1	1	1	14	1	1	1	1	14
Totals.....	346	77	43	38	504	68	131	31	5	7	4	5	1,409	36	1	1	1	1,459

We herewith append, in table No. 4, statistics furnished to the board of commissioners of charities and correction by the clerks of the several criminal and Police Courts and the wardens of the different district prisons.

That the number is so large should not excite especial comment when we consider the various elements of which our population of 1,000,000 of souls is composed, and the manner in which they are herded together; in fact, it is a source of wonder to those who are at all acquainted with the surroundings in some quarters of our city, that the entire population, men, women and children, are not either criminals or paupers. That any virtue can be fostered in these hot-beds of disease and filth, is almost a miracle, for vice seems to predominate the most in these localities, which require the constant attention of a sanitary inspector. Yet that they do not all come from that portion of the city, is seen by the records of the several district prisons in which each contributes its quota towards the total.

TABLE No. 4.

FIRST DISTRICT PRISON (HALLS OF JUSTICE).

	Males.	Females.	Totals.
Number remaining in prison January 1, 1875.....	294	74	368
Number received during the year.....	23,002	15,034	38,036
	<u>23,296</u>	<u>15,108</u>	<u>38,404</u>

COURTS.

During the year have been discharged.....	11,697	3,415	15,112
Deceased (three executed).....	8	2	10
State prison.....	874	65	939
Penitentiary.....	1,771	358	2,129
House of refuge.....	161	17	278
Catholic protectory.....	57	2	59
Juvenile asylum.....	8	1	9
Industrial school.....	1	1	1
Sent to Elmira on writ of habeas corpus.....	1	1	1
Transferred to State of New Jersey on requisition.....	2	1	2
Sent to house of detention as witness.....	1	1	1

POLICE JUSTICES.

Sent to Blackwell's Island penitentiary.....	366	413	779
Roman Catholic protectory.....	15	5	20
Juvenile asylum.....	3	1	3
House of Good Shepherd.....	8	1	8

	Males.	Females.	Total.
Magdalene asylum.....		2	2
House of mercy.....		2	2
Randall's Island.....	22	23	45

COMMISSIONERS PUBLIC CHARITIES AND
CORRECTIONS.

Sent to work-house, Blackwell's Island.....	7,441	10,345	17,786
Sent to alms-house.....	18	40	58
Insane asylum, Ward's Island.....	252	.....	252
Lunatic asylum, Blackwell's Island.....	.....	243	243
Charity hospital.....	17	30	47
Epileptic asylum.....	7	2	9
Homœopathic asylum.....	7	4	11
School ship.....	66	.....	66
Randall's and Hart's Islands.....	67	13	80
Returned to juvenile asylum.....	1	.....	1
Returned to Nassau through British consul.....	1	.....	1
Remaining in prison December 31, 1875.....	332	118	450
	<u>28,293</u>	<u>15,168</u>	<u>38,461</u>

In addition to number received at first district prison, viz.....

	<u>23,002</u>	<u>15,034</u>	<u>38,036</u>
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There were discharged from third district prison,	3,238	1,165	4,403
Died.....	1	1
Sent to Blackwell's Island.....	123	126	249
Discharged from fourth district prison.....	3,151	623	3,774
Eloped.....	2	.....	2
Sent to Blackwell's Island.....	94	70	164
Discharged from fifth district prison.....	605	165	850
Sent to Blackwell's Island.....	34	17	51
Discharged from sixth district prison.....	23	8	31
Sent to Blackwell's Island.....	3	1	4

Total number committed during the year 1875, 30,353 17,208 47,561

PRISON LIBRARIES.

In the work of caring for the detained prisoner, whether awaiting trial or after his conviction, the general agent has supplied him with newspapers, magazines and books, in order to occupy his leisure time, which might otherwise be spent in pernicious practices.

The libraries in our penal institutions are not looked upon by our prison authorities as being of that importance in prison discipline which they

really are, and from the pitiable appropriations made by the State for their maintenance, we infer that our legislators have little knowledge of the benefits arising from a well selected collection of works for the use of the prisoners.

In some of our county penitentiaries this subject has received considerable attention, notably in those of Albany and Kings county, where the librarians, under the management of the chaplains, have attained respectable proportions, and receive frequent and valuable additions. Reference should also be made, in this connection, to the library in the Blackwell's Island penitentiary, established nearly two years ago through the efforts of the general agent, and now containing nearly 5,000 volumes of books, magazines, etc. Under the care and direction of one of the chaplains of the institutions on the island it has become one of the features of the place and is looked upon by the officials as a most valuable adjunct. From the reports which are made weekly by the librarian in charge, it is seen that the number of books withdrawn is increasing each week, and the character of books selected is of a higher order than when the library was first started. The additions made have at no time been large, but have been constant though not so well selected as we could wish; yet they embrace a wide range of subjects, and may, in one sense, be considered valuable.

In addition to providing books and magazines for the different libraries of the several institutions, nearly a thousand newspapers and periodicals have been distributed each week in the different detention prisons of the city and furnished for distribution in those of Brooklyn and adjoining counties. These have been received from the publishers and from contributions from the public.

SCHOOL-ROOM INSTRUCTION.

School-room instruction has been organized and is being carried on with gratifying results. A room has been set apart and furnished with desks, boards, maps and all the accessories necessary to a complete school-room, and here every evening in the week are the convicts instructed in the rudimentary branches. The high appreciation in which it is held by the prisoners, and the success attending it as a valuable aid to prison management, is more fully set forth in the reports which follow of Mr. F. J. Hoyt, chairman of the Kings county local committee.

At Sing Sing an effort was made to have this valuable auxiliary to good discipline and reform established, and steps to its accomplishment were taken by request of the Prison Association; a room was selected, but for some unaccountable reason, we believe the lack of funds to supply the furniture and books was the one assigned, the effort stopped here, and nothing has since been heard of it either from the Inspector, Warden or other officials.

There is not a prison in the State, not excepting the Blackwell's Island penitentiary, where this system of instruction is so greatly needed as at Sing Sing, and none where the inmates would in all probability be so largely benefited, and it is a shame and a disgrace to the management that this has been so long neglected. For at least one-half of the past year there have been at this institution from 500 to 800 idle men. How easy it would have been to set some of them at work manufacturing the necessary furniture for this school-room, and after its completion to have allowed them to have spent so many hours a day in the school, acquiring information instead of lounging about the shops and grounds or lying in their cells.

LONG SENTENCES.

Where young criminals are committed for their first offense, even if this offense be a grave one in the eyes of the law and subject to severe punishment, it is questionable whether the imposition of long sentences is wise or judicious, or in any instance accomplishes the object sought. That it ever deters others from the commission of similar crimes we are inclined to doubt, and that society is in any way benefited by it we deny. In fact, we are prepared to prove that society is injured in every case where these sensational or long time sentences are inflicted upon young and first offenders. Farther than this, society in the end suffers more from them than the individual upon whom the sentence is imposed. That such sentences strike terror to the hearts of evil-doers is not supported by the records of crime, nor is the perpetration of that particular class of crimes which the law suffers to be punished so severely—lessened. To inflict the full penalty of a law designed to punish the most hardened outlaw upon a mere boy, for a crime which, properly defined, is no more than a larceny, is inexpedient, unwise and unjust.

There are to-day in our State prisons, scores of youth and young men who are undergoing sentences of from ten to twenty years for offenses which, under a technical construction of the law, are termed highway robberies, but which, under a more liberal and just construction, are nothing more than petty larcenies from the person. Four-fifths of them were never arrested for any other offense, and not one of them is over twenty-five years of age; yet, for this one offense, they are consigned to a prison cell practically for the remainder of their lives; for, upon the expiration of their terms of sentence, if their health and minds are not impaired, they have reached an age when it is almost impossible for them to begin a new life, even should they desire it. Long confinement has wholly unfitted them for all the active duties of life, and the intimate association with hardened criminals during so many years has converted the juvenile offender into a pauper criminal. He goes to prison with but little knowledge of the ways of the world, as they are termed;

he is discharged fully posted in all that is taught of vice in the State's three great moral reformatories, our State prisons. Confinement to him has ceased to be a punishment; it has become a second nature, and it is doubtful whether he will ever be content outside of prison walls. The best portion of his life has been passed within them, and it is probable that the greater portion of what remains will either prove worthless to him and the world, or be spent in the penal service of the State or the county poor-house. It is admitted by all who are at all familiar with prisoners and prison life, that after a short term in prison that feeling of disgrace, which all must experience upon first entering, wears off; that the discipline and surroundings of a prisoner, which are designed to punish, are, after a certain length of time, no punishment. The barred and narrow cell, with its hard cot and rough covering; the ill-fitting garb, with its stripes, which mark the convict; the coarse diet; the restraint; all become, in a manner, second nature to the prisoner from long confinement, and from the moment it becomes even bearable, punishment ceases. The stone wall, with its grated bars, has no further terror for him, whether he be without or within; of course he would prefer his freedom, but this preference will never hereafter deter him from crime for fear that he may lose his liberty and again suffer disgrace.

How much better then it would be, to impose the smallest penalty the law will admit, for the first offense, however grave, rather than the greatest; and how much greater will be the hope of reforming the criminal and making him a useful member of society, by his imprisonment for a sufficient length of time to punish him for his particular offense. The interests of society do not demand that the class of offenders of whom we speak should be kept in constant confinement, nor that they be confined for a period of time sufficient to blight their lives and convert them into hardened criminals and outlaws. The demands of justice are satisfied when the minimum of punishment prescribed by law has been inflicted, if the true interests of the prisoner have been promoted, and the requirements of public safety have been satisfied.

We do not wish to be understood from this as favoring short sentences for all classes and conditions of criminals, but only for the young and first offenders, for we believe that among the most hardened and depraved, those who have been convicted several times, and served terms almost innumerable, there is nothing to be gained in a short term, and that the best interests of society, as well as of the individual, would be better served by keeping him under lock and key for the remainder of his natural life.

Respectfully submitted.

A. W. SHIELDON, *General Agent.*

THE COUNTY JAILS AND THE LOCAL PRISON COMMITTEES.

The county jails are reported to be in a more favorable condition, as respects the care of them by the jail-keepers, than the local committees have reported in any previous year. The chief points of improvement in jail-keeping consist in the maintenance of a greater degree of cleanliness and the more strict police of the jails, together with some successful efforts to give employment to prisoners, and some increase of steady efforts to afford useful instruction to the ignorant and suitable reading matter for all prisoners.

The fact that in a single county the board of supervisors and the sheriff have found it practicable, even in the remote rural locality of the jail, to bring all their jail convicts into a walled work-yard and employ them daily at breaking stone, is both significant and exemplary. There is scarcely a jail in the State which cannot be treated upon this system, and its petty convicts be brought under the wholesome influence of steady labor. The fact that few counties will make this experiment proves that it is imperatively necessary for the boards of supervisors, or other constituted local authority, to bring all vagrant and dissolute offenders and such other jail prisoners as can be properly brought out from the barred cells and corridors, into the work-yards or other places where the authorities require them to work.

The practical difficulties which may attend the organization of suitable methods of employment and custody, under the Act of June 8, 1875, defining the new powers of boards of supervisors, need not be feared, for the most common kinds of labor and a power of masterful command over such wretched beings, which requires no array of bars and bolts, will best control and correct the persons for whom this discipline is required. If in any county there is delay in the action of the supervisors, they can and ought to agree with the sheriff and county judges upon measures for providing and enforcing suitable kinds of work by all prisoners within the jail limits, or in the nearest penitentiary as allowed by law.

The few meritorious clauses in the statute to regulate the organization and keeping of county jails are generally disregarded, while the inconsistent herding and ill-treatment of all classes of inmates, which are forbidden in terms but permitted in fact by that statute, are witnessed in more than fifty of the counties of this State.

The prison committee in one of the smaller counties, with a population

less than 40,000, overcame the obstacles which seemed to be in the way of working of jail convicts as well as of forbidding the transfer of habitual offenders to the penitentiaries of neighboring counties, and reported as follows while pressing their plea for jail reforms: " * * * * Our jail was constructed in the year 1869, thirteen years after the passage of the said Act, at an expense of \$14,000, and more than \$80,000 have been expended for its maintenance since that date. Its construction and arrangements are so faulty, and so little in accordance with the requirements of the law, that there are not sufficient rooms to carry out those requirements, and upon examining it one might justly suppose that no such law existed on the statute book. Your committee having often found convicts, persons held for examination and for trial, and the witnesses upon whose evidence all hopes of conviction rested, held together day after day in free and uninterrupted contiguity and idleness, have endeavored to remedy this gross defect of arrangement and neglect of law, by an appeal to the board of supervisors, but were disappointed at meeting with the difficulty, that all expense for yearly repairs, etc., upon any county jail, is limited by law to the sum of \$500. For this reason no alteration in that respect has been made, and the jail, with its assembly of prisoners thus mingling freely, old and young, black and white, foreign and native, good and bad, is now little less than a primary school for crime, out of which its members may be easily matriculated into the State prison."

In this Association's circular to the local committees, attention was earnestly invited to the following facts:—

The enormous increase of vagrancy and criminal vagabondage.

The organization of the crime classes and the defiant attitude and immunity of the habitual criminals.

The defects and consequent failure of prisons and penal methods in this State to repress crime and reform offenders.

The insufficiency of the agencies which are applied to prevent and repress youthful delinquencies.

The thorough and ceaseless inquiry into sources and preventable causes of crime, especially as relates to neglected children.

The increase of crimes against property. [The aggregate cost of depredations by criminals in this State may be estimated at from \$25,000,000 to \$30,000,000 yearly.]

Professional criminals now constitute such a large, desperate and organized array as to be almost secure against the ordinary proceedings of criminal law, and the "habitual criminals' Act" of 1873, has, to the shame of the State, remained a dead letter.

The prisons and penitentiaries of the State of New York cost about \$1,000,000 a year in excess of their aggregate earnings. The New York

State prisons are widely known to the crime classes throughout the United States, and little dreaded, for they are noted as places where crime is organized and taught by the most astute criminals.

"The net excess of cash earnings in the Ohio State penitentiary, over all expenses and salaries, in 1873, was \$8,175.66. The total amount of net earnings, over all expenditures and improvements in the past seven years, amounts to \$58,653.34. The total amount of earnings over and above self-support in the past seven years is \$227,956.27." (Twenty-ninth Annual Report, Prison Association of New York, page 111.)

The Prison Association and the most enlightened citizens throughout the State are now directing their efforts to bring about a thorough exposure and reform of these evils, by painstaking inquiries into the sources and circumstances of crime, its abettors, capitalists and protectors in every locality in the State. Your co-operation is urgently needed in efforts about to be made to secure the adoption of effective measures for the disciplinary treatment of tramping vagrants and habitual criminals.

"At present there is scarcely a jail in the State that has any cells of the methods of care adapted to the detention of a woman or girl, or of young lads. The preparation of suitable apartments, and the enforcement of needful rules for the care of the female and the child prisoners must not wait the slow movement of a total reform of the jail system. It should receive attention forthwith, even by temporary and imperfect expedients." (Twenty-seventh Annual Report, page 137.)

Every local committee should persistently labor for the attainment of its object. Each committee is practically an auxiliary association, and should, without needless interference or minute advisory direction from the central association, proceed in its work, doing all it can in its own local sphere to energize the authorities of the State and of its own district for the reformatory treatment and effective control of the crime classes.

The leading members of the local prison committees have continued to do whatever can consistently be done to secure the intelligent interest of the public in the adequate restraint and correction of first offenders, and in the care and education of juvenile offenders. The local newspapers have liberally given their columns to the discussion of these subjects and greatly increased the general concern of the people in regard to them, so that but few of the committees now find their duties regarded with public indifference or their efforts to repress and remove sources of crime left unsupported.

In the following pages a few extracts from reports of local prison committees are given, and these are followed by abstracts of jail records given only in those particulars which are believed to be entirely correct.

E. H.

CAYUGA COUNTY.

	Males.	Females.	Total.
Number of inmates at date, Nov. 1st, 1875			18
Number of inmates registered in twelve months, ending Sept. 30th, 1875	195	17	212
Number of prisoners committed for vagrancy in twelve months, ending Sept. 30th, 1875	4		4
Number of prisoners committed for drunkenness only, in twelve months, ending Sept. 30th, 1875	73	11	84
Number of prisoners committed for drunkenness and vagrancy in twelve months, ending Sept. 30th, 1875			
Number of prisoners committed for drunkenness and disorderly conduct, in twelve months, ending Sept. 30th, 1875	7	1	8
Total committed	84	12	96

Number of escapes from the jail during the twelve months, ending Sept. 30th, 1875, seven.

With what crimes were the escaped prisoners charged? One for larceny; three for burglary and larceny; one for counterfeiting; one petit larceny; one false pretenses.

What faults of the jail structure and the keeping permitted these escapes? Imperfect construction of building.

Statement concerning the number and circumstances of children found in jail. Had none.

	Males.	Females.	Total.
Number of indictments in twelve months, ending Sept. 30th, 1875	67	4	71
Number of convictions in Courts of Record in twelve months, ending Sept. 30th 1875	28	3	31
Number of convictions in Courts of Special Sessions in twelve months, ending Sept. 30th, 1875*	311	24	335
Total convictions	406	31	437

*** The condition of our jail, to say the least, is not creditable to a county possessing the wealth of ours. Built forty years ago, with very imperfect ventilation, the improvements since made have not kept pace with the requirements upon it.

No provision is made for the confinement of boys apart from old criminals nor, as at present arranged, can women be kept entirely separate from the male prisoners. A petition to our board of supervisors,

* Special Sessions and Police Courts.

who were in session, has been laid before them, signed by our wealthiest and most respected citizens, asking them to make provision for the separate confinement of boys and women as contemplated by the act passed by the legislature of 1875.

"It is unfortunate that this act was not made mandatory. Its provisions are eminently wise and very much needed; it is to be hoped our next legislature will so amend it as to give it the force originally contemplated.

(Signed) "MILES PERRY,
"For the Committee."

CORLAND COUNTY.

On the fourth day of October last our Court of Sessions opened its fall term. An unusual number of indicted persons were tried, followed by convictions and sentences to imprisonment. One conviction for rape resulted in a sentence of twenty years in the State prison; one for burglary, in entering a dwelling-house, in a sentence of fifteen years' imprisonment; several for larceny, and several for violating the excise law. The court, district attorney and jurors rigorously enforce the law, and the effect will be to check the increase of crime. Five indictments are untried, and all for the lowest grade of offense.

The security and cleanliness of our jail merit commendation. Escapes therefrom or inhumanity therein do not occur. Offenses below the degree of felony are of somewhat frequent occurrence, and are generally followed by speedy punishment.

The alms-house is a credit to our domestic government; this year it receives the approval of our board of supervisors.

During the past season a few tramps have perambulated the county, but without the commission of crime.

(Signed) HORATIO BALLARD,
GEO. W. BRADFORD, M. D.,
FREDERICK HYDE, M. D.,
FRANK PLACE,
THOMAS S. RANNEY,
LEWIS S. BOUGHTON,
CALEB GREEN, M. D.,
Committee.

GREENE COUNTY.

The tramps are turned from the town's care to the jail. The number is from twelve to eighteen per week. There are ten prisoners this week in the cells. All ventilation is cut off by closing the diamond hole. The cells are warmed by cylinder stoves, kept at white heat. It is as near the

black hole of Calcutta as one can conceive; young and old offenders, black and white, the diseased and debauched and the healthy farm boy, all gathered at one occupation, card-playing. The food is good and plentiful.

The report of the board of supervisors of Greene county reveals some additional information concerning the magnitude of the evils of vagrancy in that county.

The Statistics of the Tramp Question.

"From the reports to the board of supervisors we find that the number of tramps, or the transient poor, relieved in the different towns in this county during the past year was 7,202. Of this number 404 were relieved at the county poor-house. The cost of those relieved by the different towns was \$5,869.77. In the year 1874 the number of tramps relieved in the different towns was 2,782, with an aggregate of \$3,070.23. In 1873 the number was 959, and the aggregate cost \$1,287.03. In two years the number of tramps increased nearly eight fold, and the cost increased in nearly the same ratio.

"The number of persons remaining in the Greene county poor-house November thirtieth, was 113. Of this number ninety-six are natives of the United States, and seventeen are of foreign birth. Of transient poor relieved at the house during the year, 493 were males and 103 females, and of these 334 were Americans and 267 foreign. The poor-house was a farm of 188 acres attached. The first cost of the land and buildings was \$11,700; present value estimated at \$13,000. During the administration of Suptendent Roe and Mr. Mower, the farm has been greatly improved and brought to a high state of cultivation, and it produces enough to materially lighten the taxes for the poor fund."

JEFFERSON COUNTY.

The prison committee of this place have kept up regular Sunday afternoon religious services, which have been well listened to, and with good effect. A small library of second-hand Sunday-school books and a few religious pamphlets, the Lord's prayer, commandments, etc., have been placed inside the jail, which serve to keep the prisoners quiet and restrained,—yet they feel too uneasy to read much.

We have no work-house connected with the jail, so that the prisoners are kept too free from work, and those who like to work, terribly inactive. The time is used idly in bad talk and playing cards secretly, or some other evil pastime. The jail is well kept and regulated, and no fault can be found, except the idleness of the prisoners. To build a place for pounding stone would be too expensive, and we must go along as we are, hoping the dread and silence will set them to thinking.

Most of the convicts are single, middle-aged men, roving about from year to year, working by the month, or where chance takes them, and not of a very industrious class, arrested mainly for grand larceny. Another class is the uneducated, low poor, to be found about saloons or on streets at night, who get into trouble when they get whisky. Boys are generally arrested for petit larceny, and are nearly all from degraded families, educated usually in the streets, always at hand for some evil. These are sent off to the house of refuge, and not kept in the jail with the older prisoners. Our mind is made up that early education and right moral principles prevent more crimes than any other agency, and until the poor receive a better moral education, the source of crimes will never be dried up. These convicts are all without sufficient moral principle. They did not have the commandments deeply enough buried in their souls, and they can never fully control their deformed passions and appetites without terrific restraints or the grace of God fully depended on, which, in their sly, deceitful natures, they very seldom embrace. Early moral education is the greatest preventive; after that, law and gospel must be hotly applied to do any good. The industrious hardly ever get into trouble. The idle, reduced to poverty, and preferring to remain so rather than to work, almost always, sooner or later, find a refuge in the jail and prison house.

(Signed) J. M. ADAMS,
For the Committee.

KINGS COUNTY.

The secretary of the Kings county committee reports, that:

"For the past year I have given part of each day in the week and every Sabbath afternoon (except on three or four occasions) to this work; the Sabbath afternoon, being spent at the penitentiary, distributing papers, etc., and conversing with those prisoners that are about to be discharged, or that may want assistance from the Association in some way.

"Some months since, after helping a discharged prisoner, at considerable personal cost, to obtain employment, he fell, and went back to his old life. I felt this very much, as he gave every evidence that he intended to do what was right. But I was encouraged to go on in the work by one that had been assisted by the Association, saying: 'You have saved one man, Mr. Beers; do not give it up yet!' Some eight or ten men and women we have sent to homes away from Brooklyn; altogether we have assisted about 100.

"We have had a very low treasury for the year, not over \$200 in all. We have had some contributions of clothing, and a large number of papers, and we use about 300 magazines and papers every Sabbath.

"In the past year our penitentiary has received some long term prisoners, sentenced for ten years and less. Some of the convicts at the penitentiary are the worst class of criminals it has ever admitted. The Kings county jail is a disgrace, but it is kept in good order as far as the accommodation will allow. I have been admitted at all hours, and courteously treated by those in charge. Many of the prisoners whom the Association has assisted are now earning an honest living.

"Respectfully.

"N. T. BEERS, JR.,
"Secretary of Committee."

The chairman of the local committee in Brooklyn reports:

"Our committee are just closing their first year's practical work in harness, and have, of course, found much to learn and more to adopt for needed purposes, so that the machinery would work best with our limited means. Soon after receiving notice of appointment from your Association, we inaugurated a movement, looking to the formation of a Kings county society, auxiliary to the State Association,—its efforts to be directed and controlled by the county committee of correspondence.

"We have at present about fifty members in the society, including many ladies, from whose circle we have appointed a 'ladies' committee' who will doubtless accomplish much work in cases which could not otherwise be reached. Their assistance is especially felt in the matter of hospital supplies and kindred matters.

"The usual services have been held in the county jail and the penitentiary chapel, under the direction of the chaplains of those institutions. The devotion and earnestness of these two gentlemen, Rev. J. G. Bass and Rev. Father Hickey, is too well known to you to need further mention here. To the comfort of their respective charges we endeavor to contribute as far as possible.

"It seems almost useless to hope for improved jail accommodations in our county, but perhaps by giving every man a term upon our sub-committee upon jails, we may stir them up. We have no fault to find with the manner in which the present accommodations are made use of by those in charge, but a new building becomes every day more of a necessity. The management of our county penitentiary seems struggling hard to achieve first place in the roll of honor in prison government. The night school for mental improvement of deserving convicts, is in successful operation, and we consider it a very long stride in the right direction, and one of several which reflect the greatest credit upon Governor Shevlin and Deputy-Governor Crumney. Every opportunity

has been afforded the proper members of our committee to reach deserving cases among the convicts, both those whose terms are running out and those who have yet some time to remain, but who show any signs of susceptibility. Several cases have been brought to our notice, of which we would not otherwise have become cognizant, and managers and assistants seem disposed to do all in their power to enable the prisoner to realize any benefits the Association can throw in his way. Several changes have been made among the keepers in this prison during the past year, and in each case to the great satisfaction of our committee.

"Holidays have been liberally observed, and we notice a steady improvement in cheerful obedience to duty among the inmates.

"On account of the extreme difficulty of finding work for discharged convicts, and the limited financial resources of our infant society, our practical work among discharged prisoners has not been as extended as we could wish, but I find, upon consulting our records, that since the first of September last to January 1st, 1876, in addition to temporary relief to a large number, we have had charge of fifty-one ex-prisoners. These have all been sent to good places or forwarded to some desirable destination, among friends, or where they had work promised, or were put in situations nearer home. Of this number, we know that seventeen are still in good positions; others are believed to be, but have been lost sight of, and but two have, to our knowledge, been convicted again.

"We have under our daily observation several very promising and cheering instances of reformation and return to right paths on the part of subjects of our solicitude.

"A young man sent from a United States court, with but one charge against him, served his term, became converted while in prison, and is now a consistent member of a prominent church in our city, filling a position of trust and responsibility and winning the respect and confidence of his employers and all who surround him. Another, under similar circumstances, turns out equally well; a young woman, released from a short term in our penitentiary, is sent by the Association to a comfortable rural home, and seems, from letters received since, not only industrious, honest and happy, but thoroughly reformed. So we might go on, but then you have lots of just such cases and know all about it.

"We hope this year to gather quite a society of contributing members to the support of the work, in which case we propose to regularly incorporate, and sail right in for a good year's work. We feel very much strengthened by the accession of the ladies, and with the various elements, social, financial and governmental, closing around us and

strengthening our hands, we hope next season to send you a much better and longer report.

"FRED'K T. HOYT,

Chairman Kings County Committee.

"No. 607 Fulton st., BROOKLYN."

Kings County Penitentiary.

The chaplain of this institution reports as follows:

"Religious services have been held in the chapel every Sunday,—in the forenoon for the Catholics, under the charge of Rev. Father Hickey, a devoted young priest; and in the afternoon by the writer, who, for over ten years, under the auspices of the Brooklyn City Mission Society, has devoted much time to the spiritual and temporal welfare of the convicts in this prison and the county jail.

"With the opening of the year, school instruction has been inaugurated. T. W. Fields, Esq., superintendent of the board of education, with commendable zeal and interest, gave many evenings to the starting of the enterprise, which is now in successful operation. A comfortable room, large and well ventilated, has been fitted up with black-boards, desks and all other things pertaining to a well furnished school-room. The average attendance, ninety, is divided into four classes. The teachers have been carefully selected from among the convicts. The school has two sessions a week, and is very highly appreciated by those who attend.

"During the year we have had an effective local committee, through whose efforts and influence many discharged prisoners have had employment given them, or have been sent to their distant homes, and away from the evil associations which, perhaps, first led them into crime. Through this local committee, public sentiment in this city has been stirred on the objects for which your society was organized, and it may come to pass that ere long we shall have a Kings county prison association, an auxiliary to the parent society.

"The resolution adopted by our board of supervisors, by which discharged convicts receive a small sum of money on leaving the prison, has been tried for more than a year, it is believed with good results.

(Signed)

"J. G. BASS,

Chaplain."

The County Jail on Raymond street, Brooklyn.

"* * * * * Raymond street jail is a shame to the county of Kings, a reproach to the city of churches. It is not only insecure as a prison, but a school from which young offenders graduate into full

blown, first-class thieves and burglars. The sexes, it is true, are entirely apart (and this is, perhaps, the only good feature about the prison), but there are little or no means of classification. For three years past, boys under sixteen are put by themselves, but in every other case there is an indiscriminate herding of three and four in a cell. The moral effect of this may be summed up in the objection raised by a former keeper against religious services in this prison: "*It is no use to preach to people after they come to this jail.*"

"Nevertheless, we are holding religious services here every Sunday morning, under great disadvantage, as we have no chapel or place convenient for the purpose. Yet, we are not without hope that good has resulted from the reading and preaching of God's word.

"A committee from The Ladies' Christian Temperance Union visits the jail once a week, for prayer and conversation with the prisoners (women chiefly). Mr. H. Morey, city missionary, spends from three to four hours every Sunday (as he has done for nearly twenty years), in religious conversation with the male prisoners. The prisoners are not left without religious sympathy, advice and reading, but the writer has little or no hope of much good being done to men or women, who breathe the immoral and pestilential air of the Raymond street jail.

"The man or men, who will succeed in arousing the people to tearing down this festering curse, and erecting a building worthy the city of churches, and for the purposes needed, will do a good work for God and humanity.

(Signed) "J. G. BASS."

The sheriff of Kings county remarks, that, " * * * considering the condition of the general jail accommodation, it is kept in remarkably fair order. I use all reasonable means to ameliorate the position of the least degraded criminals or prisoners. Under the late regime of Sheriff Williams, our jail was carefully conducted and praise awarded.

(Signed) "ALBERT DOGGETT,
"Sheriff."

ONEIDA COUNTY.

Oneida county has two jails, one in Utica and one in Rome. On the 15th of November, 1875, the jail in Utica contained twenty-three prisoners, eighteen men and five women. Two were held for violation of the city ordinances, two for intoxication and one for vagrancy. Of the men, eleven were confined for intoxication, three for petit larceny, two for violation of the city ordinances, one for arson and one for burglary.

Capt. J. W. Berry, jailer and deputy sheriff, says that the number

on that day was below the average of the past year. I learn from him that there has been much more sickness in the jail this year than in the last. In almost all cases the sickness is owing to the dampness of the cells, and the horrible lack of ventilation. The necessity for a new jail at Utica, to which attention was called in the last report of the committee, will be urged upon the board of supervisors immediately, and with some hope of inducing that body to act on the subject.

"You said in your annual circular that professional criminals now constitute such a large, desperate and organized array, as to be almost secure against the proceedings of the criminal law, and the habitual criminal act of 1873 has, to the shame of the State, remained a dead letter." Oneida county furnishes good proof of the truth of this statement.

Throughout the summer, a notorious gang of desperadoes made Utica their head-quarters. Many burglaries were committed, and the citizens, generally, became alarmed. The suspected burglars stood on the street corners every day, and made no effort to conceal themselves. Owing to the lack of positive evidence against them, no effort was made to secure their arrest under the "habitual criminals' act." The police authorities were told, by lawyers of distinction, that no proceedings could be maintained under that statute; that while it was general in its phrasology, it was meant to be special in its application, and could not be properly enforced here. The burglars enjoyed immunity from arrest, on the ground that there was no evidence to warrant their detention, until a masked burglary of peculiar atrocity was traced home to them. Some arrests were made, and three members of the gang were tried, convicted and sentenced, each to eighteen years' imprisonment.

(Signed) THEO. P. COOK,
For Local Committee.

UTICA, December 2, 1875.

Captain Berry, the jail-keeper, writes as follows, concerning his view of the Oneida county prison and its inmates: " * * * Justice and mercy demand some reform that will separate the young from the old and hardened criminal. This jail is a poor, old sickly pen, perhaps the worst in the State. Prisoners are all huddled in together, both old and young. The cells are damp, and without any ventilation, and it is the cause of much sickness. The prisoners, when sick, are confined in the common cells, which makes it impossible to provide them with the proper care.

(Signed) "J. W. BERRY,
"Jailor."

"UTICA, December, 1875."

OSWEGO COUNTY.

The local committee of the New York Prison Association, reports as follows :

"The committee inspected the jail in the city of Oswego on the 6th January, 1876. The jail never was a sufficient one or properly constructed. Some years ago it was in as good a state as so poor a building could be, and was as well kept in every respect as circumstances would permit. Your committee subsequently strongly urged the board of supervisors to make improvements. This effort in behalf of humanity failed; the reasons were given in a former report. Since then the jail has been growing worse. It is now foul, dirty, badly arranged, and not especially secure, as experience shows. In fact, it is a discredit to the authorities of the county.

"A committee of the board of supervisors had the matter in hand, and will endeavor, at least to have the jail cleaned, if not improved.

"Your committee found nine prisoners, seven men, one boy and one woman, seven of whom were awaiting trial for crimes — murder, arson, larceny, etc., and one undergoing a short sentence for breach of the peace. The boy referred to is fourteen years of age, and though young, is a graduate of the house of refuge in New York. He is not separated from the old offenders, but mixes with them. As there probably is no doubt of his guilt, he should be promptly removed from the jail and sent to the house of refuge at Rochester. An effort will be made to bring that result about. He must grow morally worse where he is, while he may improve under penitentiary discipline.

"The prisoners present the appearance which might be expected from people, low in themselves, immured in such a place. Personally, they seemed tolerably clean, and are sufficiently well fed. Your committee intend hereafter to make another visit. The jail in Pulaski, the eastern shire of the county, is but little used, and does not claim our special attention.

(Signed)

"O. J. HARMON.

"J. H. COE.

"G. C. McWHORTER.

"J. A. PLACE.

"G. MOLLISON.

"OSWEGO, January 7, 1876."

ORANGE COUNTY.

The keeper of the jail at Newburgh communicates the following information and shows quite conclusively how any town or city can abate the tramp nuisance:

"Drunkness is the characteristic of the great majority of prisoners

committed to this jail. Vagrants here have been committed to the almshouse for about a year past where they have been obliged to break stone, and their number has been greatly decreased in consequence.

"A great deal of good has been accomplished by a traveler of the State Charities Association here. He has induced almost all the families to join the Association and agree not to feed tramps. This, connected with the stone-breaking, has nearly rid this city of the tramp nuisance.

(Signed)

"W. D. UNDERHILL,

"Under Sheriff."

"NEWBURGH, ORANGE CO., January, 1876."

ORLEANS COUNTY.

"* * * You will perceive that drunkenness enters largely into the account, as the moving cause of a great share of the commitments, and I feel that this will be the case in all of our counties so long as the legislative power of the State continues, as it has done for so long a time, to license men to sell intoxicating drinks, making criminals according to the law.

(Signed)

"D. W. FRYE,

"For local Committee.

"ALBION, November 24, 1875."

NIAGARA COUNTY.

"Our superintendent of the poor tells us that he has refused to assist any tramps, and after a few applications for relief, which were not heeded, he has not been troubled by them. In consequence of that fraternal relation which seems to exist among them, the first applicants informed others of the futility of including Lockport in their list of places on the line of their tramping expedition.

"Only four or five persons have needed any assistance whatever, and the superintendent kept no special description of them. Our committee continue their Sunday religious services as heretofore.

(Signed)

"CHARLES T. KILBOURNE."

ONONDAGA COUNTY.

J. C. Williams, Esq., superintendent of the Onondaga penitentiary, writes as follows :

"SYRACUSE, January 18, 1876.

"I most certainly rejoice to see an industrial school established for the benefit of the boys. I am satisfied, from my experience, that the penitentiary is not the proper place for young boys. Our school has been a success in every respect. It helps maintain a good, wholesome discipline

in prison, and most of the scholars make good progress in their studies. I have arranged for holding a Bible class one night in the week, conducted by the Young Men's Christian Association of this city, and I expect good results therefrom.

(Signed) "J. C. WILLIAMS."

RENSSELAER COUNTY.

Through the courtesy of the officials, the jail in Troy is visited every Sunday morning by young gentlemen and ladies belonging to the Christian unions connected with the different churches of our city. Religious services are held and papers and tracts distributed to all the inmates. A library has been commenced, numbering about forty books. Were labor required of men when confined in the jail, their chances when released of gaining honorable employment, and thereby self-support and self-respect and final reformation, would be largely increased.

The statute of 1847 declares it to be the duty of the keeper of each county prison to cause each prisoner under sentence, except such as are under sentence of death, to be constantly employed when practicable, except on Sunday.

It is not thought practicable to fulfill this duty on the prison premises, with the present accommodations. Long term men who can be profitably employed at labor are consequently sent to the Albany penitentiary. Short term men, unnerved by rum and unfit for work, are retained in our jail.

Upon stipulation with the city authorities, the sheriff has the right to put his prisoners to work on a public improvement like the removal of Mount Olympus.*

Should the justice sentence the long term men to the jail at hard labor (Mt. Olympus), instead of to the penitentiary, the cost of these men at the latter place would simply be expended upon a much needed improvement. The tax-payers would be recompensed for their outlay in the support of criminals.

All extra cost of securing these prisoners by chain and ball, the necessary guards (by deputy sheriffs), the erection of a high fence around the Mount, tools and clothing, would be more than met, estimating the work of these prisoners at the ordinary cost of city laborers.

We think the sheriff could accommodate twelve long term men and the city profitably employ them at the work indicated above, and short term men can be made to take an occasional day's work to the good not only of the tax-payers but also of themselves.

* Mount Olympus, a vast hill of clay and gravel, is being removed with shovels and carts, for purposes of grading and filling.

We know of no place that will at present more improve the condition of the inmates of our jail and at the same time commend itself to the approval of good citizens. Its inexpensiveness will warrant the authorities in making trial of it, and we believe that public sentiment will sustain them in the improvement.

(Signed) A. R. MOORE,
For the Committee.

Troy, December 6, 1875.

RICHMOND COUNTY.

The local visiting committee to the Richmond county jail, respectfully submit the following statement, as their annual report for the year 1875:

There have been confined in the Richmond county jail, during the year 1875, 298 prisoners, of whom 243 were males, and fifty-five females. Of this number forty-six were held for drunkenness; twenty-four for assault and battery; twenty-three for disorderly conduct; twelve for stealing; nine for vagrancy; four for petit larceny, and one for violation of the election laws.

There is now but one prisoner, and his term expires in a few days; seven other persons are held for examination, and one as a witness, making now nine persons in the jail.

The material condition of the jail is the same as it was at the date of our last report, and in that respect the public has, in the opinion of your committee, no cause to complain. The care of the jail, in reference to cleanliness and order, is in very good hands, and we think the sheriff does the best he can with what he has to do with.

The library for the use of the prisoners has been increased during the past year by the gifts of friends, so that, at present, there are more than 100 volumes of good reading matter. It is of service to those who can read, and they often read aloud for the entertainment of others.

Religious services are still held each Sunday afternoon, by the members of your committee resident in Richmond village. To some of the prisoners the services are welcome. We are fortunate in having upon our committee such willing and faithful servants in the work which they find to do.

