

SIXTY-FOURTH ANNUAL REPORT

OF THE

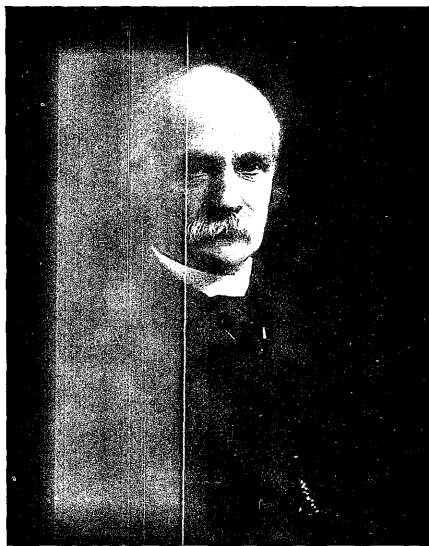
Prison Association of New York

1909

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

TRANSMITTED TO THE LEGISLATURE APRIL 26, 1909.

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SAMUEL J. BARROWS.

STATE OF NEW YORK

No. 38.

IN SENATE

APRIL 26, 1909.

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OF THE

PRISON ASSOCIATION OF NEW YORK.

HON. HORACE WHITE, *Lieutenant-Governor of New York:*

SIR.—In accordance with chapter 163 of the Laws of 1846, I have the honor to present the sixty-fourth annual report of the Prison Association of New York, and to request that you will lay the same before the Legislature.

Respectfully,

EUGENE SMITH,

President.

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OFFICERS FOR 1909.

President.

EUGENE SMITH.

Vice-Presidents.

WM. P. LETCHWORTH, ROBERT W. DE FOREST,
RT. REV. DAVID H. GREER, FELIX ADLER,
EUGENE A. PHILBIN.

Secretary.

SAMUEL M. JACKSON.

Treasurer.

J. SEELY WARD, JR.,
135 East Fifteenth Street, New York.

Executive Committee.

W. W. BATTERSHALL,	EDWARD B. MERRILL,
B. OGDEN CHISOLM,	THOMAS M. OSBORNE,
J. FENIMORE COOPER,	FRANK D. PAVEY,
JOHN H. FINLEY,	DEAN SAGE,
AUSTIN FLINT, M. D.,	DECATUR M. SAWYER,
CORNELIUS B. GOLD,	GEORGE G. SHELTON,
WM. H. GRATWICK,	GINO C. SPERANZA,
HENRY E. GREGORY,	J. G. PHELPS STOKES,
ALEXANDER M. HADDEN,	EVERT JANSEN WENDELL,
JOHN W. HUTCHINSON,	MORNAY WILLIAMS,
GEORGE W. KIRCHWEY,	JAMES WOOD.
JAMES McKEEN,	

General Agent.

D. E. KIMBALL.

[6]

STANDING COMMITTEES FOR 1908.

On Law.

Messrs. Williams, Kirchwey, McKeen, Merrill, Pavey, Philbin and Speranza.

On Discharged Convicts and Parole Work.

Messrs. Hadden, Chisolm, Finley, Gregory, Sawyer.

On the Library.

Messrs. Jackson and Wendell.

On Detentions.

Messrs. Wood, Gregory, Osborne, Sage, Shelton and Stokes.

On House.

Messrs. Hutchinson and Flint.

On Finance.

Messrs. Gold, Jackson, McKeen, Stokes and Ward.

[7]

PREFACE.

The Sixty-Fourth Annual Report of the Prison Association of New York includes the report of the executive committee, transmitted to the Legislature April 26, 1909, and additional matter down to September 1, 1909. As the financial year of the Association corresponds with the calendar year, the record of donations and the treasurer's report are limited to the 31st of December, 1908. Contributions made during 1909 will be acknowledged in the next annual report.

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SIXTY-FOURTH ANNUAL REPORT OF THE PRISON ASSOCIATION OF NEW YORK.

REPORT OF THE EXECUTIVE COMMITTEE.

To the Honorable, the Legislature of New York:

The experience of years has shown some of the manifest defects of our prison system. It is costly, antiquated, ineffective. We do not refer to those defects which are due to poor administration and which might be cured by a change of officers; but to those which inhere in the system itself and which can only be remedied by legislative action.

1. Several thousand boys, convicted of minor offenses, are shut up by the State and deprived of the very influences which they need to make them better.

2. Several thousand persons are annually punished for crime who need to be treated for the disease of dipsomania.

3. Tramps and vagrants, shifted from county to county and from jail to jail, are encouraged in their wandering habits.

4. Instead of sentencing prisoners to "hard labor," we sentence several thousand of them to compulsory idleness, which is still harder on the prisoner, harder on the taxpayer, and harder on the free workingman.

Public dissatisfaction with prevailing methods of treating the major part of our prison population is expressed in four bills now before the Legislature, which are attempts to answer in some degree these questions: What shall be done with our youthful offenders? What shall be done with our inebriates? What shall be done with our tramps and vagrants? How shall we overcome the idleness in our jails and penitentiaries?

Of these questions, the first is of prime and fundamental importance.

SHALL WE SAVE OUR BOYS?

New York has never been indifferent to this important question. In 1824 it established the House of Refuge in New York, which was one of the first, if not the first reformatory for juvenile offenders in the United States. It has helped to foster by State or local appropriations institutions in different parts of the State for both sexes, which are excellent models of modern methods in child saving. In 1876 our State also took a radical and important step forward. It broke over the arbitrary line of 16 supposed to separate boys from hardened offenders. It saw that this line was wholly artificial, that the boy of 17 or 18 may be just as much a boy as one of 15, only larger and more dangerous. It saw that the process of education should go on till youth comes to maturity; that even in a physical sense human beings do not arrive at maturity until they have completed one-third of their period of life. Under wise leadership, the Elmira Reformatory was established in 1876, in which the age limit of the educative process was extended from 16 to 30 years. The establishment of this reformatory has been amply justified. It has been copied in several States of the Union and some of its principles have been introduced abroad. It has had a powerful influence in making our prisons more educational and reformatory in character.

While this wise provision was made for those who are felons under the law, no provision, unfortunately, was made for those of the same age who are simply misdemeanants. In other words, the boy who steals twenty-five dollars becomes a ward of the State and has a chance for reformation; but the boy who steals only twenty-four dollars, unless placed on probation, is turned over to the unmerciful neglect and contamination of some county jail or penitentiary. He not only has no chance for education and discipline, but the probabilities are that he will come out much worse than he went in. We condemn the boy to intellectual and moral deterioration. We punish where we ought to educate. A discipline which corrects and develops is beneficent; a punishment which debases is as bad for society as for the offender. It is well established that habitual offenders are made from neglected youth.

The poor boy in New York is pretty well provided for and so is the youthful felon; but the youthful misdemeanant has been overlooked.

It is appalling to think that by a process of legal indifference and neglect a boy may be sent for six months or a year to a jail or county penitentiary where he comes into the most degraded society, where he is without work or schooling except the deplorable schooling in crime furnished by older and hardened offenders.

Appeals to the Legislature to remove this discrimination against the minor offender are not new; they have been made from year to year by the State Commission of Prisons; but in the pressure of other interests they have been unheeded.

A few facts from official figures furnished by the reports of the State Commission of Prisons will show how imperative is the need.

During the year ending September 30, 1908, the number of males committed to the jails and penitentiaries of the State, outside of Greater New York, included the following:

County Jails.

Between the ages of 16 and 21.....	3,644	
Between the ages of 21 and 30.....	9,996	
		13,640

Penitentiaries.

Between the ages of 16 and 21.....	1,998	
Between the ages of 21 and 30.....	3,644	
		5,642
		19,282

About one-third of those committed to the county jails were awaiting trial, or otherwise under confinement, but not convicted of any crime. Here, then, were more than 4,500 boys and young men between the ages of 16 and 30, in the eye of the law presumed to be innocent until proved to be guilty, herded in close contact and association with older and hardened criminals, without labor or employment, in an atmosphere reeking with moral contagion.

Is it possible to conceive of an environment more dangerous to these young prisoners? Could they possibly pass through such an experience, unscathed by its corrupting influences?

But, aside from these 4,500, there were nearly 15,000 other boys and young men between the ages of 16 and 30, confined in the jails and penitentiaries, who had been convicted of misdemeanors. They were confined in the jails and penitentiaries because the State provides no other place for their imprisonment. The report of the State Commission of Prisons may give a vivid idea of what it means to be imprisoned in a penitentiary. The Albany Penitentiary has 256 cells, which are 4 by 7 feet in size and 7 feet high; each cell has an air space of 196 cubic feet, which is less than one-half the standard size required for a cell for a single prisoner; the cells are without ventilation except through the grated doors from the corridors, and night buckets are used. The average population of this penitentiary, within its 256 cells, during the year was 365; at one time during the year there were 540 men, more than two men in a cell. Confined in these squalid quarters, which physically put the health and even the life of the inmates in peril, the prisoners pass their life in enforced idleness, occupied only with the corrupting intercourse of their associates.

Such is the disposition made by the State of New York of its youthful offenders. These offenders are all misdemeanants; that is, they have committed what the laws of the State declare to be minor or petty offenses. Now appears the strange anomaly; if these offenders had committed, not a petty offense but a crime of grave importance, which the law calls a felony, the State would have treated them in a far different manner. For youthful felons, the State has established the Elmira Reformatory where it offers to its inmates splendid opportunities and inducements to reform: it surrounds them with uplifting influences; it equips them with an education in industry, in letters and in morals, giving them the means of leading an honest and useful life after they have earned their release. It would really seem that these laws place a premium on felonies as against misdemeanors. They practically hold out an inducement to the young—"if you must commit a crime, make it a big one, and then the State will do all it can

for you—but if you are content with a petty misdemeanor, you are not worthy of any effort by the State."

In the Elmira Reformatory, there is (or was) a class engaged in the study of Social Ethics. In the examination of this class, the question was given—Is it better to beg than to steal, and why? One member of the class wrote an answer to this effect: "a hundred years ago, it would have been better to beg than to steal—but at the present time it is undoubtedly better to steal than to beg, because the thief, being sent to a reformatory, will be reformed and fitted out with an education which will enable him to earn a living so that it will never be necessary for him to either beg or steal." The answer seemed burlesque, but does it not contain some worldly wisdom for the young man deliberating between a felony and a misdemeanor?

The commission of a misdemeanor, and not a felony, is generally the beginning of a criminal career. The petty crimes come first and, as the offender grows hardened and obdurate, the graver crimes follow. The misdemeanant, therefore, as the beginner in crime, ought to be the first object of the State's endeavor; his case is more hopeful than that of the felon and he will, presumably, be more amenable to reforming influence. The splendid results obtained at Elmira, even with felons of whom nearly four-fifths appear to have been reclaimed, give good ground of hope that the same methods applied to misdemeanants might be made to yield results even more successful. The Elmira Reformatory is the most notable enterprise the State of New York has ever engaged in; it has been also one of the most profitable ones. There can be no doubt that a reformatory for misdemeanants, conducted on lines similar to those at Elmira, would prove, on economic grounds, an investment which would repay to the State, many times over, the cost of its establishment; while its value to the State, in young men and boys rescued from crime and trained to useful citizenship, would be beyond calculation.

TREATMENT OF INEBRIETY.

Intoxication in a public place is made a misdemeanor by section 1221 of the new Penal Code of this State, punishable by a fine of not less than three nor more than ten dollars, or by im-

prisonment not exceeding six months, or by both such fine and imprisonment. Drunkenness is such a prolific source of crime that its repression is a fitting object of legislation; but it is probable that the method adopted by this section of the Code is the worst of all the methods that have been tested. Indeed, there are very few problems of legislation more difficult to solve than that of the proper disposition to be made of drunkards. For many years the subject has received exhaustive examination by Legislatures, by medical societies, by hospitals, by philanthropic bodies, both in this country and abroad. On one point there is absolutely unanimous concurrence, namely: that small fines and short terms of imprisonment are wholly ineffective. They are not only ineffective; they are positively injurious. Imprisonment in the county jail, for however short a time, throws the offender into forced association with criminals, covers him with added disgrace in the eyes of his acquaintances and the public, discourages efforts at self-control and renders it difficult for him to regain his previous employment or to secure a new foothold for self-support. This treatment, universally condemned and obviously worse than useless, is the only treatment adopted by the Penal Code of New York.

Here, as in most cases of perverse conduct, habit is all-powerful. The first offender, the beginner, should be the object of the most solicitous care; at that stage there is hope for radical cure. But when the law has to deal with the habitual drunkard the case is well-nigh hopeless. When this stage is reached the habit has often produced a condition of disease, sometimes with periodical seizures, which the patient is as unable to control by power of will as a lunatic is unable to stop his hallucinations and frenzies. It then becomes a case of mental and moral impotency and the habitual drunkard, in justice to himself and to the public, should be subjected (like the lunatic) to compulsory confinement and medical treatment; and these must be continued indefinitely, through a prolonged period of time, and not remitted until he can safely be restored to freedom. Enforced abstinence from intoxicants and healthful occupation in the open air at some employment which may enlist the patient's interest and engage his thoughts are most obvious elements in a treatment that may exert a curative tendency.

The State Charities Aid Association, through its standing Committee on Hospitals, has recently made a most careful study of legislative measures for the correction of inebriety; and, based upon this action of the Association, a bill has been introduced to provide a comprehensive plan of treatment for drunkenness in New York city. The bill creates a City Board of Inebriety of five members and proposes the establishment of a central bureau of records which shall maintain a descriptive list (with means of identification) of all persons arrested within the city and found guilty of "intoxication in a public place." The object of this bureau is to afford evidence to the court whether the prisoner has been previously condemned for the offense and, if so, when and how often. If he is thus found to be a first offender he is discharged after investigation, without subjection to the disgrace of being brought into court or to the demoralizing effect of imprisonment with old offenders. If he is arrested a second time within twelve months after the first arrest, and found guilty, he may be released on probation, with or without a fine to be paid in instalments, or he may be committed to the Board of Inebriety upon an indeterminate sentence having a three years' maximum. The bill also provides for the establishment under the management of the Board of a hospital and industrial colony where drunkards may be confined under medical treatment; refractory patients may be removed to the workhouse for a term of not less than one year upon application of the Board. This is a brief summary of only a few of the leading features of the bill.

The general plan of establishing hospitals or reformatories for the special treatment of inebriates has been adopted extensively in other States and in foreign countries. In England especially, several acts of Parliament have been passed within the last thirty years relating to the establishment of retreats and reformatories for the confinement of habitual drunkards. The retreats, however, are private institutions supported and managed by philanthropic bodies. It is only within the last ten years that reformatories for this purpose have been created as public institutions controlled by the State. In 1908, Parliament appointed a special Committee to investigate the operation of the laws relating to inebriates. This Committee has made a very extensive

and exhaustive report in two volumes recommending some important modifications in the existing laws. Public opinion in England seems to be adverse to the treatment of inebriety as a crime and to the compulsory confinement of habitual drunkards. This is founded, of course, on extreme jealousy in guarding the liberty of the individual; but the argument for personal liberty has no greater application to the habitual inebriate than it has to the lunatic. When we consider what a constant source of misery, terror and danger the confirmed drunkard is to his family, what a menace he is to the public, how the moral debasement resulting from drunkenness tends toward crime, and how helpless the drunkard is to effect his own rehabilitation, surely the duty of protection which the State owes to all its subjects justifies his forcible confinement by public authority. This is entirely aside from any consideration of the humane motive to save the drunkard himself from utter wreck.

Within the United States, Massachusetts, Pennsylvania, Iowa, Minnesota, Nebraska and Connecticut have established institutions for the separate treatment of inebriates. Two similar institutions were created in the State of New York more than forty years ago, one at Binghamton and the other in Kings county. The laws relating to them were defective in failing to give control over the persons committed to them for a sufficiently long period to secure permanent restoration, and both institutions were given up many years ago.

The weight of authority and the experience of other States and abroad are decidedly in favor of institutional treatment for confirmed dipsomania. For inebriety in the earlier stages, the system of release upon probation, with the aid of probation officers, has proved signally successful in many instances. In the cities of Chicago and St. Louis, such release is granted upon condition that the prisoner sign a pledge of abstinence for one year and it is claimed that this feature has proved useful.

FARM COLONIES FOR VAGRANTS.

Other measures before the Legislature also have reference to the habitual drunkard. Several bills have been introduced for the establishment of one or more farm colonies to which vagrants, habitual drunkards and transgressors of the laws relating to rail-

way trespass may be committed. The plan contemplates the acquisition by the State of one or several tracts of land in the open country upon which institutions shall be established where the tramps, drunkards and trespassers may be held in confinement, under an indeterminate sentence not exceeding two years, and kept at labor; the labor to be largely agricultural and horticultural, the life on the farm colony to be, as far as practicable, farm-life. Under the existing laws this class of offenders crowd the county jails and county penitentiaries; especially in winter they often court confinement in these secure resorts where they can live in idleness at the public expense and enjoy the corrupting companionship of each other. The present system is exceedingly expensive to the public and if the question be asked — what useful end does it serve? the only possible answer must be that it prolongs the life of the prisoners. It is, of course, humane to keep these people alive, but it would be difficult to devise a more inhumane mode of life than that passed in the environment of these prisons. For some better plan there is urgent need.

To place these unfortunate beings in the pure atmosphere of a country farm, to keep them employed at healthful labor, to subject them to a firm discipline, to teach them the elements of moral and mental education, to awaken in them dormant self-respect and ambition by the methods of reformatory training and to hold them for a sufficient period of time to enable these developing processes to have some lasting effect; this is the treatment that not only humanity but a sound economic policy dictates. It can be made to bear some fruit in reclaimed lives; and whether it does this or not, the farm colony ought to be so conducted as to be in large measure self-supporting, or at least less expensive than the present unproductive method of support in jail and penitentiary. Another indirect but most beneficial result of the farm colony would be a material diminution in the number of tramps in this State; the desire for a less strenuous and more unlaborious life would lead many of them to seek some more genial climate.

STATE WORKHOUSES FOR MISDEMEANANTS.

The bills for the establishment and maintenance by the State of workhouses propose the commitment of misdemeanants to these

workhouses, instead of (as at present) to the jails and penitentiaries. The plan contemplates the purchase or leasing by the State of the four penitentiaries, located at Albany, Syracuse, Rochester and Buffalo, the utilization of three of them as workhouses and the conversion of the remaining one into a reformatory for misdemeanants. These penitentiaries are the property of the counties in which they are severally situated and they are operated by the county at burdensome expense. Prior to the adoption of the State Constitution of 1894, industries were carried on in these penitentiaries which provided largely for the cost of maintenance. It is now found so difficult or impossible to market within the county the products of such industry under the restrictions of the Constitution that most of the prisoners confined in the penitentiaries are kept in enforced idleness. The same conditions prevail in the county jails. It is claimed that if these penitentiaries were administered by the State the Superintendent of Prisons would establish industries there and market the product as he now does that of the State prisons; and that the prisoners would thus be kept employed at productive labor.

The Prison Association has long advocated the ownership and control by the State of all the prisons in the State. There is no logical reason why a county should operate a prison. Criminal laws are enacted by the State, never by the county; all persons who are condemned to imprisonment by the courts as offenders against the laws of the State should be held in custody and be maintained and controlled under the authority of the State. A county is lacking in the official equipment and in the pecuniary resources demanded for the efficient administration of a prison. There should be uniformity and co-ordination in the management and discipline of all the prisons in the State, which can only be attained under a system of central control. For these reasons, this Association warmly favors the acquisition of the county penitentiaries by the State and the conversion of them into State institutions.

There still remains for consideration in connection with the subjects already discussed, the fourth and last topic proposed at the beginning of this report, namely:

HARD LABOR FOR PRISONS.

Reference has been made to the State Constitution of 1894, which contains the following section (Art. 3, § 29):

"The Legislature shall, by law, provide for the occupation and employment of prisoners sentenced to the several State prisons, penitentiaries, jails and reformatories in the State; and on and after the first day of January, in the year one thousand eight hundred and ninety-seven, no person in any such prison, penitentiary, jail or reformatory, shall be required or allowed to work while under sentence thereto, at any trade, industry or occupation, wherein or whereby his work, or the product or profit of his work, shall be farmed out, contracted, given or sold to any person, firm, association or corporation. This section shall not be construed to prevent the Legislature from providing that convicts may work for, and that the products of their labor may be disposed of to, the State or any political division thereof, or for or to any public institution owned or managed and controlled by the State, or any political division thereof."

When the Constitutional Convention which framed the Constitution was in session the Prison Association united with other advocates of prison reform in earnest efforts to prevent the adoption of this section. While it was freely admitted that the employment of prisoners at public work (as provided in the section opposed) was the best, and indeed the ideal, form of prison labor, it was confidently urged that it would be found impossible to provide a sufficient amount of the prescribed kind of labor to keep all the prisoners employed. The Association, defeated before the Convention, prepared a concurrent resolution, which was submitted to the Legislature of 1895, amending the section in question so as to read as follows:

(Art. 3, § 29). "All prisoners sentenced to the several State prisons, penitentiaries, jails and reformatories in the State shall be kept occupied and employed at labor; and on and after the first day of January, eighteen hundred and ninety-seven, no such prisoner shall be required or allowed to work at any trade, industry or occupation wherein or whereby his labor or time shall be farmed out or contracted to any person, firm, organization or corporation. The Legislature shall provide for the employment

of such prisoners, as far as practicable, upon public works, or in the manufacture of supplies required for the use of public institutions owned or managed and controlled by the State or any political division thereof."

This resolution was duly adopted by both houses in 1895. To become effectual, it was necessary that the same resolution should be adopted by the next succeeding Legislature (1896), and after having been adopted by two successive Legislatures, should be ratified by popular vote. The resolution was introduced in the Legislature of 1896, but was defeated through the opposition of labor interests.

The constitutional plan of prison labor thus established has now been under trial for some twelve years. It is not too much to say that the apprehensions and predictions urged before the Constitutional Convention have been entirely justified. Not only have the penitentiaries, which contained as many prisoners as the State prisons, been compelled to give up their industries, but at no time since the Constitution went in force have the prisoners in the State prisons been employed at what is called "hard labor;" it has been found possible to keep a part of the prisoners at work a part of the time. This is through no fault of the State Superintendent of Prisons or lack of effort in the administration of the prisons. The difficulty is inherent in the situation and inevitable: the constitutional restriction does not leave enough work available to keep all the prisoners busy. This most unfortunate fact has vital bearing upon the proposed farm colonies and work houses; it has vital bearing and casts its blight upon every scheme that may be suggested for the reformation of offenders against the law. Productive labor is the one absolutely indispensable agency for reform; reformation without labor is an impossibility, a chimera. If the State prisons now engross practically all the prison labor allowed by the Constitution and yet find it insufficient to keep all their prisoners fully employed during all the working hours, from what source shall labor be provided for the thousands of tramps, habitual drunkards and other misdemeanants now supported in idleness?

This noxious section in the Constitution has burdened New York with wholly unnecessary expenditures, mounting into millions, for maintaining idle convicts; it has done far greater damage in crippling the discipline and the industrial education and training of the prisoners; it has created an insurmountable barrier against the development of a practical, economical, reforming prison system.

EUGENE SMITH,
President

FROM THE JOURNAL OF OUR PROBATION OFFICER.

D. E. KIMBALL, GENL. AGENT.

The Courts of General Sessions have submitted to me for investigation the cases of 1,051 persons convicted of crime. Written reports were submitted in each case; in most instances a recommendation as to disposition or sentence was embodied. The judges all favor the application of probation for first offenders where circumstances seem to warrant such leniency, and 277 persons were permitted to go at large in the custody of the Association, as the figures which follow indicate. Age is not taken into consideration; old and young men and women benefit by probation, and most of them show their appreciation of the court's mercy by living honestly and peaceably.

An examination of the crimes committed by probationers may be of interest. One hundred and eighty-seven were convicted of felonies and 90 of misdemeanors. All were indicted for felonies, but in the latter case the offenders were permitted to plead (in most cases) to smaller crimes.

1908.

Cases investigated	1051
Paroled or released on suspended sentence	277
<hr/>	
Judge Foster	125
Judge Crain	60
Judge Mulqueen	55
Judge Swann	11
Judge Rosalsky	11
Judge Malone	4
Judge O'Sullivan	2

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Crimes of Paroled.

Grand larceny, second degree	80
Attempted grand larceny, second degree	7
Grand larceny, first degree	2
Petit larceny	63
Burglary, third degree	27
Attempted burglary, third degree	9
Burglary, second degree	1
Assault, second degree	10
Assault, third degree	15
Forgery, second degree	8
Attempted forgery, second degree	1
Concealed weapons	15
Injury to property	12
Unlawful entry	3
Receiving stolen property	3
Gambling laws	6
Bigamy	2
Misdemeanor	2
Railroad laws	2
Policy	2
Rape, second degree	2
Robbery, first degree	1
Cocaine	1
Attempted suicide	1
Illegal voting	1
Attempted sodomy	1

 277

RESTITUTION.

In some instances, the courts have released convicted prisoners on probation with orders to make restitution to their victims on the installment plan through the office of the Association. The scheme works very well in most cases and will be extended in years to come. One man convicted of abandoning his child has been paying \$5 a week toward its support for two years. A young woman who stole \$200 from the trunk of another woman who lived in the same house is restoring the money through our office, paying \$5 a week. A boy who stole some valuable clothing and jewelry pays \$2 a week, which is sent by the Association to a woman in Cuba, whose apartment was robbed while she was living here. A young man, now in California and reporting each week by mail, restored to his former employers several hundred dollars. Another man who broke a saloon window, because he was refused more liquor, pays \$1 a week. Two bigamists made heavy payments toward the support of wronged women.

Reading between the lines, one can see that financial loss is saved in some instances, while in others actual want and suffering are averted by probation; but, better still, those who have been found guilty of crime are not sent to institutions where they might learn the ways of professional criminals and become such themselves through the evil associations. The innocent relatives are not deprived of the bread winner of the family; he remains at home and supports them, knowing full well that sentence is only suspended; that if he fails to do his full duty, probation will be cancelled and his arrest and imprisonment will follow as surely as night follows the day.

In a few instances it has been found necessary to incarcerate young offenders a second time for violation of the minor conditions of probation, such as laziness, keeping bad company, staying out late at night, etc. A few days in the city prison in such cases works wonders; then the judge gives them a second admonition and they are liberated again upon probation.

It is agreed by all who have given the subject careful thought that probation is better than imprisonment for first offenders, but among those who were conditionally released was one young man who had by his acts fairly earned the right to be adjudged a confirmed or incorrigible criminal. He had served three terms in prison for theft and forgery. His aged mother pleaded for her boy and her pastor promised to aid in every way he could to make the young man a useful citizen. After much hesitation, the judge allowed him to go, and he is one of the best probationers on the Association's list, has a good place of employment, and has changed completely.

WORK AMONG BOYS.

As probation officer of the Court of General Sessions it has always been my habit to devote as much time as possible to the cases of boys charged with crime and in danger of becoming professional criminals through evil environment at home or through vicious companions in institutions. The very worst thing that can happen to the average boy is to be committed to an institution of any sort; at least that has been my experience in more than twenty years of dealing with court cases.

Many crimes are but boyish pranks when carefully investigated, and are thrown out of court when all the facts are brought to light. The lad who raids another boy's pigeon coop is a "burglar"; the one who is victor in a street fight with a companion is charged with "felonious assault"; another who stops a chum at night and takes his jack-knife, marbles or pennies may be classed as a "highway robber". In a case of this kind, a learned Judge of the Supreme Court once said to an overzealous policeman in my hearing: "Officer, if you had been on duty in my street when I was a boy, I would probably have been in prison instead of on the bench; policemen in my day knew the difference between boyish mischief and crime. They did not try to see how many arrests they could make. Try to be more careful and discriminating in the future; try and remember that you were a boy once yourself."

Of course many serious crimes are committed by boys who must be subjected to correctional influences for their own good

and for the protection of the public, but it is the duty of the probation officer to select from such offenders those who are or seem to be proper cases for probation, reformatory or prison. About twenty per cent. of all prisoners coming under my observation are released on probation. Seventy per cent. go to reformatories and ten per cent. to prison, at least that has been my experience. A few cases from my records are appended as illustrations.

A boy of sixteen years who had never been in the city but had been brought up on a farm, came to New York to visit a relative. He met a city boy who inducted him into the glories of ten cent theatres, "21¢ a one" poolrooms and other temptations dear to the hearts of boys who are permitted to roam the streets of New York. The country boy had a little money given to him by his grandfather before leaving home, but this was soon spent in "seeing the sights." The city lad told him of an easy way to get money and induced him to act as "look out" while he stole into a flat to get something to pawn. Both boys were caught and pleaded guilty to the crime by my advice. The record of the city boy was not good, although he had never been convicted of crime — he had never been caught before. The judge was in doubt as to what course to pursue in finally disposing of the boys, as the country boy had never been in such trouble before and was frightened to such an extent that his condition was pitiful to witness. Not wishing to make fish of one and flesh of another, the judge suspended sentence on both boys, and I sent the country boy home to his grandfather. The city boy behaved well for a short time, but soon returned to criminal ways and I was obliged to have him sent to a reformatory.

Herman was not seventeen years old. He had just left school, was an only son, and his mother was a widow who earned a living by working as a laundress. The boy had worked a short time on a department store delivery wagon, but when the warm weather came he was thrown out of work. He wanted a bicycle badly and knowing that one was stored in the cellar he broke open the door of the woodbin, got the wheel and had the good time he craved. The breaking open of the woodbin door was burglary, and the boy was in the Tombs when I found him. On my

recommendation the boy was allowed to go on probation and the bicycle was restored to its owner. The boy said he only wanted to ride the wheel and intended to take it back where it belonged. He failed to realize the serious nature of his act.

A Cattaraugus county boy of sixteen stopped me in the city prison and asked for money to pay postage. This opened the way to his story. He said he had always worked around horses and came here to get work in an auction mart where horses were sold. His money lasted four days, and in the furnished-room house where he had been stopping, he met another boy who gave him some clothes to pawn. He tried to get money on them, but a detective who happened to be in the pawnshop questioned him closely, and as a result both boys were arrested. It transpired that the boy who gave him the clothes had stolen them from another room in the house during the owner's absence. No property was lost and both lads were released on probation. I had the country boy clothed and fed and then sent him back to his native town.

A seventeen-year-old errand boy, who had been trusted by his employers, a firm of Wall street brokers, with thousands of dollars, surrendered to temptation in a most unusual way. Another boy in the firm's employ stole \$400, and, overcome by remorse, put the money in an envelope and returned it to the office of the firm, where it fell into the hands of the first named boy. He was afraid to return it and abandoned his situation. He was soon arrested and acknowledged his guilt with many tears. Investigation proved that he came from a good German family in Brooklyn; that his father had a little business and that the family was highly regarded by all who knew them. The father restored the money to the firm and the pastor of the church to which the family belonged joined with complaining witness in asking the court to give the boy one more chance to prove himself worthy of respect. The judge told the boy that he would allow him to serve his sentence in the care of his pastor and the Prison Association, instead of in a prison and allowed him to go on probation.