No change has yet been made in regard to the expenses of the jail or the diet of the prisoners, and the worthless vagrants and scoundrels, who mostly occupy the cells, are still fed upon roast beef and coffee, at a cost of four dollars a week, at the public expense. The bill of the sheriff for the current year was \$2,872.95, but was allowed by the board of supervisors at \$2,539.25.

Your committee would renew their recommendation in their last report, and will cheerfully join with the other local committees through-

out the State, and with the Prison Association, in a united appeal to the Legislature for a statute to provide for payment of a salary to the sheriffs of the State for the care of county jails, — the amount to be fixed by the board of supervisors, which should also limit the price of board for each prisoner to a sum not exceeding one dollar and fifty cents per week.

The provisions of law for sending all convicts sentenced for the term of sixty days and upward to a neighboring penitentiary (chap. 209, L. 1874) has been taken advantage of by our local authorities to the profit of our tax-payers, and it may be to some benefit for the convicts.

During the year 1875 only eighteen convicts have been received at the penitentiary from this county, at an expense of \$369.53. Were it not for the evasion of this law by many of the magistrates of our county, supposed to be for the purpose of favoring the sheriff, by increasing the number of the boarders in the jail, this law would be able to make the jail what it should be, "a house of detention only, for persons held for trial" and for witnesses.

As this law requires the convict to be sentenced for sixty days, or more, we should also do away with the absurd system of short sentences, if each justice of the peace, with his knowledge of the practical working of the law and of the true interests of both the criminal and of society, would do his duty to both. These magistrates, in a great measure, give the character to the county for its want of respect for law and order. The record shows that the principal source of the crime we have to deal with is the rum shop, and it is in these low courts and before their magistrates that these persons are brought who make up our list of criminals.

The drunkard is sent to jail for ten days, while the person selling him the liquor which made him drunk, even if in violation of the excise law, is allowed to go free. If we are rightly informed, there are now more than 400 suspended sentences for the violation of this law, in the village of Edgewater alone.

The average standard of morals throughout our country must be very low to allow this condition of affairs to remain longer without even a protest, or the standard of indifference to the requirements of society must be very high. It is quite time that the people took from the hands of scheming politicians their heretofore unquestioned control of the nomination and election of the candidates for this most important office of justice of the peace.

During the past year, work has been prescribed for the convicts in the jail by the county judge, and stone breaking is now fairly inaugurated as one of the industries of the county. The board of supervisors pay one dollar per ton for the stone delivered at the jail, and sell the same, after being broken, for one dollar and fifty cents per ton, to be put upon

the roads. We believe this to be the only jail in the State where there is any form of labor whatever, and we confidently point to this kind of labor as a practical and substantial solution of the problem, to what public use petty criminals may be put. It is also a form of labor which might be introduced into all the poor-houses, and be carried on by the many vagrants, tramps and paupers, who are now nothing but a public burden.

As an inducement for farmers and others to draw the stone to the place where it may be broken, an amendment to the highway laws might be passed, by which the highway tax could be abated for those persons who put a fixed number of loads of broken stone upon the highways each year. A double benefit is hereby secured, in the employment of persons otherwise idle, and the making of excellent roads, which have been called a mark of an advanced civilization.

An attempt was made in April last, by petition to the board of supervisors, to have the convicts clothed with a prison dress while they remained in jail. Nothing has as yet been done in this direction, but there is encouragement to believe that it will be accomplished.

The female prisoners have, so far as it was practicable, been employed in sweeping and scrubbing about the jail, and in such sewing work as was provided by the ladies of your committee. Upon their release, influence has been used to obtain employment for them, where they could have a chance for reform, and, at any rate, be removed to new surroundings, away from all the temptations to return to their old habits of life.

The committee also renew their suggestion of a revision of the criminal code of this State. Examples of its defects we often see in the sentences of the few criminals whom we find in our jail. During the past year a deaf mute, twenty-two years of age, was confined for nearly three months, and afterward sent to the penitentiary for six months. It would seem as though the law could be stripped of some of its harshness as to such persons, and that their moral nature should have a chance to be educated before they are held to a strict accountability. Again, a woman was sentenced for forty days, who took with her into the jail, and kept until the expiration of her sentence, her little child, seven years old. In this instance, through the influence of the ladies of your committee, upon her release the mother was sent to the "Isaac T. Hopper Home," and the child was sent to the "Nursery and Child's Hospital." We think provision should be made to separate mother and child in such cases, as being both necessary for the future well-being of the child, and as an inducement to the mother to reform.

Finally, we renew our suggestion that a united effort be made by the Prison Association and its local committees throughout the State for the

establishment of work-houses, as provided in the law, a form for which we presented in our last report.

We know it is said that in this State no law that provides a system of indeterminate sentences can be executed, but we feel assured that when this system comes to be thoroughly understood by the most intelligent classes, and an organized effort is made, even if it be three defeated, it will ultimately be successfully carried out. If we admit that the system which has been successfully tried in Australia, Spain, France, Austria, Ireland and England, and which their judicial and penal authorities so highly commend, cannot be executed here, the answer is very humiliating to the question, of what advantage is your form of government and your boasted individual liberty, if you fail so signally in the care and reformation of your criminals and paupers, who, with muffled hammers, are silently but surely sapping the wall of your citadel? Of what avail is it to attack the monstrous frauds which appear upon the surface of your canal and State prison management, when the current of sovereignty flows from poisoned springs?

All of which is respectfully submitted.

(Signed)

EDW. B. MERRILL,
JOSEPHINE SHAW LOWELL,
CORNELIUS DUBOIS FLOYD,
NICOLL FLOYD,
H. G. MOORE,
MARY MUNDY,

Committee.

STATEN ISLAND, January 26, 1876.

Results of Work-house Discipline.

The county committee of Staten Island thus summarizes some of the results, under the head of facts for tax-payers:

"Up to the close of the year 1874, under the contract made by the board of supervisors, in consequence of the representations of the 'local visiting committee for Richmond county institutions,' only thirty-five prisoners were sent from this county to the Kings county penitentiary; but, notwithstanding the smallness of this number, the saving to the county has been considerable.

"Had these prisoners been confined in the county jail for the full terms of their respective sentences, their board, at the rate of four dollars a week would have cost the county \$2,912, but in the penitentiary it would have cost \$968.50, making a saving to the county of \$1,943.50. As, however, the charge for board in the jail was formerly four dollars

and a-half a week, and the whole amount paid to the penitentiary in 1874 was only \$661.76, the real saving would appear to be much more.

"Had all the magistrates co-operated heartily with the supervisors, and sent to the penitentiary all the convicts who ought to have gone there, the amount of money saved would have been proportionately greater. That some have not done so, is evident from the fact that while the contract with the penitentiary applies only to convicts committed for sixty days and over, many sentences have been for fifty-nine days, and were manifestly so limited solely for the purpose of evading it.

"All tax-payers should understand and bear in mind the fact, that each commitment of a convict to the county jail for fifty-nine days, costs the county, at four dollars a week, eighteen dollars and seventy-one cents more than the commitment of the same convict to the penitentiary for sixty days, the contract rate of board at the penitentiary being one dollar and seventy-five cents a week for sixty-day commitments; it is one dollar and fifty cents a week for three months, and one dollar and twenty-five cents a week for six months and over, the rate diminishing as the term is lengthened.

"In 1873 the superintendent of the poor for the town of Castleton promptly accepted the offer of the 'local visiting committee for Richmond county institutions,' to visit all applicants for out-door relief, inquire into the circumstances of each case, and report to him, with their opinion as to the propriety of granting or withholding assistance. The result of this arrangement was as follows: From November 1, 1872, to November 1, 1873, previous to the arrangement, the amount disbursed in Castleton for such relief was \$3,003; from November 1, 1873, to November 1, 1874, under the arrangement, it was \$2,071; showing a diminution of nearly one-third, \$932, and so much saved to the tax-payers."

STATISTICAL SUMMARY OF Reports of Local Committees on County Jails at the end of the year 1875.

THIRTY-FIRST ANNUAL REPORT OF THE

COUNTY.	Total number of prisoners in custody at the evening of December 31, 1875.		Total number of prisoners in custody on the 1st of January 1876.		Total number of prisoners released in any manner during the year 1875.		Total number of deaths among the prisoners during the year 1875.		Was it the present year the number of inmates in the prison or jail.	
	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.	Males.	Females.
	Total.	Total.	Total.	Total.	Total.	Total.	Total.	Total.	Total.	Total.
Chicago	8	0	8	0	10	0	2	0	4	0
Clinton	23	22	45	22	85	31	54	14	9	3
DeKalb	4	4	8	4	5	5	3	0	4	0
DeWitt	4	0	4	0	5	0	1	0	3	0
Edie	9	0	9	0	10	0	1	0	8	0
Franklin	69	3	72	3	128	0	59	0	10	0
Harrison	16	0	16	0	None	None	None	None	10	0
Jackson	10	0	10	0	4	0	6	0	10	0
Kane	13	0	13	0	1	0	12	0	10	0
Knox	13	0	13	0	None	None	None	None	10	0
Lake	15	0	15	0	1	0	14	0	10	0
Lake (Newburgh)	4	0	4	0	7	0	3	0	1	0
Madison	13	0	13	0	2	0	11	0	12	0
Manitowish	14	0	14	0	2	0	12	0	11	0
Marquette	6	0	6	0	1	0	5	0	12	0
Menominee	6	0	6	0	4	0	2	0	12	0
Monroe	15	0	15	0	1	0	14	0	10	0
Neenah	5	0	5	0	1	0	4	0	10	0
Oneida	15	0	15	0	1	0	14	0	10	0
Outagamie	15	0	15	0	1	0	14	0	10	0
Shawano	14	0	14	0	1	0	13	0	10	0
Sheldon	13	0	13	0	1	0	12	0	10	0
Straight	13	0	13	0	1	0	12	0	10	0
Waushara	12	0	12	0	1	0	11	0	10	0
Winnebago	12	0	12	0	1	0	11	0	10	0
Wisconsin	13	0	13	0	1	0	12	0	10	0
Wright	13	0	13	0	1	0	12	0	10	0
Wyoming	5	0	5	0	1	0	4	0	10	0

STATISTICAL SUMMARY OF Reports of Local Committees on Indictments, Convictions, and Crimes, and the State of Prisoners in Jails.

COUNTY.	Number of indigent persons committed to jail during the year ending Sept. 30, 1875.		Convicted persons in special sessions, and in the month of September, 1875.		Total convictions.		Term of imprisonment.	Name of crimes.	Is there a library and a supply of readable reading provided at the jail?	Are children under 16 years of age placed in the prisons of other prisoners?	Are the two sexes separately kept in the same prison?
	Males.	Females.	Males.	Females.	Males.	Females.					
	Total.	Total.	Total.	Total.	Total.	Total.					
Albany	37	4	41	3	33	5	1 year to 10	Gr. larc., burg., arson, bigamy	Yes	No	Yes
Broome	41	1	42	2	40	2	1 year to 10	Gr. larc., burg., arson, bigamy	Yes	Yes	Yes
Cayuga	23	3	26	3	23	3	1 year to 10	Gr. larc., burg., arson, bigamy	Yes	Yes	Yes
Columbia	34	1	35	2	34	1	1 year to 10	Gr. larc., burg., arson, bigamy	Yes	Yes	Yes
Cortland	4	3	7	0	7	0	1 year to 6	Burglary, grand larceny, arson	No	Yes	Yes
Franklin	1	1	2	0	2	0	1 year to 6	Burglary, grand larceny, arson	No	Yes	Yes
Hamilton	44	1	45	2	43	3	1 year to 6	Burglary, grand larceny, arson	No	Yes	Yes
Jefferson	19	1	20	3	18	3	1 year to 6	Forgery, burglary, robbery	No	Yes	Yes
Madison	6	6	12	0	12	0	1 year to 6	Assault and battery, robbery	No	Yes	No
Manitowish	20	10	30	8	28	12	1 year to 6	Assault and battery, robbery	Yes	Yes	Yes
Marquette	19	5	24	5	22	10	1 year to 6	Gr. larc., burg., assault and bat.	Yes	Yes	Yes
Menominee	21	1	22	5	20	6	1 year to 6	Gr. larc., burg., arson.	Yes	Yes	Yes
Neenah	12	1	13	1	12	1	1 year to 6	Burglary, grand larceny.	Yes	Yes	Yes
Oneida	9	1	10	4	9	5	1 year to 6	Burglary, grand larceny.	Yes	Yes	Yes
Outagamie	12	1	13	4	12	1	1 year to 6	Burglary, grand larceny.	Yes	Yes	Yes
Shawano	8	1	9	1	8	1	1 year to 6	Burglary, grand larceny.	Yes	Yes	Yes
Schenectady	1	0	1	0	1	0	1 year to 6	Burglary, grand larceny.	Yes	Yes	Yes
Sheldon	20	3	23	4	20	4	1 year to 6	Burglary, grand larceny.	Yes	Yes	Yes
Sturtevant	50	3	53	2	51	1	1 year to 6	Burglary, grand larceny.	Yes	Yes	Yes
Tompkins	35	1	36	1	35	1	1 year to 6	Burglary, grand larceny.	Yes	Yes	Yes
Warren	19	4	23	3	23	1	1 year to 6	Murder, burglary	Yes	No	No
Waushara	10	3	13	1	10	3	1 year to 6	Murder, burglary	Yes	No	No
Winnebago	40	3	43	1	40	3	1 year to 6	Crimes of every description	Yes	Yes	Yes
Wisconsin	15	15	30	10	25	15	1 year to 6	Crimes of every description	No	Children sent to the jail	Yes
Wyoming	5	1	6	0	6	0	1 year to 6	Grand larceny	No	Yes	No

REPORT ON THE SING SING FEMALE PRISON.

BY MRS. VAN CORTLANDT.

COUNTY.	Number of prisoners in jail at the day of report.	PRISONERS COMMITTED IN TWELVE MONTHS, ENDING SEPTEMBER 30, 1875.					Recap.
		For vagrancy.	For drunkenness only.	For drunkenness and vagrancy.	For drunkenness and disorderly conduct.	Total committed.	
Albany	68	230	2,654	870	3,654		
Broome	18	306	416	511	1,233		
Cayuga	18	4	5	3	14		
Columbia	1	64	1	1	66		
Delaware	1	19	147	120	286		
Dutchess	1	1	1	7	9		
Essex	5	1	15	16	32		
Franklin	10	10	61	51	122		
Genesee	1	35	67	129	231		
Greene	1	64	67	11	142		
Hamilton	1	None	1	None	1		
Jefferson	16	11	165	10	193		
Livingston	13	6	32	10	50		
Niagara	18	115	260	375	768		
Richmond	1	29	55	114	203		
St. Lawrence	25	8	33	32	78		
Schenectady	1	13	13	32	59		
Sullivan	1	1	1	1	4		
Suffolk	10	1	7	1	10		
Tioga	6	3	15	15	39		
Tompkins	8	6	78	25	117		
Ulster	12	29	46	2	89		
Warren	4	1	1	1	7		

There is but little of a cheering character to add to my report rendered to the Prison Association of New York last year, as no attempt at classification has been made, nothing in the way of reform accomplished. The women are still unprovided with sufficient cells, and as there are this month (February) 147 convicts and only eighty-four cells for their reception, it will be seen that after deducting a small per centage of invalids and mothers with infants who occupy the hospital and nursery, many of these cells must receive two inmates. Little or no distinction can be made, and the occupants of one cell may be a young girl sent for a first offense and an old offender, a graduate in crime, familiar with every den in the city, the companion of the criminal classes there. Perhaps this girl, yet in her teens, may have resolved when her sentence was passed and she realized her shame and degradation, that should she live to pass those prison doors, she would return to her home and endeavor to lead a better life. How long would this resolve last when she is shut up nightly for twelve hours with a practiced offender, bent on bringing all with whom she comes in contact to the same low level as herself? Even if there were cells enough to permit each convict to be alone at night, the cramped limits of the exercise-yard bring all together, and intercourse cannot be prevented by the small force of matrons employed to watch them. As for the physical effects of this overcrowding the cells, one shudders to think of them. The cells are six feet eight inches in height, eight feet five inches in length, four feet one inch and a-half in width, scant measure for one person, yet in many of these, two women are shut during the long nights of winter and the shorter close nights of summer. (At this season they go in the cells at 5 p. m. and leave them at 7 a. m.) Some of the women are healthy, many of them invalids; their clothing worn by day and only changed weekly, must be either hung on the walls or left on the floor; the two night buckets must be there, and it requires little effort of the imagination to see in what a trembling, sickened state many of them emerge. Some will doubtless say that a good, coarse, plentiful breakfast will soon set them up, but they cannot know where this breakfast is served. Four feet from the doors of those cells—whose iron gratings admit air and emit as well the odors from the bed-clothing and night dresses—the table is spread for their

meals, and the seats are placed between the table and cells. Sometimes women are punished by having what is styled a simple "lock-up"; they can disturb and annoy those whose meals are taken in their neighborhood, talking and making mischief if it pleases them to do so. Until the last winter, no outer ward was provided for punishment of aggravated offenders against discipline, and women were kept in their cells several days, an outer door of wood being placed over the grated one, shutting out light and air as well. I visited one woman in this punishment, and found the air simply unendurable. How, then, must it have been for those whose daily meals were taken in close proximity? An outer ward has been prepared, and, when light shall be admitted by openings in the roof, it is to be hoped that the solitude and silence, together with the want of occupation, may lessen the number of offenses and shorten the period of punishment. So many things are needed to make this female prison what it should be, that I hesitate to enter upon the subject; should a misplaced economy on the part of our legislators much longer postpone the removal of the female prison from this most unsuitable place, then radical reforms should begin here at once. One must hope, however, that the pressing need for the removal of the female convicts will be felt; the great male prison, overcrowded, and demanding so much care and oversight, dwarfs the lesser, and causes many of its needs to be overlooked. Were it in some interior county, or in one of the southern tier of counties, where more than a paltry half-acre could be given for its wants, the demand for classification and care might be met and answered. All the matrons who have been in charge, consider the proximity of the male prison one of the greatest evils with which they have to contend.

The present building would all be needed for the male prisoners, and some distinction between the various grades of crime could begin at once here; but if this may not be, then the next question to answer is, in regard to reforms to be made at once. I will endeavor to show what is of the most importance: First. More cells are imperatively needed; these, with proper care for ventilation, might be built above the others, making another tier. Secondly. A new mess-hall is necessary. For this purpose, the present chapel would be the most eligible place, as a door could be opened from it directly into the kitchen, and the present matron there could supervise also the mess-hall; the food, too, would not have to be carried any distance, as it is at present; of course a new chapel would have to be built, but as the State can command stone, lime and labor, the expense of its erection would be comparatively small. Thirdly. More facilities for bathing should be provided, and frequent baths made compulsory; it is possible that, with the present small force of matrons (six), this cannot be accomplished, but it is a sanitary measure much

needed. Fourthly. More elementary books are required. I found a class of eleven women learning to spell, and one primer had to pass from hand to hand; readers, spelling books, English and German dictionaries had been asked for in vain; no appropriation had been made,—at least, none that comprehended the female convict scholars. An appeal was made, and answered, in part, by "The State Charities Aid Association," the Rev. Dr. Gibson of Sing Sing, and Miss G. Schuyler of New York, but the supply is still unequal to the demand, and second-hand school books will be thankfully received by the faithful, efficient teacher, Miss Lewis.

It is most humiliating to beg for these books, as the invariable query is: "Why does not the State of New York provide school books?" Surely our legislators are not prepared to say that education is injurious to convicts, yet, practically this is the result of such misplaced economy, and what good can the best teacher effect, for whom no appliances are provided? Since my last report, forty-six convicts have been visited previous to their discharge; six were serving their second term; one her third term. One of these convicts was brought up in one of our northern county poor-houses; she was sent to prison for the crime of infanticide; she has left behind her, in the same county-house where her own youth was spent, an illegitimate, living child, three years of age; she is partially imbecile, and, owing to this fact, her term of imprisonment was for one year *only*. She should be sent to some asylum as an incapable.

I am glad to be able to speak in praise of the additional hospital ward, which will conduce so greatly to the comfort and peace of the sick and the dying; it is well planned, and was greatly needed. I also desire to express again my thanks for the uniform courtesy and kindness of all the officials of the prison, and for the aid given me in my work by Miss Johnson, the late efficient matron, and I desire to bear my testimony to the cheerful patience of the corps of matrons, the strain upon whose physical and mental powers must be great and unremitting; few in number, their duties must be wearing and arduous, and, as a matter of course, much of their kindness and forbearance is unappreciated by their troublesome charges. I cannot conclude this report without a brief allusion to the death of one, whose interest in convicts only ended with life, and whose labors for them were untiring. The Rev. John Luckey, for nearly eighteen years chaplain of Sing Sing prison, entered into rest at Rolla, Missouri, January 10, 1876. Some fitting memorial of his prison work will doubtless be prepared by some member of the Association, but it may not be amiss to speak here of his faithfulness and influence. As early as November, 1844, when a meeting was called to form this Association, a notice appeared in the New York Tribune that

Chaplain Luckey would, at that meeting, give an account of his experience in providing homes and work for discharged convicts. When the hour came, the number of prominent speakers, and the native modesty of the man, caused him to be somewhat overlooked, and he did not make the promised statement, but he always manifested the deepest interest in this work, and labored in conjunction with it for many years. In 1860 Mr. Luckey published a volume giving an account of his twelve years' chaplaincy. It is replete with suggestions for reform, founded on his own experience, and is full of interest to the general reader, as well as to the philanthropist. It is not possible to estimate the value of his labors; there is no earthly record of all his good work, but there are many reclaimed convicts to-day holding respectable positions in society, who owe all their prosperity to this good man's exhortations, and his unwearied care for them.

CATHARINE E. VAN CORTLANDT.

FOLLOWING
PAGE(S)
MUTILATED

ABSTRACT FROM THE RECORDS I

DATE.	Number.	Prison name.	Age.	Nativity.	The crime for which convicted.
1875.					
Jan. 8..	1	Emma	32	American...	Larceny
12..	2	Louisa	27	Irish	Shoplifting
18..	3	Lizzie	25	Irish	Larceny
Feb. 1..	4	Amelia	22	German	Larceny
8..	5	Anne	37	Irish	Larceny
14..	6	Kate	24	Irish	Larceny
11..	7	Ellen	31	Irish	Pickpocket
19..	8	Sarah	26	American...	Larceny
20..	9	Mary	38	Irish	Larceny
March 3.	10	Ellen	23	American...	Larceny
28..	11	Mary	24	Irish	Robbery from the person
April 5..	12	Annie	21	Irish	Grand larceny
9..	13	Mary	25	Col. Amer...	Grand larceny
11..	14	Eustatia	31	American...	Grand larceny
17..	15	Jenny	22	Col. Amer...	Grand larceny
May 23..	16	Eliza	25	American...	Grand larceny
25..	17	Mary	36	Irish	Assault
28..	18	Mary	44	Irish	Grand larceny
29..	19	Mary	19	Col. Amer...	Grand larceny
June 8	20	Mary	26	Irish	Grand larceny
25..	21	Annie	35	Col. Amer...	Grand larceny
27..	22	Lillian	26	English	Grand larceny
July 19..	23	Ann	43	Irish	Grand larceny
18..	24	Annie	29	Irish	Receiving stolen goods.
19..	25	Johanna	24	Irish	Grand larceny
23..	26	Mary	26	American...	Receiving stolen goods.
23..	27	Ida	30	English	Receiving stolen goods.
August 20..	28	Kate	22	American...	Grand larceny
20..	29	Eliza	21	American...	Grand larceny
20..	30	Isabella	24	American...	Grand larceny
21..	31	Maggie	19	American...	Grand larceny
24..	32	Bridget	28	Irish	Grand larceny
25..	33	Hattie	27	Irish	Grand larceny
25..	34	Caroline	19	German	Grand larceny
27..	35	Annie	22	American...	Grand larceny
Sept. 3..	36	Mary	24	Canada	House breaking
13..	37	Rose	64	Irish	Assault
Oct. 16..	38	Eliza	30	Irish	Pickpocket
Nov. 20..	39	Mary	45	American...	Receiving stolen goods.
Dec. 11..	40	Mary Ann..	20	American...	Grand larceny
14..	41	Catherine..	35	Irish	Grand larceny
18..	42	Catherine..	31	English	Grand larceny
21..	43	Julia	60	American...	Grand larceny
1876.					
Jan. 8..	44	Mary	59	German	Receiving stolen goods.
19..	45	Mary	23	Col. Amer...	Grand larceny
19..	46	Mary	24	American...	Assault with intent.

REPORT OF SPECIAL EXAMINATION OF CONVICTS
IN THE STATE PRISONS.

BY RICHARD L. DUGDALE.
(Member of the Executive Committee.)

The State of New York has enacted thirty statutes or parts of statutes which relate to the collection, accuracy and preservation of the statistics of crime, the administration of criminal justice, the finances of penal institutions, the identification of the criminal classes, and the indenture, conduct and fate of minors who have been placed in reformatories. There are at least nineteen distinct classes of officers upon whom is imposed some part of the duty of making these returns correct, or of preserving them when they are reported to the proper officers according to the provisions of law. Before making an examination of the convicts in the prisons of this State, which was ordered by resolution of the Association June 24, 1875, it was thought advisable to examine the statistics which the law has made such elaborate provisions to collect, so that the inquiry might rest upon postulates indicating the right direction of study and establish standards for the comparisons of associated facts. For this purpose, the registers of State prisons and penitentiaries, the returns of county magistrates, the records of jails and of county clerks, and the archives of the Secretary of State have been examined, only to find that nothing exists sufficiently reliable to serve in the study of crime or the movements of the crime classes, and that a beginning must be made from the foundation. The provisions of the law itself are so incongruous, that no just comparisons can be instituted even if every officer should make an exact return according to the statute, for the schedules differ widely, the reports are made to different officers, so that they are not gathered into one central office, and the responsibility for neglecting to make returns is in some cases dubious. Aside from these statutory defects, there are other causes which greatly add to the faultiness of criminal statistics, and may be divided into four general categories: First, the inefficiency of the police; second, the defects in the administration of justice; third, the falsification and defectiveness of the records; and, fourth, public apathy.

Under the first we have: First, the undetected who commit crimes and evade the punishment by covering their iniquities from public knowledge. Among this class may be found defaulters, guardians who appropriate

trust funds under forms of law, abortionists, various panders to vice and receivers of stolen goods, who are protected by the craft because they are crime capitalists. Second, the unarranged who are represented by those who either have evaded or made terms with the police, or who live in the rural districts where practically no police exists; also, such depredators as private individuals decline to appear against, either from indifference, from intimidation, or by compounding their felonies.

Coming under the category of defects in the administration of justice we have: First, the unprosecuted, a very large band who get off either by *nolle prosequi* or by giving straw bail. Second, the unjustly acquitted by sympathising juries or other means. Third, the acceptance of pleas of guilty of a minor offense when a major one has been committed. Fourth, the convictions for constructive crime, by giving the evidence against a prisoner an interpretation which allows prosecution for a greater offense than that actually committed, as where larceny from a woman is construed into attempt at rape. Fifth, the immunity of those who turn State's evidence against their confederates. In these ways we fail to get at the actual quality of the crime—for in a vast number of convictions there has been no trial—we only get the name of certain offenses which do not have even the merit of being accurately defined.

As to the defectiveness and falsification of records, these are very numerous: First, The neglect of country justices to transmit duplicate copies of commitments and finable cases to county clerks, as required by law. In some counties, not one-fourth of the cases adjudged are reported, and in almost every county they are defective. So far is this kind of negligence carried that we have found men locked up in jail without a *mittimus*. Second, The neglect of many sheriffs to keep jail registers, and the consequent inability to make returns to the Secretary of State of all persons committed to the county jail for offenses punishable by imprisonment in such prisons. Third, The neglect of county clerks to furnish correct monthly returns of the indictments and sentences in courts of record to the Secretary of State. Fourth, The negligence of clerks in transcribing copies of returns. Fifth, The mutilation of the records of the courts of record, successive pages being in some instances bodily cut out. Sixth, The failure to identify habitual criminals, so that we know absolutely nothing of the proportion of first offenders to habitual criminals. One man, aged forty-one, who figures on the records as committed for second offense, began prison life at seven years of age; has been twice in the house of refuge, once in the juvenile asylum, and altogether sixteen times in prisons of some degree (mostly penitentiary), each time committed from New York city. Another, aged seventy-four years, who also appears on the registers of a State prison as com-

mitted for second offense, is now serving his seventh consecutive term in the same prison in which this registry is made, the sum of his united sentences amounting to seventeen years. Out of 233 cases examined 29.40 per cent are undoubtedly habitual criminals; of these only twenty-six per cent are registered upon the books as such. Seventh, The falsification of ages, names, nativities, by convicts, to protect themselves in various ways from severe sentences. Boys of sixteen give their ages as nineteen, because they do not want to be sent to the house of refuge; while others of nineteen give their ages as sixteen, because they do. In Buffalo and Albany, offenders give their ages as older, so as to be sent to State prison instead of the Penitentiary, because "you get better food and less work to do;" but in New York city they give ages younger than the facts, preferring to go to Blackwell's Island, "because there you don't work and you get shorter time." Many give false names, because their own is too notorious, or to protect their relations from disgrace, or to save themselves from the odium of appearing on prison registers, resuming their real names on discharge. Eighth, The registering as facts statements made by prisoners which are purely fictions. Thus, under the name "religious training," the convicts figure as Catholic or Protestant, when the most superficial examination demonstrates they are absolutely indifferent to either faith, and equally ignorant of the tenets of both. Under the head "education," many are registered as "read and write" who can only write their name and can hardly spell, while under "social condition" the married are registered as single, those who have never lived in any other than illicit relations are registered as married, and under that *regis* are allowed to write letters to their concubines serving sentence in the female prison or in some penitentiary, because the law allows correspondence only between man and wife.

There is therefore every possible variety of error to impair the value of what are called our criminal statistics. Under the circumstances, we can fully appreciate the value of the candor of Gen. Francis A. Walker when he says, in his preface to the Statistics of Crime and Pauperism in United States Census for 1870: * "The results are now submitted with the remark, that neither the statements of crime nor those of pauperism for the year are regarded as possessing any high degree of statistical authority." * * * Although "the numbers reported respectively as receiving poor support and as in prison on the 1st of June, 1870, are regarded as quite accurately determined."

In view of these facts, it was found necessary to make a tentative examination of the prisoners themselves to get at some approximately

correct data which might serve in the study of crime character, crime causes and the unfolding of crime careers. The numbers who have been examined, however, are too few to be accepted as finally conclusive statistics upon the subject, but they prove how entirely practicable it is to get quite trustworthy information on a very wide range of inquiries covering the entire life of the individual, and on many points respecting his parentage and his relations. To test to its fullest extent the possibility of gathering such material, the following schedule was used in the examinations intrusted to your committee:

SCHEDULE USED IN THE EXAMINATION OF CONVICTS.

I. *Parental Antecedents.*

- | | | | |
|-------------------------------|--------------|--|--------------|
| 1. Parents consanguinous..... | What degree? | | |
| 2. Family, example of..... | father..... | | Mother..... |
| Temperate..... | ..... |  |  |
| Industrious..... | ..... |  |  |
| Property..... | ..... |  |  |
| Lost..... | ..... |  |  |
| Chaste..... | ..... |  |  |
| Debauched..... | ..... |  |  |
| Pauper..... | ..... |  |  |
| Criminal..... | ..... |  |  |
| Trade..... | ..... |  |  |
| Education..... | ..... |  |  |
| Religious..... | ..... |  |  |
| Age..... | ..... |  |  |
| Disease..... | ..... |  |  |
| Died..... | ..... |  |  |
| Resembles..... | ..... |  |  |
| 3. Criminal..... | Uncles..... | | Uncles..... |
| "..... | Aunts..... | | Aunts..... |
| "..... | Cousins..... | | Cousins..... |
- II. *Personal History.*
4. Legitimate birth..... 5. Color..... 6. Age..... 7. Single.....
8. Married..... 9. Divorced..... 10. Widowed..... 11. Illicit relation.....
12. Number of children..... Boys..... Girls..... Legitimate.....
 Illegitimate..... Age.....
13. Homeless childhood.....
 Abandoned by father..... Mother.....
 By death of father..... Mother.....
 By imprisonment of father..... Mother.....
 By pauperism of father..... Mother.....
14. Was other guardian provided..... 15. Was it a kinsman.....
 A stranger..... An institution.....
16. Character of guardian.....
17. How many brothers and sisters..... 18. Their order of birth?
 (1.)..... (2.)..... (3.).....
 (4.)..... (5.)..... (6.).....

- (7.)..... (8.)..... (9.).....
 (10.)..... (11.)..... (12.).....

III. *Pauperism.*

19. What form..... Poor-house..... O. relief..... Vagrancy.....
 20. At what age..... |..... |.....
 21. How long..... |..... |.....
 22. How home got unfixed..... By death of.....
 Abandonment of..... Imprisonment of.....
 Want of work..... Loss of property.....

IV. *Industrial Training.*

23. Industrious..... 24. Lazy..... 25. Apprenticed.....
 26. Served..... years. 27. Trade..... 28. Profession.....
 29. Fully learned..... 30. Why not?.....
 31. How much time lost since?..... 32. Use of spare time.....
 33. Character of companions..... 34. Where he met them.....
 35. How many since convicted?..... State prison.....
 36. Ever in army..... Kept run shop..... 37. Or brothel.....

V. *Education.*

38. Read..... 39. Write..... 40. Cypher.....
 41. Common school..... Years..... Truant.....
 42. Higher education..... Its degree.....
 43. Accomplishments..... 44. Intelligence.....
 45. Useful knowledge..... 46. Ignorant..... 47. Stolid.....

VI. *Religious Training and Moral Traits.*

48. Moral sense..... 49. Realizes criminal nature of
 offense committed.....
 50. Acknowledges obligations to Divine law.....
 51. What denomination?..... 52. Dominant traits.....

VII. *Physical and Mental Characteristics.*

53. General health..... 54. Constitutional temperament.....
 55. Appearance of countenance..... Head.....
 Skin..... Eyes.....
 Posture..... Gait.....
 56. Blind..... Deaf and dumb..... Malformed..... Injured.....
 Insane..... Paralyzed..... Mentally defective.....
 57. Description..... 58. Cause..... 59. Consequence.....
 60. Age when first symptoms appeared.....
 61. General feebleness of mind.....
 62. " " " body.....
 63. Moral perversion, leading to morbid practices.....
 64. What practices.....
 65. Diseases—Nervous... Chorea... Epilepsy... Insomnia... Hallucinations...

- Other diseases — Constitutional
- “ Respiratory system
- “ Circulatory system
- “ Nutritive system
- “ Osseous system
- “ Generative and urinary organs
66. Is it hereditary

VIII. Vices.

67. Gambling
68. Opium habit
69. Prostitution
70. How habit begun
71. Inebriety, occasional
72. At what age was habit begun
73. Its effects

IX. Property.

74. Inherited property
75. Acquired
76. Lost
77. How
- Prisoner's name
- Offense
- Prison Register No. List No.
- Prison (penitentiary)

X. Addresses.

NAME.	State.	County.	Township.	City.	Street.
Where born					
Where residing					
Crime, where committed					
Where tried					
Person injured					
Best friend					
Worst enemy					
Family physician					
Birth-place, father					
Birth-place, mother					
Criminal banquets					
Came to United States					

XI. Criminal History.

78. First seduction into culpable offense, what age?
79. What necessity led to it?
80. What temptation or agency?
81. What vice or passion?
82. What disease?
83. Out of employment?

84. What was the offense?
85. First trial, at what age?
86. Innocent
87. By what influence?
88. What necessity led to it?
89. What temptation or agency?
90. What vice or passion?
91. Aggregate number of offenses before first trial
92. Total number arrests
93. Indictments pending

XII. Criminal Status.

94. First offender
95. Habitual criminal
96. Contriver of crime
97. What kind?
98. At what age?
99. On what scale?

XIII. Reformation.

100. Probability of reform
101. By what means?
102. Needs guidance
103. Needs industrial training

XIV. Criminal Commerce.

104. Mode of business
105. How was property disposed of?
106. What is its aggregate value?
107. Aggregate booty
108. Aggregate offenses during career
109. Largest steal

XV. Table of Convictions.

CRIME.	When committed.	Article stolen.	Value.	Instrument.	Age of woman.	SENTENCE.	
						Prison.	Time.
First							
Second							
Third							
Fourth							
Fifth							
Sixth							
Seventh							
Eighth							
Ninth							
Tenth							
Eleventh							
Twelfth							

When this schedule was first used in the State prisons, your committee was greatly discouraged by officials whose long acquaintance with criminals led them to believe that it would be impossible to get any correct information from the convicts. Indeed, so persistent were the

representations that criminals would rather lie than tell the truth, that your committee adopted as a policy the method of informing each convict that if any question asked involved an answer he did not wish to make, he might decline without having his reasons for so doing questioned. In addition, and as a test of accuracy and before credit was given to the statements thus made, the statements of a certain number of convicts were verified by entering into correspondence with the officers of a number of institutions, with members of the local committees of this Association, and with the police of different cities. The result of these inquiries has been substantially to yield a useful study in human nature and to relieve the criminal class from an aspersion which it does not deserve. The most prominent fact which was thus discovered was, that criminals as a class do not falsify the truth, except when they hope to gain something they desire, to hide something they fear, or to conceal some fact about themselves of which they are ashamed, in which respects they do not materially differ from the rest of the community. Upon matters which they consider indifferent, their answers are as accurate as their knowledge extends, but on the questions relating to the number of their commitments or offenses, they declined to answer in a number of cases, substantially admitting they were habitual criminals, and confessing the preponderating crime they practice. Another class of answers which it was impossible to reach, and about which only indirect questions were asked, was that relating to the good name of the mother and sisters. In only two cases have the convicts acknowledged the bad repute of their mothers, and in both cases it was given voluntarily. In both cases also does it turn out that the men were serving terms for rape and seemed to have absolutely no sense of honor about women, one of them being almost an imbecile.

THE STATISTICAL RESULTS.

At Auburn 152 males and one female were examined, at Sing Sing ninety-two males and six females, a total of 251 persons. Of this number eighteen have been totally rejected and a portion of the schedules in 100 others has also been thrown out. It is for this reason that the following tables do not balance exactly in every item. They are here given as presenting a certain number of ascertained facts respecting those persons who were examined. They must not be accepted as a basis to reason on as to the relative frequency of different offenses, or to compute any ratios on any of the points they contain to be accepted as applicable to the criminal class in general, because the numbers are insufficient, because they only include State prison offenders, excluding those in penitentiaries and common jails, and because they apply to only two State prisons (Sing Sing and Auburn),

the effect of transferring convicts from these to Clinton being equivalent to the selection of certain ages and classes of convicts, so that a true average cannot be found in any one prison.

TABLE I—BURGLARY.

Sane, 39—*Neurotic Heritage*,* 9—Total, 48.

	Sane.	Neurotic heritage.*	Orphans.	Not orphans.	Neglected children.	Habitual criminals.	First offenders.	Boys.	Criminal family.	Pauper stock.	Intemperate family.	Habitual drunkards.	Temperate.	Reformable.	Hopeless.	Have trade.	No trade.	
Orphans	16	3	19	29	10	12	12	2	2	2	11	12	12	12	12	12	12	21
Not orphans	23	3	10	29	18	18	18	18	18	18	11	12	12	12	12	12	12	23
Neglected children	23	3	10	29	18	18	18	18	18	18	11	12	12	12	12	12	12	23
Habitual criminals	24	6	17	32	34	40	40	40	40	40	16	16	16	16	16	16	16	34
First offenders	24	6	17	32	34	40	40	40	40	40	16	16	16	16	16	16	16	34
Boys	24	6	17	32	34	40	40	40	40	40	16	16	16	16	16	16	16	34
Criminal family	24	6	17	32	34	40	40	40	40	40	16	16	16	16	16	16	16	34
Pauper stock	24	6	17	32	34	40	40	40	40	40	16	16	16	16	16	16	16	34
Intemperate family	24	6	17	32	34	40	40	40	40	40	16	16	16	16	16	16	16	34
Habitual drunkards	24	6	17	32	34	40	40	40	40	40	16	16	16	16	16	16	16	34
Temperate	24	6	17	32	34	40	40	40	40	40	16	16	16	16	16	16	16	34
Reformable	24	6	17	32	34	40	40	40	40	40	16	16	16	16	16	16	16	34
Hopeless	24	6	17	32	34	40	40	40	40	40	16	16	16	16	16	16	16	34
Have trade	24	6	17	32	34	40	40	40	40	40	16	16	16	16	16	16	16	34
No trade	24	6	17	32	34	40	40	40	40	40	16	16	16	16	16	16	16	34

TABLE II—LARCENY, GRAND AND PETTY.

Sane, 71—*Neurotic Heritage*, 13—Total, 84.

	Sane.	Neurotic heritage.*	Orphans.	Not orphans.	Neglected children.	Habitual criminals.	First offenders.	Boys.	Criminal family.	Pauper stock.	Intemperate family.	Habitual drunkards.	Temperate.	Reformable.	Hopeless.	Have trade.	No trade.	
Orphans	35	12	36	34	31	31	31	31	31	31	6	6	6	6	6	6	6	35
Not orphans	35	12	36	34	31	31	31	31	31	31	6	6	6	6	6	6	6	35
Neglected children	35	12	36	34	31	31	31	31	31	31	6	6	6	6	6	6	6	35
Habitual criminals	35	12	36	34	31	31	31	31	31	31	6	6	6	6	6	6	6	35
First offenders	35	12	36	34	31	31	31	31	31	31	6	6	6	6	6	6	6	35
Boys	35	12	36	34	31	31	31	31	31	31	6	6	6	6	6	6	6	35
Criminal family	35	12	36	34	31	31	31	31	31	31	6	6	6	6	6	6	6	35
Pauper stock	35	12	36	34	31	31	31	31	31	31	6	6	6	6	6	6	6	35
Intemperate family	35	12	36	34	31	31	31	31	31	31	6	6	6	6	6	6	6	35
Habitual drunkards	35	12	36	34	31	31	31	31	31	31	6	6	6	6	6	6	6	35
Temperate	35	12	36	34	31	31	31	31	31	31	6	6	6	6	6	6	6	35
Reformable	35	12	36	34	31	31	31	31	31	31	6	6	6	6	6	6	6	35
Hopeless	35	12	36	34	31	31	31	31	31	31	6	6	6	6	6	6	6	35
Have trade	35	12	36	34	31	31	31	31	31	31	6	6	6	6	6	6	6	35
No trade	35	12	36	34	31	31	31	31	31	31	6	6	6	6	6	6	6	35

* Under the term *neurotic heritage* are included those who are descended from, related to, or are themselves either idiotic, insane, epileptic, paralytic, or otherwise nervously disordered.

TABLE III—LARCENY FROM PERSON.

Same, 16—*Neurotic Heritage*, 4—*Total*, 20.

	Sane.	Neurotic heritage.	Orphans.	Not orphans.	Neglected childhood.	Habitual criminals.	First offenders.	Refuge boys.	Criminal family.	Pauper stock.	Incorporate family.	Habitual drunkards.	Temperate.	Reformable.	Hopelless.	Have trade.	No trade.
Orphans	1	8	8	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Not orphans	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Neglected childhood	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Habitual criminals	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
First offenders	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Refuge boys	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Criminal family	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Pauper stock	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Incorporate family	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Habitual drunkards	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Temperate	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Reformable	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Hopelless	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Have trade	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
No trade	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1

TABLE IV—ROBBERY.

Same, 19—*Neurotic Heritage*, 0—*Total*, 19.

	Sane.	Neurotic heritage.	Orphans.	Not orphans.	Neglected childhood.	Habitual criminals.	First offenders.	Refuge boys.	Criminal family.	Pauper stock.	Incorporate family.	Habitual drunkards.	Temperate.	Reformable.	Hopelless.	Have trade.	No trade.
Orphans	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Not orphans	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Neglected childhood	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Habitual criminals	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
First offenders	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Refuge boys	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Criminal family	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Pauper stock	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Incorporate family	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Habitual drunkards	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Temperate	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Reformable	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Hopelless	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Have trade	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
No trade	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1

TABLE V—FORGERY.

Same, 11—*Neurotic Heritage*, 3—*Total*, 14.

	Sane.	Neurotic heritage.	Orphans.	Not orphans.	Neglected childhood.	Habitual criminals.	First offenders.	Refuge boys.	Criminal family.	Pauper stock.	Incorporate family.	Habitual drunkards.	Temperate.	Reformable.	Hopelless.	Have trade.	No trade.
Orphans	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Not orphans	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Neglected childhood	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Habitual criminals	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
First offenders	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Refuge boys	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Criminal family	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Pauper stock	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Incorporate family	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Habitual drunkards	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Temperate	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Reformable	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Hopelless	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Have trade	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
No trade	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1

TABLE VI—RECEIVING STOLEN GOODS.

Same, 3—*Neurotic Heritage*, 3—*Total*, 6.

	Sane.	Neurotic heritage.	Orphans.	Not orphans.	Neglected childhood.	Habitual criminals.	First offenders.	Refuge boys.	Criminal family.	Pauper stock.	Incorporate family.	Habitual drunkards.	Temperate.	Reformable.	Hopelless.	Have trade.	No trade.
Orphans	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Not orphans	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Neglected childhood	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Habitual criminals	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
First offenders	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Refuge boys	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Criminal family	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Pauper stock	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Incorporate family	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Habitual drunkards	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Temperate	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Reformable	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Hopelless	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Have trade	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
No trade	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1

In table I, we find forty-eight persons who have committed burglaries in different degrees. Of these, thirty-nine are sane, nine are either mentally deficient, epileptic, or belong to families where some form of nervous disease exists. For the sake of convenience we shall hereafter speak of this class as of *neurotic heritage*, although this is not strictly correct; nineteen are orphans, twenty-eight neglected children, forty habitual criminals, eight first offenders, fifteen refuge boys, ten belong

TABLE IX—ARSON.

Same, 4—Neurotic Heritage, 3—Total, 7.

	Sane.	Neurotic heritage.	Orphans.	Not orphans.	Neglected childhood.	Inhabital criminals.	First offenders.	Refuge boys.	Criminal family.	Criminal stock.	Incomplete family.	Inhabital drunkards.	Temperate.	Reformable.	Hopeless.	Have trade.	No trade.
Orphans.....	1	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Not orphans.....	1	6	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Neglected childhood.....	0	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Habitual criminals.....	0	1	0	0	4	3	0	0	1	1	1	1	1	1	1	1	1
First offenders.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Refuge boys.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Criminal family.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Criminal stock.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Incomplete family.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Inhabital drunkards.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Temperate.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reformable.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hopeless.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Have trade.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
No trade.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

TABLE X—TOTAL CRIMES AGAINST PROPERTY.

Same, 159—Neurotic Heritage, 32—Total, 191.

	Sane.	Neurotic heritage.	Orphans.	Not orphans.	Neglected childhood.	Inhabital criminals.	First offenders.	Refuge boys.	Criminal family.	Criminal stock.	Incomplete family.	Inhabital drunkards.	Temperate.	Reformable.	Hopeless.	Have trade.	No trade.
Orphans.....	74	82	46	46	46	46	46	46	46	46	46	46	46	46	46	46	46
Not orphans.....	85	106	150	96	96	96	96	96	96	96	96	96	96	96	96	96	96
Neglected childhood.....	80	15	39	39	39	39	39	39	39	39	39	39	39	39	39	39	39
Habitual criminals.....	131	29	19	85	151	151	151	151	151	151	151	151	151	151	151	151	151
First offenders.....	27	12	15	9	9	9	9	9	9	9	9	9	9	9	9	9	9
Refuge boys.....	41	1	48	11	45	45	45	45	45	45	45	45	45	45	45	45	45
Criminal family.....	29	9	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Criminal stock.....	39	16	23	23	23	23	23	23	23	23	23	23	23	23	23	23	23
Incomplete family.....	65	18	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
Inhabital drunkards.....	62	12	33	41	41	41	41	41	41	41	41	41	41	41	41	41	41
Temperate.....	23	4	16	12	17	15	10	4	4	4	4	4	4	4	4	4	4
Reformable.....	73	9	31	46	40	39	39	39	39	39	39	39	39	39	39	39	39
Hopeless.....	47	13	26	46	34	34	34	34	34	34	34	34	34	34	34	34	34
Have trade.....	30	11	15	26	17	37	37	37	37	37	37	37	37	37	37	37	37
No trade.....	158	31	67	78	78	78	78	78	78	78	78	78	78	78	78	78	78

TABLE XI—MURDER, ETC., RAPE AND ARSON.

Same, 25—Neurotic Heritage, 17—Total, 42.

	Sane.	Neurotic heritage.	Orphans.	Not orphans.	Neglected childhood.	Inhabital criminals.	First offenders.	Refuge boys.	Criminal family.	Criminal stock.	Incomplete family.	Inhabital drunkards.	Temperate.	Reformable.	Hopeless.	Have trade.	No trade.
Orphans.....	5	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4
Not orphans.....	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13
Neglected childhood.....	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13
Habitual criminals.....	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20
First offenders.....	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4
Refuge boys.....	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4
Criminal family.....	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4
Criminal stock.....	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4
Incomplete family.....	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4
Inhabital drunkards.....	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4
Temperate.....	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4
Reformable.....	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4
Hopeless.....	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4
Have trade.....	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4
No trade.....	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15

Table X gives the aggregate of the crimes against property, and table XI those against person, including arson.

Table XII gives the per centages on nine items in tables VI, VII, VIII, IX and X, and to this is added a line for house of refuge boys.

TABLE XII.
CRIMES COMPARED BY PER CENTAGES.

	Total number of convicts.	Neurotic heritage.	Orphans.	Neglected childhood.	Habitual criminals.	Refuge boys.	Criminal family.	Criminal stock.	Incomplete family.	Habitual drunkards.	Without trade.
For all crimes.....	933	23.03	40.77	46.78	75.63	29.31	17.16	22.31	42.49	29.05	79.40
Crimes against person.....	42	40.47	30.95	30.95	52.23	9.54	19.04	16.66	38.08	40.47	85.71
Crimes against property.....	191	16.25	42.33	50.39	75.03	20.75	16.75	23.59	43.45	48.74	78.01
Burglary.....	65	18.78	39.85	58.33	83.82	31.24	20.82	33.33	32.32	33.28	81.25
Larceny, grand and petty.....	34	15.47	42.85	47.61	80.95	17.85	13.69	32.83	41.66	39.28	73.62
Larceny from person.....	30	20.00	40.00	40.00	85.00	60.00	25.00	20.00	65.00	55.00	65.00
Robbery.....	19	20.00	63.16	47.36	89.52	26.37	21.05	52.73	47.36	89.52	89.52
House of Refuge boys.....	52	15.38	40.04	86.54	98.07	.....	23.07	25.00	51.69	51.92	68.38

Nervously disordered stock.—Under the title of nervously disordered stock are included all convicts who are or have been afflicted with insanity, epilepsy, idiocy, chorea, or paralysis, or who have any blood relations who are or have been subject to any of these diseases. Of the

283 prisoners examined, 49 or 21.03 per cent belong to this stock, or one in every five. If we compare the crimes against property with those of impulse, placing arson among that category as in table XI, we shall find that of the former there are 16.75 per cent with *neurotic* heritage, while of the latter there are 40.47 per cent. This close relationship between insanity and crime is quite in accordance with the experience of England, where the ratio of insane criminals to the sane is seventeen times as great as that which the total adult lunatics bear to the whole adult population of England.* In burglary we get 18.75 per cent and in larceny (grand and petit) we get a little under the average 15.47 per cent, while in robbery none are found. It has been said that "whatever is physiologically right is morally right,"† and here we have a confirmation of that saying by its converse, that whatever is physiologically unsound is morally rotten, for we find that murder, rape and arson, crimes which arouse our abhorrence and indignation the most, for which the law awards the most severe penalties, and which all men in all nations are agreed to look upon as unpardonable, are perpetrated by a class of men whose probable capacity for self-government is twice and a-half less than that of criminals who prey upon property, and whose probable mental unsoundness, taking Dr. Guy's experience as the basis of calculation, is thirty-three times greater than that of the average community.

"*Refuge*" Boys.—Under this title are included all boys who have been sent to a reformatory, school ship, industrial school, or house of refuge. The total number of refuge boys is 52 or 22.31 per cent of the prisoners examined—the great mass of them being city boys. Comparing crimes against property and person with each other, we find that while the first show 23.13 per cent of refuge boys, or over one-fourth, the latter only show 9.54 per cent, or less than one-tenth of this class. Dismissing crimes against person and confining ourselves to crimes against property, we find that while they commit over 25 per cent of crimes against property, they commit 60 per cent of the crime of larceny from the person.

Dividing the total number of criminals into two categories, those who are not refuge boys and those who are, we find that 70.63 per cent of the former are habitual criminals, while the latter rise to over 98 per cent of their number. Thus, while the refuge boys furnish only one-fourth of the prison population for these crimes, they yield 31.12

per cent of the total number of habitual criminals, or nearly one-third. It may be thought that the per centage of refuge boys is too great, but I have reason to think these numbers are below the reality, because to be a refuge boy is, among many criminals, a term of reproach, and for this reason many of them deny having been inmates of a reformatory.

Some of the other items go to explain this large proportion of habitual criminals. Over 40 per cent of their number are orphans; 86.54 per cent are neglected children; 23 per cent are of criminal families; 25 per cent of pauper stock; 51.69 per cent of intemperate family, and 31.92 per cent habitual drunkards. With respect to the per centage of *neurotic* heritage, it must be borne in mind that a large number of refuge boys are illegitimate, and do not know any thing about their paternal ancestry; for this reason it is impossible to get reliable information as to the existence of *nervous* diseases in their ancestry. Were this obtainable the per centage would undoubtedly be much higher than that shown in table XII, where it appears as only 15.38 per cent.

Habitual criminals.—If we should rely upon the official figures to determine the ratio of habitual criminals, we should find that they set it down as about 26 per cent, when an actual examination shows conclusively that the total for all crimes is 75.63 per cent; for crimes against person it is 59.52 per cent, and for those against property 79 per cent. Thus, it turns out that in the crimes of design, which require training to insure success, and upon which the offender depends for his living, the proportion of habitual criminals is 19.50 per cent greater than in crimes of impulse. The large number of habitual criminals raises the questions: How has it happened? And, how shall the number be decreased? These questions suggest two modes of dealing with the crime problem, the immediate, which acts upon the individual offender quickly and relates more specially to the administration of the law, the efficiency of the police, the perfection of prison discipline; and the remote, which requires long periods of time to mature, and anticipates the development of the potential offender by effecting ameliorations in public health and general education. The former we shall discuss more at length than the latter. To begin, we shall consider the questions of the average years of criminal liberty, and the net income of crime.

With certain political economists it has become customary to assert, with much elaboration of logic, that crime does not pay. The main point relied on to sustain their view is that, on the average, the net booty obtained by crime is less than the average rate of wages; that criminals are subject to frequent imprisonment, and that they forfeit the advantages of the good opinion of their neighbors. All these

* "The ratio of insane to sane criminals is thirty-four times as great as the ratio of lunatics to the whole population of England; or, if we take half the population to represent the adults which supply the convict prisons, we shall have the criminal lunatics in excess in the high proportion of seventeen to one." Dr. Wm. A. Guy, F. R. S. (Journal of Statistical Society, vol. xxix, p. 16.)

† Dr. Edmunds.

positions are true if they were predicated of reputable people who are sensitive of their good name, but they are not true when affirmed of criminals. As to the good opinion of the righteous that is a negative advantage which sinks to a level of absolute insignificance in the estimation of a clever pickpocket. The "habituals" have a community of their own; it is the approbation of this circle they seek and not that of the philanthropists and divines, whose code of propriety is incomprehensible to them and not unfrequently a subject of derision.

We must also dispossess ourselves of the idea that crime does not pay. In reality there are three classes with whom it does: 1st. The expert, who commit crimes which are difficult to detect or who can buy themselves off. 2d. The incompetent, who are too lazy to work and too proud to beg, or too young for the poor-house. 3d. The pauper, who steals because prison fare and prison discipline offer higher inducements than poor-house fare or poor-house society. The whole problem, so far as these three classes are concerned, resolves itself into the economic axiom of relative efficiency. The question with them is not: Does crime yield a rate of income less than that of a skilled mechanic? But, does it yield a rate higher than any employer would be willing to pay for an inefficient, careless and untrained class such as the habitual criminals usually are? How incompetent they are for ordinary vocations of industry is seen when we find that 78 per cent of criminals in State prison are without trades, although their average age is 27 years, while only about 44 per cent are 20 years old and under, and none less than 16.

In the second place, some criminals make large fortunes compound their felonies, and form examples of successful crime which allure the ambition of lesser rascals, just as the mercantile success of A. T. Stewart stimulates the ambition of a neophyte trader. It is quite true that they run the risks of imprisonment, but the average human mind is constituted to run risks. The miner, the engineer, the sailor risk their lives without hesitation for wages averaging from \$15 to \$150 a month and board; why should not the criminal be satisfied to run the lesser risks of his profession just as other men do in theirs. The question ceases to be: "Does crime pay on the average?" But "will it secure a prize in the lottery of chances?"

As the question presents points of practical use in the management and repression of the criminal class, aside from mere disputation, the following table has been prepared, selecting 38 cases of habitual criminals, whose testimony on the questions at issue is deemed sufficiently trustworthy to be accepted as approximately correct, possible exaggerations of one convict in one direction balancing the exaggerations of another in the opposite one.

TABLE XIII.
SHOWING CRIMINAL CAREER, OFFENSES AND CONVICTIONS.

SCHEDULE NUMBER.	Age at first offense.	Age at last conviction.	Total years of criminal life.	Total imprisonment to last conviction.	Net years of criminal life.	Total offenses.	Average number of offenses in one year.	Aggregate convictions.	Ratio of offenses to convictions.
6	19	21	14	3-0	13-0	M †	.....	6	6
10	19	27	17	3-3	13-9	M	.....	5	.....
37	19	27	17	3-0	13-9	M	.....	5	.....
112	19	19	3-0	1-6	1-6	M	.....	5	.....
29	19	20	5-0	5-0	3-0	M	.....	5	.....
49	19	20	5-0	0-3	4-0	M	.....	5	.....
47	19	18	1-10	1-10	0-0	M	.....	5	.....
31	14	17	3-0	0-2	2-10	D †	.....	5	.....
134	19	19	0-0	0-0	0-0	M	.....	5	.....
28	20	22	2-2	0-2	1-10	M	.....	5	.....
79	15	19	4	1-0	3-0	M	100	34	34 to 1
25	15	18	3	2-0	1-0	M	.....	3	.....
85	13	17	4	3-3	0-0	M	.....	3	.....
30	11	21	10	0-7	9-3	M	3,500	415	415 to 1
3	7	22	15	6-9	8-3	M	.....	4	.....
61	14	19	5	1-6	3-6	M	.....	4	.....
46	15	21	6	2-0	10-9	M	850	23	86-1
43	10	18	8	3-0	5-0	M	350	50	7-1
38	14	17	3	0-9	2-3	M	100	44	50-1
23	15	20	5	0-6	1-6	M	200	123	98-1
25	5	21	16	3-0	12-0	M	87	.....	.....
26	9	22	13	11-0	1-0	M	107	3	34
42	10	22	12	3-2	8-10	M	300	34	75-1
20	7	41	34	10-3	29-9	M	5,000	215	26
78	9	24	*31	17-0	*14-0	M	.....	8	8
78	14	19	5	1-3	3-9	M	.....	4	.....
70	14	20	6	6-0	4-3	M	.....	4	.....
62	13	27	14	3-0	11-0	M	.....	6	.....
129	19	22	3	3-1	12-1	M	.....	6	.....
94	18	22	4	0-6	3-6	M	100	200	50-1
90	18	17	9	1-7	7-5	M	.....	7	.....
58	15	21	6	1-2	4-8	M	.....	7	.....
58	15	20	5	1-3	3-9	M	80	21	27-1
41	13	25	12	3-0	9-0	M	300	100-1	.....
26	14	24	10	0-0	9-0	M	.....	4	.....
25	12	18	6	2-2	3-10	M	75	79	38-1
22	14	18	4	1-0	10-7	M	1007	97	106-1
103	9	19	10	4-2	5-10	.....	.....	5	.....
Totals.....	.....	.....	439	140.92	398.05	.....	1,444	175	2,063 to 14
Averages.....	.....	.....	11.55	3.71	7.84	.....	168	4.55	146 to 1

From this table the average duration of criminal life of each habitual criminal amounts to 11.55 years, of which 7.84 are spent in criminal liberty and 3.71 in prison. Here we have a measure of crime risks which is far below the hazards of a miner, for, while he holds himself ready to spend 300 days, or 82 per cent of his life, in an occupation, the conditions of which are far more onerous than that of imprisonment, and the remuneration of which yields not much above the bare necessities of life, the criminal only gives up 34 per cent of his life to secure 66 per cent of license and self-indulgence. Furthermore, it appears that the average number of convictions in 12 years is 4.55, or one

* Has been in insane asylum fourteen years of his life. † M stands for "many offenses."
‡ D stands for "declines to answer." § Rejected because grossly untrue.

conviction in every two years and six months. This accords with the estimate of one convict, that "there is from two to three years' average between commitments." For each commitment, the table shows an average of 146 offenses, and as about 100 offenses are committed each year, this would be equal to one commitment for every 18 months of liberty, equivalent to 66 per cent of the total crime career. By adding 34 per cent, the period of imprisonment, we get, as the time between convictions, by this calculation, two years and three months, which again accords with the statement of another convict who testified that for "small crimes about 100 to 150 offenses to one conviction are committed, and for big jobs, five offenses for one conviction, but it takes sometimes two years to put up a job on a bank." This computation would, of course, not be correct for the total crimes committed in the community, because this estimate refers only to professional criminals.

It has been found impossible to get any reliable information as to the average income of criminals from any calculation based upon the value of the articles stolen as returned by the indictment, for the tendency of the prosecutor is to enormously overestimate the amount of his loss, and, in the second place, it is usually only when a considerable loss has been sustained that the prosecutor is roused sufficiently to give his time to secure the conviction of the offender. For these reasons, \$214, the average amount of each theft which the schedules yield, is much above the actual truth as respects the total criminal class, although it may be not very far from the truth for cases that receive State prison punishment, the higher crimes being, of course, concentrated in this class of prisons.

To arrive at some reasonable approximation of the net income, it was thought that the best test to decide the question was to ask such prisoners as were sufficiently communicative what yearly or weekly income, by labor, each would think sufficient to restrain him from theft. In most cases where this question was asked the proposition seemed so novel that they were actually nonplussed. The habit of estimating expenditures and of keeping in mind the relation between income and outgo was so absolutely wanting, that they could form no approximate judgment on the question. The most consistent answers were: "One thousand a year at shoemaking," providing he could work half time, "five hundred dollars a year;" "seventy-five dollars a month," and "ten dollars a week," in most cases without any realization of the value of money. Reverting at this point to the testimony of a convict quoted above, that those who do minor crimes commit about 100 to 150 offenses to one commitment, while those who "go for big money" get caught once out of five times, we have here something which may

serve as a measure of police and public efficiency in preventing crime. Where large stores of valuables are kept, extra precautions are taken by the owners; where large sums are lost, the loser spares no pains or expense to catch and punish the offender, and the result is the convictions are 27 times more frequent in proportion to the number of offenses. Nor is it fair to lay the chief blame upon the police for not bringing petty offenders to justice more frequently. The blame is far more due to the public which is so careless or indifferent to its small losses that it invites pilfering. We know of one person who has lived 20 years of adult life and never had his pocket picked, though a resident of the city for three-fourths of that time, and another 40 years with a like experience, while others get theirs picked on an average twice a year. The same caution in the latter case would, no doubt, produce the same immunity as in the former, and would of itself go far to solve the perplexing problem: What shall we do about our criminals? One answer is: *Lead them not into temptation.*

Intermittent Industry.—Dr. Bruce Thomson, surgeon to the General Prison of Scotland, of eighteen years' experience, thus speaks of disease among criminals: "In all my experience I have never seen such an accumulation of morbid appearances as I witness in the *post mortem* examinations of the prisoners who die here. Scarcely one of them can be said to die of one disease, for almost every organ of the body is more or less diseased; and the wonder to me is that life could have been supported in such a diseased frame. Their moral nature seems equally diseased with their physical frame; and whilst their mode of life in prison reanimates their physical health, I doubt whether their minds are equally benefited, if improved at all. On a close acquaintance with criminals, of 18 years' standing, I consider that nine in ten are of inferior intellect, but that all are excessively cunning."^{*}

These remarks, although substantially true of our own criminals, would present an overdrawn picture, and, after all, when we come to analyze cunning, it is nothing more than a special form of intellectual aptitude, the result of a very careful education of the faculties to escape detection, which training, had it been directed to other modes of gaining a living, would have produced the intelligence which Dr. Thomson here contrasts with cunning. Nor can the results of *post mortem* examinations be held to express the general physical condition of convicts, for those who die must necessarily be those in whom disease has worked its utmost ravages. But there is sufficient truth in the foregoing statement to make the question one of the important branches of investigation, and one on which much of our treatment of

* *The Hereditary Nature of Crime*, in Journal of Mental Science, vol. xv, p. 487.

the criminal class must depend if we propose to deal with the crime problem intelligently. Let us look to the effect of sickness upon the reputable classes. See how a bad cold, which "stops up the head," and brings with it ear ache, stiff neck and sore throat, causes the most industrious man to lay up for a few days, because he cannot work. How many of our merchants retire from business, preachers from their pulpits, lawyers from their offices, because ill health compels cessation from labor. Now, during the time these gentlemen are recuperating away from their professional duties, be it one or more years, no one thinks of accusing them of laziness; we justly call them invalids of different degrees. But when we cast our severe eye upon the criminal class, human beings who, in many cases, have inherited deep-seated constitutional diseases, or acquired disorders, the result of licentious indulgence, we cease to reckon that disease with them will produce the same inability for continuous labor which we admit to be true among the worthy, and stigmatize their inaptitude for work as laziness. Now, the word laziness explains nothing. It merely describes a state which may be the result of any given twenty causes, or any combination of these; the true explanation becoming as complex a problem as human nature itself. But where we note the effect of physical and mental disease on the ability to work, we have at least one tangible and definite reason furnished to us for the laziness of the unbalanced, and we can then appreciate that certain congenital mental deficiencies and hereditary diseases have the effect of depriving the man of the power of sustained energy, which is the basis of perseverance and of continuous industry, and accounts for those cases where "indolence is stronger than all the passions."

We find in table XII that 79.40 per cent of the criminals examined have never learned a trade, and while it is true that physical disease does not account for all the inaptitude of criminals, it does account for a great deal. As was said in a former report,* one of the most conspicuous of the characteristics of the criminal is that, if he does work, he adopts some kind of intermittent industry which requires no special training. This also indicates the same constitutional tendency, and is sustained by the following list of occupations:

* Thirtieth Annual Report, p. 181.

TRUE TRADES REQUIRING SKILL.

	Against property.	Against person.		Against property.	Against person.
Shoemaker.....	3	1	Cabinet maker.....	1	.....
Water.....	1	.....	Brush maker.....	2	.....
Baker.....	1	.....	Confectioner.....	1	.....
Moulder.....	2	.....	Plumber.....	2	.....
Wood turner.....	1	.....	Blacksmith.....	2	.....
Tailor.....	3	.....	Photographer.....	1	.....
Wagon maker.....	1	.....	Tinsmith.....	1	.....
Machinist.....	1	.....	Naval architect.....	1	.....
Boose finisher.....	1	.....	Carpenter.....	1	2
Jeweller.....	1	.....	Cooper.....	.....	1
Umbrella maker.....	1	.....	Paddler.....	.....	1

TRUE TRADES AFFECTED BY SEASONS.

Plasterer *.....	1	1	Matte*.....	1	.....
Stone cutter *.....	1	.....	Enginier *.....	3	.....
Painter *.....	1	.....	Total.....	50	7
Bricklayer *.....	1	.....	Aggregate, all offenses.....	.....	57
Farmer *.....	7	2			

OCCUPATIONS REQUIRING SCHOOL EDUCATION.

Compositor*.....	3	.....	Broker.....	1	.....
Lawyer.....	4	.....	Druggist.....	4	.....
Actor*.....	1	.....	Total.....	21	3
Bookkeeper.....	5	.....	Aggregate, all offenses.....	.....	24
Clerk.....	7	2			

TRADES REQUIRING SLIGHT SKILL.

Cigar canner.....	1	.....	Cook.....	1	.....
Press feeder *.....	6	.....	Barber.....	.....	1
Spike finisher.....	1	.....	Butcher.....	2	.....
Cigar maker.....	1	.....	Total.....	14	1
Book folder.....	1	.....	Aggregate, all offenses.....	.....	15
Steward *.....	1	.....		

OCCUPATIONS REQUIRING NO SKILL.

Laborer *.....	13	6	Sailor *.....	6	.....
Newsboy *.....	2	.....	Lather.....	1	.....
Canaller *.....	4	3	Peddler*.....	1	.....
Teamster *.....	7	2	Bar tender.....	1	.....
Boot black *.....	1	.....	Quack *.....	.....	2
Messenger *.....	3	.....	Fireman *.....	.....	1
Waiter *.....	5	1	Brakesman *.....	.....	1
Soldier *.....	1	.....	Total.....	53	21
Farm laborer *.....	4	3	Aggregate, all offenses.....	.....	73
Jockey *.....	3	2			

NO OCCUPATION.

Against property.....	55
Against person.....	9
Total.....	64

* The occupations marked with asterisks are classed as intermittent industries.

In a total of 233 persons, we find only 57, or 20.60 per cent, who have a trade which requires skill, 24 occupations requiring school education, 15 occupations that require but very slight skill, 73 requiring no skill, and 64 who have no occupation whatever. Of the total occupations, numbering 169, we find 113, or over 66 per cent, are of an essentially intermittent character, either by the interruption of the seasons, the daily exigencies of the weather, or the necessity of living away from home for longer or shorter periods.

Without entering into an extended argument as to why the irregularity of diseased physical functions produces, at a second remove, irregularity in the voluntary efforts which we familiarly call want of perseverance, we are justified by the highest medical authorities in saying that we thus get a series of social phenomena which are primarily physiological conditions. The physical disabilities which arrest the orderly growth of the body produce, in the course of years, a fitful character, partaking of the defects of the constitutional temperament which, because it is temperamental, dominates the habits of thought, of action and of sensation, and gives to the moral nature a vacillating form identical to its own spasmodic development. In this way the unfortunate victim unconsciously feels that continuous effort is the direction of greatest resistance, and falls into the position of a procrastinating and inefficient ne'er-do-well, if he escapes contaminating associations, or becomes an habitual criminal if he fall among thieves.

In discussing the importance and bearing of disease on the formation of industrial habits, the more remote causes and cure of criminal tendencies are being anticipated. Nor must the inference be drawn that, because it is of very great importance, it is the only cause for this defect of industrial aptitude; there are two others of at least equal prominence. The first is one which lays at the basis of all civilization, and without which it would be impossible; it is that desire of the human race to secure the largest returns of enjoyment for the least expenditure of effort, and has led to the introduction of all the labor-saving machinery which so much multiplies our enjoyments. The other is education, which is capable of counteracting the effects of a defective physical organization, by correcting it through the formation of habits of regular application, which themselves react upon the vacillating temperament and contribute to the more healthy operation of the physical functions. We have here, then, three prime causes, which are so related to each other that we must reject the implication that, because a man has a defective physical organization, therefore he is necessarily irresponsible for his acts. That the insane are often irresponsible is true, but it is by no means true of the persons who are now under discussion.

Inebriety.—Under the term "habitual drunkards" are included all such persons as get drunk at least once in three weeks, or whose passion for drink unflinchingly induces them to intoxication whenever the opportunity presents itself, even if the intervals between debauches should be more than three weeks. It has been the aim of the investigation to establish the existence of the appetite, and, if possible, the age at which the habit was first begun, and the age at which the inebriety was fixed as an habitual passion. In a former report,* when writing on this subject, we said: "It must be remembered that the value of the present inquiry rests on the method of viewing the career in chronological order." "Some of the points that need special observation seem to be, what age has habitual intemperance become confirmed, what age drinking begun; what were the sexual habits at various periods, especially in youth; whether any deep-seated constitutional disease has exhausted the vitality; whether there is hereditary predisposition; whether the trade or occupation is detrimental to health." Keeping this in mind, we have constructed several tables which illustrate the subject under consideration.

In table XII it will be found that 42.49 per cent of the total number of criminals are of intemperate family, while 39.05 per cent are habitual drunkards. With the house of refuge boys the ratios rise, respectively, to 51 per cent of intemperate family, and 52 per cent of habitual drunkards; but when we come to compare the habitual criminals to the first offenders we find that only 30 per cent of these latter belong to this class against 42.04 per cent of the habitual criminals and 52 per cent of refuge boys. It must not, however, be argued from these figures that inebriety is the cause of these men becoming habitual criminals, because there are other causes of crime which, it is more than probable, are the common causes of both crime and intemperance, notably sexual excess and insane ancestry. To get at some indication of what are other elements, tables XIV, XV, XVI and XVII have been prepared.

* See Thirtieth Annual Report, 1875, p. 164.

The average age at which the habituals began to drink is (table XIV) 14.69 years and (table XV) 15.13, while the age at which the habit becomes fixed is (table XIV) 24.52 and (table XV) 21.56. In table XVI, which tabulates the occasional drinkers, the average age when they began is 13 years, but, on comparison of their average age at time of conviction, which is 21, we find it is below the lowest average age of the habituals (see table XV), the significance of which may be that these men have not yet reached the age of habitual drunkards, or belong to a class in which this habit is formed only at a later age. Coming down to particulars, we find that of those who use alcoholic stimulants, one began at 6 years and is now insane, one at 7, whose mother died of paralysis at 54, one at 8, whose mind is defective, two at 9, one of whom is of weak mind, and four at 10, one of whom is now insane. Thus, out of nine boys, who began to drink at 10 years old or under, five of them are either insane, weak minded, or the children of parents afflicted with brain disease. Of those who began to drink at the average age (15 years) or under, there are twenty-five, of whom ten are either mentally deranged or the blood relations of those who have been thus affected, while of the twenty-eight who have begun to drink at ages above 15, only five belong to that class. The age at which these fifty-three persons had the habit fixed was one at 9 years old, who is insane, five at 16, one of whom is of defective mind, five at 17, and six at 18, three of whom are insane or epileptic, and one whose mother died of paralysis; while, of the twenty-nine who are 21 and under, eleven are either mentally deranged or belong to a neurotic family, and eleven are the children of habitual drunkards; while of the twenty-four who became habitual drunkards only after they have reached their majority only four are afflicted with brain disease or belong to such families.

On a comparison of tables XIV and XV, it appears that in the former, which contains a list of those inebriates with whom prostitution has not taken place at an early age, or who have declined to make any statement respecting this matter, we find that, while the average age at which they begin inebriety is six months earlier than in the other table, the average age at which they become habituals is 24.52, while in table XV, where we find the average age at which prostitution begins, this age being 15.60, the average at which habitual inebriety becomes fixed is 21.56, or three years younger than in the former table. Nor is this all. Out of thirty men in table XV, seventeen of them have begun prostitution before or at the same time they have begun the habit of alcoholic indulgence, and the average age at which those who have contracted diseases resulting from sexual passion is actually below that at which they become habitual drunkards, being 20.84, the

average age of infection, and 21.56 that of habitual inebriety—a difference of nearly nine months.

These facts seem to substantiate the views expressed in a former report:* "The law shadowed forth by this scanty evidence is that inebriation has preceded the use of ardent spirits and caused a physical exhaustion that made stimulants grateful. Intemperance itself is only a secondary cause. * * * If this view should prove correct, one of the great points in training pauper and criminal children will be to pay special attention to sexual training, and to prevent and cure constitutional diseases which have come to them as a heritage."*

In the present stage of positive knowledge respecting inebriety, it would seem that, in a certain number of cases, intemperance is the cause of crime. "The best and most unprejudiced observers are agreed that the families of inebriates develop forms of nervous and brain diseases which could only be referred to the habits of drinking in the parent. Dr. Magnus Huss, of Stockholm, declared that drinking produced partial atrophy of the brain, which was handed down to the children. The brain was then too small for its bony case, and lunacy was the result. The same fact had been observed in the lunatics of Massachusetts. In France, Dr. Morel had observed the same result of diminished brains, through several generations, leading to imbecility, homicidal insanity, idioey and final extinction."†

In another class of cases both inebriety and crime are the results of a common antecedent cause or causes; sometimes insanity or epilepsy in the parents, which, by transmission, changes its character to dipsomania; sometimes by physical exhaustion induced by starvation carried to a point that breaks down the constitution, or by habits of debauch which create an appetite for alcoholism, or by other causes. What the specific cause may be must, in each case, be determined if we wish to apply remedial measures, and the character of the remedy must differ with a difference in the initial cause. With such inebriates who have acquired the habit, an appeal to reason, to tender memories and to self-respect will avail, when no such appeal will be of the least use where this failing is congenital, because it must be first and primarily treated as a medical question before it is approached as a moral one; or rather, the moral treatment must be accomplished through the channel of physical cure as an antecedent and essential requisite.

Having discussed the criminal problem, from the statistical stand-

* See Thirtieth Annual Report, 1875, p. 163.

† *Alcoholic Excesses*. Discourse by Elisha Harris, M. D., before the National Temperance Society, January 21, 1875.

point, as far as we dare with the limited figures at our command, we now come to the citing of typical cases which have come under our observation, and suggest reflections on the manner in which the law and the prison deal with them, and on how they should have been dealt with, did the law not interpose insuperable obstacles to such treatment.

S. W. A — n, aged 26; assault to harm; 4 years and 8 months. Of magnificent physique, average vitality, sanguine nervous temperament, head slightly undersized, rather narrow base, high with retreating forehead. He is of average intelligence, with good moral sense, headstrong and sometimes passionate, but naturally good-tempered. As he expresses it, he "sometimes gets a little high," and while drunk got into an altercation with a man who assaulted him several times, after which they had a fight and he stabbed his antagonist. He feels the disgrace of his imprisonment deeply, admits fully the wrong which he has committed, and although he says he was goaded into it by the persistence of his antagonist, he does not excuse his offense, and admits that his punishment is just. Like a man with sound health and ample moral stamina, he does not whimper over the hardness of his imprisonment, nor the injustice of the court that tried him, but he says that liquor took his reason, and that when he gets out he will never touch it again, but go to some other city where his disgrace will be unknown and start afresh. He looks upon his present imprisonment as being a hard but useful lesson. When questioned as to the influence of his surroundings, he said he had no fear of contamination, that he "wasn't one of them,"—spoken with a good deal of contempt, that he "never mixed," and that a man "can keep himself all right here if he wants to."