Frank —, an overgrown boy of Bohemian parentage, the son of a saloonkeeper, stole some harness from a stable to get money to go to a theatre. His father would have given him money, but

the boy would not ask for it; he was too proud — a most peculiar temperament indeed. He was in the habit of tending bar while his father was at his meals and might have taken small change from the till, but he scorned to do such a mean act and said his father should have offered him money, as he must have known he needed it. He pleaded guilty in court, and because of the evident indifference of the boy the judge sentenced him to the Elmira Reformatory, but gave orders to have the commitment held for a week; at the end of that time I talked with the boy and found him penitent and tearful, but resigned to his fate. I had him brought before the court once more and severely reprimanded by the judge, after which he was released on probation.

When he had been on probation a few months his father complained that his son had left home and I caused his arrest. He said he was disgusted with trying to get work and left his father rather than tend bar, as the business was repulsive to him. As this proved true I secured his release a second time. He then went to a recruiting office and now wears the uniform of the U. S. A.

A young Hollander, twenty years of age, working as delivery boy on a grocery's wagon in the suburbs, developed an unusual disposition for mechanics and occupied his spare time by working on a small motor launch which he had completed except for a motor, which he was unable to buy. He saw in a barn an old engine, which was just what he wanted, and was tempted to take it. He did so and his arrest resulted. He was indicted but, when arraigned before Judge Foster for pleading, told his story in such a way that the judge dismissed the indictment after an investigation and released the boy on probation, after giving him a severe reprimand and a warning as to his conduct in the future. The boat was a crude affair, but a few weeks later the boy found a customer and sold it, and next summer says he is going to build a larger one if he can save money during the winter.

DISCHARGED PRISONERS AND RELIEF.

The accompanying tabulated report of the work of helping those who have been in prison explains in one way what the Association is doing and a very few cases follow to show how the work is done.

In former reports details have been given. Clothing, food, shelter, employment, transportation and advice are given always with a view to the permanent reclamation of the individual, the aim being to help men to help themselves back into the ranks of the law-abiding rather than to give alms or to pauperize those who have been in prison. There is in this and in every large city a class of mendicants who might be classed as professional prisoners who successfully impose on good people. Few of them apply at our office.

This work is most important, but if the indeterminate sentence, parole and probation work could be successfully applied in all institutions and courts, it would be reduced to a minimum.

A talented young man of good family, twenty-three years old, discharged from the penitentiary, was regarded by his family and self as natural thief, having twice been convicted of larceny. Temptation to steal irresistible notwithstanding consequences. We were appealed to by his mother for advice. Our agent, after acquaintance with boy's history, home life and associations, arranged complete change of environment. Parents and boy consenting, he was sent on a cattle boat to Liverpool, carrying letters of introduction to friends of our work in England. He is to-day confidential secretary for a gentleman in France. He writes us every month, reporting success and honesty of life. Following are letters from himself and from the friend to whom we sent him:

GENOA, Italy, June.

FRIEND.—Just a line letting you know that I am getting along first rate and that I am glad I took this trip. Just at present I am in Genoa traveling with a gentleman of quite some fortune and who has listened to the story of my life in New York and in return has offered me a position as his secretary. He is a gentleman who treats me just as if I was his son, and who does everything he can for my good. I met him in Paris in the office of the New York Herald, and it was there I first got a position in a foreign land. I am feeling fine and I realize now that I done a good thing when I left New York behind me. Now I'll have to close, as I've got to do a little writing for Mr. B. Thanking you for all the kindness you have shown toward me, I remain,

Yours truly,

(Signed) G——.

LONDON, E. C., June.

DEAR SIR.— You will be glad to hear that G—— called here on June 1 and handed me a letter addressed to Mr. N., which I took the liberty to open, as Mr. N. is now in Canada. Therefore, I trust that you will pardon my action. However, I endeavored to carry out your wishes. The young fellow spent the morning at my office and we had a good sound talk and parted very good friends. He left London the same evening for France, and having a desire to do so, as in that country he has relatives and hopes to find employment, and promised faithfully to lead a true life. I offered to give him a letter of introduction to some friend in London, but his mind was set upon France. I went with him to book his passage, and believe he left London at 9 p. m. He was very eager for me to write and tell you that he had obeyed your commands, and I know that he had some trouble in doing so, for he told me that he arrived here at 7 a. m., and immediately set out for the address on letter, which was not correct, and the poor fellow had a roving time. But by 10 a. m., he arrived at the right destination. He promised to write me on his arrival in France, so I hope to keep in touch with him and will send you his address as soon as I hear. Trusting that we may hear of a change of life in this young fellow's case, with all good wishes in your work, believe me,

Very sincerely,
"C. B. M."

A. K., twenty-seven years old, morphine victim for eleven years, discharged from the penitentiary five years ago, appealed to us. Was willing, if necessary, to be committed to prison in order to overcome his weakness. He has proved his sincerity by voluntarily surrendering his supply of morphine and syringes. He was placed in the care of a private family in the country, who consented to give him care. He agreed to submit to our plan designed to aid his recovery. He submitted to our treatment for a short time, but has disappeared, leaving his drugs with us. It is likely, we feel, that we will see him again.

J. R., forty-five years old, discharged prisoner unable to procure a position, friendless, came direct to us with \$10 given him on his discharge. Was advised how to live most economically and since using up his own money has been aided by temporary work for which he has been paid. No discharged prisoner giving evidence of real desire for work is turned away without some help.

Nine dollars to J. S., a probation prisoner, being half rate transportation to Michigan, subsequently returned to New York and at present in hospital suffering with tuberculosis.

Eighteen dollars in small sums to J. H. and wife, both suffering with tuberculosis and unable to work steadily.

Ten dollars to Mrs. M. for the relief of her daughter, twenty-one years old, about to be confined, husband in prison. This family was granted a stay of execution of dispossess proceedings owing to her daughter's condition. Mother now has position of housekeeper for her daughter.

Other financial help given in cases of wives left destitute with infants in arms, whose husbands are in prison. Positions temporary and permanent are being constantly procured for discharged prisoners, four of these having recently proved unfaithful and three returned to prison.

A good home containing every moral influence has been provided for a girl nineteen years of age, who had been deserted after promise of marriage by an ex-prisoner, and the man was returned to prison.

Two pensioners of the Association have been given \$51, one of these a reformed criminal eighty-six years of age. About \$27 has been loaned to men on parole whose absolute release may be refused until they pay their debts. Ten dollars to Mrs. H., whose husband is an ex-letter carrier and now in prison. This poor woman supports herself and three children cleaning seventy-five rooms a day in a hotel for five dollars a week. She was dispossessed from her basement room where she lived with her three little ones because of its unsanitary condition.

RELIEF WORK.

Annual Report Disciplinary Cases.	Janu- ary.	Febru- ary.	March.	April.	May.	June.	July.	August.	Septem- ber.	Octo- ber.	Novem- ber.	Decem- ber.	Sum- mary.
New York Penitentiary.	46	48	47	54	52	53	51	55	59	59	47	49	461
New York House of Correction.	5	4	3	3	1	1	2	2	4	5	6	5	40
Clinton.	50	51	53	50	54	54	72	41	48	46	40	59	493
Elmira and Napanoch.	10	21	20	26	24	29	20	22	19	20	22	23	256
Other prisons.													
Summary of prisoners:													1,509
Green work.	12	16	12	11	10	11	10	12	11	13	14	15	148
Day work in house.	72	73	81	62	83	76	80	86	86	80	73	75	638
Transportation.	10	10	10	6	5	4	4	6	4	4	5	4	53
Laundry.	104	106	106	106	106	106	106	106	106	106	106	106	1,212
Landings given.	181	188	196	162	163	161	154	152	151	160	202	187	1,859
Books sent.	183	191	201	183	182	183	182	183	182	183	182	183	1,859
	0	0	425	125	150	40	100	20	100	100	100	100	9,517
													1,509

PAROLE WORK.

REPORT OF WILLIAM H. SPENCER,

PAROLE AGENT OF THE PRISON ASSOCIATION OF NEW YORK FOR
ELMIRA AND NAPANOCH REFORMATORIES, FOR YEAR 1908.

If it be true, as sociologists assert, that the rise and fall in the number of marriages corresponds very nearly to the rise and fall in the staples of food, it is quite as true that there is a kind of barometrical relation between fluctuations in the demand for labor and statistics of crime. No surer does an excessively severe winter drive the wolves from the woods out into the open and down upon the farmer's sheep fold than does the stress and strain of hard times drive a considerable number of the unemployed,—those whose predatory instincts are only held in check by fear of legal punishment,—out into open outlawry and crime. We are not, therefore, surprised to learn that the economic strain of the past year bore specially hard on the Elmira and Napanoch prisoners. Wages were low and often irregular also. The best workmen might hold their jobs but the poorer sort would be likely to be laid off. They would look half-heartedly for a few days for work and grow discouraged, indifferent, demoralized. Their habits of industry were too flabby and unformed to stand a long strain. Then it was that the wolves in them began to sniff and prowl and unite in packs to invade the barriers which law has erected to protect life and property. And the last state of that Elmira man is worse than the first. I do not wish to imply that all of the paroled men who "fell down" when the wave of business depression swept over our city would have stood upright and have walked in the straight and narrow path had times been good and work aplenty, but simply that irregular work and inadequate wages were factors in swelling the number of violations of parole, and depressing the ratio of the reformed to the number paroled to us. And this crime-engendering effect was felt not simply on the 663 who were reporting to us, but quite as severely on the thousands who have

received their absolute releases in years that have passed. After saying thus much, the reader is prepared for a not altogether satisfactory report, regarded from the reformatory standpoint.

Number of men paroled from Elmira during the year 1908.....	554
Number of men paroled from Napanoch during the year 1908.....	109
	<hr/>
	663
	<hr/>
Number of men granted absolute releases, Elmira.....	327
Number of men granted absolute releases, Napanoch.....	44
	<hr/>
	371
	<hr/>
Number of warrants issued for delinquency, Elmira.....	133
Number of warrants issued for delinquency, Napanoch.....	29
	<hr/>
	159
	<hr/>
Number of warrants issued for crimes, Elmira.....	79
Number of warrants issued for crimes, Napanoch.....	14
	<hr/>
	93
	<hr/>
Number of men returned to Elmira.....	64
Number of men returned to Napanoch.....	8
	<hr/>
	72
	<hr/>
Number of Elmira men sentenced to State prison.....	43
Number of Napanoch men sentenced to State prison.....	2
	<hr/>
	45
	<hr/>
Number of Elmira men sentenced to penitentiary.....	16
Number of Napanoch men sentenced to penitentiary.....	5
	<hr/>
	21
	<hr/>
Number of men wanted for, or convicted of crimes after receiving their absolute releases in years past.....	105
	<hr/>
Number of men sentenced for crimes where no reformatory warrant was issued.....	6

If the record of 1908 is not one to be proud of from the reformer's point of view, it does look well from the detective's standpoint, and when one takes into account all the circumstances, the hard times and the character of the men who have

recently been committed to Elmira, there is no reason for discouragement. I say the *character* of the men. It is poetry to speak of such men as first offenders. Many of them are young in years, but old in crime. They have had experience in juvenile reformatories in this city, perhaps for the last ten years, many of them. They are in short young "toughs," toughs in the toughest section of the toughest city in the United States. Some of them are native born, but a considerable number have come to our shores from Southern Italy, from Sicily and Calabria. We have now on parole two Italian blackmailers of the "black hand" type,—and they look it. Others were convicted of the gravest crimes, burglary and robbery in the first degree, and occasionally one guilty of manslaughter. When such criminals as these are sent to Elmira, it raises the question what consideration influenced the courts? It is no reproach to Elmira Reformatory that it has not reformed the hardened criminal, as many are who are committed to that institution and paroled to us. It did all that it could for them, but it could do little more than wash their faces, cut off their tobacco and restrain them from plundering the public for thirteen months. When paroled to us, they are directed to go to a place to work which we have with considerable pains investigated and approved for them. Instead, they probably take a bee line for some Bowery dive where they meet their old pals and concoct schemes for a new career of crime. It seems to us that it is worse than a farce to send such men to Elmira. It is a mockery of reform, an outrage on justice, a grievous infliction on the innocent and long suffering public. They are burglars or pickpockets or horse thieves, or blackmailers, or highway robbers with guns in their pockets and blackjacks up their sleeves. They are men, not boys, men who as boys probably drank in depravity with their mother's milk and had it beaten into them by a drunken father's fist. To reform such men as these, one would need to start with their parents, perhaps with their grandparents. We must first *reform* before we can thoroughly *reform*. The father of one of these boys wrote me recently, begging me to look after his son on parole, that he was drifting into bad company, and added: "I can't go to see you, as I am in Raymond Street Jail."

Let me give you one illustration of the hardened crook, such as we frequently have to deal with. A man of 23 years of age, "C. C." by name was paroled to us recently. Two days after he arrived, he asked to be allowed to go to Pittsfield, to work for a brother-in-law. He said he was to travel back and forth from New York and would report in person regularly. Permission was granted. Later he reported that he was in business for himself, but on the road all the time. The sequel showed that he was dealing in horses. He walked the streets of Brooklyn, Manhattan and the Bronx with a lad of 15 or 16 by his side, a hungry, homeless boy, in the regular line of his business. When he chanced to discover an unsuspecting driver of a delivery wagon stop his horse and disappear with his basket for his patrons, the boy was instructed to take the driver's seat and rush the horse around to some specified corner of the streets where "C. C." would unhitch the horse, mount his back and hurry the animal to a receiving stable where some scores of other horses were secreted, later to be shipped and sold in Providence and elsewhere. The boy received for his services board and lodging and cigarettes at one of the Mills Hotels. This modern Fagin said in his reports: "I am in business for myself and getting on fine and I am thankful to you. Mr. Scott, for all you done to make me an honest man." He is now in the Tombs awaiting trial. Since he was lodged there he has had the audacity to write to Elmira, begging to be taken back, saying: "I am not guilty of the crime with which I am charged, but they know I am an Elmira man and I have no show." His next sojourn, I think you will agree with us, should be "up the river."

A RECLAIMABLE TYPE OF CRIMINAL.

March 9, 1908.

Mr. Spencer:

These few lines to you to inform you that I am in the Tombs prison charged with carrying a piece of iron which they claim is a burglar's tool — a jimmy. Mr. Spencer, I wish you would look into my case for I am not a bad fellow. This is all a frame up to railroad me to State's prison by a policeman who has no use for me. Why I did not report to you two more times I will tell you. I left New York and came back in December when it was too

late to go to you and report. Well, I got a job in a saloon as a bar-tender and led a straight life which I can prove to you if you will call on me in the Tombs. In the meantime, I met a girl and married her and since that very day, so help me God, I did all that was asked of a man to do. I would not like to go up to Sing Sing, because where would my young wife be by the time I come back? Gone, to the dogs and disgraced for life. I would never see her again and what good would I be by that time, whereas, if I went back to Elmira, I would not be a convict when released. I will only be 20 years old the 24th of this month. Mr. Spencer, for my wife's sake, look into my case, for I had no intention of using that piece of iron. Please send me back to Elmira for not reporting. Have a little bit of mercy for me, for I have always tried to be good, especially when I married the girl I love. Please inform me by letter or in person if you will help me, for I am heart broken and worried over what is going to become of me if I shall go away. Do this for me and I will say a prayer for you every night. Yours truly, good by,

"THOMAS K."

One must be less than human not to be touched by such an appealing letter, yet T. K. knew very well that that "little piece of iron" found in his pocket when arrested on suspicion, was a burglar's jimmy, and was carried by him for no honest carpentry work, and that the law very properly prescribes a severe penalty for having such a tool in one's possession. "I have always tried to be good." No, Thomas, you did not try to keep your parole like an honest boy. You changed your job, even left the city without permission. You went to work in a saloon as a bartender, all distinctly against the rules you promised to observe, and yet, Thomas, you are young and we think you may still be reformed and we are pleased that the court decided to return you to Elmira after serving six months cracking stones on the Island.