In A — n we have a man who is essentially not a criminal, one who may be carried too far once in his life, and will never repeat the offense again. Although he says that he can pass through the term of imprisonment without contamination, still there is risk in such companionship, and to such a man the fact that he becomes known to some two thousand criminals, any one of whom may haul him as an old acquaintance when he is discharged, is an addition to punishment which the law does not contemplate to inflict. What he needs is protection from the after recognition of habitual criminals, and from contamination by loss of self-respect, and opportunity for a good share of mental culture, so that he will have mental resources in the future that he cannot now command, and will fortify him against possibility of relapse. He belongs to that class of men who are benefited by imprisonment. They form perhaps two per cent of the entire prison population. If such men are not destroyed by their incarceration, it is because the good quality of the man can resist the exceeding bad quality of the prison

influences. To meet the exigencies of his case, the State of New York provides a prison, ranges him in a gang to learn that useful accomplishment the lock-step; if he gets on a contract he learns the fragment of a trade; if not, it compels congregated idleness with the enforced companionship and training of felons, while at night it may shelve him, as a discrete strata, in a seething mass of human beings stowed in from flag to roof, twelve deep.*

R. E. E —, aged 18; serving 5 years for embezzlement. Was book-keeper and cashier of a large Broadway house, whose funds he embezzled. Is of good family, a half orphan at six years by death of mother, of sanguine nervous temperament, with small head, average intelligence, rather weak will and vain character. His own account of the cause of his crime is: "I got fast, was fond of enjoyment and of going among fast women. I wanted fine dress, got only \$600 a year, and the salary was not enough to pay my way." At 16 he frequents public women, at 17 contracts specific disease, at 18 is in State prison. The course is short, swift and deep. It is the case of a first offender, who represents a class who are quite numerous in our midst, many of whom get detected, and, for the sake of their parents and because they are personally liked, escape prosecution altogether. His type is that of a descending family, in which the misuse of good faculties and the abuse of opportunities conspire to lead astray. He may be reformed by waking up the good teachings of youth and the now dear associations of home. He possesses that kind of moral sense which dreads the disgrace of detection without feeling any special pain at committing the secret act. The treatment of such a case requires, primarily, industrial training to curb the passions, directing the vanity to seek other modes of gratification besides dress, a certain degree of encouragement to keep him from breaking down from melancholia, and separation from contamination. There is no doubt that this boy could be saved by judicious management, were the prison training efficient and well devised. To meet the exigencies of this case, the State provides the lock-step, the fragment of a trade, the congregated idleness, the enforced companionship and training of felons, while at night it may shelve him, as a discrete strata, in a seething mass stowed in from flag to roof, twelve deep.

John O'K — e, aged 16; larceny from person; 2 years. But from the fact that it is picking pockets, it would seem that it is less curable. Has a sanguine temperament, vitality below average, head unarable,

* In Sing Sing, Auburn and Clinton prisons, which contain 3,696 cells, there are 3,801 convicts, which necessitates the "doubling up" of 1,105 men, or, in other words, the locking up of 1,736, two in one cell, or one-half of the total prison population. The arrangement made is to put in a cell two iron beds, which fold up towards the wall, so that they stretch out one above the other when let down to sleep upon.

forehead wide, intelligence average, education none, a constant truant with weak will. Kept a newspaper stand for two years, was led off by a boy twenty-one years old, who told him he could make more money by stealing than any other way. He is the youngest child of six, the three preceding him died infants; his two oldest brothers keep liquor stores, and one of them has been a member of the New York Legislature. John prides himself on his brother's education, and does not propose to go into politics himself, because he "hasn't got no such edikation at that." He was apprenticed to the machinist trade, but gave it up because he "was foolish and thought he could make money quicker other ways." The probability of reform is fair, but he needs a judicious employer, and would do best in some mercantile business—wholesale grocery, or the like. He is a first offender, and by no means of a criminal type; a boy that could, and therefore should, be saved. To that end the State provides the lock-step, the fragment of a trade, the stratified dormitory and the other appenda of our "congregate system."

John II—n, aged 19; burglary, third degree; two indictments; 10 years. His parents are reputable people in humble life, industrious, though somewhat intemperate. He is of a sanguine nervous temperament, with an average head, narrow at base, high, square and flat on top, above the average intelligence, ambitious, vain and disposed to be loyal to friends and revengeful toward enemies. His moral sense is weak, but it has been somewhat trained in infancy by the example and precept of his parents. He is courageous and daring to rashness, with bright, dark blue eyes and prepossessing features. This boy is one of Dan Noble's pupils. His first solution into a culpable offense was between 9 and 10 years of age. In 1862 he ran away from home, his father being at the war. After three weeks he returned and formed the habit of stealing apples to sell on the railroad trains. His quickness, aptitude and intelligence attracted notice, and he was put on the express train, No. 1, as a news boy. Here he remained for three years. One day he stole a pocket-book with \$1,000 from a satchel belonging to a professional gambler travelling on the train, and incautiously lent \$50 of it to a brakeman on the train. This led to his detection and arrest. He was put in jail for one night and discharged the next morning, but this escapade lost him his place. Two or three weeks after he was sent to a private school by a doctor who befriended him, where he got on speaking acquaintance with a girl who induced him to attend prayer meetings, and used to help him learn his lessons. As a matter of course he fell in love with her, and he claims that a rival wrote a letter with insulting proposals, signed it II—n, and sent it to her. This led to his expulsion from the school. The injustice of

this expulsion, he claims, made him utterly reckless. He went to Elmira, joined Dan Noble and Tom Griffin, and helped them in their jobs. In 1866, when only 16 years old, he undertook to shoot the teller of a bank at mid-day while the dinner whistle of a railroad shop was blowing, and thus enable his confederates to rob the bank, but missed his aim and was arrested. He was tried for this, sent to the house of refuge, where he remained one year and a-half. Shortly after his release he was arrested on a charge of attempt at rape, but broke jail after four months of confinement, and was caught in the burglaries which resulted in the ten years of sentence which he has just served, being discharged, with his commutation deducted, in December, 1875, aged 24 years. Ten days after, armed with a knife, he entered the house of a tobacconist. The man told him to take any thing he wanted if he would only go away, whereupon John took a gold watch and a pocket-book and went into the sitting room, shutting the door. Upon this the man pinched his baby to make it cry, and, under cover of the noise, arose and shot at John, who clinched with him, when two more shots were fired, one wounding the burglar in the arm, the other entering the breast. After a tussle, in which the wife reinforced her husband, John got away, walked half a mile to a house in the outskirts, represented he had been attacked by robbers and was attended by a doctor to dress the wounds. There the police found him. He now lays in jail, with a wound in the side which may prove fatal. When I saw him in Auburn, he stated that "with a young fellow, under twenty years of age, a long sentence makes a murderer of him;" that his conduct in prison had, for several years, been violent to the last degree, and that the commutation law of 1874 had first made him reflect, because it made him hope. Had it not been for that law he would, on leaving prison, "have had his bloody revenge" against persons whom he thinks have wronged him, but now he thought he would go to sea for two years to get back his health and to break up his criminal associations, after which he intended to settle down as an engineer.

He showed that, at twenty-four, he could reflect and pass judgment upon his own career; that he had counted costs, and had there been any adequate agency at work within the prison walls to reawaken good resolves and keep them green till liberty gave chance for transplanting into a new life, he could have been saved his present fate. The man who can reflect at twenty-four and find himself in the wrong, who changes his conduct at twenty-two from that of factious opposition to the formal discipline of the prison, to a cheerful compliance in daily work, has got elements in him which, before thirty, can be organized into a fairly well-behaved manhood. What he needed was to be taught a remunerative business, as engineering, which would yield him a

salary of from \$60 to \$75 a month, and the attention of some person or persons whose social position would flatter his vanity and be a stimulus to continue on the new path. The heredity in his case is sufficiently sound to be counted on as an element in reform, but what does the State know of heredity, or do to study out the social wants attending liberation, or to comprehend that with the moral infant slight duties associated with success must precede large demands upon the moral nature. It is a soulless perfunctory engine, and it provides for a case like this the lock-step and the other addenda which leave the poor mortal the target of a perhaps well-deserved bullet.

In the foregoing we have a series of cases from first offender to habitual criminal, in which the primary element of disorder is educational neglect, uncomplicated by insane or criminal hereditary tendencies. They are what may be called sporadic cases of crime. In the first there is not a thread of criminal nature, there is only a movement of momentary passion kindled partly by feelings of self-respect which, had they stopped short of the last act, we should have been disposed to honor; we come to E—s, where we find the first descending step from a line of honorable ancestry, and designed crime is employed to get means for passionate indulgence; to K—e, where we find the brothers engaged in a business that trenches on pandering to crime, but where, owing to youth, the criminal habit has not yet become fixed; we come to John H—n, who represents the end of the series of what criminal education, aside from hereditary tendency, will do towards making a desperate habitual criminal. We now turn to another series.

T. H—n, aged 21½; robbery, 4 years. He is an illegitimate child, his mother probably a prostitute, intemperate, and negligent of her children, of whom she has had four living. Knows nothing of his father. He has had two brothers, one of them was sent to the house of refuge in 1863, and subsequently to Sing Sing for ten years, but died before the expiration of his sentence. Timothy's temperament is nervous bilious, active and excitable, vitality average, health good, head undersized, narrow and low, eyes light hazel and bloodshot. He is shrewd, ignorant, has a weak moral sense about some things, partly from education received in reformatory, but no moral balance, and is plucky and vain. His case is an illustration of the bad effects of prolonged institution life. At 7 years stole from his mother, at 8 ran away from home and "knocked about," at 10 was sent to house of refuge for vagrancy, was a bad boy when in refuge, very mischievous and insubordinate, stayed 6 years and 4 months and was discharged. At 17 again in house of refuge, where he remained 1 year and 8 months. He then became one of the ringleaders in a plot to escape

from the refuge, and it was he who forged pikes and knife blades which were to be used to carry the gates by storm. In consequence of the plot being discovered, he was, at 19, sent to the Rochester work-house for one year; at 20 committed to Buffalo work-house six months for petit larceny, and, at the expiration of that time, was sent to Auburn, for robbery and assault, four years. In the last eleven years and a-half he has received ten years and a-half of imprisonment, has committed fifteen offenses and been arrested four times. It will now be very difficult to reform him, but not impossible, and even the want of self-reliance, which institution life has now made constitutional, could be turned to advantage. What he needs is to be taken charge of by some person for whom he has formed a strong personal attachment—something analogous to that of a dog for his master—a man who knows how to judiciously enlist his vanity in a line of conduct which will gradually, and by successive degrees, organize steadiness of character and self-reliance. For occupation he should be employed where there is some adventure, physical activity not too continuous, and the opportunity for display of pluck such as would be needed on the water, but he would not make a sailor. The ringleader of the plot to escape from the refuge above related, who contrived and organized the whole affair, was an orphan in infancy by the death of his mother, the son of an intemperate thief, and the step-son of a thief and the receiver of stolen goods. He lived in a community of criminals and was a leader among them. Fortunately for him, a gentleman, who understands human nature, took charge of this boy, showed him the two roads, one of which leads, through crime, to punishment and disgrace, the other, through honest industry, to prosperity and good name. He decided upon the latter, went to work with a will, was helped by his advisers to set up in some mechanical business in the town where had been a malefactor, and succeeded in his efforts. This was several years ago; he has now become an example to his former associates, and a nucleus of reform around which they begin to gather. His father, who used to be a useless bar-room loafer, is now working for this son, whose faith in a well-ordered life has been built up, so to speak, out of the judicious guidance of the manhood there was in him. Why should not Tim do the same? Well, he has the misfortune to be in custody of a powerful master, whose only conception of guardianship is the lock-step, the fragment of a trade, the congregated idleness, the enforced companionship of felons, the stratified dormitories and ephemeral imprisonment that lends zest to a new career of crime.

Chas. P—n, aged 21; petit larceny from person; second offense; one year. His father was murdered when this boy was only one month old

His mother, 38 years of age, has been three times married, is intemperate, a pauper, a criminal and a harlot, keeping a brothel, in which may be found her daughters and step-daughters, some of whom have been driven out of various towns for their vileness. His head is average size, well proportioned, with a wide base. He is of a hopeful disposition, vain and quarrelsome. He claims to be temperate. At 14, committed to Lockport jail ten days for assault and battery; at 15, burglary and larceny; Rochester house of refuge one year; at 21, petit larceny; Buffalo work-house three months, and, on conviction of petit larceny, second offense, to Auburn State prison one year. When in the refuge he is reported as behaving well. In this case we have a convict with strong pauper alliances in several branches of the family, and although there is no long lineage of habitual crime, it does begin in the previous generation in the person of his mother, while the environments, both at home and at work on the canal, have been destructive. The difficulties to be met with in dealing with the mingled complications of neglect, bad inheritance and worse associations, would be very great if an effort were made to reform this boy, and yet he is by no means a hopeless case, for he possesses average intelligence and sufficient vanity to make him tractable under a judicious adviser. The greatest difficulty would be to get him to work steadily at any thing. The order of management requires a correction of hereditary tendencies, to be induced mainly by industrial training, and, on liberation, to be settled away from his family with some employer who will have the tact and will to hold him steady. For this case, however, with iron uniformity, the State has provided the lock-step, and the ephemeral imprisonment which, last November, turned him loose to return to the brothel home which has already done so much to bring him to the cell. As a set-off, however, the prison doors are ever ready to swallow him again.

F. B.—, aged 21; grand larceny; five years. Of low vitality; the thirteenth child of a family of fourteen, all of whom, except the last two, are dead. The father died during his infancy; the mother died two years ago of paralysis, aged 54. F. is of a nervous, sanguine temperament, with a blotched face, inflamed lids, and that invalid stoop indicative of an undervalized constitution. His head is narrow and low, intelligence below average, ignorant, moral sense entirely torpid and rather stolid. At 5 he stole a three-cent silver piece; at 6 he was consorting with child thieves, many of whom have since been brought to prison; at 13, petit larceny; sent to the house of refuge for one year; at 14 worked for nine months at printing; at 15 committed to the Catholic protectory for two weeks, from which he ran away; then to the school ship Mercury for eight weeks on charge of petit larceny; at 16 sent to Sing Sing two years and six months for burglary, and in 1875 recom-

1875

mitted to the same prison for grand larceny, five years. After he had answered my questions, the following conversation took place: "Please, sir, may I ask you a question?" "Certainly." "Why do they send boys to the house of refuge?" "I suppose it is to teach them to be better boys." "That's a great mistake, for they get worse." "How should that be?" "I wouldn't be here, only I was sent to the refuge." "What did you learn there that should have caused you to be sent here (Sing Sing)?" "I didn't know how to pick pockets before I went, and I didn't know no fences; that's where you sell what you steal, you know." "Yes, I know. How many fences did you learn of?" "Three." "What else did you learn in the way of thieving?" "I learned how to put up a job in burglary." During the cross-examination, when he was asked if he had learned a trade, he replied: "No, sir, only a branch of a trade." The answer was quite uncommon, so I asked why it happened. "That was in the refuge; they never learn you a trade; they learn you a branch of a trade, and keep you at it while you stay there." These statements may be exaggerations, but they certainly have great probability, and may explain why it happens that out of 52 refuge boys, 51 are habitual criminals. The prominent defect in this boy is undervalization, marked by the death of both parents—the mother by paralysis—the sweeping away of twelve brothers and sisters by disease, the nervous apathy of the boy himself, and the fact that at seven years old he began using alcoholic stimulant, which at eighteen was fixed as habitual inebriety indulged once a week or oftener. If there has ever been a chance of reforming this boy, the order of procedure in such reform should have been by curing him of disease, by proper nourishment to fortify the nervous system, and, when physical improvement had set in, then to have brought to bear industrial training, common school education and moral instruction. With such an order of procedure, probably his opinion respecting refuges, "that they are a great mistake," would have been reversed, and instead of being another living witness of the utter badness of congregate imprisonment, he would have been a joyful attester to the efficiency of a system which had rescued him from an otherwise inextricable environment. And yet, the State which has mismanaged his case for eight consecutive years—mismanaged alternately by meddling and by neglect—still continues her official and officious policy, with a repetition of the lock-step, which to him is the march to the grave; the fragment of a trade which he can never practice; the congregate idleness which is respite to an overburdened strength; the enforced companionship of felons, which stifles manly or gentle aspirations; the mephitic dormitory which breeds tuberculosis, and the ephemeral imprisonment which a mightier hand than the State will

shorten, by opening the prison gates for his last liberation, while the State, without much pomp or circumstance, will be called upon to perform the office of burying from the sight of men one more of its own blunders, and will return to a monotonous repetition of its routine, which knows no difference between the living and the dying — wasteful of life, oblivious of public good.

In these cases we have, in addition to parental neglect, a hereditary tendency to crime, pauperism or early death. The treatment, if intelligent treatment is to become the order, necessitates, as a prerequisite, a knowledge of the ancestral defects, and the making of this knowledge the basis for the management of the boys. That the inheritance is the main fact in their lives, demonstrates the necessity of taking them in hand while young, for the more they grow, the more difficult is it to weed out the fungus of their precocious infancy. Each of these cases is that of an habitual criminal, weighted with a heritage that tends to sink him irretrievably, with whom the difficulty of rescue is very great, but who still either now has, or has had at some antecedent period, a chance for being saved, but it is a chance which has either been lost or will be lost to a certainty. We now turn to another class of cases.

F. G.—s, aged 22; for burglary, second degree; five years. Probably an illegitimate child; does not know his father, nor how many brothers and sisters he has had, but is the oldest son. Constitutional temperament sanguine; vitality very great; head undersized; bullet-shaped, flat on top and wide at base of skull; intelligence fair; moral sense almost idiotic, and of a courageous, daring and sensuous nature. He began his career as "the kid"* of a gang of burglars; is a confirmed habitual criminal, and a contriver of crime. His first theft was at seven years, from his mother; at 14, burglary, third degree, silver worth \$40; sent to house of refuge for 15 months; after being bound out, was returned, and stayed six months longer in refuge. At 16, assault and battery; Trenton State prison six months; at 17, burglary, second degree, silks worth \$800, Trenton State prison four years. He has thus had, in the last eight years of his life, more than six years of imprisonment. He confesses to having committed a great many offenses, the largest being a highway robbery that yielded \$6,000. He says, with pride, "I've never been in a penitentiary; I don't do no light things," and belongs to the class that "goes in for big money," and holds pickpockets in contempt. He has never learned a trade; there are no probabilities of his ever reforming. He believes that theft is as legitimate a calling as commerce, which he looks upon as a legalized method

* Flash term applied by burglars to a child who is helped to creep through apertures too small for a grown person to enter.

of fraud, the profits of business being so much booty. In his case, the only check which will restrain him is life imprisonment, but the State provides the lock-step, and the other formalities of its unvarying method which would, perhaps, be unobjectionable in this case, if not converted into a menace to the community by ephemeral imprisonment, which spreads abroad the evils it breeds in its human corrals.

Richard B.—, aged 35; forgery, third degree; four years and six months. He seems to be a pure accident, for he claims neither paternity nor maternity for antecedent, and what organization of inaptitude for manly conduct has come to him as heritage, no one can tell. He is of a sanguine temperament, with narrow head, wide retreating forehead, from which the short, red hair grows upward like porcupine quills, which bristle to the apex of his sugar-loaf head. He is of average vitality, with poor health, the result of excesses; of average intelligence, sensual habits, moral stolidity, extreme conceit, and fond of flash dressing. His position in the criminal scale is that of pander to the vices of criminals. He does not in the remotest degree represent "man fallen from his high estate," for, if he ever had a moral nature, like the mathematical point which is susceptible only of position, it could have had dimensions neither of length, breadth or depth, and, lacking altitude, could not have been dethroned. Even his wounds, not received in battle, are characteristic. He has a ventral hernia, caused by a blow with a bottle, received some years ago in his own liquor shop. He claims that his father was a wealthy lumber merchant, who lost his wealth by speculation, which statements are more than doubtful. At 15 he was placed with a paper decorator, where "I had all the chances for a good trade, but the boss left the contract," and he left off work for good. He offers no account whatever of the time that elapsed to his twenty-first year, when he established himself in business, referring to it as "my place." This, on inquiry, turned out to be a cut between a rum shop, a brothel and a gambling hell, during the eight years that he kept it up before he failed in 1869. On entering the examining room, before being asked to sit down, he flung himself in a chair in a lolling way, crossed his legs and settled himself to first learn what was my object in summoning him. He wanted to know "Why have I been picked out for this here?" nodding toward my papers. When I had explained to him that he had not been singled out, he threw back his head in rest against the chair in the attitude of an umpire, his thumbs inserted in the arm holes of his convict jacket and working his loose fingers like a supercilious fop, conscious of the superiority of his diamond studs, and cutting his narrative into laconic sentences with the philosophical equanimity of a finished man of the world. His eyes thoughtfully traveled to various corners of the room, at moments rest-

ing on me, the neophyte, with patronizing condescension as he revealed the arcana of a sporting life. As he expounded his position with a sort of forensic conceit that lent a keen and unconscious humor to his placid and dogmatic avowal of absolute moral imbecility, he related how at "my place" he kept a "quiet little game" and became acquainted with "gents." How he failed because he "was too generous to his friends," and had to accept the subordinate position of bartender in gambling places of various degrees of pretension where "I got to know all the professional gamblers in New York." He accounted for the crime for which he was committed, by stating that he "had had bad luck"—a euphemism to avoid saying that his circle of employers had found him too dishonest to trust near their tills—and finally he wound up by saying that he had fallen into shabby poverty, and "you see, I was accustomed to fine clothes, jewelry and what's nobby, so I couldn't go into the society I was accustomed to." Being in ill luck—that was the climax of his difficulties—he committed this forgery in the third degree to re-enter the congenial atmosphere of his social circle. He has succeeded, but by another portal. That the forgery was a fatal necessity and, therefore, justified, he established by describing his neediness and ended "of course what else could I do." Never the delusion of working distracted the directness of his logic; and I reflected, "constituted thus, surrounded from infancy by such mentors, what, indeed, else could he do." Upon being pushed for the details of his crime, he reluctantly confessed it was committed to secure a barrel of lard. Even he, a gentleman who scorns to stoop so low as to be a vulgar thief, could not help but smile to think that so respectable an achievement as forgery, done for the high-toned purpose of retrieving a temporary social eclipse, should have been perpetrated for such unromantic plunder. The State has at last laid its discriminating hand upon this grotesque, moral troglodyte, and forthwith he is compelled to the rigors of a demented system; he falls into the lock-step with the conceited strut of self-sufficiency; he fails to learn the fragment of a trade; he luxuriates in the congregated idleness and the enforced companionship of boon companions; he sleeps the torpid sleep of asphyxiation in the stratified dormitory of this great State and waits for the end of the ephemeral imprisonment which shall cause even handed and fully avenged justice to open the iron doors of his prison-house and set him free, purged of his offense by expiation for his crime.

Francis A. C.—n, aged 41; attempt at grand larceny; two years and six months. He is of a nervous-bilious temperament, bright hazel eyes, fair intelligence, head average size, rather low, with fair perceptive and deficient reflectives. At 7 years of age, stole fruit and was sent for nine months to a reform school in Albany; at 8, petit larceny,

house of refuge nine months; at 12, juvenile asylum; escaped from that institution three times in four days; at 16, petit larceny, house of refuge two years and nine months; at 19, same offense, Blackwell's island three months; at 19½, four months at same place; at 26, in the army four years, when he became an habitual drunkard; at 31, petit larceny penitentiary one month; at 32, same offense, penitentiary four months; at 32½, same offense and punishment; at 33, grand larceny, Sing Sing two years and six months; at 36, petit larceny, Kings county penitentiary six months; at 36½, penitentiary four months; at 37, penitentiary five months; at 37½, penitentiary six months; at 38, penitentiary five months; at 41, present offense. Here we get nine years and a half of imprisonment in a criminal career of thirty-four years. In the minutes of conversation with him he says: "I never learned a thing in my life in prison to benefit me outside. The house of refuge is the worst place a boy could be sent to." "Why so?" "Boys are worse than men; I believe boys know more mischief than men. In the house of refuge I learned to sneak-thief, shop-lift, pick pockets and open a lock." "How did you get the opportunity to learn all this?" "There's plenty of chance. They learn it from each other when at play." "But when you are at play you are otherwise occupied?" "Boys don't always want to play, and they sit off in the corner, and they get it" (criminal training). This man confessed to thirty arrests besides his sixteen convictions, and on the books of the prison is registered "second offense." He admits to committing 500 to 600 offenses a year, and "sometimes ten to fifteen different times in a day." On being asked how he could commit so many offenses in one day, he explained that if a gang of six would go out to help each other pick pockets, and they stole six empty "leathers,"* they would then have committed thirty-six offenses for nothing, or six offenses each. In order to get money enough, they might have to steal six wallets or watches, and as each theft represents six offenses, this would give twelve offenses in one day for each of the gang. This man revealed the full professional ethics of the criminal on being asked: "I suppose if a thief has plenty of money he doesn't run any further risk of stealing?" "A thief, if he is a thief, when he is going through the street, takes a thing if he has a chance, no matter how much money he has, for he'll never have that chance again." This man represents a class of offenders who are frequently met with in our penitentiaries. They have learned how to commit crimes so that they will receive only short sentences. The mistakes which neophytes commit they have learned to avoid, and how to "get off on a plea" is just as well known as "how to get away with a leather." Francis is an

* Pocket-books.

incurable offender, who has now reached an age when the criminal begins to think of abandoning active service to set up a fence, to act as an agent for a crime capitalist, or to become the foil for the manufacture of burglar tools. In other words, from being an individual depredator, with its high professional risks, he now contemplates entering a sphere in the circle of criminal commerce which will make him a hundred-fold greater menace to the property of the community than he can possibly now be with his own unaided hands. At the same time that he thus threatens, the power and ability of the law to reach him will be decreased, for, as the receiver is absolutely necessary for the success of the operations of the thief, so is he jealously guarded by his customers and saved from conviction if he is caught. What has the State done for this man who has "never learned a thing in my life in prison, to benefit me outside?" and what does the State now do to prevent him from wider mischief, beyond providing the lock-step which he has resolved to walk no more, the fragment of a trade which he does not learn, the congregated idleness and the enforced companionship of felons with whom he is making his bargains or from whom he is gathering credentials that will enable him to "set up" on his release, * the stratified dormitories that only fortify his resolve to be done with them for good, and the ephemeral imprisonment which the State will shortly exchange for perpetual largesse, protected by a zealous fraternity who come to the relief of each member who "gets into trouble," so that they may the better protect their vocation.

In this series, whatever may have been the road which each has traveled, whether forecast by hereditary transmission or induced by miseducated childhood, these men now form a segment of that arc of habitual criminals which it is absolutely necessary to break. Men past reform, men dangerous and desperate, whose only service to the State is by being made examples of the austerity of her justice, must sternly be cut off from perpetuating a noisome progeny, either by propagation or by perversion of a coming generation. Where we cannot accomplish cure we must organize extinction. The old laws used to attempt this

* As another illustration of "traffic" among the criminals in the State prison, the following is conspicuous: The leader of a gang of notorious burglars, whom we shall call C., was sentenced to State prison for 18 years for a daring masked burglary. Before forty-eight hours this man was visited by several of the convicts to get the late "outside news," for he is widely known among the profession as a successful operator. Among those who called was K., whose term of sentence was to expire in a few months. C. had partially organized several burglaries, some of which were on a large scale, and if successful would be "soft things" (profitable). The schemes for these he transferred to K., retaining as his interest in the transactions such money as would be necessary to "facilitate" a pardon, and with this bargain concluded, K. immediately organized his gang, choosing three other convicts whose terms of sentence would expire at various times not exceeding six weeks after his own. This, while the law catches the individual criminal, the prison fails to stop or seriously interrupt the execution of his plans.

by hanging; it was a mistake in many instances; for us the solution in these cases is simple, and it is believed, far more effective, separate and perpetual imprisonment, with certain mitigations, to guard against barbarity.

Frank P. — is a boy, aged 21; convicted of forgery in the third degree, and serving a two year sentence. He is of a sanguine, nervous temperament, with blue eyes and blue veins in his forehead and a transparent complexion. He is slight, and in the lineaments of the face, the narrowness of the base of the skull, the hesitating manner and the still more marked hesitation in the expression of opinions, you are conspicuously impressed that his will is even more weak than his physical constitution. When he tells you that he has been, for months previous to his committing the offense, subject to insomnia; that for six years previously he has been using chloral habitually for headache; that when he was a baby he used to lose his breath and turn black in the face; that for two years before his arrest he would fall into violent fits of passion, preceded and followed by gloomy moments, alternating with buoyant hopefulness, you are prepared to learn that he has a nervously, disordered ancestry. His mother is a very small, nervous woman, descended from a very good stock, but undervalized. His father turns out to have been committed to the same prison, when he was twenty-three years of age, for the same offense, serving a three year term. He afterwards set up in the trade he learned in prison, but so perversely dishonest and tricky was he that he failed, being deserted by his customers. Two of his employers who were seen, represent him as a man able to turn his hand to any thing, but who cannot be trusted; who will appropriate small things, if he thinks they will not be missed, and who does not feel the least shame when detected. He seems to lack the moral sense utterly. Going back one generation, we find his aunt had an abscess in the small of the back, at about 59 or 60, which was followed in the following year by senile dementia, of which she died at 62. Her mother, who is the great grandmother of Frank, had cancer; at 63 she had a stroke of paralysis, followed by dementia, of which she died at 67. Her husband died of cancer at 56. In this case we find a criminal parentage, with an insane, and probably syphilitic ancestry; the question is, may not the dishonesty of the father be a moral idiosyncy inherited from the insane and demented grandmother, which we, who are accustomed to find men with ordinary intelligence, also gifted with average conceptions of right and wrong, are mistaking for moral turpitude. In the case of this boy, the obvious treatment he needs is a thorough industrial training which will check his secret sexual habits, and thus prevent his mind from becoming wrecked. He has a fair share of moral sense, inherited from his mother; he is vain, and

this feature could be taken advantage of by a judicious educator, and, in five years from now, the present self-indulgent well-willed and decaying boy, may be fashioned into a comparatively well-balanced and self-sustaining man. But the process of reform in this case is evidently one which needs medical care, nourishing food, out-door exercise, varied occupation, so as to produce general, though not excessive fatigue, and the hope of a subsequent career, which will flatter his vanity in the accomplishment of it, and involving the accumulation of property.

J. T.—, aged 60; petit larceny; two years; committed in December, 1869; insane. Born 1815, in Albany; father a blacksmith. At six to eight years of age, his father's employes sent him for whisky and molasses, "to make black strap, you know;" the men would give him the dregs at the bottom of the glass, "and it took hold of my tongue, you know, so I got in love with the little dram, and I like it to this day." At nine he steals a pocket-book with two dollars to buy rum, for which his father causes him to be sent to the jail for three weeks, and in the next five years commits many thefts to get money for liquor, and is sent three times to jail. At 14, father sends him to house of refuge, where he is very mischievous, and says that there he became a worse boy. After two years and three months, escaped and went to Canada, where he probably lived by theft. At 18, Auburn State prison; petit larceny second offense (more likely two hundredth offense), two years. At 20 discharged. At 21 first outbreak of insanity. At 22 committed to Sing Sing on three indictments; burglary, third degree, five years; petit larceny and burglary, third degree, 2 years, at expiration of first sentence; and burglary, third degree, two years additional. At 25, second outbreak chronic mania, while in prison. At 27, sent to the Bloomingdale Lunatic Asylum; exciting cause given, probably masturbation, but intensified by excessive intemperance in early childhood; "hereditary predisposition unknown." At 31 returned to Sing Sing prison (then Mount Pleasant) on October 20th, 1846, and the next day was sent to the State Lunatic Asylum at Utica; "is quiet, feeble in mind, in fair general health, indolent." At 32 works in tailor shop of asylum; when 33 was weak minded, calling himself sometimes the devil; sometimes God Almighty. At 41 eloped from the asylum and says he traveled three times from Albany to Buffalo seeking his relations. Was probably a vagrant and imprisoned many times in the next 15 years, but has lost memory of most of these events. At 55 Clinton prison, petit larceny, two years; and after 22 days was transferred to the asylum for insane criminals at Auburn, where he still remains, because he has no residence in any county to the poor-house of which he can be sent, and has no friends who can be found in whose custody he can be placed. His present form is moral insanity which has degenerated into dementia.

He was insane before and at the time of the last conviction. The career of this man is quite a remarkable one. Out of 60 years of life the official registers of various institutions account for 29½ years, and of the other 30½ years; probably 10 more were spent in prisons or poor-houses. So that 40 years—he says 43 years of his life—he has passed in prison and for 39 years he has been a poor, insane creature. It is not improbable that he comes from an insane lineage; that the insanity of his ancestors took the form of dipsomania in him, which, at an early age, degenerated into insanity. What he needed when nine years old instead of jail, was judicious medical treatment to guard against the threatening insanity, and had this been applied the dipsomania would have been cured and probably the mind saved and the man have led a useful life. When he was sent to the house of refuge he was taught formal morals instead of being physically cured of his disease, and the result was absolute failure. The initial trouble was physical disease involving a loss of the moral sense; the body had to be mended before the mind could be affected, and with this the perception of right and wrong made possible and the practice of duty probable.

T. C.—d, aged 47; assault and battery; six months in penitentiary. Is of a sanguine, lymphatic temperament, average vitality, good general health, but apathetic. He is intelligent, with a fair stock of useful knowledge, and was a school teacher when young, but now is an upholsterer. His moral sense is fair, but his will is weak. He served in the rebellion for nine months and was wounded in the head by a ball, which fractured the skull. Was insensible for several months, and after being trepanned came back to consciousness. In 1864 had an epileptic attack, a consequence of the injury received by the brain, and in the last 10 years has had ten or twelve epileptic seizures. Has probably been committed before for similar offenses; confesses that he has been in brawls before and that when he gets a little liquor he "gets off his head." Says he can't drink much for it makes him wild. This, while somewhat exaggerated, is quite consistent with his acquired epilepsy. In the upper posterior portion of the head on the right side is a depression of the skull from the bullet wound, in which the first joint of the finger may be laid to one-third its thickness. What this man needs, is to be withdrawn from the temptation of drink and placed where he will not be excited. There is hardly a doubt that he will commit murder some day; not because he is of a vicious or malignant temper, for his disposition is mild and apathetic, but because his epilepsy may at any moment be developed into a homicidal impulse which he cannot control. This man will probably be returned again and again to prison on short sentences for acts which are the direct result of disease, which will never be checked on account of the deterrent effect of imprisonment,

and will cost the State heavily for continual arrests and trials. Will presiding justice in our courts of law ever put her finger into the wound and learn what is the matter with this man? Yes, most undoubtedly *when he has murdered some poor victim* in some shocking way, then she will say that he must not be hanged because he is irresponsible. When justice does put her hand upon that wretch she will have to call a physician to guide it to the spot, for is not justice blindfold? And it will not be justice either which decides whether the man is responsible for his violence or not, but it will be the doctor's dictum. Why should justice neglect to keep the doctor by, to help her to a wise judgment of his case when he is summoned at her bar for assault and battery, and make a fitting disposition that will forestall his braining a human creature. This is no improbable case, it has frequently occurred. Three years ago an epileptic was committed to Sing Sing. Shortly after he was transferred to the insane asylum, and discharged from thence when his term expired. Within the last eight months he has again passed through the courts, been recommitted to Sing Sing, and one month ago was seized with an epileptic fit during which time he killed a fellow convict, after which he was again committed to the insane asylum, this time probably for life. Justice being blind, why should she neglect to make a medical inquest whenever a crime of violence has been committed, and, where the evidence shows such dangerous brain disorder, commit the accused to an insane asylum for life? In the case of an attempt to kill, in what respect does it differ from murder except in the fact of being not fatal? In these last three cases we have a series, which begins with a case that illustrates the first steps in mental alienation, of which the next case furnishes the *dénouement*. In boyhood Frank is troubled with bad headache, a mark of nervous disturbance; the chloral takes the place of the "black strap" which Johnny drinks at eight years old, and that is the mode in which each finds relief from mental depression. The passionate outbursts, the moodiness and the series of small forgeries, correspond to the moral idiocy of Johnny when he stole sugar to buy whiskey, and ran away from home to avoid parental restraint. The insomnia marks another gradation of mental degeneration, which, in the case of Johnny, is carried through many successive stages to acute mania, delusions, dementia, and only waits a death conformable to the character of the disease, to complete the cycle of social sterility which he has lived.

They all belong to a class of offenders whose deplorable parentage shows 40 per cent of unsound mind. But what does the State know of such per centages, although it is charged with the function of public education? Has not the combined wisdom of generations settled the proper policy by providing the lock-step to torment the shattered

nerves, the fragment of a trade that supplies the murderous or suicidal weapon, the congregated idleness that prepares for solitary debauch, the enforced companionship of felons in the stratified dormitories, where unmentionable crimes are perpetrated — inevitably perpetrated, because of the predisposing sloth — till, at last, the exhausted brain breaks down, and the congregate system adds one more maniac to the long list of wrecked lives which consecrate the walls of its prison houses, or, on the plea that he is pardoned by a bountiful mercy, sends the enaciated convict to his friends, to die upon the journey, so that the frightful death-rate of the prison shall be covered by this pitiful record of clemency.

In the foregoing fourteen examples we have illustrations of different fundamental crime causes, which range under a few general heads. Some men do not learn right from wrong because the physiological quality is poor; some because the balance between passion and judgment is so ill adjusted that they run into excesses; some from nurture in crime; others from educational neglects. It is from a discriminating consideration of these and of allied facts, in each individual case, that the possibility of reform can be determined, and, where they are accurately measured, the limits of such reform established. Where the defect is congenital, as in idiocy, our power to control it is least; where functional, as in the earlier stages of insanity and other diseases, it is greater; where it results from educational neglect, it is greatest. But no scheme which has but one method of dealing with every class of cases, can be of any general value. As if there were not more in human nature than in any human device which does not include all varieties of human aberration and adapt itself to their multiple requirements. What is wanted, is that an order of treatment in accordance with the ascertained deficiencies of each person shall be the key of the method of training, adopting any passion or emotion which is yet sound or serviceable for the purpose as a point of departure in the new education, and a weapon to conquer or amend the frailties of the character, thus making any good trait the nucleus for the crystallization of better habits.

In a former report* it was shown that heredity depends upon the permanence of the environment, and that a change in the environment † may produce an entire change in the career, which, in the course of greater or less length of time, according to varying circumstances, will produce an actual change in the character of the individual. Those who, like the idiot, are defective in the organization of the brain, cannot assimilate, so to speak, the impressions, moral or intellectual, which

* Proposition 5, page 128 of Thirtieth Annual Report Prison Association.

† Id., p. 180.

their environment furnishes as food for the formation of ideas, but which better organized brains easily lay hold of, and, by an orderly and now well understood process, organize into ideas and rules of life appropriate for the career which is to be pursued. Now, if the environment furnishes the elements of the mental nutrition, and largely determines by that means the character of the mental and moral growth, what are we to think of a prison system which, with vast perfunctory incompetence, masses an army of moral cripples, cursed with contaminating characteristics held in common, and thus, under the imposing title of "the congregate system," prepares an environment of criminal example just fitted for the assimilative power of each individual malefactor? Be it noted in all that has been said hitherto, with only one exception, the criticism applies to the *system* of congregate imprisonment, which, bad at first, has, in half a century, degenerated by progressive and successive forms, kinds and degrees of official corruption, ignorance and perhaps still more dangerous indifference, until it has neither philosophy, ascertained experience, justice, public advantage or common sense to recommend it. Not one word has been said of the abuses growing out of mismanagement except in one respect, that the number of convicts has so outgrown the provisions for their imprisonment, that they are now "doubled up," to the extent of 1710 in the three State prisons. Bad as the system is, it does not contemplate this demoralizing practice. How soon is the State, with blindfold eyes, to cease employing her ignorant left hand as the aider and abettor of the most abandoned crimes of human nature, and with her nerveless right being forced to drag the ponderous sword of justice at her heels instead of wielding it as a weapon? Are we to wait till the public sense of humor shall be roused into a shout of derision at the huge buffoonery of an exhibition which makes rogues nudge each other, and turns good men into cynics? Upon what grounds shall we continue this system when the experience of other nations has demonstrated that *two years* of separate imprisonment has more effect in checking crime than *ten years* of congregate custody; that it reduces the necessity of punishment; that it prevents the *contamination of the reformable*; that it protects the convicts from recognition by their co-prisoners when liberated; that it checks the formation of gangs for future criminal operations, and that it cuts off the possibility of odious crimes which rivet the criminal habit because they obliterate the sense of self-respect and the voice of conscience as the first step in a mental degeneration that ends in a maniac's demise.