The efficiency of our work depends in no small degree upon the hearty spirit of co-operation with the Detective and Police Departments of the city in ferreting out criminals. My associate, Sergeant Williams, is most alert, energetic, persistent and relentless in his pursuit of the criminal, but although doing the work of two ordinary men, it is impossible for him to cover two fields of

investigation, viz.—the boys on probation by the courts and the men on parole from Elmira and Napanoch as thoroughly as it should be done to procure the best disciplinary results. It ought to be possible to call on every paroled man, at least once a month, to see that he is at work, and if not, to learn the reason why, and also to devote more time to hunting up delinquents and criminals, and moreover, to encourage the good resolutions of the faithful by friendly visiting in their homes. There is right here a vast and almost totally unexplored field for the very best kind of reform work. While it is a part of our function to detect the criminal, we endeavor to make every man feel that we are his friends and are here to help him redeem himself, to gladden the heart of his mother with honest industry and weekly savings and to stimulate in him an ambition to get on and up in the world, to own some time a business and a home of his own. Without the preaching that bores and exhausts, we endeavor now and then, here and there to drop timely words that shall fall like the good seed in the fruitful ground and spring up into useful and beautiful lives when the experiences at Elmira shall be a far away memory. We give below a few sample letters of the faithful ones.

REPORT.

Jan. 15, 1909.

Mr. George Deyo, Assistant Supt.:

DEAR SIR.—I take pleasure in letting you know that I have worked every day during the past month, excepting Saturday when I took a Sabbath. I have earned \$40 and have spent \$12 for board, \$2 for laundry, 90 cents for car fare, \$1.50 for Xmas presents and \$1.60 for incidentals. The remainder—\$22 I have put in the bank which makes me \$120 saved since I came out. Hoping this is satisfactory. I hope that you will grant me my absolute release, since this is my sixth report. I remain,

Yours respectfully,

JOSEPH H.

REPORT.

NEW YORK, Thursday, Sept. 17, 1908.

Dear Mr. Scott:

This is my 4th report and I am very glad to say that I am still at work at the same place for Wm. A. I have received another raise on my salary. I am now getting \$10 per week. I am in perfect health and my mother and father are well pleased with the way I am behaving myself. They say that my stay at the Reformatory done me a world of good and I am sure it did. Since I came home, I have saved \$40 and have bought all the clothes I need. I seldom go out unless I go to the theater. evenings I go for a walk till about 10 o'clock; then I go to bed, so there is no doubt that I will do the same after my discharge. I don't look for any companions so I don't think I will get into bad company. I am not much of a letter writer so I hope you will excuse my poor writing. Hoping that you are in good health and just as good a man as you always were, I remain,

Yours truly,

MATTHEW J. B.

REPORT FROM A BOY IN THE COUNTRY ON A FARM.

AURORA, N. Y., Oct. 12, 1908.

Dear Mr. Scott:

I herewith submit my third report, hoping it will prove satisfactory. I have worked the whole month and have saved \$10 in the past month. My employer is very pleased with me and so I am with him. He was seriously hurt last week and he is in bed and I have to take care of everything on the farm. We are picking apples and will soon be through with our fall work and he is going to keep me through the winter. Will write again next month.

I remain,

Respectfully yours,

HARRY P.

Mr. Spencer please let me know if you receive this letter.

Supt. Scott:

DEAR SIR.—I have been working every day since I am home except Sundays and two holidays and I am getting on fine. I spend my evenings at home with my wife. I receive the sum of \$11 per

week and give my wife \$10 for our expenses and spend the other dollar in places of amusement and trolley rides on Sunday with my wife. I have bought a suit of clothes since I came out. We are living with my mother-in-law and since I came home have made up my mind to make a man of myself. We are a happy family.

Truly yours,

F. McM.

FROM THE DIARY OF SERGEANT WILLIAMS.

ELMIRA PAROLE DEPARTMENT.

A cry of fire, a pull of the "hook," the gong sounds and in an instant the horses are unfastened; they rush to their places, while the fire laddies, half dressed, drop through the floor, take their places on the engine and hose cart. In the meanwhile the harness has dropped automatically on the horses and with the driver securely seated they are off. Steam is already in the boiler and once outside the fire house the torch is applied to the carefully arranged fuel, and amid a shower of sparks, the shrill whistle and the clang, clang, clang of the bell, the brave fire fighters rush through a maze of trolley cars, vehicles and pedestrians. Everybody moves aside that the engines may have the right of way, for a fire has been started which if not checked speedily will possibly result in death or great destruction of property. The engine rushes on, swiftly followed by the hose cart. They have hardly passed when down the street there is heard the clang, clang, clang, clang of another bell and the hook and ladder truck rushes by, closely followed by the red fire patrol, horses rushing, puffing, nostrils distended, the drivers urging them on, but before they have reached the scene of the fire the engine has arrived, the hose has been laid, the water turned on, and the fire patrol rushes in. The stock is carefully covered with tarpaulins and the fire is out. A man is left in charge to see that the fire does not break out anew and to protect the owner from loss by theft. The apparatus returns to quarters. No lives have been lost, very little property has been damaged, because the alarm was promptly given and responded to. The fire did not amount to much, but will any one question does our Fire Department pay? Of course it pays, even though at times some lives are lost and property destroyed. The general public is protected. Such is the every day work of the Fire Department in our great city. By night we retire feeling safe and secure because of the efficiency of our brave fire fighters.

From another quarter comes an alarm. This time it is not the alarm of fire, but the cry of "Stop thief! Stop thief!" A young

boy rushes by, a crowd closely following at his heels; a policeman joins the chase. The "thief" dashes into a hallway, up the stairs to the roof, wild-eyed and panting like a hunted animal at bay; he is placed under arrest. The work was done as quickly as that of the fire department, but a fire has been started in the being of that young man that is not easily quenched. The officer leads him downstairs panting and trembling as he faces the mob. Someone cries "Lynch him, lynch him; he just snatched a pocket-book from a woman." A pocketbook containing \$25 is found on him. He is a felon, taken to the police station, thence to the Magistrate's Court, remanded to the city prison to await the action of the grand jury; indicted, found guilty and again remanded to the city prison to await sentence. We visit the prison and find a fair haired, blue-eyed German boy of nineteen pouring over a copy of German and English at sight, which he has managed to procure. He has an intelligent face, but cannot speak English. We call an interpreter and he tells his story. We have heard such stories before and they make us laugh; but there is something in the manner of this boy which draws us to him. It is late in the afternoon. We have worked hard all day, our loved ones are at home waiting to welcome us to supper. We leave the jail—it is raining, we hurry toward the cars, no rubbers nor umbrella, and hungry. The boy's story clings to us and we cannot get away from his appeal: "Please investigate; I stole the pocketbook, but I am not a thief. I was driven to desperation by my misfortune."

The cars are reached, we turn not toward home, but board a car going in the opposite direction.

There are an honest old gray-haired father and mother in Germany, and as the evening shades are falling they sit down together and wonder how their boy is getting along in America. The elder son returns from the post with a letter from "Herman." With trembling hands the seal is quickly broken and eagerly they read:

"DEAR PARENTS.—It is with haste that I pen this letter. I am in trouble. I have reached the point of desperation. I regret that I have to ask for money, thereby increasing the burden imposed upon you when I left home, but I must have money quickly. You gave me all that could be spared when I left home and your kind provision would have been ample if misfortune had not

befallen me. Just before our ship reached New York, the steward, who had been very kind to me, said he would exchange my money and thereby save me the exchange fee. He had been so good to me that I trusted him and let him change my money. I told him that I was going to Chicago and he volunteered to see me safely on the train. I accepted his services, and together we went to the railroad station. He purchased my ticket and gave me a one hundred dollar bill and several bills of smaller denomination. He told me not to change the \$100 bill until I reached Chicago, and to be very careful of pickpockets. When I reached my destination, I was told that the \$100 was a Confederate bill and of no value. While on the ship I met a friend of yours who was going to live with an uncle in Brooklyn, and fortunately I took the uncle's address. I did not have money enough to return to New York, and I told a kind-hearted railroad man of my misfortune. He advised that I send my toolbox by express to the Brooklyn address, and he very kindly put me on a freight train and I arrived in New York with less than \$1 in my pocket. I was afraid to go to the Brooklyn address and I asked a boy to take a message in for me, and I received a welcome into the home of ———. He said he knew you and would let me remain until I could write you. He has a very large family and works hard, but he went to the New York Detective Bureau with me the next day and reported the case. The ship had returned to Europe and is now on her way back. The detectives can do nothing until the ship returns. I am without money, anxiously looking for work and hope that I may find a job soon.

"Your loving son,

"HERMAN."

The old man had just paid several bills and he was as near penniless as Herman. After several days in an effort to collect some money, with tears and trembling hand, the father wrote that he could not send him any money for a couple of weeks, but to be of good cheer and he would pay his board to the kind friend who had taken him into his home. The letter was delayed. The friend who had so kindly aided him said that he must find work or go, as he had then been with him over two weeks, and his family being large, his pay small, he could not afford to keep him longer. The next day in desperation he sought work and failed to find it. Too sensitive to return to the friends who had so kindly cared for him, he resolved to take a chance on the woman's pocketbook. Investigation that rainy night proved his story to be true. Inter-

cession was made, the judge suspended sentence and the boy returned to his aged parents in Germany. The villain who robbed him is playing hide and seek from one steamer and port to another to avoid arrest. Will you not agree with me that a term in jail would have been like adding fresh fuel to the fire that had already been started by a villainous thief? Such is the work the Prison Association is accomplishing daily. Like the fire department, we are prepared to respond to the alarm, and many young men are resened and saved from a life of crime, thereby protecting the lives and property of the public, and many homes made happy by the return of the stray sheep.

The rounding up of delinquents and making arrests is probably the most interesting yet the most disagreeable work of the Association. It is difficult to make a young man who has started on the downward road believe that the parole agent and detective are his best friends. Very seldom we find a boy who goes wrong while on parole who will admit his guilt. One young man who was sentenced to the reformatory was paroled in due time. He disappeared later and investigation showed that in concert with two others in an attempt to steal fruit from an Italian stand, he assaulted the Italian and his wife, and while attempting to escape fired two shots from a revolver at the policeman, one of which hit him in the shoulder. The boy gave a fictitious name, was sentenced to six months in the penitentiary for carrying a concealed weapon and again sentenced to Elmira for felonious assault under his new name. He was paroled a second time and was caught "jostling" on a cross-town car, and when arrested stated that he was going to work, but could not explain why he was going east when he should have been traveling south in the direction of his work. Investigation showed that he had not worked for a long time and had made false reports. He was returned to the reformatory and complains that he has not been treated fairly. Many times these questions are asked: Does the reformatory reform? Is a boy benefited by having been in the reformatory? I answer them by asking another question: Is a boy benefited by a course in a boarding school? If he goes to school with the intention of learning, he will be benefited. If he goes to do mischief, he will not be helped by his teachers or his books. We try to

teach the boys with whom we come in contact that it is not the object of the law to avenge for a crime committed, but to hold them in restraint for a time in the hope that they may see the folly of a criminal life, and while so held to give them a course in the school of letters, teach them part of a trade, and train them physically. Our city expends millions yearly for the education of children, but it cannot be justly charged that it is the fault of the school or the principals thereof that the children do not reach the top rung on the ladder of education. In the establishment of the reformatory at Elmira the State of New York has made a noble provision for young men who have started on the road of crime, and it cannot be charged that it is the fault of the institution or its head if all the boys do not reach the top rung on the ladder of reformation. The management of such an institution is a stupendous problem. Perhaps some have seen the picture in one of our New York daily papers "There is a reason." Yes, there is a good reason why a boy is not reformed after a sojourn of thirteen months in Elmira, when we consider that he has served a term of two years in a protectory and five years and eleven months in Clinton Prison before reaching Elmira. It is not surprising to hear that he has been sentenced to State prison for two years and five months after his release from the reformatory, or that a boy has served three terms in a Massachusetts prison before reaching Elmira, or a young man has served a term in Sing Sing, is then sent to Elmira, is paroled, becomes delinquent and is shot dead in the act of committing a burglary. Boys are sentenced to Elmira after having been in a disciplinary training school, a protectory, the House of Refuge and Hart's Island, and some of them have been in three out of four of the above institutions before sentence to Elmira. Do you wonder that all the boys do not reform? It is not strange that Mr. Spencer has put the percentage of reformation so low. He has not done so because he wishes to, but because our investigations show it. We wish it were 90 or an even 100, but if it dropped below 50 we would be compelled to believe from our experience with the boys that the State of New York can be proud of those who have reformed and that the end has justified the expenditure of every dollar appropriated in this noble work, and better still these dollars are earning interest, not in dollars

and cents, but in lives of industry, thrift and good citizenship. We meet them daily on the delivery wagon, in the shop, on the cars and in various places. One young man — his lesson was a hard one — sentenced to Elmira at the age of eighteen for grand larceny in the second degree; conduct bad, he lost ten months, was then paroled, went back to his old haunts, was returned and paroled the second time. I visited him five times while on parole and always found him on the job. It is some time since the Board granted his absolute release, but he is working hard, and every day the voice of his handiwork is heard throughout our great city.

A few days ago an elderly woman whose husband had deserted her, and whose daughter had been lured away from home and her only boy sentenced to Elmira, said to me: "I thank you for what has been done for my boy in the reformatory." She gave me his card and said: "E—— is a fine young man now. He supports me and keeps me in my old age." A few days later I saw him in his place of business on Fourth avenue, yet it is only a little over three years since he was in Elmira Reformatory.

While writing this article a young man came in and greeted me warmly. I had returned him to Elmira for violation of parole in August, 1907. He was paroled September 20, 1908, worked steadily at a salary of \$12 per week until he received his absolute release, and had banked nearly half his wages. He is now in charge of a growing business in one of the sky-scrapers in this city at \$18 a week with the promise of a raise to \$25 January 1st. As he left me he said: "And the best of it, Mr. Williams, I didn't know a thing about the business when I went to Elmira. I learned it there."

These and many more are the cases with which we have come in contact in the past four years. We help the boys when they want to be helped. If they are hungry, they are fed. If they are naked, we clothe them and when they won't be helped, we do our best to put them where they will be cared for and society protected from their depredations. We leave it to our readers to decide if the probation work of the Prison Association is a benefit to the public at large.

INSPECTION OF SING SING PRISON.

On March 25th your committee consisting of Messrs. Barrows, Chisolm, Sawyer, Shelton, Mr. Schieffelin being unavoidably detained, visited Sing Sing Prison. We were met at the depot by the son of the warden, Mr. Frost, and taken direct to the prison in carriages provided by him. The warden, Mr. Jesse Frost, was awaiting us and showed us every courtesy, placing himself entirely at our disposal during our stay of six hours, entertaining us hospitably at dinner, and personally accompanied us upon our tour of inspection.

After formally stating the object of our visit, at the warden's suggestion we first visited the mess hall, as preparations were then being made for the noon meal. We carefully examined the tables, dishes and utensils. The first, which are of slate and iron, were clean; before each place was a large china bowl containing about one pint of a vegetable soup. It was hot and tasted good and looked appetizing. Upon each bowl was an earthenware plate, which served as a cover to the bowl and kept the soup hot, the steam from which in turn served to warm the plate. The ration for the day was sausage, the equivalent of two sausages, one large or two medium sized baked potatoes on the table beside the plate, also a large mug of coffee and a piece of bread. As some twenty minutes are required to arrange the food, as the prisoners enter the room, hot gravy was poured over the sausage. During the meal bread was passed by the attendants, the prisoners being permitted to help themselves without restriction, but no waste was permitted.