The best experience as respects all institutions is against the aggregation of similar defects, or similar misfortunes within the walls of a

*Placing two in a cell at night.

spacious building. The large hospital is making way for the pavilion, and in many cases the tent in the open air with its single patient; the orphan home, for the domesticating of the child in private families; the foundling hospital, for the nursing out system; and the insane asylum, for the private treatment of the mentally deranged. It is useless to resist a tide which thus sweeps from all directions, and must necessarily carry away the congregate method of treating every form of human infirmity.

In a former portion of this report allusion has been made to the remote means by which the per centages of criminals may be reduced. In this aspect the study of criminal careers merges into a larger inquiry than its own special domain, and for its complete solution embraces the whole science of life. From this point of view the analysis of crime causes includes all the physiological and social phenomena which affect the well being and stability of the race in which the combined forces of the Court of General Sessions and the policeman's club play but a very minor part. The fact that our present civilization is a growth through countless generations—the result of constant and cumulative training—seems to indicate that a discovery of the method and order of this growth, applied as a method of education, would develop, in a few generations, and in some instances in a single individual, a mental and physical condition equal to that which has taken countless generations to evolve. That this process is now measurably understood, makes it possible to adapt it to the reform of the criminal class.

In discussing the question of intermittent industry, it was shown that one of the causes of idle habits was primarily physical and mental disease. Now, a large proportion of the disease which prostrates the community is entirely controllable by sanitary precautions. The first condition, therefore, of social and moral regeneration is public health. The draining of lands, the sewerage of cities, the ventilation of houses, the amelioration of tenements, the cleansing of streets, the widening of thoroughfares, the demolition of rear buildings, the removal of cesspools, the purity of water supplies, the cubic space allotted to each person in dwellings, are only a few of the conditions, which if observed, will so improve the health of the general community that they will be more capable, and for that reason willing, to do their work without exhaustion than they now are, and with this additional increment of vitality will need less and therefore consume less of inebriating stimulants than they now do. Public health will react against intemperance in all its forms, and this again will react in maintaining and perfecting public health. In a community in which its infants are blessed with the advantages of perfect hygienic training, the body will assume that steady, uninterrupted growth which is the first requisite for the organization of a sound mind

and its concomitant—a well balanced life. Then will be possible the next great step in the larger domain of crime cure, the educational question. Those who comprehend the specific process of moral education, that it begins with certain concrete acts which, by repetition and variation, organize in the mind definite and permanent abstract conceptions of right and wrong, will see at once that the foundations of the moral character must be laid in the earliest infancy and must begin by the education of the senses. From babyhood infants must have liberty to use their limbs, toys to occupy their attention when awake, and when they are able to walk their play must be so directed that at least a portion of it shall take a systematic form which produces objects of beauty or of use as permanent results of their manual dexterity. Various materials, such as those suggested by Froebel in his kindergarten education, must be put into the child's hands to be fashioned into multifarious objects, so that instruction will be imparted by means of the use of the hands. This exercise of the hands forms the basis of industrial training and unconsciously organizes the habit of industry, so that it becomes not only of easy performance but an essentially necessary activity of the waking hours. Given a taste for steady work and you have the best possible safeguard against the unbridled indulgence of the passions, and, with this, an effectual check to the formation of criminal practices which are, in a majority of instances, the direct result of indulgence in exhausting vices, or in the feverish pursuit of indulgences which a hard-working man does not think of. But the industrial training here advocated, must not be the arbitrary imposition of a formal task. Work is not an education in its proper sense unless it enlists the putting forth of the powers of body and mind, simultaneously and cheerfully, to accomplish a predetermined result. For this reason, the "team system" of industry for children and youths, which is almost universal in our houses of refuge, is an educational blunder, and not industrial training in a proper sense. It does not produce habits of industry because it fails to employ the mind, and as the fraction of a trade it teaches soon becomes a purely automatic operation that requires no attention, the mind is left free to rove over the recollections of vice and schemes of mischief, which it is the purpose of the reformatory to obliterate by training.

Thus public health and infant education, conforming in general plan to Froebel's kindergarten school, are the two legs upon which general morality travels. It may be objected that the general community is not sufficiently trained to understand and to establish rational education as here indicated. If this be so, it is at least possible to order that a few hundred of the seven thousand convicts, who overcrowd our prisons, shall be dealt with intelligently. In the preceding pages, we

have endeavored to show that the two great factors in a well balanced life, are a healthy body properly developed and a sound and broad judgment, resulting in a well fashioned and powerful will. It now only remains to add that the same methods which will secure the advantages of these for the general community, will also be efficacious when applied to the rectification of unbalanced lives. Indeed, it may be asserted that, inasmuch as the study of the defects of the blind, the deaf and dumb, the idiotic has resulted in the discovery of some of the most valuable axioms of educational science, so will the steady, careful and masterly training of the criminal add other axioms equally valuable in a complete system of education.

Family System.—In this field, it is not premature to say that the family system of discipline for penal institutions must take an important place, especially for the young. It enables the managers, by a skillful selection of temperaments and dispositions which shall healthfully react on each other, to segregate those who suffer from similar deficiencies, so that the defects of one shall not become a demoralizing example to the rest, and to group such natures as present well organized habits, so as to become exemplars to those who lack those special habits, thus to unconsciously organize, by artificial means, an environment in which the convicts themselves will become instruments for each other's regeneration. The present deplorable condition of the prison system in our State justifies the question: Shall the Elmira Reformatory be this opportunity and become a new departure, or be a base repetition of the present failure? It has been said that the family system is, after all, a modification of the congregate. This criticism is equal to that of the man who said, when looking at a beautifully modeled statue, made in clay taken from the road which he had traveled to visit the artist's studio: "Well, after all, this is only the mud I trod on." The point is not the material, but the use that is made of it, and if the family system is admitted to be a modification of the congregate, the difference between them is the difference between mud and art.

A RECORD AND STUDY OF THE RELATIONS OF CRIME, PAUPERISM AND DISEASE.*

BY R. L. DUGDALE,

Member of Executive Committee of the Prison Association.

In July, 1874, having been appointed a committee to visit thirteen of the jails of this State and report thereupon, I made a tour of inspection in pursuance of that appointment. No specially striking cases of criminal careers, traceable through several generations, presented themselves till ——— county was reached. Here, however, were found six persons, under four family names, who turned out to be blood relations in some degree. The oldest, a man of fifty-five, was waiting trial for receiving stolen goods; his daughter, aged eighteen, held as witness against him; her uncle, aged forty-two, burglary in the first degree; the illegitimate daughter of the latter's wife, aged twelve years, upon which child the latter had attempted rape, to be sent to the reformatory for vagrancy; and two brothers, aged respectively nineteen and fourteen, accused of an assault with intent to kill, they having pushed a child over a high cliff and nearly killed him. Upon trial the oldest was acquitted though the goods stolen were found in his house, his previous good character saving him; the guilt belonged to his brother-in-law, the man aged forty-two, above mentioned, who was living in the house. This brother-in-law is an illegitimate child, an habitual criminal and the son of an unpunished and cautious thief. He had two brothers and one sister, all of whom are thieves, the sister being the contriver of crime, they its executors. The daughter of this woman, the girl aged eighteen above mentioned, testified at the trial which resulted in convicting her uncle and procuring his sentence for twenty years to State prison, that she was forced to join him in his last foray; that he loaded her with the

* This special study of a large group of offenders and criminals was undertaken in the ordinary course of the inspection of jails. The first part of the result of this inquiry was published in a small edition by the Association. The continuation of the inquiry during the year 1875 has resulted in tracing the history of several members of the group as State prisoners, while all the essential facts in the history of the whole group have been re-examined. The further this investigation has been pursued the more completely the links of social vices, pauperism, ignorance, indolence and crime, visibly appear as a chain that has dragged a thousand persons in one great kindred group down into a worse than bestial degradation, and bound an enormous burden upon the taxpayers of the county, and fixed in several towns the most deplorable of personal and moral nuisances.

These facts from actual experience abundantly testify that it is at an enormous risk to the peace, the public economy, and the interests of morality in any community that vagrant and vicious children are permitted to grow up into an abandoned and degraded minority, either to be puppets of criminals, and to entail their own likeness upon successive generations.

E. H.

booty, and beat her on the journey home, over two miles, because she lagged under the load. When this girl was released, her family in jail and thus left without a home, she was forced to make her lodging in a brothel on the outskirts of the city. Next morning she applied to the judge to be recommitted to prison "for protection," stating she had been obliged to submit to nine men the night previous. She has since been sent to the house of refuge. Of the two boys, one was discharged by the Grand Jury; the other was tried and received five years' imprisonment in Sing Sing.

These six persons belonged to a long lineage, reaching back to some of the early colonists, who had intermarried so slightly with the emigrant population of the old world that they may be called a strictly American family. They had lived in the same locality for generations, and were so despised by the reputable community that their family name had come to be used generically as a term of reproach.

That this reproach was deserved soon became manifest. With comparatively little inquiry, it was found that out of twenty-nine adult males, in ages ranging from fifteen to seventy-five, the immediate blood relations of these six persons, seventeen of them were criminals, or fifty-eight per cent; while fifteen were convicted of some degree of offense, and received seventy-one years of sentence. Fuller details are shown in the table below, the name "Juke" standing for the blood relations of those found in the jail, the capital "X" for relations by marriage or cohabitation.

TABLE I.

Showing Crime in the Illegitimate Branch of Ada Juke.

	Total number of adults.	Adult males.	Adult females.	Number of male criminals.	Number of convicted male criminals.	Years of sentence.
Juke blood	49	39	20	17	15	71
X blood	32	16	16	5	5	8½
Total	81	45	36	22	20	79½

The crimes and misdemeanors they committed were assault and battery, assault with intent to kill, murder, attempt at rape, petit larceny, grand larceny, burglary, forgery, cruelty to animals. With these facts in hand, it was thought wise to extend the investigation to other branches of the family, and explore it more thoroughly.

The sheriff communicated the names of two physicians,—both life-long residents of the county,—one of them 84 years old, who had for many years been town physician. These gentlemen gave your committee the genealogies of many of the branches of this family, furnishing particulars of the individuals composing them. This opened up a large field of study, so large indeed, that at the time, your committee had no idea of its extent and still less of the results which an analysis would yield.

Having brought back to New York a very incomplete genealogical tree, including nearly 100 persons, the Corresponding Secretary urged me to push the inquiry further. For that purpose a return to the county was decided upon, and a further search instituted. The facts in hand, however, both suggested and necessitated a modification of the current statistical method of studying social phenomena by complementing it with a parallel study of individual cases reaching into causation. Even when the figures of such statistics are reliable, a great deal too much confidence has been placed on the supposed exactness of their conclusions, which, after all, rests on the theory of averages in which unforeseen and possible mistakes are eliminated by opposite errors becoming compensative. Statistics cumulate facts which have some prominent feature in common into categories that only display their static conditions or their relative proportions to other facts. Its reasoning on these is largely inferential. To be made complete it must be complemented by a parallel study of individual careers, tracing, link by link, the essential and the accidental elements of social movement which result in the sequence of social phenomena, the distribution of social growth and decay, and the tendency and direction of social differentiation. To socio-statics must be allied socio-dynamics. Among the notable objections of pure statistics in the present connection is the danger of mistaking coincidences for correlations and the grouping of causes which are not distributive. Heat at one degree warms, at another withers, at another devastates, and the three degrees produce effects which cannot be reduced to an average. It may group identical effects, as for instance murder, which may be the result of diverse causes or of the concurrence of various groups of causes. It collates similar facts which, operating at differences of time, place, or circumstance, produce diverse effects not classifiable under the same head. It loses, in reducing its matter to an average, a maximum or a minimum, points of initial divergence, which, with slight deflection at first, produce opposite results when followed through successive removes to their culmination. Lastly, it does not deal adequately with complex contributive or distributive conditions which modify both causes and effects.

In the study of the pathology of social disorders, many of them

resting, as they do, solely upon organic disease of the body or mind, and therefore, requiring a critical exploring and analysis of constitutional habits, the above recited discriminations are absolutely necessary and had to be provided for. By a modification of the original schedule prepared by the Corresponding Secretary—a modification not of the original matter, but one affecting the form, adding the element of time and carefully recording the order of events—it was easily adapted to the objective point of the present inquiry, the study of the sequence of phenomena as set forth in criminal careers, to discover if there is a law in the evolution of crime, knowing which, it becomes easy to institute measures adequate to its control.

Experience shows that any given series of social conditions—as honest childhood, criminal maturity and pauper old age, which sometimes occur in the life of a single individual—may be stretched over several generations, each step being removed from the other by a generation, and possibly, in some cases, by two. This illustration shows that the nature of the investigation necessitated the study of families through successive generations, because only thus was it possible to include the full sequence of phenomena and reach the entire facts embraced in the two main branches of inquiry into which the subject necessarily divides itself: the heredity that fixes the organic characteristics of the individual, and the environment which affects modifications in that heredity. It reduces the method of study, then, to one of *historico-biographical** synthesis united to *socio-static* analysis, enabling us to estimate the cumulative effects of any condition which has operated through successive generations; heredity giving us those elements of character which are derived from the parent as a birth-right, environment giving us all the events occurring after birth which have had an influence in the shaping of the individual career or deflecting its initial tendency.

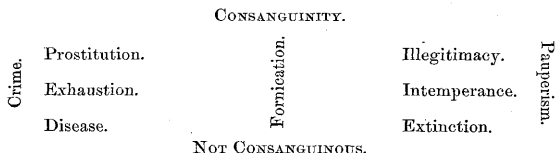
Heredity and environment, then, are the two parallels between which the whole question of crime and its treatment stretches, and the objective point is to determine how much of crime results from heredity, how much from environment. The answer to this will determine the limits of possibility in the work of amending vicious lives, and further, will indicate some of the automatic methods which the organization of society sets in motion, which, without this special design in view, nevertheless have the effect of changing criminal careers into useful ones. The study

* The authorities for the facts collected are: for genealogies, interperence and social habits, the testimony of old residents who have known the older branches; of relatives, of employers and of officials. For diseases: physician and poor-house records. For pauperism: the poor-house records; for outdoor relief, the books of town paupermasters; and for crimes, the records of the county clerk's office and the sheriff's books. No other testimony has been accepted for crime and pauperism except that of official records; and as many of the books could not be obtained, the tables in these respects are very incomplete.

of such spontaneous social activity will furnish models to be followed in dealing with the criminal and dependent classes.

Now, heredity takes two leading forms that need to be contrasted; consanguinity and the crossing of stocks; each presenting diverse results. The environment may judiciously be divided into two main branches: the surroundings which throw families into criminal careers and keep them in that groove; the surroundings which take them out of criminal careers and keep them out of it. These two natural divisions, with their subdivisions, form the key-note to the present inquiry. A reference to the four charts accompanying this report will show how the events in the life of one parent may influence the career of the children, and likewise enable a strict comparison to be made between the life of any individual and that of his ancestry or his posterity, so that any characteristic which is hereditary will thus be revealed. On the other hand, the environment of each generation can be studied, the changes in that environment can be noted, and the results of the same can be ascertained. We can then know just what is the warp and woof out of which the life of any given individual is woven, and, given our cloth, we know what cloak we can cut out of it.

For the purpose of convenient illustration, the leading facts are grouped in the following diagram, which, however, is not intended to present a generalization of the facts themselves. Taking a general survey of the characteristics of the family under consideration, an arrangement may be made as follows:



In other words, fornication, either consanguinous or not, is the backbone of their habits, flanked on one side by pauperism, and on the other by crime. The secondary features are prostitution, with its complement of bastardy, and its resultant neglected and miseducated childhood; exhaustion, with its complement intemperance and its resultant unbalanced minds; and disease with its complement extinction.

The habitat of the "Jukes."—The ancestral breeding-spot of this family nestles along the forest-covered margin of five lakes, so rocky as to be at some parts inaccessible. It may be called one of the crime cradles of the State of New York, for in subsequent examinations of convicts in the different State prisons, a number of them were found to

REDUCTION
RATIO
CHANGE(S)
WITHIN
TITLE

CHART I. THE HEREDITARY POSSESSY OF ADAM, WITH THE PRINCESS TURY, IN REVEREND 1874.

GENERATION 4. GENERATION 3.

Adm. John, born 1750, died 1800. ...
 GENERATION 4. GENERATION 3.

GENERATION 1.

1. A. A. A. D. ...
 2. A. A. A. D. ...

3. A. A. A. D. ...
 4. A. A. A. D. ...

5. A. A. A. D. ...
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 18. A. A. A. D. ...

19. A. A. A. D. ...
 20. A. A. A. D. ...

GENERATION 2.

1. A. A. A. D. ...
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GENERATION 2.

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GENERATION 1.

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GENERATION 1.

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17. A. A. A. D. ...
 18. A. A. A. D. ...

19. A. A. A. D. ...
 20. A. A. A. D. ...

GENERAL INDEX
 A. A. A. D. ...
 B. B. B. D. ...
 C. C. C. D. ...
 D. D. D. D. ...
 E. E. E. D. ...
 F. F. F. D. ...
 G. G. G. D. ...
 H. H. H. D. ...
 I. I. I. D. ...
 J. J. J. D. ...
 K. K. K. D. ...
 L. L. L. D. ...
 M. M. M. D. ...
 N. N. N. D. ...
 O. O. O. D. ...
 P. P. P. D. ...
 Q. Q. Q. D. ...
 R. R. R. D. ...
 S. S. S. D. ...
 T. T. T. D. ...
 U. U. U. D. ...
 V. V. V. D. ...
 W. W. W. D. ...
 X. X. X. D. ...
 Y. Y. Y. D. ...
 Z. Z. Z. D. ...

GENERATION 1.

1. A. A. A. D. ...
 2. A. A. A. D. ...

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 4. A. A. A. D. ...

5. A. A. A. D. ...
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17. A. A. A. D. ...
 18. A. A. A. D. ...

19. A. A. A. D. ...
 20. A. A. A. D. ...

CHART I. THE ESTIMATE POSTERITY OF ADA JUKE, WITH THE PERSONS WHO

GENERATION 2.	GENERATION 3.	GENERATION 4.	GENERATION 5.
<p>Ada Juke. Born probably between 1750 and 1760. Harlot before marriage; not temperate; no property; not healthy; no children; not criminal; temperate; no child after 1800; marriage between 1780 and 1790.</p>	<p>(1) b. m. A. 70. Born 1775; laborer; somewhat industrious; honest; no property; no children; not criminal; temperate; no child after 1800; marriage between 1780 and 1790.</p>	<p>(1) m. A. B. 75. When young, licentious; in no spirit; but not readily repented to be a sheep-stealer; but never caught; quarrelsome disposition; habitual drunkard in old age; at 31, no relief for 1 y.; at 33, with disease; no relief, 20 years.</p>	<p>(1) f. x. 33. Harlot; with whom he cohabited; had no children by her.</p>
		<p>(2) f. A. B. 70. Harlot; with whom he cohabited; had no children by her.</p>	<p>(2) f. x. 33. Harlot; with whom he cohabited; had no children by her.</p>
		<p>(3) l. m. A. B. 67. Harlot; with whom he cohabited; had no children by her.</p>	<p>(3) l. m. A. B. 33. 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.</p>
		<p>(4) l. m. A. B. 65. Harlot; with whom he cohabited; had no children by her.</p>	<p>(4) l. m. A. B. 33. 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.</p>
		<p>(5) l. m. A. B. 62. Harlot; with whom he cohabited; had no children by her.</p>	<p>(5) l. m. A. B. 33. 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.</p>
		<p>(6) l. m. A. B. 58. Harlot; with whom he cohabited; had no children by her.</p>	<p>(6) l. m. A. B. 33. 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.</p>
		<p>(7) l. m. A. B. 55. Harlot; with whom he cohabited; had no children by her.</p>	<p>(7) l. m. A. B. 33. 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.</p>
		<p>(8) l. m. A. B. 50. Harlot; with whom he cohabited; had no children by her.</p>	<p>(8) l. m. A. B. 33. 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.</p>
		<p>(9) l. m. A. B. 45. Harlot; with whom he cohabited; had no children by her.</p>	<p>(9) l. m. A. B. 33. 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.</p>
		<p>(10) l. m. A. B. 40. Harlot; with whom he cohabited; had no children by her.</p>	<p>(10) l. m. A. B. 33. 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.</p>
		<p>(11) l. m. A. B. 35. Harlot; with whom he cohabited; had no children by her.</p>	<p>(11) l. m. A. B. 33. 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.</p>
		<p>(12) l. m. A. B. 30. Harlot; with whom he cohabited; had no children by her.</p>	<p>(12) l. m. A. B. 33. 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.</p>
		<p>(13) l. m. A. B. 25. Harlot; with whom he cohabited; had no children by her.</p>	<p>(13) l. m. A. B. 33. 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.</p>
		<p>(14) l. m. A. B. 20. Harlot; with whom he cohabited; had no children by her.</p>	<p>(14) l. m. A. B. 33. 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.</p>
		<p>(15) l. m. A. B. 15. Harlot; with whom he cohabited; had no children by her.</p>	<p>(15) l. m. A. B. 33. 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.</p>

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be the descendants of families equivalent to the "Jukes," and emerging from this nest. Most of the ancestors were squatters upon the soil, lived in log or stone houses similar to slave-hovels, all ages, sexes, relations and strangers "bunking" indiscriminately, and, where not producing illicit relations, evolving an atmosphere of suggestiveness that fatally broke down habits of chastity. Even to this day some of them occupy the self-same shanties built nearly a century ago. Others of these habitations have two rooms, but so firmly has habit established modes of living, that, in many cases, they, nevertheless, only use one congregate dormitory. In many houses I found an overcrowding so close it suggested that these were the country equivalents of the city tenement houses. Domesticity is impossible. The older girls, finding no privacy within a home overrun with younger brothers and sisters, purchase privacy at the risk of prudence, and the night rambles through woods and tangles end too often in illegitimate offspring. During the last thirty years the establishment of cement-mills through this section of country has brought about the building of houses better suited to secure domesticity, and with this change alone an accompanying change in personal habits is being introduced, which would otherwise be impossible.

The origin of the stock of the "Jukes."—As the point of departure, and forming the first generation of the family which was found in the county jail, was a man who shall be called Max, born between 1720 and 1740. He was a descendant of the early Dutch settlers, and lived much as the backwoodsmen upon our frontiers now do. He is described as a hunter and fisher, a hard drinker, jolly and companionable, averse to steady toil, working hard by spells and idling by turns, becoming blind in his old age, and entailing his blindness upon his children and grandchildren. He had a numerous progeny, some of them almost certainly illegitimate. Two of his sons married two out of six sisters, who were born between the year 1740 and 1770, but whose parentage has not been absolutely ascertained. The probability is they were not all full sisters; that some, if not all of them, were illegitimate. The family name, in two cases, is obscure, which accords with the supposition that at least two of the women were half-sisters to the other four, the legitimate daughters bearing the family name, the illegitimate keeping either the mother's name or adopting that of the reputed father. Five of these women in the first generation were married; the sixth one it has been impossible to trace, for she moved out of the county. Of the five that are known three have had illegitimate children before marriage. One who is called in these pages Ada Juke, but who is better known to the public as Margaret, the mother of criminals, had one bastard son, who is the father, grandfather and great-grandfather of the distinctively criminal race. Another sister had two illegitimate sons, who appear to have had

no children. A third sister had four, three boys and one girl, the three oldest children being mulattoes, and the youngest, a boy, white. The fourth sister is reputed chaste, while no information could be gathered respecting the fifth in this respect, but she was the mother of one of the distinctively pauperized lines, and married one of the sons of Max. The progeny of these five has been traced with more or less exactitude through five generations, thus making the total heredity which has been enrolled stretch over seven generations, if we count Max as the first. The number of descendants registered includes 540 individuals who are related by blood to the Jukes, and 169 by marriage or cohabitation; in all, 709 persons of all ages, alive and dead. The aggregate of this lineage reaches, probably, 1,200 persons, but the dispersions that have occurred at different times have prevented the following up and enumeration of many of the lateral branches.

Consanguinity.—To distinguish those who are directly descended from these five sisters, they will be spoken of as belonging to the "Juke blood," because it is the line of their blood which has been traced, it being the most important as a study of heredity, the male lineage being considered subordinate. As the heredity of those who enter the family by marriage is, in most instances, uncertain, these persons will be spoken of generically as "the blood of X," or "the X blood." In order to trace these relationships more easily, the five sisters will be called, respectively "Ada," "Bell," "Clara," "Delia," "Ellie," the names beginning with the first five letters of the alphabet, which letter, in the text and appended charts, will be used instead of the full name. Individual names outside the line will be marked by an X.

The children resulting from any given marriage will contain all the letters which represent their ancestral derivation, each child being numbered according to the order of its birth as nearly as could be learned. Thus turning to chart I, facing page 135, in the first line in the column headed "generation three," you will find "(1) b. m. A. 70 × (6) l. f. B." which would mean that the first child of Ada, a bastard male, a seventy at death, married the sixth legitimate female child of Bell, a unknown. Passing to the next generation we should get "(1) l. m. A. × f. X.," the first child, a legitimate male of A. and B., married a female whose antecedents are unknown. Passing down to the next generation we should get "(2) l. f. A. B. X. = (1) b. m. E. X. X.," which means the second child, a legitimate female, of A. B. and X., cohabits with the first child, an illegitimate male, of E. X. and X. Other abbreviations will be found explained on the charts.

REDUCTION
RATIO
CHANGE(S)
WITHIN
TITLE

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TABLE II.

Second generation.	Third generation.	Fourth generation.	Fifth generation.	REMARKS.
Ada, harlot before marriage.....	A. M. B., no crime *..... A. M. C., no crime..... A. M. D., no crime..... A. M. X., no crime..... B. M. X., no crime..... B. M. C., no crime..... B. M. X., no crime..... See A. M. C. and B. M. C.	A. B. M. X., crime, reputable..... A. C. M. B. C., no crime..... A. D. M. X., no crime..... B. M. X. Y., reputable..... B. C. M. X., no crime.....	A. B. X., crime..... B. D. X., reputable..... A. C. B. C., no crime..... No crime..... Honest. X., pauper..... B. X. X., crime.....	Precedence of males. } Bastard line. Semi-successful. } Legitimate. Precedence of girls. Legitimate. Distinctively pauper line. Successful branch. } Bastard line. Criminal branch. } Legitimate. } Legitimate. } Not traced. Legitimate. } Bastard line and barren. } Legitimate. }
Bell, harlot before marriage.....	B. M. C., no crime..... B. M. X., no crime..... See A. M. C. and B. M. C.	A. B. M. X., crime, reputable..... A. C. M. B. C., no crime..... A. D. M. X., no crime..... B. M. X. Y., reputable..... B. C. M. X., no crime.....	A. B. X., crime..... B. D. X., reputable..... A. C. B. C., no crime..... No crime..... Honest. X., pauper..... B. X. X., crime.....	Precedence of males. } Bastard line. Semi-successful. } Legitimate. Precedence of girls. Legitimate. Distinctively pauper line. Successful branch. } Bastard line. Criminal branch. } Legitimate. } Legitimate. } Not traced. Legitimate. } Bastard line and barren. } Legitimate. }
Clara, of good repute.....	D. M. X., no crime.....	D. X. M. X., crime.....	D. X. X., crime.....	Not traced.
Della, harlot before marriage.....	E. M. X., no crime.....	D. X. M. B. C., no crime.....	D. X. B. C., no crime.....	Not traced.
Ema, reputation unknown.....	E. M. X., no crime.....	E. X. M. X., crime.....	Not traced.	Not traced.

* Explanation, M Married. = Cohabiting with.

In surveying the whole family, as it is mapped out in the charts accompanying this report, I find groups which may be considered distinctively industrious, distinctively criminal, distinctively pauper, and specifically diseased. These distinctions run along lines of descent so that you can follow them with distinctness from generation to generation, the breaks in the line at certain points indicating with great precision the modifying effects of disease, training, or fortuitous circumstance which have intervened and changed the current of the career.

A glance at table II, which epitomises, in a very general way, the details contained in the larger charts, shows these distinctions with measurable accuracy, and helps us to some conclusions:

1. That the lines of intermarriage of the Juke blood show a minimum of crime.
2. That, in the main, crime begins in the progeny where the Juke blood has married into X.
3. That the illegitimate branches have chiefly married into X.
4. That the illegitimate branches produced a preponderance of crime.
5. That the intermarried branches show a preponderance of pauperism.
6. That the intermarried branches show a preponderance of girls.
7. That the illegitimate branches produced a preponderance of males.
8. Lastly, the apparent anomaly presents itself, that the illegitimate criminal branches show collateral branches which are honest and industrious. When we come to the study of crime and honesty, and their relation to character and environment, we shall find some reasons for this apparent inconsistency.

Harlotry.—The distinctive tendency of the Juke family is displayed by the statistical exhibit herein presented; for the most notable figures are those that relate to harlotry and bastardy.

In the following table all girls of 14 are included among the marriageable women, because there are at least two mothers under 15 years of age, one being only twelve. Under the heading of harlots are included all women who have made lapses, however seldom, and the term will be used to include cases of imprudence rather than lust, for experience teaches that many women who lapse are by no means lost, recovering themselves and leading subsequent reputable lives. The term harlot, in these pages will be used in this sense and also generically including all degrees of impudicity, but will not be used synonymously with prostitute, which will always mean the extreme degree.

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TABLE III.

Harlotry in the Juke blood.

	Gen. 2.	Gen. 3.	Gen. 4.	Gen. 5.	Gen. 6.	Totals.
Number of marriageable women.....	5	16	39	50	12	162
Number of harlots.....	3	6	27	43	4	83
Per centage of harlotry.....	60	37.54	69.23	48.88	38.33	52.40

The variations in the above percentages in the different generations are accounted for by the fact that all the sources of information have not been exhausted. In the second generation we have a very small basis for calculating percentages, while in the sixth generation the 12 girls are so young that the full percentage is not fully developed. A full account would, no doubt, make them approximate more nearly increasing the percentage of harlotry for the total. How enormous it is, amounting to a distinctive social feature, is demonstrated on comparison with the average prostitution in cities, which has been estimated by good authorities as only 1.66 per cent, or one woman in every sixty. These figures are probably too low for harlotry in the community; supposing them to be 1.80 per cent, we find harlotry over twenty-nine times more frequent with the Juke women than in the average of the community.

Making a comparison between the women of the Juke and the X blood, we find:

Jukes: marriageable women, 162; harlots, 84; per centage, 52.40.

X blood: marriageable women, 67; harlots, 28; per centage, 41.76.

Having the figures that establish the sexual habits of the women of the Juke family and their accompanying tendency, we take up the question in its details. In the following study of licentiousness, the lives of the women have, by preference, been chosen, because the maternity is more easily established by testimony, is much more significant of the social condition of the whole class, and more profoundly affects the next generation.

Below is given a table in which the marriageable female posterity of Clara, who was chaste, are compared to the marriageable female posterity of Ada, a harlot, divided respectively as to the legitimate and illegitimate branches. In this table the children of Clara are divided into two classes—the first column being those who married into X; the second, the total number of her children, including those who intermarried with the children of Ada and Bell. The percentages show a progressive increase as you pass from left to right, the first column showing a lower percentage than that of the average of the Juke

blood, the others increasing as you proceed to consanguinous marriages of Clara's stock with the children of Ada and Bell, to the legitimate children of Ada, to the illegitimate children of Ada. From this point of view it would seem that chastity and profligacy are hereditary characteristics, possible of entailment.

TABLE No. IV.

Showing percentages of harlotry.

	Clara's, who have married outside the Ada and Bell line.	Clara's, total number who have married into A and B.	Ada's legitimate.	Ada's illegitimate.	Average of white women as by Table II.
Number of marriageable women.....	18	64	36	33	33
Unascertained.....	0	6	6	6	6
Reproble.....	0	19	6	6	6
Harlots before marriage.....	0	5	5	5	5
Harlots after marriage.....	0	10	4	4	4
Prostitutes.....	0	24	15	15	15
Total harlots.....	0	39	24	24	24
Percentage of harlots to marriageable.....	44.44	60.93	66.66	70	52.40

This table illustrates how pure statistics may lead into the error of supposing that a coincidence is a correlation, for the figures demonstrate the force of heredity, the chaste mother bearing a progeny more chaste than the unchaste mother, and the legitimate branch of the unchaste mother being more chaste than the illegitimate branch. To study out the causation, we go back to the elements, trace several of the most striking lines of harlotry, get elements which are not to be found in the table, because that gives only averages and conceals extremes which teach lessons that the mean does not give. We shall then see how far to modify first impression on closer analysis.

Case 1. Taking up the legitimate branch of Ada, which intermarried into Bell and Clara (chart II), we follow the heredity of legitimacy in lines six, eight and ten, generation five. They are three sisters, children of a legitimate father, B. C., and a chaste and legitimate mother, A. C., whose mother C. (gen. 3, following the mother's side) was a chaste and legitimate daughter of Clara, who was chaste. Going back to the father (gen. 4), we find his mother (gen. 3) was a chaste, legitimate daughter of Clara. Both parents, therefore, of generation four, were of chaste descent on the mother's side. Thus, the original characteristic of chastity seems to have descended from Clara through two

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branches, A. and B., and cumulated in the three sisters under consideration. Further; we find, in line seven, the sister of the above three to be a prostitute, and in going back upon the heredity, we find in gen. 4 that the father's father was the licentious, though legitimate, son of Ada, a harlot, and on the mother's side (gen. 4), the father was the legitimate son of Bell, a harlot. According to the law of heredity, it is a logical deduction to make, that line seven has reverted to the ancestral types on the unchaste side of both parents. Respecting this case, very little reliable information has been gathered about the environment, but it must be noted that the mother in generation four was one of seven sisters, one of whom was idiotic, and no doubt licentious, and five others, harlots, one of them keeping a brothel; while, on the father's (see chart III, gen. 4, line 37), there was one sister who also kept a brothel. Whether this pair removed from the vicinity of their relations has not been learned, and what were the other particulars of their career are unknown. This case looks more like one of pure heredity than any that has been traced.

Case 2. Taking line 13, and following the heredity, we have (gen. 6) two illegitimate children of a white woman. One of them was a mulatto girl, who died at one year old of syphilis, whose mother (gen. 5) was a bastard harlot, afflicted with the same disease, whose mother (gen. 4) was a harlot afflicted likewise in the constitutional form, inherited from her licentious father, whose mother, Ada, was a harlot.

Now for the environment. The infant girl who died was conceived by the roadside, and born in the poor-house. Its mother (gen. 5) was a vagrant child, her mother having no home for her. So neglected was she, that at seven years, she was committed to the county jail for a misdemeanor. She was idle, disgustingly dirty, and for that reason could get no place as a servant, and as she must live, fell into the practice of prostitution. Her half-sister also had an illegitimate child, while other relations and acquaintances gave the example of profligacy. Her mother (gen. 4) was married twice—then cohabited with the man who became the father of this girl. When this man went to the war in 1863, he deserted her, and she followed the example of her other four prostitute sisters, one of whom kept a brothel. Going back to the father (gen. 3) we find him a soldier in the war of 1812, very licentious, whose two harlot sisters married mulattoes. As this was at a time when slavery existed in this State, the social condition under which this consorting took place is significant.

We have here an environment in three generations which corresponds to the heredity; this environment forming an example to the younger generation which must have been sufficient, without heredity, to stimulate licentious practices.

Case 3. Turning to the illegitimate branch of Ada (chart I), trace the heredity of legitimacy in lines 40 and 41 (gen. 6), two girls who are legitimate, whose mothers (gen. 5) were sisters, chaste and legitimate, whose father and mother (gen. 4) were legitimate and chaste, whose mother (gen. 3, following the father's side) was legitimate and chaste, whose mother was Ada, a harlot. Following the mother's side (gen. 4), her mother was a legitimate child of Delia, a harlot. Here the heredity seems not entailed.

Now for the environment. The three sisters of generation 5 are industrious women, who worked at tailoring, and are described by their employer as always reliable, and doing their work by the time promised. The oldest brother, who is a mason, has amassed some \$2,000 at his trade, which he has invested in a house and lot. He is steady and industrious. Going back to generation 3, we find the father a mason, to laborably industrious, who separated himself from his brothers and sisters, the sum total of whose environment may be thus expressed: Three sisters and one sister-in-law, prostitutes, and the other sister-in-law a brothel keeper; of the four men, one brother kept a brothel, the other was a quarrelsome drunkard, one brother-in-law was an habitual thief, who trained his sons to crime, another served two years in State prison for forgery. This pair thus measurably protected themselves and their progeny from the environment of eight contaminating persons, all immediate relations, whose lives were, with few exceptions, quite profligate. Going back to generation 3, we have no account of the environment, save that there was no prostitution, while at the head of the line, we again end with Ada on one branch and Bell on the other.

In this case we again note that, in the fourth and fifth generations, while the heredity is mainly of the type of chastity, the environment has also been favorable to the same habits, but in generation 3 the characteristics of harlotry in Ada and Bell are not reproduced as we might expect if heredity were the controlling element in determining the career. If the history of the environment of that generation could only be obtained, it would, perhaps, explain the interruption in the entailment.

Case 4. Taking line 34, we have (gen. 7) an illegitimate child, whose mother (gen. 6) was a harlot, whose mother (gen. 5) was a bastard harlot, whose mother (gen. 4) was a harlot, whose father (gen. 3) was a bastard son of Ada, a harlot, while his wife (gen. 3) was the legitimate daughter of Bell, a harlot. Going back and following up from the father in generation 4, we find his father the illegitimate son of Bell.

Parallel to this we lay the story of the environment. The mother of this child in the seventh generation is the daughter of a prostitute, who

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kept a brothel when that daughter was only ten years old. It is stated by one of the poormasters that, upon one occasion, the daughter applied to him for out-door relief to maintain the above child. She made a charge of bastardy against a certain man, whom the poormaster was called upon, in virtue of his office, to prosecute for the maintenance of the child. The case was lost, and after the trial was over in the magistrate's office, the male witnesses adjourned to a neighboring bar-room. In this bar-room, and for a few dollars, the mother caused her daughter to retract the story publicly. Going back to the fourth generation, the testimony as to environment is not so complete, only that the father was dissolute, and that the example of the other sisters no doubt had an influence in blunting the sense of purity, while, in the two generations further back, the testimony is not sufficiently definite for the purposes of the present argument.

Here, again, environment is in the line of heredity.

Case 5. The most striking case of all is line 23, for in it we find bastardy in every link but one. In generation 7 is found an illegitimate girl six years old, whose mother (gen. 6) was an illegitimate harlot, whose mother (gen. 5) was a harlot, whose mother (gen. 4) was illegitimate, married to a husband (gen. 4) whose father (gen. 3) was illegitimate, whose mother was Ada, a harlot.