The prisoners are assembled in companies in the different shops where they are employed and march two by two in close formation to the mess hall. It was noticed that aged and infirm prisoners were not required to keep the close formation of the more able.

Both as they entered and emerged from the mess hall a good opportunity was offered to examine the physical condition of the men. Prison pallor was noticeable in all, influenced somewhat by the occupation engaged in, those more closely confined in the knitting and shoe shops showing it more than those in the smithy and

carpenter shops. Suggestively the hope was expressed that more outdoor labor could be provided and the opportunity offered by the New Prison construction utilized in that way. Undoubted benefit to the physical and resulting moral condition of the men would thereby be secured, but as a whole the men seem well nourished, clean, and in good physical condition. A careful examination of the dietary lists was made. It was learned that no rule governing the amount or nature of the food existed, the warden using discretionary powers in the matter, with the aid of the prison physician, should he desire his advice. Under the present ruling a stated sum is placed at the disposal of the prison, from which the warden must meet all expenses of the prison, salaries, fuel, water tax, repairs (unless extraordinary), food, etc. In the case of Sing Sing the sum is \$175,000. Unfortunately, however, this sum is not elastic, but the number of inmates varies. The anomalous condition therefore exists that the warden is limited in the amount he has to maintain the prison but has no voice in the numbers that he may be called upon to provide for. At present there are some 1,380 inmates, exclusive of guards, watchmen, and other employees, a number far in excess of the proper limits of the prison.

As the prison itself has been condemned, your committee do not consider it needful to report upon the structural or sanitary defects. One feature, however, should be condemned as pernicious in the moral and physical influence upon the men. At present there are about 900 cells, each cell being $3\frac{1}{2} \times 7 \times 7$ feet or containing not over 175 cubic feet. With no ventilation save the iron latticed door in front, in some 150 of the cells two men are placed, one cot being over the other, thus giving to each man less than 85 cubic feet of air.

When it is realized that an ordinary man takes in and gives out at each respiration from 400 to 500 c. c. of air, and allowing 18 respirations to the minute it is easy to compute the amount of pure oxygen obtainable. Naturally the State would be averse to adding to the present prison in view of the new structure contemplated. When, however, it is remembered that from four to five years must elapse before Bear Mountain will be available, it would seem that some expenditure would be justifiable to ameliorate the present unsanitary and unfortunate condition. Possibly a recommenda-

tion providing for some temporary cells where aged and trusted prisoners with an exceptionally good record could be placed, would provide the needed temporary relief.

The dietary lists were carefully examined and discussed. The noon meal, being the principal one, was variable, the breakfast and supper being fixed. Breakfast consisted, five days a week, of meat hash, bread, and coffee, about 400 pounds of canned or other beef being used at each breakfast. Two days of the week cereal was substituted for the hash. At first it caused some complaint, but the warden explained to the men that it was experimental, and now it is generally liked. Fish was substituted for meat at the noon meal on Friday. The supper consisted of bread and tea, which the men take to their cells and can eat at more leisure.

The amount of meat allowed for the noon meal was 900 pounds, and upwards, depending somewhat upon the portion used, but added to the 400 pounds used in the morning meal it gives to each man nearly one pound of meat per diem.

The workshops were all visited. The men seem to be contented at their various employments, the amount of work required being based upon a portion each alike, those completing their "stent," as it was called, were noticed sitting by their machines or windows.

Barbers were at work in all departments. Cell utensils were sterilized in hot water between each application. Hair cutting was compulsory once a month, shaving twice a week. The men were carefully scrutinized and no evidence of skin disease or irritation was apparent, the communicability of barbers' itch being such as to indicate that the implements used were cleaned as stated. Each man has his own cup and brush. Boxes filled with sawdust or shavings were provided accessible to every man for expectoration, and but few instances were noticed where such provision was neglected.

Baths are provided by two methods — tubs and showers. The first were used when directed by the physician in charge. Compulsory bathing once a week, more frequent opportunities are provided if requested. Altogether some forty showers were available and six tubs.

The warden stated that criticism had been made of the "in-

humanity" (the term used) of compelling men to bathe in each other's presence without any protection, but upon careful observation he had concluded that the present method was the best. The risk of seclusion affording opportunities for pernicious practices being too great, he advised a continuation of the present method. The kitchen, coppers, cooking utensils, all appeared well ordered and clean. Increased light, air, and ventilation would be a great advantage, but structurally not practicable in this old building.

As bread constitutes so large a portion of the dietary we examined its preparation with care. It is made of fine white flour, thoroughly baked in a massive rotating baker, and was of excellent quality.

We visited and examined the schools and the chapels, of which latter two are provided, one for the Roman Catholic and one for the Protestant prisoners. Attendance at one or the other is compulsory on Sundays. Opportunities for confession and other offices of the church are given if desired.

We visited and inspected the black cells, padded cells, and the hospital, and found them all in good condition suitable to the purposes for which they are used. Special attention was directed to the medical service. The stenographic report accompanying will give the information in the most succinct form and also in regard to punishments.

Your committee were united in their opinion that the general condition of the prison was satisfactory, and that the warden, Mr. Jesse R. Frost, is interested in his work and making every endeavor for the welfare of his charge and the general improvement of the men.

MINUTE RELATIVE TO SAMUEL JUNE BARROWS, ADOPTED MAY 20, 1909.

The Executive Committee of the Prison Association of New York learned with sorrow that on Wednesday, April 21, Samuel June Barrows, the Corresponding Secretary of the Association, had died of pneumonia in the Presbyterian Hospital in the borough of Manhattan of this city. He had been ill only a week and his death was unexpected. In this, their first regular meeting since this sad event, they would pay this personal tribute to his memory and recount a few facts of his life.

He was born in New York city in Columbia street, where the Brooklyn bridge now comes, on Monday, May 20, 1845. His father was English, his mother half Quaker and half Dutch. His father died when he was four years old, and as there were five little children to care for, the boys were sent to work after brief schooling. He entered at nine years of age his cousin Richard Hoe's machine shop at a salary of one dollar a week, out of which he reserved one cent for his private expenditures. The rest he gave to his mother. He studied in the night school founded by Mr. Hoe for his apprentices and remained nine years with him. At ten years of age he was the operator of the telegraph which connected Mr. Hoe's factory with Mr. Moore's. During the latter part of his stay he studied in the night school of the Cooper Union which was incorporated in 1837. He mastered Graham's shorthand and for over a year (1863-4) was a shorthand clerk of Fowler & Wells. In 1864 he volunteered in the navy, but was rejected on the score of health; so to regain his health, he went to the Hydropathic Dansville (N. Y.) Sanitarium, where he paid for his treatment and board by stenographic work for the proprietor, Dr. James Caleb Jackson. On leaving the sanitarium cured, he became a reporter on the *New York World* and rose to be assistant editor. In 1867 he became William Henry Seward's private secretary and was until 1871 in the Government employ, in the Consular Bureau and the Bureau of Rolls. His thoughts now turned to the ministry. He had been brought up a Baptist.

and his wife, whom he married in 1867, had been a Presbyterian missionary in India, but both were now Unitarians and so he entered the Harvard Divinity School in 1871. He varied his theological labors by fighting Indians, for in 1873 he was in the Yellowstone expedition under General Custer, as correspondent of the *New York Tribune*, and took part in the battles of Tongue River and Big Horn, and the next year was again upon the plains.

After graduating from the Divinity School, he studied for a year in the University of Leipzig. In 1876, he became pastor of the First Unitarian Church of Dorchester, Mass., and so continued for four years. He is still remembered with affection in that parish. But he felt it his duty to leave the pastorate and to take up the editing of *The Christian Register* published in Boston, the organ of his denomination, and for sixteen years he held this post and did good service.

While editor he became interested in penology. In 1895 he was Secretary of the United States delegation at the International Prison Congress in Paris. He showed himself from the start eminently fitted for such work, and so was in 1896 appointed by President Cleveland to represent the United States on the International Prison Commission. Under Josiah Quincy, who was Mayor of Boston from 1895 to 1899, he was chairman of the Advisory Board on Penal Institutions. He was also one of the founders of the Massachusetts Association, author of the probation law of the State, and a member of the International Society of Comparative Criminal Law. At his death he was President-elect of the International Prison Congress which will meet in Washington in 1910.

He had an experience of public office, for, owing to political complications, he, a strong Republican, was chosen to represent the Tenth Massachusetts District, a Democratic district, in the fifty-fifth Congress and served his term from 1897 to 1899. But when he sought re-election, things were more normal and he was defeated. President Harrison appointed him Librarian of Congress, but circumstances forced his declination. In 1900 he became Corresponding Secretary of the Prison Association, and so for nine years our affairs have been guided by him. How quickly did the old friends of the Association find out that he

was the right man in the right place! How quickly did he win new friends for the Association! Our finances improved in surprising manner and the community generously replied to his appeal for material help. And no one who read one of his appeals, none who heard him speak on our work, could have questioned his competency. The voice was that of the shepherd and the master, not of the hireling or the novice. He pleaded the cause of the prisoner because he was a lover of man and counted those members of the human family who had broken the social contract as still worthy of human treatment and of every effort to regain them to society, to win them back to the path of duty.

As we came to know him better, our astonishment at the range of his interests and of his information constantly grew. To us at first he was a penologist, the writer and editor of important reports on penological subjects, the fountain of knowledge on prisons and prisoners, their helps and their hindrances, their friends and their foes. We shared his enthusiasm in the good work of prison reform and were glad to co-operate with him. We too wanted to see the fee system abolished in every county of our State, to see all the jails under proper control, and graft in prison a thing of history merely. Then we found that he had interest in the humane side of our work and rejoiced if he could aid by advice and money and other help those depending upon us. As time went on we discovered that he had other interests, that his sympathies took an extraordinary range. We found that there was no cause in which the welfare of man or woman was a factor in which he was not ready to embark. He was a strong advocate of total abstinence, of woman suffrage, of the education of Indians and of the colored people, of international peace and comity. He threw himself into the support of Russian freedom, and would have been just as devoted in freeing any other people. He was, too, a man of remarkable accomplishments. He was acquainted with many languages and literatures and daily drew deep draughts from the springs of Greek thought. He had traveled widely and with open eyes, and had entered into friendship with men of many climes. And with all he was a musician. When he played on the organ or sang in the oratorio, he was carried away and you would have said that music was his only passion. We found that

there were many who knew him in one or two of these interests, but there was probably none who knew him in them all.

And then what a fine man he was! He had charm. He was full of humor, he sparkled with wit. He was quick in his movement and in his speech. He was the embodiment of energy. He overflowed with sympathy and appreciation. His presence was always cheery. There was sunlight where he was; there was more ozone. He was a live man. There was in him a mighty tide of joy and peace because he lived an unselfish life, and only those who live for others get the best out of life. He wielded a trenchant pen, could make an eloquent speech, draft an interesting report. He knew how to use his hands in the making of articles, in fact it seemed as if he could do anything and everything, except that which was base. Sin in all its forms had no attraction for him. In him men saw virtue only.

We thought that there were for us many more years of joint labor under his leadership, and that he would be permitted in the serenity of old age to continue his service as counsellor after his active days were over. But God has willed it otherwise. He has closed the book of his earthly life at what seems to us its most interesting page. He has died in the fulness of his activity and in the maturity of his powers. But his work is done. And it was a great and needed work. We say farewell with tearful voices, farewell till we meet again.

SAMUEL JUNE BARROWS.

A CIRCUIT RIDER IN THE HUMANITIES.

PAUL U. KELLOGG.

THE WIRELESS MESSAGE

Electric pulses through the viewless air
 Pitched to some distant tone,
 With ardent zeal their voiceless message bear
 Through the ethereal zone,
 And at some tuned, receptive point remote,
 They find their kindred note.

Self poised on high the towers of the soul
 Some distant message wait.
 Magnetic pulses speed from pole to pole,
 Swift to affiliate:

But thou, my soul, to gain this wished-for boon,
 Must keep thyself in tune.

Love flashes in the open, shoreless sky,
 Pathway of God and man,

The burning question and the swift reply.
 Shall I the message scan?
 And shall I find as these swift pulses dart
 Some message for my heart?

In his verses on *Life and Song*, Sidney Lanier lamented that the singer had not yet come, who should wholly live his minstrelsy — live it as if life were caught by a clarinet and its heart were utterly bodied forth in the throbbing of the reed. The Oratorio Society and the Prison Association of New York united the evening of May 27 at Mendelssohn Hall in a service commemorative of the life of Samuel June Barrows. The splendid choruses in which he had lifted up his voice for years were interspersed by addresses telling of him as the helper of prisoners, the lover of letters, the lover of justice, the man of peace, the shepherd of souls. These are so many aspects of a life, long and full, which had loosened many of those fetters that bind men to misery (such as crime, bigotry, war and race hatred) and which, in turn, had forged strong, radiant links with music and the other joys of creation. For it was more nearly true of him, than of most men, that "his song was only living aloud; his work, a singing with his hand."

Mr. Barrows died of pneumonia on April 21 at the Presbyterian Hospital, New York. The illness came upon him suddenly in the flood-tide of the year's work; and his very loyalty to the public duties thick upon him, made him loath to be reconciled and to lay them down. "I think it is hard to die like a saint," he said. "I am content to die without a crown, just as a decent man." In that way, also, had he lived, simply, unpretendingly, just as a decent man. Yet the International Prison Congress, when it assembled in Washington in 1910, will meet without its elected president — the first American to be called to the chair of this world's conference. Delegates, speaking various tongues and standing high in the councils of the great governments, will mourn not only a fellow member but a friend, as intimate and personal to them as to the boys of an East Side night school fifty years ago, who without leave or precedent gave "nine cheers for Barrows" when he left their class. And convicts in the great prisons of Eastern Europe, shuffling negroes in the chain gangs of the South, parolemen granted a new chance in life by Australian law he had influenced, children before the new juvenile courts of France, sick men in the disease-beset cell-blocks of our older penitentiaries, young offenders locked in with the hardened rouncers of obscure county jails — all these also lost a friend, as surely as their lot, and that of their kind for generations to come, is bound to be influenced by the things he substantially advanced.

Mr. Barrows's last piece of self-sacrifice was for such a one — in prison — to be visited though it were to the ends of the world. In March, Mrs. Barrows had set out for St. Petersburg, in behalf of Madame Breshkovsky, one of the heroic noblewomen of the Russian revolutionary movement, who, in her seventieth year, lies sick in the fortress of St. Peter and St. Paul. "I should be glad to give my life for Babushka," he said, as his wife started alone on this emergent mission to Russia, "and would count it well spent. I cannot go; I think you should go." The cables carried word of his sickness to Mrs. Barrows, but the fastest steamers were unable to bring the wife back to her own until after his death. We may be sure, however, that there was communion between them — such answering chords of the spirit as found expression in the stanzas on the preceding page which he

had written, half-prophetically it would seem now, when they were last on the ocean together.

Separated at death, in life Mr. and Mrs. Barrows have been so truly at one that a review, however brief, of the work of either must have much of the character of a joint biography. Their collaboration on a volume of reminiscences is one of the plans whose fulfillment his death came to prevent. This sharing of life work together was the more remarkable because of the great variety of experience which he, as few men, got out of his generation. Here was a man who campaigned in the Indian country, and was a peace advocate; who dug up Greek temples and pulled down old jails; who as a linguist mastered the harshest consonants of the nations, and as a sweet singer sang oratorios, and wrote ballads; here was a newspaper correspondent, preacher, editor, stenographer, penologist, parliamentary leader, poet and humanitarian.