The environment in this case stands thus: The child is the offspring of an incestuous relation between her mother when only fourteen, with her own uncle, who had served two terms in State prison, thus showing the influence of her surroundings. The mother (gen. 5) kept a brothel, and it was no doubt within its atmosphere that the girl was contaminated. Going back to generation 4 we find the parents keep a low dram-shop, which also serves, on occasion, as a house of assignment. As in the other cases there is no environment traced beyond.

In this again the environment runs parallel to the heredity.

Case 6. Now we take a quite different case, where the heredity and the environment have coincided up to a certain age, and yet the career of harlotry has not been run. Follow line 30 to generation 5, is a girl, the sister of the woman in case 5, mentioned above, who kept a brothel and whose heredity has been traced. Substantially, the environment was the same as that of her two sisters who were both prostitutes. How closely she followed them up to her fifteenth year is shown by the fact that in 1861 we find her, together with her sister, arrested for vagrancy and locked up in the county jail for two days. At this point, however, the environment changes. She marries a German, a cement burner, a steady, industrious, plodding man, settles down into a home, brings legitimate children into the world and takes the position of a reputable woman.

In this case it is plain that the change in the environment has supplanted the tendency of the heredity. The case now is to be watched to see if, in spite of the environment of a reputable home, the daughter of this woman, now 12 years of age, will revert to the ancestral characteristics, and change what now seems to be an argument in favor of the potency of environment into an argument proving the prepotency of heredity.

If prostitution were merely a private vice, confined to the individual practicing it, there would be no special reason for its becoming a question for the investigation of this association. But the bearing which the subject has upon the increase and perpetuation of crime arises from the fact that it leads to neglected and miseducated childhood, which develops adults without sense of moral obligation, without self-respect, and without a proper desire for the approbation of reputable people. Such children, beginning life as vagrants soon become thieves, are returned again and again to the county jail where they go into training for heavier operations in crime, and finally graduate as experts, who become leaders in their turn, indoctrinating a new generation, born, bred and trained under the same conditions as themselves.

Looking over the aggregate of harlots numbering 84, we find 18 of them subsequently married. Inasmuch as in this 84 are included a number of girls under 20, some of whom will yet marry, it would be fair to estimate at 22 the number who will marry and avoid a prostitute career, which would be 26.19 per cent of the whole number of harlots, or over one-fourth, and this, apparently in the face of the force of heredity. In view of this it is safe to say that the tendency of marriage is to extinguish prostitution. When we take into consideration case 6, line 30, who became a reputable wife in spite of her heredity and of her environment by simply being married at 15 years of age, the question presents itself whether early marriage among the class we are studying, is not the spontaneous and, therefore, most efficient means of reducing the crop of criminals and paupers.

Passing to a comparison of harlotry to pauperism and crime, we find as respects pauperism: 1st. That of males receiving out-door relief there are over 20 per cent, of females a little under 13 per cent; receiving alms-house relief, males nearly 13 per cent, females $9\frac{1}{2}$ per cent; thus there is a preponderance of males helped by charity (see table VI). 2d. A glance at the charts will show that in the majority of cases the women receiving out-door relief, being married, merely follow the condition of their husbands. 3d. Where the women are single a large proportion of them get assistance during the child-bearing period, and only then. 4th. A number who have become widows have ceased to get relief and simultaneously taken to harlotry. Thus, although the rate of wages of women is much below that of men, the application for

charity is much more frequent among the men. On examination it will be seen that, in families where the brothers are receiving relief and the sisters are not married, those sisters are many of them prostitutes.

As to crime (see table IX), we find that while there are 34 male offenders, many of them committing very high crimes, there are only 16 females, and they committed misdemeanors in all cases but one. But upon the other hand, if you look at the families in which crime is found, there, where the brothers commit crime, the sisters adopt prostitution, the fines and imprisonment of the women being not for violations of the rights of property, but mainly for offenses against public decency. The explanation is, perhaps, that the tendency of human beings is to obtain their living in the direction of least resistance according to their own views as to what that direction is, and as that direction for men of this class seems to them to be either in pauperism or in crime, the brothers entered these vocations. The sisters finding in prostitution a more lucrative career than pauperism, and a more safe and easy one than crime, thus avoid both in a measurable degree. Taking the illegitimate branch of Ada where prostitution is 29 times greater than in the general community, we also find that crime among the men is 30 times greater. Taking into further consideration that the women find indulgences in a career of harlotry which their brothers can only obtain by purchase with the proceeds of theft, it is a fair inference to make that prostitution in the women is the analogue of crime and pauperism in the males, the difference in the career being only an accident of sex. The identity of the three, as distributed between the sexes, is established by finding that in this family they have a common origin, an equal ratio, and yield to the same general reformatory treatment—steady, continuous and fatigue-producing labor.

From the consideration of the special cases detailed, we now come to formulating a few preliminary inductions on the subject.

1. Harlotry may become a hereditary characteristic, and be perpetuated without any specially favoring environment to call it into activity. (See case 1.)
2. In most cases the heredity is also accompanied by an environment which runs parallel to it, the two conditions giving cumulative force to a career of debauch.
3. Where there is chastity in the heredity, the same is also accompanied by an environment favorable to such habits.
4. Where the heredity and the environment are in the direction of harlotry, if the environment be changed at a sufficiently early period, the career of prostitution may be arrested and the sexual habits amended. (See case 6.)
5. That early marriage tends to extinguish harlotry.

6. That prostitution in the woman is the analogue of crime and pauperism in the man.

7. As a corollary of this last, a practical rule may be laid down to help us estimate the chances of reforming a boy who has committed his first offense. If his elder sisters are reputable, his chances are good; but if they be not reputable, the chances of his becoming an habitual criminal are increased proportionately.

Illegitimacy.—Where harlotry rather than prostitution is common, it is to be expected that the number of illegitimate children will be numerous. Of the 535 children born 335 were legitimate, 106 were illegitimate and 84 were unknown. Discarding from the computation the 84 who are not ascertained, we get 23.50 per cent as the proportion of illegitimacy, counting both sexes.

TABLE V.
Illegitimacy.

	Boys.	Girls.
Total number of children.....	224	251
Of legitimate birth.....	155	190
Of illegitimate birth.....	49	33
Per cent of bastards to total number, by sex.....	21.42	13.22
Per cent of bastards to legitimates, by sex.....	33.61	17.36
Per cent of bastards to total number, both sexes.....	23.50	

The above table shows an excess of girls over boys among the legitimate, while there is an excess of boys over girls among the illegitimate, and, when we compare them by percentages, the illegitimate boys are twice as numerous as the girls.

If the object of our inquiry rested here, and a generalization upon the above figures were made, based on the conventional and generally accepted effects of illegitimacy on the question of crime and pauperism, the conclusion would be inevitable that the above figures explain the cause of pauperism and crime. The facts being at hand, it is perhaps safer to enter into a more minute inquiry.

Passing from the consideration of aggregate numbers, we analyze particular cases.

Of the five Juke sisters, three are known to have had illegitimate children, Ada, Bell and Delia.

The two bastards of Delia were lazy ne'er-do-weels, who never married, and are not known to have had children; but little has been gathered respecting them. Of her legitimate children, one, a girl, was the mother of criminals, and is the only line in the legitimate branches in which crime is found.

Of the children of Ada (see charts I and II) the oldest was the father of the distinctively criminal branch of the family. Two of his sons,

though never sent to prison, were notorious petty thieves and the fathers of convicted criminals, while two of their daughters were the mothers of criminals. None of the legitimate children or grandchildren of Ada are known to have been criminals.

But while the children and grandchildren of Ada's oldest were criminals, the majority of them were legitimate. Thus we find forty legitimates and five illegitimates among the descendants.

Of the children of Bell (see chart III, generation 3), the first four were illegitimate, three of them mulattoes. The three boys were, on the whole, more successful in life than the average of the Juke family. They all three acquired property, the youngest being the father of one child who was successful in life, also accumulating property. Of the oldest, a mulatto, a gentleman who knew all the earlier members of the Juke family, says: "He was the best of his generation, being honest, sober, and in every way manly." On the other hand, chart IV, which gives one branch of the posterity of Effie, almost all of whom are legitimate, shows a widespread and almost unbroken record of pauperism.

From these considerations, and others, which are not stated in the review of individual cases because they are only repetitions of cases which are related elsewhere, it follows that illegitimacy is not necessarily the cause of crime and pauperism.

Preliminary Inductions.—1. Among the first-born children of lawful marriages, the female sex preponderates.

2. Among the first-born bastard children, the males preponderate.

3. It is not illegitimacy, *per se*, which is dangerous, but the environment of neglect which attends it that is mischievous.

4. Illegitimates who are placed in favorable environment may succeed in life better than legitimate children in the same environment.

Disease and Pauperism.—Running alongside of licentiousness, and as inseparable from it as is illegitimacy, are the diseases which are distinctive of it, and which produce social phenomena which are the direct subjects of the present investigation. In the wake of disease follows pauperism, so in studying the one we must necessarily discuss the other. But disease treats of physiological states, it is a biological question; therefore, the social questions included in the consideration of pauperism rest, in large measure, upon the data furnished by the study of vital force.

Before taking up the statistics of disease, we give those of pauperism to show the general tendency of the family to pauperism, before we study the causes that produce that condition.

Comparing, by sexes, the alms-house relief of the State at large with

TABLE No. VI.
OF PAUPERISM, SHOWING OUT-DOOR* AND ALMS-HOUSE RELIEF.

	Number of persons receiving out-door relief	Number of persons receiving alms-house relief	Number of years.	Estimated cost at \$18 a year.	Number of persons receiving alms-house relief	Number of years.	Estimated cost at \$100 a year.	Total number of persons receiving relief.	Per centum receiving out-door relief.	Per centum receiving alms-house relief.	Per centum of alms-house pauperism, male, female, and total for New York State in 1871.	Ratio between pauperism of State at large and the Juke family.
Women of the Juke blood	45	5	187	\$8,091.58	5	5	\$500.00	50	13.81	86.19	As 1 to 7.200	
Men of the Juke blood	20	0	10	\$360.00	0	0	0	20	47.06	52.94	As 1 to 2.000	
Women of the X blood	30	1	1,453	\$5,409.00	1	1	\$100.00	31	1.36	98.64	As 1 to 3.358	
Men of the X blood	42	0	1,453	\$5,409.00	0	0	0	42	2.85	97.15	As 1 to 3.525	
Total number of Juke blood	65	6	332	\$7,860.58	6	6	\$600.00	71	9.17	90.83	As 1 to 2.883	
Total number of X blood	47	1	2,906	\$10,378.00	1	1	\$100.00	48	6.51	93.49	As 1 to 4.868	
Total number of Juke and X blood	112	7	3,238	\$18,238.58	7	7	\$700.00	119	9.62	90.38	As 1 to 6.767	
Grand total	112	7	3,238	\$18,238.58	7	7	\$700.00	119	9.62	90.38	As 1 to 6.767	

* The out-door relief is measured by eight enumerators, who live in four different towns, each town keeping a separate record of names and amounts of help. The alms-house relief is measured by the alms-house keeper, who keeps a separate record of names and amounts of help. The records of the 191 year hour, in most cases destroyed.

This table exhibits only the amount of relief which this family has obtained as shown by the records.

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that of the Jukes, we find seven and a-half times more pauperism among the Juke women than among the average of women for the State, the Juke men are over nine times more numerous, while the average for both sexes of the Juke and X blood mixed gives six and three-quarter times more paupers than the average of the State. According to the records of poor-houses and city alms-houses, the men are in excess of the women, the ratio for 1871 being as 100 women is to 110 men; of the Jukes this ratio is as 100 to 123, but when we look at the alms-house relief of the X blood the ratio is inverted, the women being to the men as 100 is to 79. Thus, while the Jukes follow the general law of pauperism as respects the ratio of the sexes, the X blood shows a reverse one. Why this is I cannot say, unless it be that the tendency of the women is to follow the condition of their husbands, which involves the women marrying into the Juke pauper stock in the net of pauperism, while the Juke women, seeking and finding husbands not so involved, are thus withdrawn from the pauper circle. That this inversion of ratios is not an accident is proved by the fact that the out-door relief shows the same relationship, though in a less degree, the ratio being as 85 women are to 100 men.

We now take up the question of diseases, malformations and injuries, in their relations to pauperism, first presenting the general statistics in table VII. In this table the children who have died of diseases inherited from their parents, and who were buried by the town, are not included, because such children have no significance as causes of pauperism, their early death placing them in the category of effects of disease and pauperism, nor is there any person counted twice.

TABLE VII.

Table of Diseases, Malformations and Injuries.

	Blind.	Deaf and Dumb.	Insane.	Idiote.	Tubercular consumption.	Syphilis.	Constitutional syphilis.	Epilepsy.	Deformed.	Total number Injured, deformed and diseased.	Number diseased and deformed receiving relief.	Percentage.
Juke blood.....	10	1	1	1	1	20	22	1	1	65	33	50.77
X blood.....	1	1	1	1	1	13	3	1	1	20	15	75.00
Total.....	11	1	1	1	2	42	25	1	1	85	48	56.47

Notice here, while the per centum of pauperism for the whole family is only 22.22 per cent, the per centum of pauperism among the sick and disabled is 56.47 per cent. In one case, the hereditary blindness of one man cost the town twenty-three years of out-door relief for two people

and a town burial. Another case of hereditary blindness cost eight years of out-door and three years of poor-house relief, with a town burial.

But the disease which the above table shows as the most common, as it is by all odds the most destructive and the most subtle and impossible to eradicate, is syphilis. Here, again, we test the value of aggregate statistics as an index of a social tendency.

In this exhibit are enumerated only the cases properly vouched for by competent physicians, or so notorious as to be widely known, or directly drawn from the records of the poor-house.* Here we find the proportion of those blighted by it reaches 10.86 per cent, but this per centage does not include half of the victims of this class of disorders. On the authority of physicians who know, from twenty-five to thirty per cent are tainted with this disease.

Significant as these figures are when looked at in the aggregate, they are weak as compared to the lesson which is pointed when we analyze the lines along which this disease runs, and note its devastation of individual careers and its pauperizing influence on successions of generations. If it were merely the record of so many human beings who have simply died it would lose most of its significance; but in view that this is the record of so many who have lived maimed lives, maimed in numberless ways; entailing maimed lives full of weakness, which is wretchedness; sapping the vitality of innocent ones to the third and fourth generations in a constantly broadening stream, and breeding complex social disorders growing out of these physiological degenerations, the question grows into larger and more momentous proportions the more minutely we look into it.

Case 7. Chart II, generation four, line twenty-four, is an idiot girl tainted with constitutional syphilis, all her sisters being likewise affected. This was the legacy of a licentious father who contracted the disease before marriage, in the war of 1812, in which he was a volunteer. At the age of eight she drifted into the poor-house, remained eight years an inmate, and whether she was removed or died the imperfect records do not show. She is probably dead. Her father was an inmate of the same alms-house twice, at the age of forty-five and again at fifty-two.

This is a case of absolute hereditary pauperism, the pauper condition depending on absence of intellectual power, the direct effect of physical disease. Here, the relation between mind and social condition is sharply defined, for idiocy has been described as "arrest of development,"† chiefly of the brain and of the nervous system, brought about by diverse

* Of these latter not more than six have been accepted.
† Idioty, etc., Edward Seguin, N. Y., 1866, p. 40.

causes, the most frequent of which is scrofulous or syphilitic disease in the parents. In this we trace the direct connection between a social degradation, alms-house pauperism, and a physiological degeneration, the effect of insufficient nutrition, caused by syphilitic virus,* during the ante-natal life of an infant.

Case 8. Line three gives another case of alms-house pauperism in the same family, two removes from the grandfather, whose licentiousness is the original cause of this social condition. This girl (fifth generation) is born of a mother tainted so deeply with constitutional syphilis that she is weak minded and blind; six out of eight of her children dying young, and the vitality of the surviving two girls being impaired. Here we trace the heredity of disease directly, and here also foot-prints of pauperism following it, a generation having been skipped, that overlapped generation being in the line of the oldest child.

But if we trace the environment, we find the parents of this girl keep a brothel, so at seventeen she finds herself sent to the poor-house as a vagrant, probably for walking the streets pursuing her calling. Here the environment has been in the direction of the heredity, and contributive to that career, causing the predestined granddaughter to revert substantially to the social condition of the grandfather — pauperism.

Case 9. Line 13 in the same family has been given before † in considering harlotry, but we now look at it as a question of pauperism. She is an infant mulatto girl, conceived by the roadside, born in a poor-house and killed by syphilis before reaching her first year. As a matter of course, the mother (generation 5) was similarly affected. Thus the granddaughter prepares for her child the same general condition which her grandfather procured for his idiotic daughter, as detailed in case 7, premature death, coupled with alms-house life. Going back along the same line to generation 4, we find other forms of disease linked to pauperism. The mother, affected with constitutional syphilis, is married first to one husband who dies at forty in the poor-house, of consumption. For at least three years before his death (for the records previous to this time could not be obtained) she, at thirty-one, and her husband, at thirty-eight, received out-door relief. The second husband also dies of consumption, but in some other town, so that it has been impossible to get the poor-master's record. We have of this generation three of the Juke blood who find a home in the alms-house. Tracing back to the third generation, we find the syphilitic father, at forty-five, in the same place, and again later at fifty-two. The year and cause of his death have not been ascertained, so this example is incomplete, but these

* Seguin, pp. 40, 41.

† Case 2.

preliminary conclusions may be educed: Disease, which may be called the social equivalent of weakness, in the third, fourth and sixth generations; and youth, another social equivalent of weakness, in the fourth generation, have brought with them the call for public charity, the acknowledgment of inefficiency.

In this case there is nothing which might be distinctively called hereditary pauperism, but there is obviously a condition that might easily become so were it not that death inexorably closes the career.

Case 10. Line eighteen is a girl twelve years old. She is illegitimate, her mother being a prostitute with her constitution broken by syphilis. Eleven years ago her mother died and she was sent to the poor-house. From thence she was adopted by a lady of wealth and is looked upon by some of her relations as having a brilliant future. Here again we find disease bringing with it death to the mother, pauperism to the child. But in this case it is at a second remove. This again is a case of weakness, its form youth.

It would extend this report to wearisome and unnecessary length to give every case. Suffice it that other cases can be found upon the charts by tracing the lines and studying them out.

So far we have looked only at instances where disease and pauperism are immediately related. We now turn to another class of cases, where they are less direct, but not less significant.

Case 11. Taking (1) b. m. A., generation three, chart I, and passing to the first child, line one, of the next generation, we find a man whose wife died of syphilis when he was fifty-three. At that age he had become an habitual drunkard, and, although a good workman, became idle. He obtained out-door relief about that time, and since then, for twenty years, has been a charge upon the town, but he has never been in the poor-house. On the death of the mother, the fourth child aged fourteen, the fifth aged twelve, the sixth aged eight, the seventh aged seven, the eighth aged four, and the ninth child aged two years were sent to the poor-house, and there remained four years. Two years after the mother's death, the third child goes to the poor-house at seventeen, and is immediately bound out to a farmer, while the two eldest, being respectively twenty-four and twenty-nine, are not sent. Here again we find youth, which is the social equivalent of weakness, consigns the child to the influence of the poor-house, while the elder escape it by reason of their strength. In this case, the death of the mother by disease induces pauperism in the offspring. Here the first instance of the tendency of the youngest child to be pauper of the family is presented. I add to it others further on.

Case 12. The second child (l. f., A. B.), a girl, seems to be an exception to the rule laid down, for we find her, seven years before her mother's death, and at the age of eighteen, one month in the poor-house, to bring her first born, an illegitimate boy, into the world. Here the maternal functions produces the social equivalent of weakness, which is the essential of pauperism.

Case 13. This is similar in some aspects to case 11. In chart II, generation 3, (4) l. f., A., we find a legitimate daughter who marries a mulatto X. For some reason, which has not been learned, the father ceases to maintain his family. The mother, near her confinement, with no relations to volunteer the expense of her sickness, becomes an inmate of the poor-house, with the three youngest children, at which place the fourth child is born. Comparing the children of the fourth generation, we find the older ones escape the influence of the poor-house at this time, no doubt because their strength enabled them to support themselves.

Here, again, we find weakness makes the pauper, the children because of youth, the mother because of inability to earn bread for a large family, which is a social equivalent of weakness.

At this point it is perhaps as well to notice that cases 11 and 13 illustrate that the tendency of the youngest child is to become the pauper of the family. But we get more than an illustration of this fact; we obtain data which helps to explain why it is so. The child who is born in the poor-house, especially if a girl, stands a very fair chance of remaining there till 10 or 14 years of age, before anybody thinks it worth while to adopt her, as she is of no use before that age. She has then formed an affection for the place, its people, and its habits, and when the prime of life is passed, and she begins to feel the weakness of decline, the traditions of youth return, having prepared her to end her days where she began them. The older children, not having any such remembrance, are less likely to resign themselves to it.

We now take up a different class of cases, to show that the tendency of the youngest is to be the pauper of the family, adding another form of proof to establish that proposition.

Case 14. Chart I, children of the eldest born of generation third compared to each other. The first born in generation 4 begins his claim for outside relief at 53, his next brother at 36, and the youngest born boy at 46, indicating a power of resistance greater in the first born than in the last. The only child of this generation who enters the poor-house is a girl, and she is the youngest child, who gets committed for debauchery.

That the youngest boy resists better than the third is owing, probably, to his having married a wife who was healthy and somewhat industrious, the wife of the eldest brother being fat and syphilitic, becoming a burden upon him by reason of disease, conditions contributive to discouragement of home affections and to the exertion for its maintenance which those motives arouse.

Case 15. Passing to chart III, and comparing the eight children of Bell, the first four of whom are illegitimate, we find the fourth and the eighth child are inclined to pauperism. This seems to contradict the rule that the youngest is the pauper of the family, but we must take into consideration that the fifth child is the son of a legitimate marriage, and may probably be the first child of his father, so that the continuity of the line is broken and gives us two sets of examples in the children of the same mother. The eldest children of each set are self-supporting and independent, the illegitimates being the most so.

Now, comparing the age at which the out-door relief begins, we find the fourth child applies at 66, three years before his death, when he receives a town burial, while the youngest applies at 55, and receives outside relief for 23 years, when his career closes with a town burial. The fourth son acquired a farm of 60 acres, was industrious but rough, and intemperate in his older days. His farm was lost, and he died prematurely. The eighth son never acquired property, was temperate, but blind for many years with cataract and died of old age.

In both these cases we find the social equivalent of weakness, intemperance and blindness, both physiological conditions predisposing to pauperism, but there is no almshouse relief.

Case 16. Passing to the children of the fourth child of Bell (gen. 4, lines 4 to 14) we find the oldest son (line 4) independent, industrious and prosperous. The second (line 5) receives out-door relief from 65 to his death, the sixth (line 13) getting it at 38, and the seventh, a girl, at 30, entering the poor-house at 40 with her two children.

Here the same tendency is to be found as in other cases indicated.

Case 17. Now we turn to chart IV; analyzing the progeny of Effie. In the third generation we have traced only two persons, a son and daughter. The son, in his 87th year, entered the poor-house and died there in 1859, aged 90. The daughter married into X, who, at the age of 40, became an inmate of the poor-house for a short time. The next account we have of him is that at 80 he was again in the poor-house, where he died the following year; the record of out-door relief which he received being among the years which could not be obtained.

Taking the next generation of this daughter, and comparing her male children, we find the first boy, aged 64, gets out-door relief at 30, the second at 22, the third at 24, the fifth at 24. If we take the age of entering the poor-house we get first child 56; second, 47; third, 23; fourth, 42; the discrepancies are owing partly to the records being imperfect and to the better character of the wives.

Line 1, generation 5, chart IV, presents an exception to the general rule, the man in this case being the eldest of the family. The consideration of this is postponed till we enter on the relation of pauperism to crime, for this seeming exception brings into relief other relations which can be best appreciated when we have discussed the question of crime.

Case 18. Now we take up the question of the heredity of pauperism, for the line of Effie is distinctively pauperized. Taking lines 8 to 13; inclusive, we find, in generation 5, six children in the poor-house; going back to the next generation, father in poor-house; going back to generation 3 again we find the poor-house. Such is the heredity.

The environment of the fifth generation at the time they entered the poor-house was, that the father was serving a term in the county jail for breach of peace; the support of the family was gone, with the result noted. The environment beyond this is not known.

In summing up this branch of the inquiry the following preliminary inductions may be stated as the laws of pauperism which are applicable to the case in hand, and may, upon a broader basis of facts, prove to be general laws applicable to pauperism in general:

1. Pauperism is an indication of weakness at some essential point, either youth, disease, old age, injury; or, for women, childbirth.
2. It rests chiefly upon disease in some form, tends to terminate in extinction, and may be called the sociological aspect of physical degeneration.
3. The debility and diseases which enter most largely in the production of pauperism are the result of sexual licentiousness.
4. The different degrees of adult pauperism, in the main, indicate gradations of waning vitality. In this light the whole question is opened up, whether indolence, which the dogmatic aphorism says "is the root of all evil," is not, after all, a mark of undervalization and an effect which acts only as a secondary cause.
5. Pauperism in adult age, especially in the meridian of life, indicates a hereditary tendency which may or may not be modified by the environment.
6. Pauperism follows men more frequently than women, indicating a decided tendency to hereditary pauperism.

7. The pauperism of childhood is an accident of life rather than a hereditary characteristic.

8. The youngest child has a tendency to become the pauper of the family.

9. That the youngest children are more likely than the older ones, to become the inmates of the poor-house through the misconduct or misfortune of parents.

10. That such younger children, who remain inmates of the almshouse long enough to form associations that live in the memory and habits that continue in the conduct, have a greater tendency to spontaneously revert to that condition whenever any emergency of life overtakes them, and domesticate there more readily than older children whose greater strength has kept them out during youth.

11. The children old enough to provide for themselves are forced by necessity to rely upon themselves, and in consequence are less liable to become paupers in old age.

In consideration of the last two propositions, which relate to environment, and show how great an influence it has on determining the career, is added a twelfth proposition, which is dogmatically put forth, though not fully sustained by the facts enumerated in the present study.

12. That pauperism, which depends on social and educational disabilities and not upon deep-seated constitutional disease, can and must be prevented by sound and felicitous measures of administration that will conform to modes of dealing with it spontaneously adopted by society, and, for that reason, as generally acceptable as they will prove efficacious.

Intemperance.—It may be said, "You have treated of crime and of pauperism and yet have said nothing whatever about the one great and conspicuous cause of both, intemperance."

The answer to this is, that the importance of intemperance as a factor in crime and pauperism is not denied, and that in the investigation it received a place in the inquiries which were to be made about the careers of each individual. But there were certain considerations which made me hesitate to accept the current opinions as to the part which ardent spirits plays in the carnival of crime. The temperance agitation has for many years taken a partisan character and become an "element of politics," with this inevitable result, that the discussion of the subject has been shifted from the domain of dispassionate observation into that of sentimental agitation, the conclusions arrived at being of the nature of hasty deductions from cherished opinions, and equally hasty or equally erroneous inductions from irrelevant facts. In visiting the jails it was not unrefreshing to a criminal to call me into a corner, and, in a semi-confidential tone, ask whether I wished to know what was the cause of the prisoner's

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duress. As this was a main object for making visits to the jails an affirmative answer was given, when, with great gravity, the axiom was pronounced, "It wasn't me, it was rum did it." In other words, gin was the responsible Blue Beard who held the key to the secret cabinet of assassination.

Thus it happened that while the current opinions could not be accepted, because they gave no adequate reason for the phenomena, and because they neglected to give many phenomena that might be fatal to the theory of the agency of rum in the drama, other explanations presented themselves as indicating a more correct conception.

It is remembered that the value of the present inquiry rests on the method of viewing the career of individuals and of recording the facts of each life in chronological order. Applying this to the solution of the intemperance question we have several cases in point. First, however, we present the aggregate figures, meagre as they are, before going to the special cases.

TABLE VIII.

Comparing temperance and intemperance.

	Healthy.	Diseased.	Licentious.	Chaste.	Licentious previous to.	Diseased previous to.	Total.
Temperate	18	1	7	...	...	...	26
Intemperate	3	10	25	...	3	...	46

In this table most of those who are marked healthy are not licentious. The table is unsatisfactory, because the information which has been furnished on the subject of intemperance has been much less full than on other points, and the order of time in which licentiousness and disease have taken place as related to drunkenness has not been given.*

Of the three who were licentious before they became intemperate, the following particulars:

Take chart III, generation 3, line 4, and we have (4) b. m. B. He was industrious in early life, accumulated property, was of a tough, coarse-grained temperament, and in his youth licentious. He is not known ever to have been a criminal, but he did become a drunkard in middle life, lost his property, and died of premature old age, at 69, receiving a town burial.

In this case we find licentiousness in youth, drunkenness when the meridian of life is passed, premature death.

*In the report of examination of convicts at Sing Sing and Auburn, which I made in 1875, will be found fuller details respecting this subject.

Chart I, line 41, generation 5, we have a man, m. X, who was licentious in his youth, who had contracted syphilis, and who, on the decline of life, was a sot, and hastened his death by his excesses in drink. The same general course as the last case, licentiousness, intemperance, premature death.

Chart I, line 27, generation 5, a woman (5), l. f. A. B. X, who began prostitution at an early age; at 25 was a drunkard. She then joined the church; shortly after, she married and left off her licentious habits. She is now reported as being less given to drunkenness than she was ten years ago.

The law shadowed forth by this scanty evidence is that licentiousness has preceded the use of ardent spirits and caused a physical exhaustion that made stimulants grateful. In other words, that intemperance itself is only a secondary cause. It is more than probable that a fuller investigation will show that certain diseases and mental disorders precede the appetite for stimulants, and that the true cause of their use is the antecedent physical exhaustion; the remedy, healthy, well-balanced constitutions.

If this view should prove correct, one of the great points in the training of pauper and criminal children will be to pay special attention to sexual training, and to prevent and cure constitutional diseases which may have come to them as a heritage. Then the question of intemperance will be a long way on its solution, the gin palace will cease to be a temptation, and prohibitory legislation will be superseded by hygienic training. Of course what is here presented is very inadequate to the subject, but careful reticence is better than brilliant error.

The points that need special observation in the study of intemperance seem to be, what age was drinking first begun; what age habitual intemperance became confirmed; what were the sexual habits at various periods, especially in youth; whether any deep-seated disease has preceded the intemperate habits, and if so, what kind, mental or physical; whether excessive study or labor has exhausted the vitality; whether there is a hereditary predisposition; whether the trade or occupation is detrimental to health; whether the locality of the habitation produces disease, and what kind; what is the temperament of the man? All these questions must be answered by ascertained facts before we can give an intelligent answer to the question, "is intemperance the cause of crime and pauperism?" or only a secondary cause that must be reached by well ordered sanitary and hygienic measures.

Crime.—In the table here appended, as only official records of crimes are entered, two principal causes for the smallness of the number of offenses need explaining. As respects crimes, the records of only one county were examined, and these reached back only to 1830; the earlier

records, your committee was told, are down in the cellar of the county clerk's office, under the coal. To get a full record of the crimes of the Juke family the criminal records of three other counties need to be examined. As respects misdemeanors, these are to be found in the books of justices of the peace and the books of the sheriffs, both of which are almost all destroyed or laid away in private hands, packed in barrels or stowed in garrets, and are inaccessible. Besides these it may be mentioned that in the latter part of the last century and the beginning of this, many acts which now subject a man to imprisonment then went unpunished, even cases of murder, arson and highway robbery, so that the absence of a man's name from the criminal calendar is no criterion of his honesty.

By reference to the charts, crime will be seen to run chiefly in the illegitimate stocks, and mostly where there is a cross of the Juke blood into X.

In the first place, the illegitimates who have become parent stocks are the oldest children of their respective mothers, Ada, Bell and Delia; but as the bastards of the latter had no children, this leaves only those of her other two sisters to consider.

In the study of crime we take the males as the leading sex, skipping the women just as in studying harlotry we skipped the men, but at the same time it will be well to notice how harlotry prevails among those families where the boys are criminals.

Case 19. Take chart I, generation 3, line 1, we get an intermarriage of cousins and the appearance of crime seems to be postponed for a generation. The word "seems" is used because no crime receiving punishment was committed; but there is no doubt that the two eldest sons of the next generation were both petty thieves, one of them an expert sheep stealer. Coming down to the next generation (5th) we find the criminal children to be where there is a cross between the Juke and the X blood. We also find that the oldest male child of the fourth generation is the father of proportionately more criminals than the second male child, while the third male child, who is also the youngest and has intermarried into the Juke blood, is the father of honest children. The figures run thus: 1st son, 7 boys, 5 criminals; 2d son, 6 boys, 2 criminals; 3d son, 4 boys, no criminals.

Moreover, comparing the children of the fifth generation by families, we find that it is the older brothers who are the criminals and not the younger ones; while, if we trace down line 1 to the 6th generation, we find the heredity of crime seems to run in the line of the oldest child, and that the males preponderate in those lines.

Case 20. Taking the illegitimate progeny of Bell, chart III, what

TABLE IX.

CRIMES AGAINST PROPERTY.

		NUMBER OF OFFENSES.										Total.			
		2d Gen.		3d Gen.		4th Gen.		5th Gen.		6th Gen.					
		M.	F.	M.	F.	M.	F.	M.	F.	M.	F.				
Misdemeanor.....	Juke	..	..	1	..	7	6	14	14	1	..	24	22	3	..
	X	..	..	1	..	1	1	8	1	..	..	9	7	3	..
Petit larceny.....	Juke	..	..	..	..	3	..	2	..	..	..	5	7	5	..
	X	..	..	..	..	..	..	8	..	..	..	8	6	2	..
Grand larceny.....	Juke	..	..	..	..	1	..	..	..	..	..	..	3	..	..
	X	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Burglary.....	Juke	..	..	..	..	2	1	11	..	..	..	..	..	..	..
	X	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Forgery.....	Juke	..	..	..	..	1	..	..	..	..	..	..	1	..	..
	X	..	..	..	..	..	..	..	..	..	..	..	..	..	..
False pretenses.....	Juke	..	..	1	..	..	..	..	..	..	..	..	..	..	..
	X	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Robbery.....	Juke	..	..	..	..	..	..	1	..	..	..	..	1	..	..
	X	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Total.....	Juke	..	..	1	..	10	6	22	14	1	2	44	22	65	25
	X	..	..	2	..	8	2	12	1	..	..	22	3	25	..
Grand total, offenses.....		..	..	3	..	18	8	44	15	1	2	66	25	91	..
Number of offenders.....	Juke	..	..	1	..	8	4	12	9	1	2	22	15	27	19
	X	..	..	2	..	6	2	8	1	..	..	16	2	19	..
Total.....		..	..	3	..	14	6	20	10	1	2	38	18	56	..

CRIMES AGAINST THE PERSON.

Assault and battery.....	Juke	..	..	..	..	3	..	2	..	..	..	6	..	..	..
	X	..	..	..	..	..	..	3	..	..	..	2	1	..	..
Assault, intent to kill.....	Juke	..	..	..	..	1	1	..	..	1	..	2	..	..	..
	X	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Murder.....	Juke	1	..	..	..	1	..	1	..	..	..	3	..	..	..
	X	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Rape, and attempt at rape.....	Juke	..	..	..	..	..	..	5	..	..	..	5	..	..	..
	X	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Total offenses.....	Juke	1	..	..	..	5	1	9	..	1	..	16	1	17	7
	X	..	..	..	..	..	..	8	1	10	..	7	..	17	..
Grand total, offenses.....		1	..	..	..	5	1	10	1	1	..	23	1	24	7
Number of offenders.....	Juke	1	..	..	..	4	1	6	..	1	..	12	1	13	8
	X	..	..	..	..	4	4	4	1	..	..	8	..	8	..
Total number of offenders.....		1	..	..	..	8	1	10	1	1	..	20	1	21	..

do we find: that the preponderance is of males, and that the three eldest children are honest, industrious and self-supporting.

The reason for the honesty of the first born children will be discussed further on. But when we come to the fourth child we find, what? That he has married outside the Juke blood; that he is not a criminal himself, but that amongst his children are found criminals. The oldest of his boys, as in the previous generation, was industrious. He married, emigrated to Pennsylvania at least 30 years ago, and now owns a farm and is doing well.

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The second child was a farmer and industrious, lived to 70 years of age, and neither committed crime or went to the county-house, but received out-door relief at 65 for 3 years. The third child did tolerably well and had no criminal children, they being all girls. The fourth was a criminal and died of syphilitic consumption; the fifth was the father of a criminal; also the sixth, who has received outside relief at 38 years of age, while the seventh, and last, was a harlot and an alms-house pauper, who died of syphilitic disease.

Here we see crime immediately follows the cross of bloods, and that the criminal is born before the pauper of the family, as we also have seen that the honest is born before the criminal. It now remains to follow several lines, tracing the heredity of individual cases, and laying the environment alongside.

Case 21. Chart I, line 1, generation 6, gives a boy 17 years of age, who has served six months in Albany penitentiary for petit larceny; his father (gen. 5th) has been twice in county jail for assault and battery, and is now serving a five year sentence in state prison for a rape on his niece in her twelfth year. Going further back we find the father was a petty thief, though never convicted. This ends the information as to the heredity. Now as to the environment.

The adults of this generation (fourth) lived in a settlement mainly composed of their own relatives, situated in the woods around a chain of lakes. The greater proportion of these people having recourse to petty theft to help out their uncertain incomes, going on excursions of several miles during the night, and robbing hen-roosts, stripping clothes lines, breaking into smoke-houses and stealing hams, corn, firewood and wood with which to make axe-handles, baskets or chair-bottoms. This general condition continued during the boyhood of the fifth generation, only, they being bolder, more experienced and more enterprising, and the general wealth of the community having enormously increased, their field became broader and their offenses more grave than those of the previous generation. Going down to the sixth generation we find the boy of 17 is suddenly deprived of support by his father being sent to Sing Sing prison. He is in want; his mother goes to the poor-house with the younger children, while he takes up the life of a vagrant, picking up his living as he best can. Want, bad company, neglect, form the environment that predisposes to larceny. He will not go to the county-house with his mother; he feels it is more independent to steal and take the risks. Now self-reliance, no matter how wrongly it asserts itself, is indicative of power, and this power should be availed of for better purposes. In these three generations is traced an environment which predisposes to crime and corresponds to the heredity.

Case 22. Now turning to line 4 of the sixth generation, a boy 19 years of age throws another boy over a cliff forty feet high, out of malicious mischief. This boy is the second illegitimate child of his mother, but probably not of his father, which latter was the first illegitimate child of his mother by X. This case then seems to follow the rule that the crime follows the lines of illegitimacy where the Juke blood marries into X. There is no evidence that the mother was a criminal, but her father was a petty thief, as shown by chart I. Such is the heredity.

The environment, a home the scene of violence, debauch and drunkenness, father and mother both intemperate and idle; the mother becoming the procurer for her eldest son of a child 12 years of age, whom that illegitimate son seduces and is forced to marry to prevent criminal prosecution; the first born of this child forming the third bastard in the line of heredity. Here we have an environment corresponding to the heredity.

Case 22. Line 22, generation 5, seems to be an exception to the rule that the oldest is a criminal, but it is only a seeming exception. We find the second son was engaged in a burglary at 12 years of age with his older brother, getting \$100 in gold as booty. The boy was caught but the leader in the crime, the older brother, aged 19, escaped. This last was a sailor, and so it is impossible to get any reliable information about his career, but it is evident he was a leader in crime at an early age.

Of lines 33, 34 and 37 in the fifth generation, brothers and sisters, we find the oldest son commits a number of offenses, among them murder, but he escapes punishment as in the case above. The second child, a girl, has become the contriver of the crimes which the third child, a boy, has carried into effect, and for which he has recently received 20 years' sentence of imprisonment. In this case the boldest and most intelligent is the oldest child.