Mr. Barrows was born May 26, 1845, on the lower East Side, New York. He was a child when his father died after a protracted sickness. The first years were of utter poverty. His mother made a living for herself and her four children by making shoe-blackening after an old English recipe. At eight years he went to work as an office boy in the printing press works of R. Hoe & Company. He worked ten hours a day; his wages were a dollar a week; Sundays he listened through three heavy sermons; evenings he went to night classes; and one year his employer let his wages go on while the boy attended day school. Colonel Hoe was a friend of Morse, the inventor of the telegraph, and the first private wire in the world was strung to his factory. Twelve-year-old Samuel Barrows operated it. The boy also studied shorthand, and throughout his life was an expert stenographer.* During the war he attempted to enlist in the navy but was thrown out on account of health; and to retrieve the drains in strength

* Mr. and Mrs. Barrows accomplished jointly what had never been done before — the first verbatim report of one of Phillips Brooks's rapid sermons. Mrs. Barrows has translated mentally addresses in German by Carl Schurz and taken them down in English while in process of delivery. For twenty years she was official reporter and editor of the proceedings of the National Conference of Charities and Correction, and has served various international conventions in similar capacity, inscribing her notes in whatever language was spoken. Post cards marked with pot hooks by husband or wife carried more intelligence to the other than long letters between less gifted correspondents.

which overwork since childhood had made upon him, he took a position as secretary with Dr. Jackson of the Dansville Sanitarium. It was there that he met Isabel Hayes Chapin who was equipping herself as a medical missionary to return to India, whither she had gone as a bride of eighteen and where her husband had died. Mr. and Mrs. Barrows were married June 28, 1867. They were twenty-two; they had no money; but they were rich in purpose, and with rare courage and mutual helpfulness set about a larger preparation for the work of life.

While Mrs. Barrows completed her medical studies—those were the days when women students were pelted and ridiculed—Mr. Barrows served as a reporter on the New York Tribune, and for a summer as city editor on the New York World, then a religious daily. In 1868 he was appointed stenographic secretary to William H. Seward, and remained in the Department of State until 1874. At one time he fell ill with typhoid, and Mrs. Barrows took his post, the first woman employed in the department. During this period she completed her medical studies by a year at Vienna, specializing in the eye. Returning to this country she opened an office in Washington, the first oculist at the national capital. She taught also in Howard Medical School.

Mr. Barrows had studied out of hours at Columbian University (exchanging shorthand for Latin and Greek) and was now enabled to complete his own professional education. He entered Harvard Divinity School and graduated in 1874 (B.D.). Those were the years when Agassiz was delivering his famous lectures in natural science at Cambridge, and every Sunday the New York Tribune reported them at a page in length. The work was done by Mr. and Mrs. Barrows, and their reports were made up by Agassiz into a book.

During the summers of 1873 and 1874, the divinity student was with General Custer on the Yellowstone and in the Black Hills as correspondent for the Tribune. His summers were full of adventure: he was the first to report the discovery of gold in the Black Hills, a bullet struck a tree just above his head, and he narrowly escaped an ambush in which his companion was killed. By good fortune he did not set out the next season—that of the massacre—but with Mrs. Barrows spent the year in post-grad-

uate studies at Leipzig. Returning to this country, he was made minister of the first parish, Dorchester, Mass. Four years later he became editor of The Christian Register, making that Unitarian journal a national force during the decades of the great church weeklies. In 1897 he was elected to the fifty-fifth Congress, a republican from a heavily democratic district which had been outraged by a corrupt incumbent. His first success was in securing from Congress permission to send ships to India loaded with grain for the famine sufferers; his chief speech was perhaps one in favor of admitting books and works of art free of duty—again that balance which has been pointed out as characteristic of the compelling interests in his life. His congressional career was short—one term—but during that time he was instrumental in associating the American Congress with the parliaments of the world. He was the first American to join the Inter-parliamentary Union, and ten years later was the active member of the committee in charge of the St. Louis meeting which brought here representatives of the legislative assemblies of all civilization.

Mr. Barrows's retirement from Washington marked the maturing of his larger work for prison reform. He had been one of the founders of the Massachusetts Prison Association and had helped develop the probation system in that State. In 1896 he was appointed by President Cleveland commissioner for the United States on the International Prison Commission, serving since then on its executive committee and representing the United States at the quinquennial congresses in Paris, Brussels, and Budapest. At the last congress he was elected president. It was through his efforts that the congress of 1910 is to be held in Washington. Mr. Barrows was instrumental in securing a federal appropriation of \$20,000 for this congress, and the major work of preparation has been done by him. With Mrs. Barrows he had planned a tour this summer of the South American republics to enlist their interest in the Washington gathering.

In 1899 Mr. Barrows was appointed corresponding secretary of the Prison Association of New York, and for ten years his influence for progress and breadth of view in penal legislation has been cumulative in both State and Nation. It has been marked by repeated assaults on the stupid blunder of capital punishment, by his ready recognition of the juvenile court idea, his

energetic attacks upon systems of prison idleness, and his unswerving support of the reformatory movement, probation and parole. These have been linked with a grasp of the technical side of prison construction and management. He was a member of the New York State Probation Commission of 1903-6, and of the present State Commission on New Prisons which is charged with the task of replacing old, disease-ridden Sing Sing with a modern structure. To this end Mr. Barrows visited Great Britain, Sweden, Finland, Russia, Germany, France, Spain and Portugal. Some of the best energies of the last years of his life were devoted, against domineering political opposition, to secure the embodiment in the new institution of some of the standards set by modern European prisons. At the present session of the New York Legislature, in co-operation with the State Prison Commission, his association strongly urged the establishment of three state workhouses and a reformatory for youthful misdemeanants. When taken sick, he was in Albany in support of bills to make the office of sheriff of Queens county, New York, a salaried one, to establish a board of trustees of labor colonies for the detention, reformation and instruction of persons convicted of vagrancy, drunkenness, etc., and to establish the "John Howard Industrial School" for the educational, industrial, and moral instruction of juvenile delinquents. In behalf of the latter measure, in a report drafted for the Prison Association of New York, and released for publication one week before his death,* he made this appeal:

The poor boy in New York is pretty well taken care of and so is the youthful felon. But the youthful misdemeanant has been overlooked.

It is appalling to think that by a process of legal indifference and neglect a boy may be sent for six months or a year to a jail where he comes into the most degraded society, where he is without work and without schooling, except the deplorable schooling in crime furnished by older and hardened offenders. A few figures from the official reports of the State Commission of Prisons show how imperative is the need. The number of boys from sixteen to twenty-one sentenced to jails and penitentiaries for the past year outside of Greater New York was 4,428 and the number of the same age sentenced in New York city was 14,044, a total of

* The three first pages only of the present report were written by Dr. Barrows, just before his death. For the rest of the report, he must not be held responsible.

18,472. In addition more than 10,000 between the ages of twenty-one and thirty, are likewise sentenced to the jails and penitentiaries.

The passage is cited because of its timely bearing, although it is not representative of the lofty utterances which found place in many of Mr. Barrows' speeches and writings, nor of those less frequent instances in which indignation mounted over his persistent kindliness. Then he spoke the wrath that was in him at the continuation of conditions that sicken and besot humanity. His public arraignment was of methods and institutions rather than of men. He was a staunch fighter of the iniquitous fee system, and though he succeeded in having it abolished in many counties in New York State, those who love him best feel that he fell a victim to his warfare in behalf of this cause. His last letter, written from Albany the day he was taken ill, told how men in both parties were leagued against him (for the shrievalty has been one of the prizes in county politics and must be rooted out one county at a time); but said that he was determined to fight till the end to free Queens county, one of the strongholds of the system. Hundreds of impressionable first offenders, who ought to be placed on probation or in the reformatories, are held in the old Long Island jail because of the profit in their keep. There is a solemn indictment in the circumstances of his death, which those who are responsible for blocking the reforms for which he stood, must settle with their consciences as best they may,—those who discounted the disease and criminality bred in such conditions, and saw only an office for the fall elections, and such fees as have made men rich. And there is a challenge in the circumstances of his death to younger men to carry forward the causes that laid such compelling hold upon his last strength.

In his federal capacity, Mr. Barrows did much work with the Department of Justice toward a revision of the penal law of the United States. He was identified with bills before the last Congress, providing for the parole of United States prisoners, for the appointment of probation officers and the suspension of sentence in United States courts, and for a revision of the statutes relating to the commitment of United States prisoners to reformatories of states. He was tremendously interested in the work

of the local commission which reported in January on the jail, workhouse, etc., in the District of Columbia and which recommended the establishment of a model system for the national capital.

Mr. Barrows's services were not restricted to either New York or the Federal government. They were at the call of prison reform in every state. This was illustrated in his long volunteer work as departmental editor on the treatment of the delinquent for *Charities Review*, *Charities and The Commons*, and *The Survey*, involving, as it did, a large investment of time and interest. He was repeatedly chairman of committees of the National Prison Association and the National Conference of Charities and Correction. Among recent undertakings, mention should be made of his work on the committee which has aroused local interest throughout the country in the sanitary conditions of jails. He drafted the reformatory law and probation law for the new state of Oklahoma, addressing the Legislature last year in their behalf. Last fall he addressed three state conferences on the Pacific Coast and visited penal institutions from San Diego to Seattle. In January, he made three addresses to help arouse public sentiment in Milwaukee against its house of correction.

Through reports prepared for the International Prison Commission his work as circuit rider in penology finds permanent form and has been circulated in many countries. There have been fifteen of these titles, including reports on the Criminal Insane in the United States and Foreign Countries, the Indeterminate Sentence and Parole Law, the Reformatory System in the United States, Penal Codes of France, Germany, Belgium, and Japan, Modern Prison Systems, New Legislation Concerning Crimes and Misdemeanors, Growth of the Criminal Law, and Children's Courts of the United States. Mr. Barrows made these reports, together with his biennial trips to Europe as American prison commissioner, responsible to the Department of State, a basis for what was in truth a rare diplomatic service — an informal ambassadorship to all nations in the cause of enlightened justice. Take, for instance, two letters received (since his death) in the same day's mail. One from Tasmania, tells how primitive is the prison system there, what great changes will have to be made before it

can truly be reformatory. It adds that the system set forth in the New York Association's report sent by Mr. Barrows will largely form the key to the improvements advocated. "You have given me fresh courage in this, my life work, and strength to carry it on," the writer says. "You little know how far into the future your kindness will reach." The second letter is from an official of the Transvaal Prison Department, who had received counsel and copies of reports from Mr. Barrows, and who had given them wider influence by lending the reports in many quarters, "where they would be more eloquent than I," and making them available for the press. The writer says:

It is clear that American methods find greatest favor here and we trust in the future that we shall be able to keep in touch with the United States and learn what is taking place. When I tell you that since my first letter to you, we have a reformatory in full working order and classification in all the large prisons, and that this session of Parliament will see introduced the principles of indeterminate sentence, parole and probation and other improvements in the treatment of juvenile delinquents, you will see that your action in sending me your books was not entirely in vain.

Space forbids excursions into other fields of interest which Mr. Barrows explored with such keen zest throughout his life. His religious experience began with folded arms beneath the teacher's quick rattan in the old Cannon Street Church, as related in his book, "A Baptist Meeting House." Soon after his majority he became a Unitarian, and what a friend has called his "incessant helpfulness" was but a practical living out of the catholicity of his faith. Margaret Deland drew not a little of the material for her novel, "John Ward, Preacher," from his early book, "The Doom of the Majority of Mankind," and a recent anonymous article in *The Independent*, "The Church I Am Looking For," provoked much discussion. The writer had looked for a vineyard to work in; instead they had set him to building fences. He was a strong advocate in the peace movement, a leader in the Mohonk conferences on the Negroes, Indians, and International Arbitration, and in each of these fields took a life-long and active interest. It was Howard University (colored) which granted him a degree of doctor of divinity in 1897. He was a frequent editorial contributor to magazines, notably *The Outlook* and *The Independent*,

his writings showing both a constructive earnestness and an inimitable humor. This last year he prepared a series of articles for *The Outlook* on the temperance movement and became a formidable figure in the new discussion of the liquor question. His readiness to assume emergent tasks in addition to his serene mastery of routine responsibilities was illustrated in the winter of 1907-8, when he acted as executive secretary of the Russian Famine Relief Committee, which collected over \$50,000 in this country.

A hundred stories could be told of the approachableness and ineffable sympathy of the man. "You need not be afraid to disturb me by writing upon this subject," was his answer to a letter from an unknown questioner. "I am always deeply interested in having something done." He taught a new play at jackstones to the newsboys at the corner where he took the car. Later, one of them nudged a playfellow, as Mr. Barrows passed on the street. "There he goes," he overheard, "there's the feller that introduced 'skunks' into Dorchester." But neither his ever-present sympathy nor his patient reluctance to retort in the face of opposition or attack, nor the glamor of philosophy which shone in his face, was cloak for inaction. He was the fastest horseman in his Massachusetts regiment. As a youth, in the days of the draft riots, he stamped out the firebrands which a mob had thrown into a store they were about to loot. As a reporter, he made some of the famous "beats" of his day — one, a great wreck on the Atlantic coast and another, a New Jersey hanging. The execution was delayed until a late hour and, when the correspondents posted to the telegraph office, they found it closed. Barrows connected the wire which had been cut off and sent his message in with his own hands — the only one to reach New York in time for press.

A member of the Handel and Haydn Society, in Boston, he became a member and director of the Oratorio Society in New York. He learned the piano at fifty, and at the time of his death was practicing two hours a day on the organ at St. George's. He composed the words and music of many hymns, the harmony of an organ prelude, the lively music of such fancies as "The Echo Queen" and "The Beacon Street Tramp, a Panethnicphilar-

thropometric Play," which he wrote and took part in with much gaiety. He spoke French, German and Modern Greek, read Dutch and Italian, and was learning Spanish for his South American trip. The address of the American commissioner in Hungarian was a feature of the great Budapest Prison Congress.

It was the life and culture of the Greeks which laid closest hold upon his hours of leisure and which has had artistic sequence in the work of his daughter, Mabel Hay Barrows Mussey, in reviving the Greek drama. Mr. Barrows spent a year in Greece with Dörpfeld, the famous German archaeologist, and was with him when he dug up the Homeric city of Troy. He was the author of "The Isles and Shrines of Greece." Homer was his heart's love, and at his summer home on Lake Memphremagog in lower Quebec, the first two hours after sunrise were given over to reading the new meaning of a student of peoples into the ancient lines. It was there in this camp started by the Shaybacks, as the Barrows had called themselves when they first explored the region thirty-three years before, at Cedar Lodge, and Cabin June, and Birch-ley, that the marvellous family life of this American household found its amplest expression. Hoc, Seward, Agassiz, Phillips, Brooks, Dörpfeld, Custer — those were various men to mark a man's life intimately, and they but stand for a hundred other men of world-fame who counted him as their friend; but here about their open fires — and this is of greater meaning — "Uncle June" and "Aunt Isabel" have been in a very real sense foster parents to a company of children of the world, knowing no race, or creed, or color as not of kin. Here was an every-day embodiment of that universal sympathy, gentle, resistless, which marked his play, and work, and preaching — which made fraternalism the great tenet of his democracy and made the uncrowned decent living of this man at once a harmony and a social force. Here was a man who fraternized in a full-blooded sense with the ancient Greeks, with the famine-lean peasants of the Volga provinces, with the prisoner of the meanest jail, with the masters of music and art and government, with the God of the mountain peaks of his northern lake — "Nor time nor space nor deep nor high" could keep his own away from him.

IS CRIME INCREASING?

BY EUGENE SMITH.