Of the crimes committed by the legitimate branch of the Juke family no chart has been made, only that the same general rule holds good, that the eldest is the criminal of the family, the youngest the pauper.

Preliminary conclusions reached respecting crime:

1. That the burden of crime is found in the illegitimate lines.
2. That the legitimate lines marry into crime.
3. That those streaks of crime found in the legitimate lines are found chiefly where there have been crosses into X.
4. That the eldest child has a tendency to be the criminal of the family.
5. That crime chiefly follows the male lines.

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Showing the Contrast between the *Distinctively Pauper* and the *Distinctively Criminal Branches.*

	OUT-DOOR RELIEF.										ALMS-HOUSE RELIEF.									
	No. receiving it.	Per cent.	No. of years.	No. of persons.	Age of youngest adult receiving it.	No. under 20 years who received it.	No. under 30 years and over 30.	No. over 35 and under 40.	No. over 45 who had received it.	No. receiving it.	Per cent.	No. of years.	No. of persons.	Children under 15 receiving it.	Age of youngest adult receiving it.	No. of males over 30 receiving it.	No. of males over 35 receiving it.	No. of males over 40 receiving it.	No. of males over 45 receiving it.	No. of males over 50 receiving it.
Juke males (1) A. M. branch.....	4	35.71	63	430	6.30	11	4	1	0	4	33.33	17	1,003	0	15	1	1	1	1	1
Juke males (2) X. branch.....	10	35.71	33	232	6.30	11	4	1	0	4	33.33	17	1,003	0	15	1	1	1	1	1
Juke males (3) E. M. X. branch.....	10	35.71	33	232	6.30	11	4	1	0	4	33.33	17	1,003	0	15	1	1	1	1	1
Criminal males (1) A. M. X. branch.....	4	100.00	34	6,267	9.17	11	4	1	0	4	100.00	17	1,000	0	15	1	1	1	1	1
Criminal males (2) E. M. X. branch.....	4	100.00	34	6,267	9.17	11	4	1	0	4	100.00	17	1,000	0	15	1	1	1	1	1
Total number of males.....	44		134	14,232		44	16	4	1	16		44	4,009	0	44	4	4	4	4	4

* Town burial.

TABLE X.

Showing the Contrast between the *Distinctively Pauper* and the *Distinctively Criminal Branches.*

TABLE X. *Continued.*

	CHIMES.					AGAINST FUGITIVITY.					AGAINST PUNISH.				
	Per cent to total males.	No. of offenses.	No. of offenses to criminal.	Offenses agt. property.	Per cent to total offenses.	Offenses against the person.	Per cent to total offenses.	Per cent to total offenses.	Per cent to total offenses.	Years of prison or penitentiary.	Average No. of years to each.	Years of county jail.	Highest crime.	Lowest crime.	Longest sentence, years.
Juke males (1) A. M. branch.....	11	2,470	33	54.75	13	26.57	7	16.68	70%	1.133	1 1/2	Burglary, 1st degree.	Murder.	30	
Juke males (2) X. branch.....	11	2,470	33	54.75	13	26.57	7	16.68	70%	1.133	1 1/2	Burglary, 1st degree.	Murder.	30	
Juke males (3) E. M. X. branch.....	11	2,470	33	54.75	13	26.57	7	16.68	70%	1.133	1 1/2	Burglary, 1st degree.	Murder.	30	
Criminal males (1) A. M. X. branch.....	7	1,887	4	30.77	6	46.15	6	46.15	5	.7143	3/4	Burglary, 1st degree.	Attempt to kill.	5	
Criminal males (2) E. M. X. branch.....	7	1,887	4	30.77	6	46.15	6	46.15	5	.7143	3/4	Burglary, 1st degree.	Attempt to kill.	5	

6. That the longest lines of crime are along the line of the eldest son.
 7. That crime, as compared to pauperism, is an indication of vigor.
 8. That, for this reason, there is greater chance for reform in the criminal than there is in the pauper, whose condition is an indication of under-vitalization and consequent untrainableness.

This last proposition brings us to a comparison of crime and pauperism.

The ideal pauper is the idiotic adult who never could and never will be able to help himself, and may be justly called a living embodiment of death. The ideal criminal is a courageous man in the prime of life who so skillfully contrives crime on a large scale that he escapes detection and succeeds in making the community believe him to be honest as he is generous. Between these two extremes there are endless gradations which approximate each other, till at last you reach a class who are too weak to be dangerous criminals, and too strong to be almshouse paupers; they form the bulk of the tools who execute what the others plan and constitute the majority of those who are found in prison during their youth and prime, and in the poor-house in their old age. These men prefer the risks and excitements of criminality and the occasional confinement of a prison where they meet congenial company, to the security against want and the stagnant life of the almshouse.

To more fully illustrate this we give table X, in which is made a comparison of the distinctively criminal branch of Ada, with the distinctively pauper branch of Effie, so that the difference can be contrasted. It will be seen that while the criminal branch shows 35 per cent of out-door relief and 21 per cent of almshouse paupers, with 60 per cent of crime, the pauper branch shows 61 per cent of out-door relief, 38 per cent of almshouse pauperism, and 53 per cent of crime. But when we come to study the intensity of crime, we find that while nine offenders of the line of Ada have been sent to State prison for 60 years, only one has been sent for five years of the line of Effie. Again, contrasting the crimes against property, against person and vagrancy, the percentages show great fluctuations. While Ada's offspring perpetrate 54 per cent of crimes against property, including burglary, grand larceny, and highway robbery, Effie's only show 30 per cent, the highest crime being petit larceny, which is the lowest crime of the other branch. Of the crimes against the person, the children of Effie show a preponderance, 30 per cent, compared to 28 per cent, while the offenses compare on the one hand as to intensity: murder, one; attempt at rape, three; on the other; attempt to kill, one. When we come to vagrancy and breach of peace, the percentage stands between Ada's and Effie's children as 16 to 46 per cent, and for vagrancy, as 2 to 38 per cent.

Comparing the criminals of each branch to each other, we find while

all of Effie's are pauperized, only 35 per cent of Ada's have received out-door relief, while the almshouse pauperism compare as 23 per cent of Ada, to 57 per cent of Effie. Looking still closer and comparing ages at which relief was received, we find only one of Ada, to five of Effie, received out-door relief under 25 years of age, while two of Ada's resisted application till after 35, and one after 45, while every one of Effie's seven criminals was a pauper before 35—in point of fact at 30. The contrast as to the almshouse pauperism appears much less than it really is, for, while Ada's account has three children in the poor-house whose ages range from four to ten, Effie's are all adults, ranging from 23 to 56 years of age.

From this comparison, it would seem that the distinctively pauper stock is less aggressive than the criminal, that crimes of contrivance are characteristic of the criminal branch, while petty misdemeanors are the characteristic of the pauper criminal.

Case 24. Having summed up the evidence on pauperism and crime, we now turn to chart IV, generation 5, line 1, to a man who forms an example of the transition state between the two. He is the illegitimate first son of a first son; what his early childhood was has not been ascertained beyond this, that he was not an inmate of an almshouse. His youth was licentious, for at 13 he was afflicted so severely with syphilis, that his foot was lamed for life, and at 41, the time when he was seen, he walked with a halting step. The records show that at 23 years of age, he got out-door relief; at 25, petit larceny, county jail; at 30, petit larceny, no one prosecutes; 32, out-door relief one year; 33, prosecuted for bastardy. He compounded this suit by marrying the girl; at 38, out-door relief; at 41, petit larceny, county jail 30 days; assault and battery when drunk, county jail 20 days. This year I saw him at the house of the poormaster, making application for an ax to do wood-chopping, bringing a friend along to ask for a pair of boots. The ax played the ostensible part of honest intentions to work, so that the boots might be forthcoming. Both were denied, and justly.

He seems to realize in his own person the prepotency of a first child and the weakness of an invalid, as if it might be a conflict between vitality and death, but the side upon which the balance must ultimately fall was decided at 13. He cannot escape being an almshouse pauper except by the interposition of sudden death, because the disability under which he labors is a deep-seated disease, which, year on year, with cumulative force adds to his inefficiency. Although the eldest child of his generation, he has received out-door relief at an earlier age than his brothers, his disease standing as the equivalent of weakness, and inducing an apathy which destroys both physical activity and pride.

Preliminary inductions on the relations of crime and pauperism:

1. Where a person oscillates between the poor-house and the jail, it raises a presumption there is either constitutional disease or an entailment of mental weakness from the parents.

2. With true criminals pauperism either occurs in old age or in childhood, and is not synchronous with the term of the crime career.

3. The misfortune of one generation which throws the children into an almshouse, may lay the foundation for a criminal career for that generation if the children are of an enterprising temperament, but paupers if of low vitality and early licentious habits.

4. That the crime of one generation may lay the foundation for the pauperism of the next, especially if the children thrown into the almshouse are girls and remain inmates long enough to become mothers.

5. Hereditary pauperism seems to be more fixed than hereditary crime, for very much of crime is the misdirection of faculty and is amenable to discipline, while very much of pauperism is due to the absence of vital power, the lines of pauperism being in many cases identical with such lines of organic disease of mind or body as insanity, consumption, syphilis, which cause the successive extinction of capacity, from generation to generation, till death supervenes.

6. Criminal careers are more easily modified by environment, because crime, more especially contrived crime, is an index of capacity, and wherever there is capacity there environment is most effective in producing modifications of career.

7. Rape, especially of little girls, is a crime of weakness, and, when occurring after the meridian of life has passed (from 35 to 45), marks the decadence of vitality and the consequent weakening of the will-power over the passions.

Relations of Honesty, Crime and Pauperism.—It has already been noticed that the illegitimate children of Bell were industrious and honest, and that the eldest, a mulatto, was "the best of his generation," while the fourth child was the father of criminals. On following down to the next generation of this fourth child, we find the two oldest children honest, the first one acquiring property, the fourth one a criminal contriving crime, and the two next children the parents of criminals, while the youngest is a pauper. In the most vigorous branches honesty and industry are first in order, crime second, and pauperism third. This order may be observed in the following cases:

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Case 25. In chart III, children, grandchildren, and great-grandchildren of the stock of Bell (lines 1 to 15):

Third Generation.	{ 1st. Honesty and industry, with honest descendants. 2d. Honesty and industry, with descendants honest, criminal and pauper, in the order named.
Fourth Generation.	
	{ 1st. Honesty, industry and worldly success. 2d. Honesty and industry without worldly success. 3d. Personally criminal. 4th. Non-criminal, but father of criminals. 5th. Non-criminal, pauperized.

Case 26. Now look at chart I, children of the oldest child of the generation of the illegitimate stock of Ada (lines 1 to 13):

Fifth Generation.	{ 1. Criminal and father of criminals. 2. Criminal and not father of criminals, reform with resumption of honest labor. 3. Non-criminal, but inefficient. 4. Pauperized.

Taking the third child, fourth generation, and analyzing his progeny (lines 22 to 32) we find:

Fifth Generation.	{ 1. Criminal. 2. Criminal, reformed. 3. Non-criminal. 4. Pauperized.

Here the same general tendency is noted in the comparison of the children of the same generation. In the discussion of the features of crime we found the tendency to hereditary crime to be along the line of the eldest male child, there is probability that the same is true of the tendency to hereditary honesty, although I have at present no facts to establish it.

Descending from the comparison of families to the analysis of individual careers, we get the same essential facts in a different form, and in a way that brings us to a comprehension of some of the underlying causes of them.

Case 27. Take I. m. A. B. X., chart I, generation 5, line 1. At 30 years of age he commits grand larceny, and is sent to the county jail for ninety days. From that time he gets committed no more till he is 49, when he is sent to Sing Sing five years for rape of his niece, 12

years old. In other words, during the prime of life, when the judgment and the will have most control over the emotions, the man's tendency is to give up crime and live by industry. But after he passes the prime we find him committing a crime of weakness, and it will repay to study it carefully.

The order in which the cerebral functions are developed are: 1st. The nervous centers of reflex action; 2d. The sensations; 3d. The passions and emotions; 4th. The judgment and the will, which reach their maximum power from 30 to 33 years of age. The order of their decay is substantially in an inverse progression. Upon looking over the statistics of the crime of rape we find that, for the young, the age of maximum passion is 27, before the full development of the judgment and will; that the fewest occur between the ages of 32 and 35, the age of maximum will-power; but from this time we get again an increase in the per centage of this offense. And why? Because the will, which is the moral governor, tends to decay sooner than the erotic passions, and the man's mind has lost, in part, the moral balance which it possessed at 35, hence the fact that opportunity then becomes temptation. This disposes in a general way of the main features of the phenomena of the growth and decay of the organic life, but in this case there is a still further lesson in the study of the environment which was contributive to the act. The circumstances which determined this particular offense accord with the theory of action taking the direction of least resistance. His niece accompanied him alone to go fishing; now fishing is not an employment requiring labor of either mind or body, and so we find *the* element conspiring to produce the crime is idleness, which left the full vitality of the man to wreak itself in the direction of licentiousness. Laying aside the collateral lesson here, and returning to the main fact to be noted in the chain of argument, the features of it correspond to the essential phenomena of growth, that, being punished for an offense at 30 just before the meridian of life, his career is amended during that period, but, as age approaches with its attendant weakness, he breaks out at 49 into another form of crime, distinctive of the decline of life.

Case 28. Take line 7, generation 5, brother of the above. At 22 he was a boatman, and in company with his brother-in-law he commits a burglary, third degree, for which he serves sentence of three years in Sing Sing. Discharged at 25 years of age, he ceases crime and becomes an honest laborer, abandons boating on canal, which is a vagrant occupation, and settles down. He is now described by his employer as a steady, civil and reliable man. The three years' continuous labor in prison, together with the fullness of development attending maturity, have produced steady habits.

REDUCTION
RATIO
CHANGE(S)
WITHIN
TITLE

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Here he gets industrial training before the meridian of life, and his career is measurably amended.

Case 29. The next brother, line 8, begins his career with petit larceny at 12, with 60 days in county jail; petit larceny at 21, county jail 30 days; grand larceny at 21, Sing Sing three years. The probabilities are that between 12 and 21 he committed offenses elsewhere. At 36, tried for shooting at horses. His case has not been fully followed; whether he reforms is to be tested, but the probabilities are against it, as he is living with a licentious woman.

Case 30. Passing now to the cousins of these men, from lines 22 to 32, the career of the oldest has not been traced. Line 25, we find at 12 assisting his brother in a burglary; at 17 serves two years in State prison for burglary; at 22, two more years for breach of the peace, no doubt the severity of the sentence being made to cover two indictments for burglary, which could not be proved, but which he no doubt committed; at 24, burglary third degree, Sing Sing three years. It is said that the total years of imprisonment he has served in Pennsylvania, New Jersey, Vermont and Rhode Island, has been from 13 to 14 years. In Clinton prison he learned iron rolling and also industrious habits, for now he has moved to another county, rents a quarry, and employs men to get out flag-stones. Here, again, before the meridian of life is passed, the education of labor, together with the experience of a riper age, produces an amended career.

Case 31. Line 26, brother of the above, at 20 years, county jail 30 days for assault and battery; at 21, county jail 30 days for same offense; at 22, Sing Sing two years for burglary third degree; at 31 he moved into the same county as his brother above mentioned, purchased a farm and works a quarry upon it; is worth \$5,000 at 37, and the testimony of persons who have known him is, that "he is considerable of a man."

Now this line of facts points to two main lessons; the value of labor as an element of reform, especially when we consider that the majority of the individuals of the Juke blood, when they work at all, are given to intermittent industries. The element of continuity is lacking in their character; enforced labor, in some cases, seems to have the effect of supplying this deficiency. But the fact which is quite as important but less obvious, is, that crime and honesty run in the lines of greatest vitality, and that the qualities which make contrivers of crime are substantially the same as will make men successful in honest pursuits. In all the cases above cited burglary preponderates. This crime requires a strong physique, a cool head, and a good judgment backed by pluck.

All these are qualities essential to any successful career, and the reform of these four men simply shows there is such a thing as interchangeability of careers, the solution of the problem of reform being how a new direction may be given to the activity of the faculties which are employed in a bad one. Indeed, so true is this view believed to be, it is safe to venture the position, that all criminals of sound mind and body who commit crimes of contrivance, and who have not passed the meridian of life, can be reformed if only judicious training is applied in time. Where there is vitality, there morality can be organized and made a constituent part of character.

With criminals, gambling and licentiousness are widely prevalent. Any method which would direct this wasted power into other directions would produce an amended career. The problem amounts to this: given a certain amount of vitality how shall it be expended so that the community shall not suffer injury. If, by training, evil modes should be closed up, not only could the energy be used for other purposes, but it would be so used, for life is activity of some sort, and will assert itself by effort of some kind.

What of the pauper? With him there is less hope, because less vitality, and less impressibility to praise or blame, to example or ambition. There also is almost invariably found licentiousness in some form. Here we have a key to solving some of the difficulties of his case. Virility is a mark of vitality, and sexual licentiousness, when unallied with disease, an index that there is yet vital strength, while reticence is a mark of power, for it indicates the subjection of the passions to the dominion of the will, storing up the vital forces, so to speak, for expenditure in other directions. Hard, continuous labor checks the erotic passion, prevents waste of vitality, tends to decrease its intensity by disuse, and in the course of time may enable the potential pauper to form habits of industry that will have become organized as part of his character, and prove that pauperism can be controlled by controlling the passion which, disease aside, tends more than all other causes put together to perpetuate it hereditarily.

The Formation of Character.— Where there is heredity of any characteristic, it would seem there is a tendency, and it might almost be said, a certainty to produce an environment for the next generation corresponding to that heredity, with the effect of perpetuating it. Where the environment changes in youth the characteristics of heredity are measurably altered.

This brings us to the question of education, and in treating the subject it must be clearly understood, and practically accepted, that the whole question of crime, vice, and pauperism rests strictly and funda-

REDUCTION
RATIO
CHANGE(S)
WITHIN
TITLE

CHART IV. One Branch of the Posterity of Effie Juke, with th

GENERATION 2.	GENERATION 3.	GENERATION 3.	GENERATION 4.	GENERATION 4.	
<p>Effie Juke. Have been unable to get any personal information respecting her. She had at least four children, but only one has been traced down to the sixth generation.</p>	<p>m. X. Brother to the man who married Della Juke, and son of Max; he was without doubt a slave.</p>	<p>l. f. E. Basket-maker; harlot; at 77, o. relief, 2 y.; not in- dustrious; she married her cousin.</p> <p>m. X. 81. Labourer; at 43, o. relief, 1 y.; 79, p. house, 2 y.; 1887, licentious; 81, died in p. house, 1871.</p>	<p>(1) l. m. E. X. 64. Brickmaker; at 18, bastard son; 20, o. relief, 1 y.; 32, o. relief, 2 y.; 35, o. relief, 2 y.; 38, o. relief, 1 y.; 41, assault, intent to kill, 8, prison, 5 y.; 55, assault and battery, forfeits bail, vagrancy, o. jail, 10 d.; 54, o. relief, 2 y.; 56, o. house, 1 y.; 59, o. relief, 1 y.; 62, o. relief, 1 y.; lazy; no property; able-bodied; in full health.</p> <p>(2) l. m. E. X. 67. At 22, o. relief, 1 y.; 32, o. relief, 1 y.; 36, o. relief, 2 y.; 40, o. relief, 2 y.; 44, breach of peace, o. jail; 47, o. relief, 2 y.; 49, p. house, 1 y.</p> <p>(3) l. m. E. X. 51. Basket-maker; at 23, p. house, 1 y.; 24, o. relief, 3 y.; 31, o. relief, 2 y.; 34, o. relief, 1 y.; 38, o. relief, 2 y.; 41, o. relief, 2 y.; 48, o. jail, 3 d., probably vagrancy; no property; lazy; syphilis; intemperate; cannot read or write.</p> <p>(4) l. f. E. X. Harlot during marriage; 1840, o. relief, 1 y.; 1842, o. relief, 1 y.; 1844, o. relief, 3 y.; 1848, o. relief, 2 y.; 1862, o. relief, 1 y.; kept brothel; acquired epilepsy; temperate; lazy; married second cousin.</p> <p>(5) l. f. E. X. Harlot before marriage; one bastard son born by roadside; 1843, o. relief, 1 y.; 1854, o. relief, 2 y.; 1856, p. house, 1 y.; previously child born; 1858, o. relief, 1 y.; 1862, o. relief, 1 y.; 1865, o. relief, 1 y.; a licentious vagrant; married second cousin.</p> <p>(6) l. m. E. X. 44. At 24, o. relief, 3 y.; 28, o. relief, 1 y.; 30, o. relief, 1 y.; 33, assault and battery, forfeits bail; 34, o. relief, 1 y.; 42, p. house, 1 y.; no property; habitual drunkard.</p> <p>(7) f. E. X.</p>	<p>l. f. A. X. Quadroon; 1846, o. relief, 2 y.; 1849, o. relief; married second cousin; syphilis; dead.</p> <p>l. f. B. C. 51. At 20, o. relief, 6 y.; 41, o. relief, 3 y.; 46, o. relief, 1 y.; 49, o. relief, 1 y.; small, stunted body; syphilitic blindness; married second cousin.</p> <p>f. X. 1849, o. relief, 2 y.; 1853, o. relief, 2 y.; 1857, o. relief, 2 y.; 1864, o. relief, 2 y.</p> <p>l. f. X. 1846, o. relief, 2 y.; 1854, o. relief, 2 y.; 1857, o. relief, 1 y.; 1862, o. relief, 2 y.; 1865, o. relief, 2 y.; syphilis; industrious; temperate; no property; read and write.</p> <p>For husband, see Chart II, Gen. 4, line 34</p> <p>For husband, see Chart II, Gen. 4, line 45</p> <p>f. X. 1854, o. relief, 3 y.; 1858, o. relief, 1 y.; 1860, o. relief, 1 y.; 1864, o. relief, 1 y.; dead and dumb.</p> <p>m. X. Moved to Prescott, Wis.; soldier in rebellion</p>	<p>(4) b. m. E. X.</p> <p>(2) l. m. E. X. 1</p> <p>(3) l. f. E. X. 1</p> <p>(4) l. f. E. X. 1</p> <p>(5) l. m. E. X. 1</p> <p>(6) l. m. E. X. 1</p> <p>(7) l. m. E. X. 1</p> <p>(1) l. f. E. X. 2</p> <p>(2) l. f. E. X. 2</p> <p>(3) l. f. E. X. 2</p> <p>(4) l. f. E. X. 2</p> <p>(5) l. m. E. X. 2</p> <p>(6) l. f. E. X. 2</p> <p>(1) l. E. X. X.</p> <p>(2) l. f. E. X. X.</p> <p>(3) l. m. E. X. X.</p> <p>(4) l. f. E. X. X.</p> <p>(5) l. m. E. X. X.</p> <p>(6) l. f. E. X. X.</p> <p>(7) l. m. E. X. X.</p> <p>6 or 7 children</p>

ch of the Posterity of Effie Juke, with the Persons they Married.

GENERATION 4.	GENERATION 5.	GENERATION 6.	Line
f. A. X. Quadroon; 1845, o. relief, 2 y.; 1846, o. relief; married second cousin; syphilis; dead.	(Q) b. m. B. X. X. 41. Laborer; idle; at 13 contracts syphilis; 17, o. relief, large; c. jail; 22, petit lar., c. jail, no prosecution; 23, o. relief, 1 y.; 25, bastardy prosecution; 25, o. relief, 1 y.; 26, o. relief, 5 y.; 27, petit lar., c. jail, 30 d.; assault and battery, c. jail, 30 d.	f. X. Seduced by B. X. X., whom she forces to marry her; 1850, o. relief, 5 y.	1 boy and 3 girls..... 1
f. F. B. C. 51. At 23, o. relief, 6 y.; 24, o. relief, 3 y.; 26, o. relief, 1 y.; 29, o. relief, 1 y.; small, shrunken body; syphilitic blindness; married second cousin.	(2) l. m. E. X. A. X. 34. Cohabited; at 33, soldier; 34, killed at war..... x (3) l. F. E. X. B. 6. Harlot before marriage; had illegitimate child..... x (4) l. F. E. X. B. C. 28. Harlot; at 21, o. relief, 1 y. (5) l. m. E. X. B. C. 25. Brickmaker; at 21, o. relief, 5 y.; 26, petit lar., on bail; soldier in rebellion.	f. X. Harlot; German. (4) l. m. A. X. E. X. Legations; married cousin..... m. X. 1867, o. relief, 5 y.; petit lar., c. jail, 90 d.; no property. f. X. German; harlot; 1870, o. relief, 4 y.; cohabited with the same brother before his death. l. F. E. X. X. 1872, o. relief, 2 y.; good reputation; read and write; industrious. l. F. C. D. X. 25. Harlot; had bastard before marriage; read and write; temperate.	Barron For children, see Chart II, Gen. 6, lines 46 and 47. 4 bastard boys, oldest died, two hours old..... 2 Barron..... 3 4 5 6 b. m. X. 7..... 7
f. X. 1849, o. relief, 2 y.; 1853, o. relief, 2 y.; 1857, o. relief, 2 y.; 1864, o. relief, 2 y.	(1) l. F. E. X. X. 26. At 13, p. house, 1 y..... x (2) l. F. E. X. X. 4. At 11, p. house, 1 y.; 11, dead..... x (3) l. F. E. X. X. 23. At 13, p. house, 1 y.; 17, daughter buried, o. relief, 5 y.; married cousin. (4) l. F. E. X. X. 22. At 12, p. house, 1 y..... (5) l. m. E. X. X. 70. At 7, p. house, 1 y..... (6) l. F. E. X. X. 17. At 4, p. house, 1 y.; 11, p. house, harlot, with child.	m. X. l. m. E. X. A. X. 31. See Chart II, Gen. 4, line 37, for husband and child.	..... 8 9 10 11 12 Bastard child, born 1854, in Newburg almshouse..... 13
f. F. X. 1846, o. relief, 2 y.; 1854, o. relief, 2 y.; 1857, o. relief, 1 y.; 1862, o. relief, 2 y.; 1865, o. relief, 2 y.; syphilis; industrious; temperate; no property; read and write.	(1) l. F. E. X. X. 21. Harlot before marriage; constitutional syphilis; read and write. (2) l. m. E. X. X. 22. Soldier in rebellion; industrious; constitutional syphilis; not criminal; read and write. (3) l. F. E. X. X. 13. Reputable character..... x (4) l. F. E. X. X. 14..... (5) l. F. E. X. X.....	l. m. X. 30. Constitutional syphilis; no property; French Canadian. f. X. m. X. Served in rebellion..... x	4 children..... 14 1 child..... 15 16 Children..... 17
For husband, see Chart II, Gen. 4, line 34.....	.....	.....	..... 18 19
For husband, see Chart II, Gen. 4, line 45.....	.....	.....	..... 20 21 22 23 24 25
f. X. 1854, o. relief, 2 y.; 1858, o. relief, 1 y.; 1860, o. relief, 1 y.; 1864, o. relief, 1 y.; deaf and dumb.	(1) l. F. E. X. X. Died young..... (2) l. F. E. X. X. 21. Harlot; not industrious; no property; temperate; read and write. (3) l. m. E. X. X. 19. Not industrious; temperate..... (4) l. F. E. X. X. 17. Harlot; not industrious; no property; temperate; read and write. (5) l. m. E. X. X. 12..... (6) l. F. E. X. X. 3..... (7) l. m. E. X. X. 6.....	..... ..... ..... ..... ..... ..... .....	..... 26 27 28 29
m. X. Moved to Prescott, Wis.; soldier in rebellion.....	6 or 7 children, 1 dead.....	.....	..... 30

EXPLANATION.
 x - Married.
 - - Cohabiting.
 o. relief, Out-door relief.
 p. house, Poor house.
 c. jail - County jail.
 bur. - Burglary.
 S. Sing, Sing Sing prison.
 Alb. Pen., Albany Penitentiary.
 S. p. - State prison.
 Y. - Year.
 m. - Month.
 d. - Day.

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mentally upon a physiological basis, and not upon a sentimental or a metaphysical one. These phenomena take place not because there is any aberration in the laws of nature, but in consequence of the operation of these laws; because disease, because unsanitary conditions, because educational neglects, produce arrest of cerebral development at some point, so that the individual fails to meet the exigencies of the civilization in which he finds himself placed, and that the cure for unbalanced lives is a training which will affect the cerebral tissue, producing a corresponding change of career. This process of atrophy, physical and social, is to be met by methods that will remove the disabilities which check the required cerebral growth, or, where the modification to be induced is profound, by the cumulative effect of training through successive generations, under conditions favorable to such strengthening.

We have seen that disease in the parent will produce idiocy in the child; this is arrest of cerebral development. That it will produce early death; this is arrest of development. Beside these, arrest of development takes place in various other forms, at different stages and under widely differing circumstances. Excess of the passions prevents mental organization, and neglected childhood even, produces the equivalent of arrest of development; for, as in the case of the idiot, the arrest of cerebral development is caused by want of alimentary nutrition to the brain; so in the untaught child we get arrest of cerebral development caused by neglecting to furnish properly organized experience of the right relations of human beings to each other, which gives us a corresponding moral idiot. Men do not become moral by intuition.

Indeed, the whole process of education is the building up of cerebral cells. For the purpose of a concise explanation, it may be said that there are four great subdivisions of the nervous system, each one of which presides over, co-ordinates and controls a separate set of functions. 1. The ganglionic nervous centers which connect the heart, lungs and internal viscera with each other and with the brain, bringing them into sympathetic action. 2. The spinal chord, which chiefly presides over the movements of the limbs and body. 3. The sensational centers, which register the impressions gathered by the senses. 4. The ideational centers, that enable us to reason, to think, to will, and, with this last, the moral nature. The ganglionic centers are, in a certain sense, subordinate to the spinal nerve centers; these, in their turn, are subordinate to the sensory centers; and these last are subordinate to the controlling action of the hemispheres of the brain, "and, especially to the action of the will, which, properly fashioned, represents the governing power of the voluntary actions." * While the

* Maudsley, *Physiology and Pathology of the Mind*, pp. 54, 55.

mind is the last in order of development, it is the first in importance, and "instead of mind being a wondrous entity, the independent source of power and self-sufficient cause of causes, an honest observation proves incontestably that it is the most dependent of all natural forces. It is the highest development of force, and to its existence all the lower natural forces are indispensably prerequisite."* This all-important will does not usually reach its full growth till between the thirtieth to the thirty-third years, and "is entirely dependent for its outward realization upon that mechanism of automatic action which is gradually organized in the subordinate centers—the cultivation of the senses are necessary antecedents to the due formation and operation of the will." † We must therefore distinctly accept as an established educational axiom, that the moral nature—which really means the holding of the emotions and passions under the dominion of the judgment by the exercise of will—is the last developed of the elements of character, and, for this reason, is most modifiable by the nature of the environment.

Leaving this branch of the inquiry we now come to the consideration of some of the English experience in the study of crime which bears on this question. Neilson, ‡ classifying the total male population of England and Wales so as to divide them into successive terms of life as follows, from 10 to 15, from 15 to 20, from 20 to 25, from 25 to 30, from 30 to 40, from 40 to 50, from 50 to 60, found that age affected the tendency to crime in a remarkable degree. The maximum proportion of male criminals he found between the ages of 20 and 25, where the percentage of crime, as compared to the total male population of the same age, is .77.02 per cent, while, between 50 and 60, the percentage to total population of the same age is only .16.94 per cent. That the same law holds good for women, but in different ratios, and that the tendency to crime at each successive term of life above enumerated decreases from 20 years at the rate of 33.333 per cent for males and 25 per cent for females. Now this gradual decrease is precisely what might be expected from the operation of the law of cerebral development above explained. From 15 to 20 the emotions and sensations are more active proportionately than they are at a later age. It is not that temptation is stronger, but that the will has not yet become fully organized, and, therefore, fails to govern the conduct. The formation of the character up to this time has been largely through precept and example; experience has not yet come to teach, in its fullness, that a present self-denial may lead to a future greater advantage. But after twenty the formation of the character depends more upon experience, for the

* Id. 60.

† Id. 92, 93.

‡ F. G. P. Neilson, *Vital Statistics*, p. 404.

man of 25 does not find the same excuse granted for his misdeeds that the lad of 20 did; the will begins to be organized under what might be called social compulsion so as to become an efficient factor in conduct, and as it gradually strengthens by wider experience, the grown man sees the short-sighted policy of a criminal career, and accommodates himself to social requirements.

This demonstrates that the natural process of the development of nerve tissue is a spontaneous and enormous force, capable of assisting in the work of reforming vicious and criminal lives. So long as there is growth, there can you produce change. Per contra, wherever you can change the environment so that the sensations, the experience, the habit of steady attention become automatic, you have at your disposal the means by which this will can be so developed, organized and made steady, that it can serve as a guide and as a restraint in the future career of the person so transferred to new environment. Here is the probable explanation of the spontaneous reform of criminals whose cases are recited above. In spite of early training which was vicious, in spite of our penal servitude, which is execrable, and not in consequence of it, we find that the disadvantages of criminal life have been weighed against the advantages of liberty and good repute, and a new course adopted without any adventitious encouragement from reformatory institutions. The law would seem to be that development is in the direction of least resistance. Hence the value of good environment and the power of skillful training which removes obstacles to sound physical and mental organization and, to an extent, artificially contrives to open up the direction of least resistance in the channel of the established laws of social order.

But the statistical proof of a steady decrease of crime among males of 33 per cent for every term after 20 years of age, which, it has just been argued, is accounted for by the growth of the will up to maturity, does not account for the decrease after that time. The facts collected in this report show that, as life wanes, the tendency is to pauperism, which is only another word for decrease of activity; and we have seen that the essential characteristic of aggressive crime is vitality; thus we get a gradual substitution of careers, from the criminal to the non-criminal, thence to the pauper, which glide into each other in so natural and steady a procession, that the ratio of decrease in crime, according to the successive terms, is steadily continued to the end of life.

We must not lose sight of a very important element in this connection. Although we have very little positive knowledge of the death rate among criminals, we do know that fatal diseases are much more prevalent among them than with the average of men, and the large number of orphans in their ranks indicate how large a proportion of

them are short lived by inheritance. But this inherited brevity of life and this diseased condition, we have already found, were merely the physiological aspect of what we call pauperism in its social aspect, and is merely the terminal point of a long succession of stages in the career of mendicancy. We may say, therefore, for convenience, that the ratio of decrease in crime at successive periods is affected by death, pauperism and reform, the order of importance which these play being as herein stated.

Intermittent industry.—The most conspicuous and uniformly noticeable trait of the true criminal is that he lacks the element of continuity, of effort. Steady, plodding work, which is the characteristic not only of honest and successful individuals, but also of all nations that have made a mark in history, is deficient in him, and needs to be organized as a constituent of his character.

It has already been said that Max was "a hunter and a fisher," and in his industrial habits he is not only the type of his descendants, but the organizer of their unfavorable condition. The great mass of them are of the grade of laborers, engaged in what may be called *intermittent industries*. Of the whole number of men, not 20 are skilled workmen, and of these, 10 have learned their trades in State prison. Now the industries in which the bulk of this population are engaged leave from three to four months of idle time during the most inclement season of the year. The natural result is, they fall into habits of idleness, rely upon town help to get them through the winter, or take to tramping. This fluctuating state is full of all sorts of dangers to those who are exposed to it, and tends to perpetuate the social condition of the Jukes, which leads us to consider the question of industrial training.

Industrial training.—Having reviewed the evidence collected, it may be well, perhaps, to draw some conclusions upon the methods to be employed in stemming the stream of vice and crime, which year by year grows broader, deeper and more threatening.

We have seen that disease produces a deadening effect upon the moral sense, that intemperance is a vice growing largely out of some form of waning vitality, actual or potential; that pauperism is also largely owing to the same process, and that the career of the criminal frequently begins and ends in the poor-house, the middle of life, when the vitality is strongest, being spent in deprivations upon the community. Behind all this, and in a certain sense antedating it, we find fornication, swiftly followed by diseases that undermine the vital force and literally produce idleness in some shape, which is fortified by the cessation of work, so that both surroundings and proclivities are cumulative. Now, the direct effect of idleness upon human beings is, that the

vital force having ceased to be expended in labor, must find another mode of activity, and the one which presents itself as the most alluring is sexual excess, which propitiates premature decay in various forms of disease, the latter bringing in their train a condition of pauperism.

The argument for early marriage in a previous portion of this report is strengthened by the fact that marriage brings with it the cares and obligations of rearing the family, and this is labor both physical and mental, which has a salutary effect in this respect upon women as well as upon men.

In the training of certain idiots, one of the greatest impediments in changing their condition is found in the sexual orgasms to which they are addicted, the practice of which perpetuates their idiotic condition. Now the first step in the improvement of this class is to check their vice, and the main reliance in this respect is occupation for the mind and limbs, medication being only an auxiliary. In the institutions for the training of these unfortunate beings they are constrained to activity of some kind; their inert limbs are made to move, sometimes by the nurse, sometimes by some mechanical contrivance which compels the flexion of the limbs, and their senses are gradually developed by having them arbitrarily exercised in an appropriate way to the object to be attained. The result of this close and continuous turning of their attention to objects of the external world, educates what little they possess of mind and produces fatigue, so that, when they are laid down, they fall to sleep at once without chance of sexual abandonment. It is the duty of the nurse to make sure of that each evening, and to be ready to occupy the patient the moment he wakes in the morning. Without this there is no cure. The lesson is, that the expenditure of the vital force in the direction of industry, subtracts just so much from sexual indulgence and reduces it to healthy periodicity.

The direct effect, therefore, of industrial training is to curb licentiousness, the secondary effect to decrease the craving for alcoholic stimulants, and reduce the number of illegitimate children who will grow up uncared for. It will also cause the gradual appearance of new sets of wants which will express themselves in a higher standard of living, and concomitantly promote the habits of industry which will enable those wants to be satisfied. In this way the log huts and hovels, which now form hot beds where human maggots are spawned, will disappear. In their stead will be erected houses that will admit of separate sleeping apartments for the sexes, the mental attributes will gradually develop, aesthetic tastes take the place of debauchery, and a new social equilibrium be established.

*See cases 2, 6, 30, 31.

The great problem is, how is this change to be effected? In the first place, we have seen what a powerful agency is environment in determining the career, therefore, any child of criminal parents should be withdrawn from the influence of such a home, and the younger the child, after it is weaned, the better the chances of success. In the second place, the family is the fundamental type of social organization, and, as we found it was necessary to take the family in its successive generations as the proper basis for a study of our subject, so have we found, in those cases where the established order of society has spontaneously produced amended lives, that the family hearth has formed the essential point of departure.* Accepting this, then, as a lesson and a model, any institution that proposes to deal with the reformation of delinquents must adopt some scheme which shall embody this fundamental relationship. Remember that love of home and pride in it are two of the most powerful motives in preventing vagrancy, and in organizing an environment that shall perpetuate these essential domestic sentiments.

Condemning the congregate system as inadequate to inspire these sentiments, the next question is, what is industrial training? When that term is used, much more is meant than formal instruction in a trade. It is contemplated that, in a properly ordered scheme of reformation, something like general training of the faculties must be provided for. Our reform schools must inform and develop the senses of touch, hearing, sight, smell and taste, so that the mind shall be filled with the knowledge of things, instead of being left vacant of every thing except a memorizing of words. With the use of the faculties will gradually be developed varieties of emotion and intelligence, which, tending to activities in their own direction, will reorganize the career of the individual so that criminal or vicious courses will be supplanted by automatic virtue.

Every reformatory should take for its model of school training, either the kindergarten education or the method of object lessons, or some modification of these which is practicable, for the youth of this class, if not moral imbeciles, are moral infants. The advantage of the kindergarten instruction rests in this, that it coherently trains the senses and awakens the spirit of accountability, building up cerebral tissue. It thus organizes new channels of activity through which vitality may spread itself for the advantage of the individual and the benefit of society, and concurrently endows each individual with a governing will. Such an energetic, judicious and thorough training of the children of our criminal population would, in fifteen years, show itself by the great decrease in the number of commitments.

The results of training, above recited, are not to be found in the ordinary reformatories conducted upon the congregate system, and are still less to be found in our penal and correctional institutions for

adult offenders. Indeed, so conspicuous is the failure of the entire machinery of the punitive and reformatory institutions of our State, that we cannot call these establishments the results of the wisdom of our generation, but rather the cumulative accidents of popular negligence, indifference and incapacity. The examination of the jails to which your committee has been assigned, has profoundly shaken his faith in any mere institution as an agent in the reform of the erring. It is with this conviction I feel prompted to say, that the chief reliance must not be placed upon institutions of any kind, whether voluntary or State, for the tendency of such is to break down the spirit of independence and self-reliance of their inmates, and these are most potent motives in making a man care for himself.

I now have in mind an extensive employer of labor, whose works are near the original settlement of the Juke family, and who employs several members of it. His rule is to treat them with firmness and with unvaryingly scrupulous fairness. He never swerves from what he says, and never evades a promise made. This establishes over them an empire that makes them trust him, and when they get into difficulties, they come to him for advice. He acts as their banker, encourages them to save, and in the case of boys from 13 to 15, who have formed acquaintance of licentious women, he interposes his authority and checks their career of licentiousness by establishing a bond of mutual good faith between himself and the offender, the latter promising to discontinue his courses if his former conduct is not reported to his parents. In this way is established a desire for the respect of this employer, and by means of it, an ascendancy is gained that tends to check many an incipient crime; but he never lets his relations with them fall into the weakness of patronage. He is school trustee, and where widows depend upon their boys for support, he arranges that they shall work for him, and go to school alternate weeks. He has not taken up this work as a "mission," but strictly as a business man, who, finding himself placed where he must employ the rude laborers of his locality, deals with them on the sound and healthy basis of commercial contract, honestly carried out and rigidly enforced.

It is such a class of employers who are needed to deal with the criminally inclined; men who understand human nature, rightly estimate the lack of social opportunity which encompasses a population of "Jukes," and can make allowances for the shortcomings and frailties of a class who are less evil in nature than they are untrained in conduct. If such prudent persons could be enlisted in the work, they would prove the most efficient of all reformers, because reform would be secured under liberty, the only ultimate test of self-balance.

Having passed in review all the different sections of the subject of

inquiry, we now make generalizations, some tentative, as to the relative influence of heredity and environment in the shaping of careers.

1. Where the organization is structurally modified, as in idiocy and insanity, or organically weak, as in many diseases, the heredity is the preponderating factor in determining the career; but it is, even then, capable of marked modification for better or worse by the character of the environment. In other words, capacity, physical and mental, is limited and determined mainly by heredity. This is probably because these cerebral conditions are fixed during the period of ante-natal organization.

2. Where the conduct depends on the knowledge of moral obligation (excluding insanity and idiocy), the environment has more influence than the heredity, because the development of the moral attributes is mainly a post-natal and not an ante-natal formation of cerebral cells. The use to which capacity shall be put is largely governed by the impersonal training or agency of environment.

3. The tendency of heredity is to produce an environment which perpetuates that heredity: thus, the licentious parent makes an example which greatly aids in fixing habits of debauchery in the child. The correction is change of environment. For instance, where hereditary kleptomania exists, if the environment should be such as to become an exciting cause, the individual will be an incorrigible thief; but if, on the contrary, he be protected from temptation, that individual may lead an honest life, with some chances in favor of the entailment stopping there.

4. Environment tends to produce habits which may become hereditary, especially so in pauperism and licentiousness, if it should be sufficiently constant to produce modification of cerebral tissue.

If these conclusions are correct, then the whole question of the control of crime and pauperism become possible, within wide limits, if the necessary training can be made to reach over two or three generations.

5. From the above considerations the logical induction seems to be, that environment is the ultimate controlling factor in determining careers, placing heredity itself as an organized result of environment. The permanence of ancestral types is only another demonstration of the fixity of the environment within limits which necessitate the development of typical characteristics.

The details given of the Juke family take in only a fraction of the domain of investigation into crime, its cause and cure. The essential characteristics of the group are great vitality, ignorance and poverty. They have never had a training which would bring into activity the aesthetic tastes, the habit of reasoning, or indeed a desire for the ordinary comforts of a well-ordered home. They are not an exceptional class of people: their like, and it may perhaps be added with truth,

extensive families, their like, may be found in every county in this State. It is for this reason that an exhaustive analysis of this particular family becomes valuable, because the inductions drawn from their careers are applicable to a numerous and widely disseminated class who need to be reached by similar agencies.

The study here presented is largely tentative, and care should be taken that the preliminary generalizations announced be not applied indiscriminately to the general questions of crime and pauperism, for we are here dealing mainly with blood relations living in a similar environment, physical, social and governmental, in whom the order of events noted may be hereditary characteristics peculiar to themselves, and not of universal and unvarying recurrence.

It, however, opens the way and supplies the method for a study of other classes of cases, supplementing and complementing it by other distinctive categories which present a different point of departure, whether it be the progeny of influential landed proprietors who lose their estates and fall into crime, or the children of people of culture and refinement who become felons; or again, of the converse of these, of children whose parents were criminals, and yet have re-entered the ranks of the reputable.

Different kinds of crime need special study. Thus, crimes of contrivance in their various forms, as burglary, embezzlement; crimes of education, as forgery; crimes of brutality, as malicious mischief and murder; crimes of cunning, as pocket-picking, false pretenses; crimes of weakness, crimes of debauchery, crimes of ambition, crimes of riches, crimes of disease. Pauperism also needs a series, and this and crime need to be compared to each other, and, respectively, to a third series, investigating the growth and permanence of generations morally developed. The study of crime thus pursued would give us a classified variety of characters, conditions and tendencies covering gradations so perfectly distributive that we could take any typical case, follow from this as a central point in any direction and note the shades of change which lead to other typical cases and so get a right conception of the continuity and essential unity of sociological phenomena, and, perhaps, discover a law of social equivalents.

Such a series as is here indicated would form a body of evidence which would furnish data enabling us to pronounce judgment upon any scheme put forth to counteract the increase of crime, and supplant the empirical method now in vogue, by one of exact and well founded laws, derived from a patient and extensive study of the phenomena involved.

These views are sustained in a paper read at Cincinnati, October 12, 1870, before the National Congress on Penitentiary and Reformatory Discipline, by Sig. M. Beltrani-Scalia, inspector of prisons in Italy.

of 2,800 years of relief. Allowing 150 years of alms-house life at \$100 a year, the sum expended equals \$15,000, and for 2,150 years of outdoor relief, at the moderate rate of \$15 a year, \$32,250, making an aggregate expenditure of \$47,250 in 75 years for this single family, 52 per cent of whose women are harlots in some degree. Making a like computation for the other items of the schedule, allowing for all contingencies, the estimate may be thus summed up:

	Cost.
Total number of persons.....	1,300
Number of pauperized adults.....	280
Cost of alms-house relief.....	\$15,000.00
Cost of out-door relief.....	32,250.00
Number of criminals and offenders.....	140
Years of imprisonment.....	22,000.00
Cost of maintenance, at \$300 a year.....	250
Number of arrests and trials, \$100 each.....	25,000.00
Number of habitual thieves, convicted and unconvicted.....	730
Number of years of deprivation, at 12 years each.....	86,400.00
Cost of deportation, \$120 a year.....	7
Number of lives sacrificed by murder.....	8,400.00
Value, at \$1,200 each.....	50
Number of common prostitutes.....	15
Average number of years of debauch.....	750
Total number of years of debauch.....	\$300.00
Cost of maintaining each per year.....	225,000.00
Cost of maintenance.....	40
Number of women specifically diseased.....	10
Average number of men each women contaminates with permanent disease.....	400
Total number of men contaminated.....	40
Number of wives contaminated by above men.....	440
Total number of persons contaminated.....	88,000.00
Cost of drugs and medical treatment during rest of life, at \$200 each.....	3
Average loss of wages caused by disease during rest of life, in years.....	1,300
Total years of wages lost by 400 men.....	600,000.00
Loss, at \$200 a year.....	10
Average number of years withdrawn from productive industry by each courtesan.....	500
Total number of years lost by 50 courtezans.....	62,500.00
Value estimated at \$125 a year.....	50
Aggregate entailment of life of 490 adults, equivalent to 50 mature individuals.....	60,000.00
Cash cost, each life at \$1,300.....	300
Aggregate of children who died prematurely.....	2
Average years of life of each child.....	15,000.00
Cash cost, each child at \$50.....	29
Number of prosecutions in bastardy.....	2,000.00
Average cost of each case, \$100.....	20,000.00
Cost of property destroyed, blackmail, howels*,.....	6,000.00
Average capital employed in houses, stock, furniture, etc., for brothels.....	15,000.00
Compound interest for 20 years at 6 per cent.....	10,000.00
Charity distributed by church.....	5,450.00
Charity obtained by begging.....	1,308,000.00
Total.....	\$1,308,000.00

* One house, with furniture worth \$1,300, was burned by a mob.

Over a million and a quarter dollars of loss in 75 years, caused by a single family 1,200 strong, without reckoning the cash paid for whisky or taking into account the entailment of pauperism and crime of the survivors in the next generation, and the incurable disease, idiocy and insanity growing out of this debauchery, and reaching into the third and fourth generation. It is getting to be time to ask, do our courts, our laws, our alms-houses and our jails deal with the question presented?

NOTE.—The line of inquiry and study which Mr. Dugdale has pursued in the work briefly recited in these pages, will be useful in aiding the efforts of all persons who are searching out the preventable sources of crime and endeavoring to repress and diminish the criminal offenses which afflict society. Whoever will carefully investigate the history of individual offenders and their crimes, and trace out the careers of typical members and groups of the offending classes, will recognize the practical bearings of such definite and comprehensive study of the physical, mental and social circumstances under which the various classes of criminals are nurtured in the midst of the people until they grow up into the habits and instincts of criminality.

The criminal is a morbid product of the community, the family and the various circumstances of daily life in which his childhood is spent. The departure downward, from virtue to vice and crime, is undoubtedly possible in the career of any youth, because the passions ungoverned, the will and conscience stupefied, perverted or even occasionally overcome by disease—as in epilepsy or by wrongly indulged appetites—may result in criminal as well as all sorts of vicious acts. But the number of really healthy, vigorous and reasonably well born and well trained children who ever fall into a career of crime, is exceedingly small. Even the accidental fall of such persons admits of rescue. The habitually criminal classes spring almost exclusively from a different stock; their youthful days were spent in vicious indulgence or amidst the degrading and blighting surroundings of physical and social debilement, with only a flickering of the redeeming and saving influence of desire and hope for a virtuous and useful life, and at the late day when the laws against crime have overtaken them and brought them before courts and consigned them to prisons, the habits of vicious thought and criminal action have acquired the strength and quality of instincts. The criminal career of the offender so trained, becomes at last a reckless warfare against society and its ministers of justice; the timid carrier of stolen pelf may soon become an astute burglar, armed with deadly weapons, and thenceforward any desperate crime may follow.

It is not on account of an effeminate sentiment of pity for the offender, but for the sturdy purpose to protect society and to save from crime and the causes of crime, that the history and characteristics of criminals are investigated, and the methods of dealing with them in the name of justice and for purposes of penal discipline closely inspected. Whoever will pursue this kind of investigation concerning the offending classes will soon recognize the fact that the outgrowth of criminal character, as well as the chief problems in the prevention of crime, must be considered upon a basis of comprehensive knowledge of the bodily and mental states,

and surrounding physical conditions which characterize the lives of criminals. Not only do the most available and effective correctional and reformatory measures depend on the practical recognition of disordered and vicious states of the bodily, as well as the moral life, but all experience is proving how true it is that the real and permanently preventive measures against crimes have to be applied in the home life of the people. The remedial and repressing penal discipline of convicts is sought as the chief end of public justice in our prisons and reformatories, and although this is a necessary and by no means fruitless public duty, it is vastly more expensive and unsatisfactory than the application of preventive measures. The penal treatment of offenders being within the domain of the State police and judicial authority, must be enforced, however ignorantly or imperfectly; but the truly preventive means must be adjusted within the bosom of society, and will be available and effective just in proportion to the intelligence, health and active virtues of the people. In the progress of medical science the study of the *rationalis* of disease, the close inspection of morbid as well as healthful conditions, has conduced to a correct understanding of the preventable causes of sickness, and led to the last and most important branch of medical study, public hygiene, which mainly treats of the prevention and extinction of disease. In a like manner, the inquiry into the preventable causes of criminal and degraded lives needs to be pursued till we have acquired a mastery over them. The first reconnaissance of the home sources and haunts of the habitually criminal classes reveals the fact that, out of the same social soil from which spring the majority of the criminals, there, also, chiefly grow up the vagrants and paupers; the ignorant, vicious and incapable classes which annoy and burden the community. This important fact is worthy of the comprehensive study to which it is leading;—the revelation of the points of departure; the relative distribution; the correlations of pauperism, disease, vagabondage and crime; and the variety and sequence of the tributary agencies which produce these reciprocal results. It has become apparent that the prevention of crime requires the same comprehensive knowledge and treatment of the sanitary and physiological, the domestic and social, the educational, industrial and religious interests of the common people, as must be applied to prevent pestilential diseases, and the hereditary entailment of morbid qualities. Mr. Dugdale's investigation, in 1874, of the lineage and home life of one of the largest family groups of criminal and degraded classes ever studied; and, in 1875, his prosecution of a similar investigation in a large number of convicts in the prisons, taken at random, are efforts to establish such a consensus, the utility of which, in the promotion of sound and effectual measures to diminish the causes of crime, requires no discussion. In all that relates to human society and the wants of mankind, "the determination of evils is the first step to their remedies."

ELISHA HARRIS, M. D.,

Corresponding Secretary Prison Association of N. Y.

REPORT OF COMMITTEE ON THE INDUSTRIAL REFORMATORY AT ELMIRA.

The special committee of the Prison Association of New York, which was appointed at the stated meeting on the 27th of January, to confer with His Excellency Gov. Tilden and Hon. Mr. Robinson, the Comptroller of the State, concerning measures to secure the speedy preparation of the Elmira Reformatory Prison, and its proper inauguration, present the following facts concerning this subject:

At an early period of the history of this Association, very strong ground was taken in favor of a reasonable and necessary degree of classification of convicts in the State prisons, and when the special committee, consisting of Theo. W. Dwight and E. C. Wines, in 1867 submitted a general report on reformatories and prisons in America, the ground on this subject was well defined, and as respects the duty to young convicts, the position was taken that the State could not be justified in neglecting to provide for an entire separation, and strictly reformatory discipline and instruction of them.*

In the year 1867, the Convention to revise the Constitution of this

*The houses of refuge in this State had already provided for criminal children, but no special provision had been made for youthful felon prisoners over 16 years of age.

In the report of the Prison Association submitted to the Legislature in 1867 upon reformatories and prisons in the United States and Canada, the following statement was made concerning the importance of complete separation of the youthful criminals from the older and hardened prisoners: " * * * We recommend separate prisons for the young. We do not refer to reform schools or refuges, but to prisons in a strict sense. Two advantages arising from the division of prisoners, according to sex, economy in construction and simplicity of management—would be still further promoted by a division according to age. In such a division there would be the added advantage of withdrawing from such youthful transgressors the frequent spectacle of men and women, who have been convicted of crime, and who are undergoing punishment, a sight in itself demoralizing, and to which they would be exposed, even though the arrangements of the prison should be such as to guard against the greater evil of contamination through promiscuous intercourse. In prisons of the kind here proposed, greater attention could be given to education than would be proper in institutions designed for offenders of more advanced age. Indeed, the whole might properly be made to assume the character more of a well conducted work-house school, than an ordinary prison."

This Association, in its report to the Legislature on the 12th of January, 1869, appealed to that body for the establishment of a reformatory prison for young criminals in the following words:

"The Prison Association respectfully but earnestly ask the Legislature of the State of New York to take action during its present session on this very important matter. The creation of a prison of the kind recommended would afford an opportunity of testing, on a small scale and under the most favorable circumstances, what is now generally known as the Irish system of prison discipline—a system which seems fast drawing to itself the suffrages of the civilized world, as being the nearest approach to the adequate and successful solution of that great problem of the age, the treatment of crimes and criminals.

"We need hardly add, for it will occur to the Legislature as readily as to us, that such an institution, if created at all, should be kept out of the melitrom of party politics."

State agreed upon a radical change in the source and tenure of the governing authority for managing the State prisons, and although that proposed amendment failed, because the entire work of the convention failed to be ratified, this Association pressed forward the duty of providing that a reformatory prison should be so constructed, and adequate land and a suitable method of administration be secured by law. Therefore, the Legislature of 1867 enacted a suitable law for appointing and guiding a special commission to select a place and prepare a plan for such an institution.

An Act was passed on the 27th of April; the commissioners appointed under that Act reported to the Legislature early in the winter of 1870, and the two Acts, which confirmed the purchase of the grounds and the proposed plan for the prison reformatory, ensued before the Legislature adjourned. (See chapters 108 and 427, Session Laws of 1870.)

The report of the commissioners on location and plan for the Reformatory was so promptly and cordially approved by the State, that no apprehensions were then indulged concerning the speedy and economical preparation of the farm and structures, which were so well described in the first report. But sharing the fate of every public building in this State, the structures for the proposed Reformatory were projected upon a scale of extravagant expenditure quite uncalled for and faulty. The unnecessary delay in completing the buildings and preparing the premises, has greatly aggravated the evils which were to be mitigated and prevented by this new institution, which, as an "Industrial Reformatory," should receive the greater proportion of young, first-term convicts, who, in the common jails, State prisons and penitentiaries, will almost inevitably sink into the ranks of habitual criminals. Every year several hundred, quite as many as the Elmira reformatory could annually admit as prisoners, being young, first-term convicts, are sentenced to the prisons and penitentiaries in this State for felonious crimes, and in the five and a-half years that have elapsed since the commissioners for the construction of this industrial reformatory were appointed, upwards of 2,000 such prisoners have been committed to our State prisons and penitentiaries, and a great number of the same 2,000 youths are already undergoing their second term of State imprisonment, because in their first term of incarceration they completed their alliance with the habitually criminal classes. The State, as well as the individuals who offend, have thus suffered needless harm.

The great amount of money invested in the property of the Industrial Reformatory remains unproductive; the interest on more than \$500,000 is lost. Thirty-five thousand dollars annually will thus be sunk and wasted each year, if the institution remains unorganized and unused. The urgent necessity for the speedy preparation and occupancy of the

premises is so great, that the mere pecuniary loss of the simple interest of the public funds already invested for the construction bears no sensible proportion to the loss incurred in the delay to begin the reformatory and preventive work of the institution. It is important that the causes which are delaying and extending the work of construction should be overcome. This is a great work of the State for the peace, safety and prosperity of the people, and to delay, pervert, or in any manner to prevent it, must be regarded as a public wrong.

The last Legislature and the present superintendent of the construction have advanced the work toward its completion so far, that as the accompanying note from the superintendent shows, the essential portions of the structures are practically in readiness for their furniture. Hence it seems necessary and proper to renew the argument which induced the Legislature to purchase the farm and order the construction of the buildings.

The superintendent's letter to Dr. Wey of Elmira, who, as the local representative of this Association at Elmira, conferred with that officer (see letter marked A), the original statement on the purposes of penitentiary and reformatory treatment for which the institution was designed, as stated by one of the undersigned in respect to the views of the commissioners who selected the farm and submitted the original plan (see statement by Theo. W. Dwight, marked B), and the report of the first commission as submitted on the twenty-fifth of January (report marked C), as we herewith present them, clearly show that the original purposes of the reformatory claim the earnest attention of the Legislature, and further, also, that they should secure the inauguration of the essential portions of the plan defined in the statute of April 1870, for organization and government of this industrial reformatory.

In the report of the first board of commissioners, only \$200,000 were deemed necessary for the expenditures required to prepare the reformatory. The original purposes of the institution can be best attained by economical methods of construction, improvement and administration. The good examples of the Albany penitentiary and the Allegheny house of correction (in Pa.) have proved that convicts themselves not only may earn their own *subsistence* and pay all the expenses of a penitentiary, but that they can also build and complete all the structures, and make most of the furniture of a prison.

In concluding this statement, the undersigned, on behalf of the Association and in the name of the people, most earnestly request that the purposes and general provisions of the plan prescribed in the statute under which the construction of this institution was commenced shall be carried into execution. They especially invite attention to the fact, that in the first place this industrial reformatory was designed to reform

and save young criminals by the aids which efficient discipline, useful and well suited industries, habits of steady and well organized labor, the culture of the mental and moral faculties, and the influence of good examples and wise treatment can offer.

Secondly, that great care is to be used in the experiment which this reformatory presents, and that no second term convicts or habitual criminals are to be admitted. The courts of this State being instructed by the statute of 1870, will second and secure these purposes.

Finally, the reformatory is so urgently needed that the necessary furniture and outfitting for a limited portion of the buildings, at least to the extent of requirements for 300 prisoners, should be provided as soon as practicable, and that such a board of managers and officers under them should be provided as will give full effect to the great design of the institution.

Respectfully submitted.

(Signed) THEO. W. DWIGHT,
CEPHAS BRAINERD,
ELISHA HARRIS,

Committee on the State Industrial Reformatory of N. Y.

(A.)

OFFICE OF J. R. THOMAS, ARCHITECT,
ROCHESTER, N. Y., January 1, 1876. }

DEAR SIR— * * * “The centre structure and south wing of the reformatory (as far as relates to the construction of the buildings) are about completed. The heating apparatus and some minor items remain to be done to complete the buildings ready for finishing. These items will be attended to as fast as practicable. At the request of Governor Tilden, I have written him very fully in regard to the progress and condition of the reformatory, and I think he will, in his message, recommend that the centre building and south wing be furnished this coming spring and that a warden be appointed. * * *

I am, yours, with great respect.

J. R. THOMAS.”

(B.)

Dr. Dwight gave an account of the plan of organization of the new penal and reformatory institution in the sixth district of this State. In accordance with the provisions of the law, the Governor appointed five commissioners, to choose a location and present a plan, of whom Dr. Dwight was one. The commission selected Elmira. They then felt that they ought to adopt some of the improved methods of prison discipline. In their opinion, the best method is to take a young class of

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criminals—between the ages of sixteen and thirty—sixteen being the age at which criminals are no longer admissible to the house of refuge. “We thought it better,” continued Dr. Dwight, “to take only those sentenced for their first offense. Our idea then was to bring to bear on these persons reformatory influences—reformatory as distinguished from penal. We adopted the main thought of the Irish system, namely to commence a course of discipline with strictly solitary confinement. We purchased a farm of 250 acres. Our design was to inclose fifteen or twenty acres with a high wall, rendering escape from this inclosure impossible; but to allow to such as behave well the comparative freedom of the Irish system, and to employ them in labors upon the farm.

“With regard to sentences: in all cases where, under the present law, criminals are sentenced for a term less than five years, inmates of the new reformatory should be sentenced until reformation, not exceeding five years, which would give the managers power to discharge reformed criminals before the expiration of five years. Where any persons are sentenced for a term exceeding five years, the shortening of their term will be left to the operation of the commutation laws. Our object is to try the experiment of reformatory sentences. We thought that possibly the “mark system” as practiced in Ireland may be so applied as to determine the duration of imprisonment, but this is left to the discretion of the managers.

“Our next thought related to management. How shall an efficient warden and board of managers be secured? We all know the detrimental influence of the working of the present system upon the prisons of New York. Our prisons are given over to party politics. One inspector is elected each year to serve three years. The result is continual change. The system should be abandoned altogether.

“Our commission adopted the plan recommended by the Prison Association to the constitutional convention. Five managers are to be appointed by the Governor, each of whom shall hold office for ten years. They are to serve without any compensation other than their traveling expenses, and are to appoint the warden, physician, chaplain, and clerk. The warden is empowered to appoint and remove subordinate officers. He is made removable only for cause, and entitled to a hearing before removal. At present the inspectors elect all deputies. Our plan introduces the principle of responsible government, which is the only good government. We discard the contract system. The warden is the superintendent of the industries as well as of the discipline of the institution, and he is responsible for its success. The board of managers are to be the building committee, and not to take another committee’s plan of an edifice, and then graft upon it their own system of organization. Our thought is, that they will associate the warden and architect—appoint the warden first, and let him counsel and instruct the architect. The Legislature has the sole power to fix the salaries of the officers, but we shall attempt to secure the passage of an act giving this authority to the board of managers, with perhaps some restriction in the shape of a maximum. We further propose to have a superintendent of discharged convicts for all the prisons, especially for the new one, who shall be authorized to make suggestions to the Legislature.

(C.)

PROPOSED STATE REFORMATORY FOR THE YOUNGER CLASS OF CONVICTS.

[In the legislative session of 1868, a bill was introduced by Senator Chapman into the Senate of New York, providing for the appointment of a commission to select a site for a new State prison. At the suggestion of the Prison Association, the bill was amended so as to designate the new institution as a reformatory instead of a prison, and also adding to the duties of the commissioners that of reporting some general plan of organization; and in that form it became a law. The results of the inquiries and study of the commissioners is presented in their report to the Legislature. This paper is a document of great significance; and, if its principles and recommendations shall be embodied in legislation, it will, we are persuaded, mark an era in the history of penitentiary science, and especially of its practical applications. We offer no apology for incorporating it entire into the permanent records of the Association.]

REPORT OF THE COMMISSIONERS TO SELECT THE PLACE AND PREPARE THE PLAN.

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

GENTLEMEN.—The commissioners appointed by His Excellency the Governor of the State of New York, under chapter 408 of the Laws of 1869, authorizing the selection of commissioners to recommend a suitable location for a State penitentiary or industrial reformatory, respectfully report:

The act under which they are appointed provides that they shall select a suitable site in the sixth judicial district (comprising the counties of Otsego, Delaware, Madison, Chenango, Broome, Tioga, Chemung, Schuyler, Tompkins and Cortland), upon which to erect a State penitentiary or industrial reformatory; and also requires that they shall report a plan for the organization and management of the proposed institution, subject to the approval of the Legislature.

I. THE PLAN OF ORGANIZATION.

The subject of prison discipline has received increased attention within the last few years, and many new ideas and reforms have been introduced into penal institutions abroad, as well as suggested by the results of experience at home. It is expedient that these should be embodied, as far as practicable, in the plan of the institution which is submitted for the sanction of the Legislature.

It is not our purpose, in this report, to give in detail the reasons which have led experts in prison discipline to their conclusions, but rather to state the results of our own reflections, and of such study as we have been able to devote to the opinions and practice of others. We desire to sum up, in as few sentences as possible, what, in our judgment, can be accomplished by a properly organized reformatory, and to give an outline of its organization.

It is apparent that the law under which we act does not contemplate simply another State prison. In referring to a reformatory, we assume that the design of the Legislature was that there should be a selection, from the mass of convicted criminals, of such persons as are most likely to yield to reformatory influences. There is a large class of persons who are fit subjects of such an institution. The present law provides that criminals sentenced to the existing houses of refuge at New York and Rochester shall be under the age of sixteen. There are many young criminals, owing to this arbitrary rule, who are sent to the State prisons, to associate with mature and hardened convicts. Again, it is said that courts, in some instances, wink at a violation of the law, and send criminals over sixteen and under twenty-one to the house of refuge, where they cannot properly be cared for, and where their presence produces an injurious effect upon the younger inmates. This state of things should no longer continue, but provision should be made for an intermediate class, too advanced in years for a house of refuge, and yet not so mature as to be hopelessly beyond the reach of ordinary reformatory influences. After much reflection, we recommend that no persons be sentenced to the proposed reformatory, whose age is less than sixteen, or more than thirty years, or who shall be known to have been previously convicted of any felonious offense.

Assuming that the reformatory is designed for male criminals between the ages of sixteen and thirty, we think that the following general principles should be recognized as applicable:

1. The main design of the institution should be reformatory, as distinguished from penal. By this proposition, we by no means exclude punishment, which may be used as one of the leading instrumentalities in reformation. The criminal should be made to feel that the commission of crime is invariably attended with penalties, privation and suffering. In the outset he should be subjected to solitary confinement, from which he may learn his salutary lesson. He should then be made acquainted with the rules and regulations of the institution; be shown their propriety and necessity, and be informed that the authorities will insist on their full and exact observance. He must be made to understand that the removal of burdensome restrictions upon himself depends on his own volition, and that his destiny is, as it were, in his own hands. He will learn that a record will be kept, from day to day, of his good conduct, and that it will be made to tell in his favor. If his conduct be correct, privileges will be conceded to him; if it be bad or reprehensible, they will be withdrawn for a time, or perhaps forfeited. A portion of his earnings may be set aside for his use on the expiration of his sentence, to be increased or diminished in accordance with his merit. It may thus be reasonably expected that prison discipline may largely consist in the bestowal and withdrawal of privileges. In this way the inmate of the reformatory will be placed in a position resembling, more or less completely, that in which one is placed in ordinary life. In the approval which he receives daily for a life of merit, he will have a continual tonic to brace him against the effects of temptation and a lapse into vice.

We propose to carry this principle so far in the felonies for which minor punishments are inflicted, as to make the sentences substantially "reformation sentences." It has been a favorite theory of that distinguished criminal judge and philanthropist, Mr. Recorder Hill, of England, that criminals should be sentenced, not for a definite term of years,

as at present, but until they are reformed, which may, of course, turn out to be for life. While we do not propose to recommend this rule in full, yet we think that it has much to commend it in principle, and that it may safely be tried in a modified form. A sentence to the reformatory for so short a term as one or two years, while the commutation laws now in force, is not sufficiently long for the efficient action of reformatory agencies. We therefore propose that when the sentence of a criminal is regularly less than five years, the sentence to the reformatory shall be until reformation, not exceeding five years. There will thus be no inmate of the institution on whom the agencies of reformation cannot, if deemed expedient, be made to act for that period, while the time may be much shorter if the circumstances admit of it. This provision is confessedly in the nature of an experiment, and should it work well, it can easily be extended to other sentences. Should it be thought that too much power is given to the board of managers and the warden, to determine whether reformation has taken place, the answer is that their decision is not to be arbitrary, but based on some report of acts showing regular and steady improvement. Moreover, if our entire plan is carried out, it is believed that the board of managers and warden will be men of such solidity, judgment and excellence of character that they can safely be trusted with exalted responsibilities.

2. The State should, on its part, give every reasonable facility to the criminals in the reformatory to improve. It should definitely abandon the idea that the main consideration in a penal institution is to make it self-supporting or a pecuniary success. Labor should, of course, be insisted upon, and the industries of the institution should be as remunerative as may be consistent with the improvement of the inmates. The fact should never be lost sight of that these men are soon to go out from the walls of the penitentiary and mingle with their fellows, and the great question is, "are they to continue to prey upon society and to corrupt their associates?" At present, what great criminal ever dies without leaving offspring or a retinue as vile and worthless as himself? Unless a reformatory reduces this class of persons, it has no right to be sustained. If it does accomplish this object, then its existence is more than justified, though it shows no balance of profits. If the main intent, then, be reformatory, the industries must be selected and practiced with that end in view. For example, should it appear, as it probably will, that agricultural labor is a powerful agent in producing reform, it should be resorted to instead of mechanical industry. In the same spirit, the ignorant should receive the rudiments of education. Interesting, familiar and instructive lectures should be delivered from time to time, and all legitimate means adopted to excite and arouse attention and to lead the thoughts away from the unworthy subjects to which they have previously been attracted. Let the authorities co-operate with the prisoner, and his feeling of antagonism is allayed. He may come to consider the warden as a friend, stern and unyielding in correcting misconduct, and quick to perceive and warm to approve every act of merit.

3. The discipline formed on these principles should be systematic and persistently adhered to. There must be an independent board of managers, and a warden under them, who shall have supreme control of the prison and its industries. We are thus led to condemn the contract system of labor. This may be briefly defined to be a scheme whereby the State leases or lets the labor of the convict for a fixed sum per day to a contractor, at the same time furnishing greater or fewer facilities in

the way of shops and mechanical power, while the management of the prison industries is under the care of persons selected by the contractor. The leading and unanswerable objection to this plan is, that it tends to subvert the discipline. It introduces and maintains a power often antagonistic to the views of the warden, and directly or indirectly thwarting and overthrowing his authority. It tends to diminish his sense of responsibility, and to lessen his interest in executive management. Even in the best conducted prison it may introduce elements of insubordination and mutiny, like that which is recently reported to have nearly broken out in the State penitentiary in Massachusetts, simply because contractors, having arbitrarily given a daily allowance of tobacco to their workmen, as arbitrarily withdrew it. While we believe contract labor to be attended with other objections, we urge only that the authority of the contractor does not, and practically cannot, co-exist with a considerate, steadfast and equitable discipline. The interest of the contractor is one thing, that of the State and prisoner is often quite another. It is unjust to a warden, and often destructive to his influence and self-respect, to cause him to have a daily struggle between his own convictions of duty and the claims, importunities, and, perhaps, threats of contractors.

There is another element of a disturbing character, which has an injurious effect upon the stability and efficiency of prison discipline. We refer to political influences, the effect of which is almost universally deplored by thoughtful men. The inspectors are frequently changed by the mutations in political affairs; they are naturally beset by the men to whom they owe their elevation, for place and patronage. Wardens and keepers are thus selected for political reasons instead of personal fitness, and come and go with the political seasons. These evils are by no means local, but are generally felt in prison management throughout the country.

Is not the State of New York ready to take this whole question out of the domain of politics, and to govern her penal institutions as she manages her lunatic asylums, institutions for the blind and other dependent classes, by a board of managers selected for their fitness by the Governor and Senate? Largely considered, all these persons, convicts included, belong to the non-productive or dependent classes in society, and require philosophy in treatment and permanence and steadiness of discipline. At least may not this reformatory be organized on the same general plan which has already been applied to the Western House of Refuge at Rochester?

These considerations have led us to suggest an organization of the reformatory closely resembling that framed by the recent constitutional convention for prisons in general. This was carefully considered by many who had given particular attention to prison discipline, and was warmly approved.

We recommend, in substance, a board of managers consisting of five persons, to be appointed by the Governor with the consent of the Senate, to hold office for ten years, and to be so classified that one member goes out of office every two years. It is believed that such a board will be to a large extent removed from political influences. Its members are to have no compensation for their services, but are to receive their traveling and other official expenses. They are to have the general charge and superintendence of the institution, and appoint the warden, physician, chaplain and clerk. The latter officer will act as secretary of

the board of managers. The warden will appoint the other officers, will be responsible for their conduct, and be removable only for cause. The Legislature should provide a salary sufficiently liberal to secure the services of a thoroughly competent warden. The success of this scheme must largely depend upon the efficiency of this officer, and the best talent at command must be secured.

II. DETAILS OF MANAGEMENT AND DISCIPLINE.

We think that the members of the board of managers should be appointed at once, and should constitute the building committee. The institution will be so novel and experimental in its character that no mistake should be made in its design. Classification will be necessary, and the buildings must be so planned as to admit of it. The managers will no doubt give attention to the improved plans of prison architecture now adopted in Europe, and will be earnest and zealous in efforts to make the scheme successful. Every consideration leads to the conclusion that the managers should be charged with the arrangement of the grounds and the design and construction of buildings, with power to appoint a superintendent and other necessary assistants. While it cannot be expected that they will give gratuitously much detailed attention to the subject, they may fairly be held responsible for the skill and efficiency of their superintendent, and for such general supervision of the whole subject as the case may require. We also propose, that the plan of buildings which they may adopt shall be submitted for approval to the Governor, Comptroller and State Engineer.

While the board of managers are to be intrusted with the general management of the institution, it seems to us that there are a few points which should receive the sanction of the Legislature. The institution requires a farm of not less than two hundred and fifty acres. A plot of ten or more acres, embracing the buildings, will no doubt need to be surrounded with a wall of such a character as to forbid any reasonable prospect of escape. The want of such an inclosure is a serious obstacle in the way of efficient discipline in one or more of our State prisons. The prisoner must start in the career of reformation with the belief that there is no hope for him save in submission and obedience to prison regulations. Still our scheme contemplates that those who give evidence of reformation shall, at a certain stage in their penitentiary life, be permitted to labor outside of the prison walls in the open fields. Should advantage be taken of this privilege and an escape occur, the fugitive should, if recaptured, be compelled to serve out the time for which he was sentenced, whether the term of his original sentence had expired or not, and without reference to any lapse of time. This rule should be extended to all escapes whatever, but particularly to those where a privilege has been abused. Another suggestion is, that the number of prisoners should not be so large as to make it difficult or impracticable for the warden to form the acquaintance of each man, to become familiar with the peculiarities of his mind and modes of thought, and to devise the best way of influencing him. Experienced wardens believe this to be an important element in prison management, and an almost essential prerequisite to reformation. In this view, the number of prisoners should not exceed 500, and more than one prisoner should never occupy a single cell. We believe that it would strengthen the position of the managers and

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warden should the law imperatively require that no more than 500 criminals should ever be received.

A single additional remark concerns the disposition of discharged prisoners. We have considered the so-called "ticket of leave" system in England, and are not prepared to recommend its adoption. It is well understood that under that system the prisoner is at large, and yet not legally discharged. He is under the surveillance of the police, and, on being guilty of misconduct, he may be arrested and compelled to serve out his original sentence. This system must have a powerful influence in deterring a discharged convict from committing new crimes in a country where there is a regular police, where its territory is comparatively small, and where escape from observation is consequently difficult. But in our own country, where its territorial extent is so great, where there is no organized police beyond the large cities, where vast States are only separated by mathematical lines, and the means of travel are so ample and unrestricted, the "ticket of leave" system is believed to be impracticable.

We, however, recommend that the board of managers have the power to appoint an "inspector of discharged convicts," with a salary to be fixed by law, whose duty it shall be to watch over the interests of this class of persons, to find them employment, and to whom they may freely resort for assistance and advice. He should also report, from time to time, to the Legislature, such plans as experience may suggest for the regulation and aid of this class of persons.

We now bring together, for convenience of reference, our various suggestions in the form of propositions:

1. There shall be established for convicted criminals of an age not exceeding thirty, a correctional institution, to be called "The State Reformatory," and to be placed upon a farm of at least two hundred and fifty acres.

2. It shall be under the charge and superintendence of a board of managers of prisons, to be composed of five persons appointed by the Governor, by and with the advice and consent of the Senate, who shall hold office for ten years, except that the five first appointed shall, as the Legislature may direct, be so classified that the term of one shall expire at the end of each two years during the first ten years. The clerk of the reformatory shall be the clerk of the board. The members of the board shall receive no compensation other than reasonable traveling and other official expenses. The board shall appoint the warden, clerk, physician, and chaplain of the reformatory, and an inspector of discharged prisoners, and shall have power to remove them for cause only after opportunity to be heard upon written charges. All other officers shall be appointed by the warden, and removable at his pleasure. The Governor may remove the managers of prisons for misconduct, or neglect of duty, after opportunity to be heard upon written charges.

3. The persons to be sentenced to the reformatory are male convicts, not exceeding thirty years of age, and not known to have been previously sentenced to a State prison in this or any other State, or country, or to this reformatory. Where, under the law of the State, the sentence for crime is five years or more, the sentence to the reformatory shall follow the law, and the prisoner shall have the benefit of the commutation law, as applied to State prisons. Where the sentence is by law for less than five years, the sentence to this refor-