The belief prevails, almost universally, that crime in the United States is increasing—increasing far more rapidly than the growth of the population. This belief finds constant expression in books, in reports of benevolent societies, in periodical literature, in the issues of the newspaper press; we are continually listening to proclamations of it from the pulpit, from the platform, from legislative assemblies and in daily conversation. Nearly every appeal in behalf of any moral or social reform is fortified by the statement that crime is increasing; and this statement goes unchallenged, whatever exception may be taken to other arguments urged.

These allegations about the increase of crime are often made in a somewhat perfunctory manner, as if the fact were merely an unfortunate incident of modern life, and without any proper conception of its appalling significance. Crime is the one fatal malady which has destroyed all the nations and the civilizations that have become extinct in the history of the world. If crime is really increasing, no other possible symptom in our national life can be so alarming; it means that the process of national disintegration is progressing; a process which, unless arrested, must inevitably end in death.

If, on the other hand, crime is not really increasing, then the popular prevalence of belief to the contrary is productive of incalculable harm. The immense expenditures of energy and of money in philanthropic and charitable and religious enterprises seems, under this false belief, to be fruitless. Prison reform and all measures for the reclamation of criminals are discredited as chimeras. Effort to make the world better is enervated or paralyzed, and a spirit of despairing pessimism makes the contest against crime appear a hopeless one.

It is, therefore, difficult to propound a topic bearing a deeper and more practical importance than the question—Is Crime Increasing?

In most of the utterances on this subject, the increase of crime is assumed to be a fact so universally admitted as to render it superfluous to adduce any evidence in its support. But whenever the attempt is made to fortify the statement by proof, appeal is always had to the statistics of crime. Even then, it is generally deemed sufficient to allege that "statistics show that crime is increasing," without entering upon any particular analysis of them. Indeed, it is quite obvious that if the increase of crime is to be proved, statistics are the only source from which positive and conclusive evidence can be sought. If the statistics fail to furnish such evidence, then the question whether crime is or is not increasing becomes an open one—a question to be decided upon probable evidence, by the weighing of countless facts and tendencies and inferences pointing, some to one conclusion and some to the opposite conclusion. It becomes the first duty, then, to inquire whether the statistics of crime yield any answer to the question and, if so, what answer.

All official statistics of crime are necessarily confined to those cases that come before the courts. They are of three classes, relating to arrests, convictions and imprisonments. They aim to give the number and classifications of the following persons: (1) those arrested, and the offenses of which they are accused, (2) those convicted or acquitted, and of what offense, and (3) those imprisoned, for what crime and for what term.

First, as to arrests, it has been claimed that a knowledge of the total number of arrests made would furnish some criterion of the volume of crime; for every arrest, it has been asserted, represents a crime; known to have been committed, whether the person arrested is the one guilty of it or not. This position, however, is entirely erroneous. When the commission of a crime is brought to the knowledge of the public authorities, no arrest whatever is made in some cases, either because the guilty person has escaped and cannot be caught, or because there is no ground of suspicion against any particular person sufficiently well grounded to warrant his arrest. In most cases, however, several arrests are made, of persons suspected of having committed the crime or of being confederates or of having guilty knowledge regarding it. Further investigation and changed detective theo-

ries may lead to a new set of arrests, and so it may happen that five, ten, or twenty persons may undergo arrest for a single known crime, and yet none of them be proved guilty. Many arrests are made of suspicious characters who are detained without reference to any particular crime known to have been committed. All these circumstances result in the fact, shown by such local statistics as have been published, that one person out of every three or four arrested is actually convicted. Add to this fact the consideration that many crimes are not brought to the attention of the public authorities at all, and it becomes apparent that the number of arrests made not only forms no measure of the volume of crime, but really throws absolutely no light whatever on the question.

Secondly, statistics of the number of persons actually convicted of crime would have a greater significance. But we possess no general statistics relating to convictions, as we have none regarding arrests. A few of the larger cities publish such statistics, which have, of course, an importance which is purely local and limited. No statistics exist from which any knowledge can be gained of the number of persons convicted of crime throughout the United States within any year, with a single exception. The last United States census gives, for the first time, the number of convictions during one year (1904); but this throws no light on the question, as there is no similar census for any other year with which to compare that of 1904.

The only general statistics relating to crime in this country are those contained in the United States Census; and these (with the exception stated above) give simply the number and classification of prisoners under confinement on a certain day, comprising, however, persons awaiting trial and those detained as witnesses, who are not of course then convicted of crime; such unconvicted prisoners constitute about one-eighth of the total number.

If we possessed complete statistics showing the number of persons actually convicted and sentenced for crime from year to year, it would be possible to gain knowledge whether the number of such convictions was increasing or diminishing. But the statistics of the United States afford no convincing evidence upon this question. The population of a prison is constantly varying;

it depends not so much on the number of annual convictions as upon the duration of the sentences. These sentences vary in length from a few days to twenty years and upward; a very considerable number of them are sentences for life. It follows that a large fraction of the prison population is composed of inmates who are old residents representing convictions had many years ago. On the other hand, the short term prisoners are constantly coming and going, in irregular numbers. The difference in the length of the sentences is infinitely variable and, with the expiration of each sentence, the population of the prison is reduced, while it is increased by each new commitment. It may occur that an unusual number of sentences, though pronounced years apart in the past, happening to concur in expiring the same month, largely reduce the population on the last day of that month. By a like contingency, few sentences may happen to expire in a given month, while the number of new commitments may prove unusually large, thus swelling the population at the end of such month. From these causes, the population of a prison is continually and largely shifting in size from month to month and even day to day. If we knew the average daily population throughout the year, we might fairly compare one year with another. But the comparison of one day, arbitrarily taken, with another day ten years later can yield no result of much value for any purpose.

The number of convictions may be the same for several successive years, and yet the prison population may either increase or decrease during those years. If the new convictions are for short terms, they may be more than counter-balanced by the expiration of old sentences and the prison population will diminish; if the new convictions are for long terms, the prison population will increase from year to year. To illustrate by a concrete example; take a prison which receives all the felon convicts from a given district and suppose that 100 persons are convicted every year within that district of felonies the punishment for which is imprisonment for not less than one year nor more than five years; also suppose that the judges, being of lenient temper, sentence all the 100 convicts to one year's imprisonment. The population of the prison at the end of the first year will be 100; at the end of

the second year, all of the 100 who were sentenced the first year will have been discharged, and the prison will still contain the 100 prisoners who were sentenced during the second year; and so on, at the end of every successive year, the number and term of conviction being constant, the prison population remains constant, numbering exactly 100. There is neither increase nor decrease. Suppose now, that the term of the sentences is increased from one year to the full term of five years, whether because of judges of sterner temperament or because the crimes are attended by circumstances demanding a severer punishment, and observe the result. At the end of the first year, the prison will contain 100 prisoners; at the end of the second year it will contain the same 100 prisoners convicted during the first year and also 100 more convicted during the second year, making the total population 200. At the end of the third year, it will contain the 200 prisoners convicted during the first and second years and 100 additional prisoners convicted during the third year. Thus for five successive years the prison population would increase every year 100 per cent. on the population of the first year; and yet during all that time the number of yearly convictions had remained constant without either increase or diminution. Of course this hypothetical case could never occur exactly as supposed, but it may serve to illustrate the operation of causes that constantly exist and which render it impossible to draw any conclusive inference from an increase of prison population that there is any corresponding increase in the number of convictions.

Unfortunately for the present inquiry, the census of prisoners taken in 1904 (being the one next following that of 1890), by a different classification, excludes certain groups of prisoners which were included in the previous census of 1890 and 1880. For that reason, it is impossible by comparison of the figures of 1904 with those of 1890 to determine with accuracy whether the percentage of prisoners in the total population was greater in 1904 than it was in 1890. The Census Bureau, by an approximate estimate, concludes that this percentage was probably slightly smaller in 1904 than in 1890. The only exact comparison possible is between the census of 1880 and 1890, both of which were taken under the same classification of prisons and of prisoners.

Let us then compare the census of 1890 with that of 1880. The result may be stated in a word; the census of 1890 shows that there were 146 more prisoners for every million of the total population of the country than there were ten years before; that is, the increase in the number of prisoners was less than fifteen thousandths ($15/1000$) of one per cent. of the population. In a chemical analysis, this fraction might well be called a "trace." But it constitutes the only statistical foundation for the popular outcry that crime is increasing. This slight variation between the one census and the other may well be accounted for by those considerations already advanced showing that an increase in prison populations may be owing to other causes than an increase in the number of convictions. The one fact does not necessarily involve the other.

Waiving these considerations, however, and granting the utmost force to the increase shown by the census, what is the extreme conclusion that can be drawn from it? Manifestly this — that for every million of the population 146 more persons stood convicted of crime in 1890 than in 1880 — that ten years showed this increase in the number of convictions for crime. But such a conclusion falls very far short of yielding an answer to the inquiry with which we are engaged. Our inquiry is not whether the number of convictions for crime is increasing but whether the number of criminals and of crimes committed is increasing.

It is necessary to repeat that all official statistics relate to those cases of crime that are detected and acted upon by the public authorities. These cases, when compared with the crimes that go undetected and unpunished, constitute but a fraction, and doubtless a very minor fraction, of the total volume of crime.

There is in the country a large body of habitual criminals, out of prison and at large, who are leading a life of crime; this means that they are continually committing crimes, as a business and means of livelihood. How numerous this class is, there is of course no means of accurately determining. Estimates made by students of the subject vary considerably. Mr. Henry M. Boies, author of the "Science of Penology," estimates that there are ten times as many criminals at large as there are confined

under sentence; five times, is the lowest estimate that has come under my notice. It is reasonably certain that the total number of criminals in the country is larger, several times over, than those actually confined under sentence at any one time.

It is obvious that the novices in crime are more likely to be detected and caught than the older and more experienced offenders. Success in a criminal career depends absolutely on the secrecy with which each crime is committed and the skill with which every clue that may lead to detection is effaced. It is often the case that a wary and astute criminal may carry on his depredations upon the public for a long series of years, committing hundreds of crimes, before Nemesis overtakes him. There are doubtless unnumbered instances where crime is habitually practiced during a lifetime and never detected and punished. The conditions of modern life and the congestion of populations favor concealment. A man can commit a burglary in New York, take rapid flight and within twenty-four hours be buried in the slums of Chicago, 1000 miles away; or, by turning a corner, he may plunge into the tide of people moving up and down a crowded thoroughfare, like Broadway, and become as effectually hidden from a pursuer as if he were in the heart of the north woods.

Besides the numerous cases of crime the perpetrators of which are never discovered, there are many crimes that are never disclosed or brought to the attention of the public authorities. The victims, actuated by various motives, choose to suffer their wrongs in silence. They may fear that their commercial credit will be impaired if it is known that they have sustained loss by robbery; they may shrink from the publicity of appearing as prosecutors, or they may distrust the police or fear the vengeance of the offender or of his accomplices; they may lack the public spirit to press a prosecution which can bring no visible reward to themselves or they may be restrained by feelings of pity or sympathy for the offender because he is a relative or because he is repentant or because he has an innocent family dependent upon him. Then there are the many cases where miscarriage of justice occurs through defective evidence or perjured testimony or technical flaws of criminal procedure.

Considerations like these, which might be largely amplified, tend to the conclusion that possibly not one crime in a hundred results in the conviction and imprisonment of the wrongdoer. The great mass of crime that burdens the people is committed by criminals who go unpunished and cut no figure in any official statistics of crime. It is utterly futile to search the census enumeration of prisoners for any criterion, or even for any light, to aid in estimating either the volume of crime or the number of criminals.

The census statistics of crime are valuable for one purpose; they afford some measure of the efficiency of the government in the repression of crime. They show the number of persons who are, for the time being, segregated from the body of active criminals and rendered harmless to the public. The criminal class is divided into two sections; Section A, those who are in prison — Section B, those who are out of prison. These sections are in inverse ratio to each other. If one section is increased, the other is by so much diminished. Is it not evident that every criminal at large who is caught and imprisoned not only increases the number of prisoners but decreases the number of criminals at large? The true aim of our whole system of criminal law is to gather into the prisons all who commit crime, leaving at large no criminals at all; to make Section A absorb the whole of Section B. If this legitimate aim should ever be fulfilled, then and then only would the census returns register the number of criminals and afford a measure of the increase or decrease of crime.

But, as the facts now are, the census returns indicate only how far this aim has been accomplished and to what extent the process of absorption of the criminal class into the prisons has been carried. An increased prison population may be owing to increased energy and efficiency in the enforcement of the criminal law and, instead of furnishing ground of apprehension and alarm, give evidence of advance made in the repression of crime.

The fact that there are more criminals out of prison than in prison has not been overlooked by the statisticians. One of the ablest of these, Mr. Roland P. Falkner, in a very exhaustive and conclusive article, published in the *Annals of the American*

Academy of Political and Social Science, has demonstrated that the returns of the United States Census furnish no grounds for deciding the question whether or not crime is increasing. He is of the opinion, however, that certain changes in the method of taking the census of prisoners might result in throwing some light upon it, but only with the aid of a certain assumption regarding the criminals out of prison. He says: "It may be assumed that the number of cases (of crime) undiscovered and unpunished maintains a more or less consistent relation to the total number of offenses against the law. Unless this assumption, which is akin to many which must be made in statistical science, be accepted, the possibility of crime statistics vanishes."

The assumption demanded by Mr. Falkner is that an increase in the number of convictions and imprisonments must be taken to imply a corresponding increase in the number of undetected and unpunished crimes; that is, as the number of criminals in prison increases, there is an increase in like ratio of the number of criminals at large. This assumption is at the most only a presumption and by no means a conclusive presumption. An increase of prison population may arise from many causes other than an increase of crime; it often results from changes in the law²; it is sure to follow a more thorough or a rigorous enforce-

²A signal example of misleading variations in criminal statistics is afforded by the history of legislation regarding drunkenness in the State of Massachusetts. By a law of that State passed many years ago, intoxication in a public place constituted the crime of drunkenness, and statistics were published annually showing the number of arrests and convictions for that crime. In 1890 the number of such convictions was 23,582; in 1892 the number had fallen off to 8,634. Statistically, here was a vast apparent reduction of crime—sixty-six per cent. in two years. It appears, however, that in 1891 a statute was passed which made the punishment for drunkenness (which had formerly been a petty fine) imprisonment for a term not exceeding one year, and conferred powers upon police captains to discharge persons so arrested without bringing them into court; practically, only those who were arrested for the third time within the year preceding the arrest were brought before the courts. The act of 1891 was quickly followed in other statutes which effected substantially a return to the old system; fines were restored and the powers of the police to discharge were abrogated. And, as a natural result, the number of annual convictions for drunkenness rose in four years to 19,428 and the number of arrests from 36,512 in 1891 to 104,871 in 1896. These striking statistical fluctuations yielded absolutely no proof of either the decrease or the increase of crime or even of drunkenness; they simply registered the effect of changes in legislation.

So, in the State of New York, the substitution of salaries, in lieu of fee in criminal cases, for the sheriff has reduced prison population from 105 to fifty per cent. (Annual Report of Prison Association of N. Y. for 1903.)

ment of the law. The assumption that an increase in the number of convictions indicates an increased volume of crime, if it has any basis at all in fact, must be received with the utmost caution and reserve.

When the annual capture of seals off the northwestern coast of the continent amounted to hundreds of thousands, was the position ever taken that the large increase in the yearly catch indicated a corresponding increase in the herds, because there was a fixed ratio between the number of seals killed and the number left? On the contrary, all the world knew that the seals were being exterminated. A few years ago, by like indiscriminate slaughter, the stock of deer in the Adirondacks was threatened with extinction. To avert such a catastrophe, new game laws were enacted and rigidly enforced, with the result that the killing of deer has been very greatly restricted. If we are bound to assume that the number of deer taken maintains a more or less consistent relation to the total number of deer, it would follow that the stock of deer was increasing and multiplying during all the period of unrestrained killing and that it is now slowly dwindling away. The absurdity of the assumption appears in the fact known to every resident and visitor in the Adirondacks, that the deer have so increased in number within the past few years that the farmers are beginning to find them almost a nuisance on their farm lands. What is true of seals and of deer is not less true of criminals; the more caught the fewer remain uncaught.

If the considerations thus far advanced are sound, they involve some important conclusions. No criminal statistics yield, or can be made to yield, any answer to the question whether crime is increasing or decreasing. They must relate only to known and punished crime, and cannot throw any certain light upon the vast volume of crime which ever remains unknown and unpunished. It must not be forgotten, moreover, that the judicial prosecution of crime is only one of the agencies laboring for the reduction of crime. There are many influences, social, philanthropic, educational, religious, that are warring against crime with far greater potency than the law can wield. It may happen, through the action of such influences, controlling the social environment, that the volume of crime may be diminishing without any evidence of the fact appearing in criminal statistics.

The answer to the question whether crime is increasing or decreasing can never be based on mathematical or demonstrative evidence. The problem involves too many unknown and secret elements and admits of only a *probable* solution. In nearly all important sociological questions?—Is drunkenness increasing? Is integrity in fiduciary relations declining? Does education diminish vice?—there are numerous known facts and instances from which deductions can be drawn, some tending toward an affirmative and some toward a negative answer; but when these deductions have been compared and measured, and generalizations have been formed to cover unknown facts and instances, the final answer is all that human knowledge can attain to, and the most that can be claimed for it is that it is probably true. The inquiry regarding crime in which we are now engaged is pre-eminently one of this kind, admitting of no dogmatic answer but demanding the careful weighing of evidences in the hope of arriving at probable truth. Indeed, there enter into the question so many uncertain and unknown factors that the answer is likely to be influenced by a subjective bias, owing to the personal temperament of the inquirer. The pessimist, who sees disaster and coming disaster in nearly all the manifestations of life, may perhaps convince himself that the nature of man is such that crime must necessarily spread until it becomes universal. A person of sanguine temper, viewing the signs of the times with hopeful spirit, may well find grounds of confident belief that crime is declining and not growing.

The changed conditions of modern life lend a deceptive color in many ways to the popular belief that crime is increasing. The congestion of population in cities restricts the freedom of the individual. Personal desires and habits and tastes that have free range in the open country have to be curbed by law in the city lest they infringe upon the comfort and the rights of the public. Then the rapid progress in invention and in the arts, producing changes in the methods of locomotion, in the character of buildings, in the habits of life, all compressing the inhabitants of cities into closer contact—the numerous adaptations of electricity in trolley cars, electric lights, the telegraph, the telephone—all these changes demand legal safeguards against possible abuse. Thus it is that

within the past twenty years there has been a vast growth in the criminal law by the enactment of *city ordinances* and state and federal statutes greatly enlarging the number of acts prohibited by law. Most of these prohibited acts are misdemeanors, the commission of which proceeds from careless disregard of the rights of others, from greed or passion or ill-temper, rather than from a really criminal purpose. But misdemeanors are legally classed as crimes, and these misdemeanors swell the number of nominal criminals.

The newspaper is the most powerful influence in fostering the prevalent belief in the increase of crime. It is within the past twenty years that crime has come to be treated as a leading staple of news. As the extension of telegraph and telephone lines has brought all parts of the continent into close and instantaneous communication, the vendors of news have eagerly gathered from every quarter detailed accounts of crimes committed. These accounts, chronicled in the daily newspaper and embracing, as they do, reports from the whole country, present a most formidable and impressive aggregate. Some newspapers, of the lowest type, but of the widest circulation among the masses, give such prominence and embellishment to their criminal reports that an undiscriminating reader might be led to infer that crime is the leading interest and industry of the country. But all, even the most reputable, newspapers devote a very considerable portion of their space to the reports of crime. It may be urged in defense of such publication that it is better that crime should be publicly exposed than that it should be covered up and hidden; that the publication militates against the commission of crime by making concealment more difficult and so has a deterrent influence; and that newspaper enterprise aids the public authorities in detecting crime and in procuring evidence to secure convictions.

On the other hand it must be admitted that there are bad results flowing from these publications. They exert an inciting and instructive, rather than a deterrent effect on the criminal class and are doubtless influential in producing what are known as occasional "epidemics" of some particular form of crime. Publication of minute details, accompanying the commission of a crime, acts by way of criminal suggestion and tends largely to instigate

further crimes. The profuse chronicling of crime also conveys to the public mind a familiarity with crime and an exaggerated idea of its prevalence which are distinctly demoralizing as well as misleading.

The public is apt to forget that the mass of the people are leading, sober, honest and industrious lives, and that crime is always an exceptional and morbid act; that for every defalcation, heralded with flaming headlines, there are thousands upon thousands of trusts honestly and conscientiously administered; that for every house plundered by burglars there are myriads of homes where life and property are secure and where no invader has ever entered; that for every dollar lost by forgery, there are untold millions of commercial paper passing every day through the regular channels of trade.

To properly estimate human progress, the comparison of two successive decades or two successive generations gives too close a perspective. Turn back to the beginning of the present era when our ancestors were in the primitive state of barbarism. Then human life was valued lightly, property was insecure, cruelty and unbridled passion and the strong arm dominated the race and crime was well nigh universal. Among us, the descendants of this lawless race, crime has been reduced until it is reasonably certain that our criminals, giving the term its most comprehensive meaning, now constitute a fraction of less than one per cent. of the population. Few traces of our descent are recognizable. Our land is dotted all over with hospitals and dispensaries, asylums and homes, schools and churches; there are countless philanthropic and benevolent agencies ever ready to extend a helping hand to the weak and tempted and to lift up the fallen. No man can now assert that necessity drives him to crime as his only resource. Our whole social environment and public opinion have ostracised vice and crime and driven them to cover where they can be practiced only by stealth. Never before in the history of the world have life and property and all legal rights been more securely protected against lawless invasion.

It is not difficult to trace the source of this vast and beneficent development. It is the leaven of Christianity that has pervaded and vitalized all this moral evolution. The teachings of the

gospel have moulded that healthy public opinion which believes in righteousness, which condemns vice and every immorality, which is the sheet-anchor of the law. The spirit of the age, charged with ideas and sentiments that Christianity originated, unconsciously shapes the thought and inspires the conduct of many humanitarians and philanthropists who hold themselves aloof from Christianity and even reject its doctrines. If the claim here made, that the Christian religion is the source and the support of our system of law and order, seem exaggerated, in what non-Christian country, I ask, are life and property secure and individual rights protected as they are among Christian nations of the world?

In the last analysis, the question of the increase of crime is a question of the supremacy of Christianity. If the Christian religion decline and its force weaken, crime will inevitably increase; if the principles and the spirit of Christianity gain added power in the life of the nation, crime will as surely decrease.

A Christian faith which looks forward with confidence to the ultimate triumph of Christianity can hardly fail to expect a progressive decline of crime and in the far future its final extinction.

THE AFTER CARE OF INMATES OF PRISONS AND
REFORMATORIES.

By HENRY ELSWORTH GREGORY.

[Read at the National Conference of Charities and Correction,
at Richmond, Virginia, May 12, 1908.]

THE AFTER CARE OF INMATES OF PRISONS AND REFORMATORIES.

Organized society has been slower than it should have been to interest itself in discharged prisoners. Content with prescribing penalties for the violation of its criminal laws, it, in effect, has said: Remove the man who steals the property or attacks the person of another, from the sphere of free activity; sequester him in a gloomy granite structure for a term of years. But with the treatment of those thus separated and restrained it has concerned itself but little, to its own cost and detriment.

You may remove your offender and incarcerate him for a season; but if he emerges and is readmitted to society, with his evil nature unimproved, nay, hardened, embittered, exasperated, better acquainted with criminal devices and methods, his mind more than ever occupied with anti-social and malevolent thoughts and he himself, from association with other offenders, become an adept in cunning and crafty criminality, with a desperate determination to avenge his ill-treatment upon society — if he returns in this condition, society has wronged him and punished itself.

THEORY OF PUNISHMENT.

Upon the theory of retributive justice that punishment should be inflicted mainly as a penalty, or by way of expiation, the treatment of convicts in prison may be harsh, unintelligent, even brutal, without exciting serious opposition or protest. But if imprisonment be regarded as punishment inflicted primarily for the protection of society, the prevention of crime, and the reformation of the criminal, then the treatment of prisoners should be very different; it should be humane, educational, scientific.*

While the theory that retaliation or expiation should be regarded as the purpose of the State in the imprisonment of criminals is no longer accepted by most penologists, one of the objects of punishment, according to Mr. Justice Holmes, of the Supreme Court of the United States, is "to gratify the desire for vengeance. The prisoner pays with his body."

* "A system which allows the return of a criminal to the community unchanged in purpose, does much less than should be done for the protection of society."—W. F. Spalding on the Indeterminate Sentence.

"The statement may be made stronger still, and it may be said, not only that the law does, but that it ought to, make the gratification of revenge an object. This is the opinion, at any rate, of two authorities so great and so opposed in their views as Bishop Butler and Jeremy Bentham. Sir James Stephen says: 'The criminal law stands to the passion of revenge in much the same relation as marriage to the sexual appetite.'"²

The famous passage from Plato on this subject may not be inappropriate here: "For if you will think, Socrates, of the effect which punishment has on evil doers, you will see at once that in the opinion of mankind virtue may be acquired; for no one punishes the evil doer under the notion, or for the reason, that he has done wrong — only the unreasonable fury of a beast acts in that way. But he who desires to inflict rational punishment does not retaliate for a past wrong, for that which is done cannot be undone; but he has regard to the future and is desirous that the man who is punished and he who sees him punished may be deterred from doing wrong again. And he implies that virtue is capable of being taught as he undoubtedly punishes for the sake of prevention."³

THE CRIMINAL LAW.

Complaint is sometimes heard that the penal codes prescribe the punishments for offenses without consideration of the offender, his personality, his record and family history, his psychological development, or lack of development; and it is maintained that "there exist numerous transitions and gradations between a sound and unsound mental state, between entire responsibility, as we measure it, and irresponsibility, * * * that the provisions of penal codes actually in force are insufficient as to the matter of responsibility," and that limited responsibility should be recognized in the codes.⁴ This rigidity is characteristic of the criminal law and generally of all statute law. The criminal law pronounces the condemnation of society upon certain specified acts. It does not and cannot concern itself with the nature of the individual offender. "Public policy sacrifices the individual to the public good." It is possible that in the future a wider discretion may be granted to judges

* O. W. Holmes, Lectures on the Common Law.

² The Protectors, 321, Jowett's Translation.

³ Report of the Seventh International Prison Congress, p. 83.

and magistrates, and persons accused or convicted of crime be regarded simply as victims of disease, and that, before passing sentence, judges will require examination of the accused by experts in order intelligently to determine the degree of their guilt, or whether they are not in fact innocent.

As supplementary or remedial legislation, penologists are pretty generally agreed in recommending an extension of the probation system for youthful offenders, with a sufficient number of properly qualified probation officers; the wider application of the principle of the so-called indeterminate sentence, and a larger recognition of the advantages and compulsory operation of conditional liberation and the parole system.

It is hardly necessary to say that a lachrymose sentimentalism, an unhealthy pseudo-sympathy for criminals, is at all times to be avoided. Not severity, but sentimentalism for the prisoner, said a well-known authority, but science.

THE CRIMINAL CLASS.

It is a commonplace to say that, to temperate and otherwise unfit parents and to a muzzonized society lamentably ignorant or wilfully negligent of its responsibilities, is largely due the existence of the so-called criminal class.

"Whether particular crime is prompted by hereditary influences, social environment, or sudden impulse, we can scarcely conceive a case in which the individual alone is responsible."⁵

There are criminals on the social eminences as well as in the social depths. Those at the top manage to evade the penalties of the criminal law and stay outside of prison. As long as the attainment of wealth, success, and power for selfish purposes shall be the supreme motive in life, so long will society present the shocking contrasts that exist to-day, and criminals appear in high places as well as in low.

Many a respectable citizen who would refuse, under any circumstances, to enter burglariously his neighbor's house, or forge a check, or pick a pocket, would, perhaps without qualms of conscience, take advantage of his neighbor in some questionable business transaction, or be a party to the improper manipulation of

⁵ Rev. F. Emory Lyon: "True Charity for the Prisoner."

corporate funds or stock, of great pecuniary profit to himself and of a great pecuniary loss to innocent and ignorant stockholders or creditors.

There is perhaps no railroad president or official in this country who would deliberately murder a man; but there may be some who, by wilfully neglecting, from motives of false economy, to provide proper appliances, sound bridges, safe roadbed, satisfactory signals, or by overworking employees, are responsible for serious and preventable accidents attended with great loss of life.

PRISON TREATMENT.

The problem of the treatment of discharged prisoners is closely related to and dependent upon the treatment of convicts in prison. As long as prisons are what they are (many of them) the difficulty of intelligently caring for and rehabilitating discharged prisoners will remain. If the prisons were what they should be, the solution of the problem would be simpler.

Upon the testimony of those who know, it seems to be an undisputed fact that a large percentage of offenders sentenced for a definite term of years to a prison of the old abhorrent sort, upon regaining freedom, are worse than they were upon entering, and more than ever likely to return to a criminal career. The influences and experiences of prison life in many cases tend to breed and to make criminals. First offenders, for example, condemned to consort with habitual or professional criminals (and this is true in detention prisons and county jails) become acquainted with phases and regions of criminality hitherto unsuspected. Crime, from the narrations of experts, becomes invested with a sort of glamour or fascination, that often overcomes the repentant first offender, and enlists him as a recruit for life in the great army of criminals.

An ex-prisoner told the writer that the corruptibility, the petty fraudulenties and "grafting" of prison guards and keepers tended to make prisoners regard honesty as the worst policy.

Here reference may be made to the importance of adequate training for guards, keepers, and other prison officers; and the rejection of political influence, favoritism and other unworthy considerations in the appointment of these functionaries, and the insistence upon fitness as primarily and indispensably necessary.

INDUSTRIAL TRAINING.

One difficulty in dealing with ex-prisoners is of course their inability or unwillingness to work steadily. "Many ex-prisoners are unable to work because they have never been accustomed to a life of steady and continuous occupation."^{*}

If, therefore, during his term in prison or reformatory, the convict has been trained to industry, and the discipline of prison life following his previous irregular and idle existence, has accustomed him to regular labor, and so developed in him the capacity for exertion and the desire to energize, the problem for the Discharged Prisoners' Aid Society becomes less difficult.

Unfortunately prisons do not always provide satisfactory opportunities for this sort of improvement. For one reason or another, prisoners are allowed to spend too much time in idleness. The work of the shops demands not enough of their time. Little systematic industrial training is furnished. Drudgery there is, of course — the necessary and unavoidable daily drudgery — but this is not the sort of labor that the prisoner primarily requires.

The long hours passed in the cells tend to confirm idle habits and strengthen the disinclination to vigorous exertion. Compulsory labor, without pecuniary or other reward, does not stimulate the drooping spirit as do congenial tasks voluntarily undertaken, with the sure prospect of adequate remuneration.

It may be said, however, that idleness sometimes becomes almost unendurable, and prisoners plead for some work to do as a relief from the intolerable tedium and monotony of prison life. From the dreary and depressing barrenness of existence with its gloomy ruminations and recollections, a task requiring muscular exertion and some mental effort, is a desired variation, and a welcome blessing.

To dispel ignorance, to supply the defects of education and correct the faults of character, should be the purpose of prisons in civilized communities. To this end, how exceedingly important are physical exercise, instruction in the fundamentals, an appropriate grading and marking system, a systematic industrial training! Many adult prisoners are but children in intellectual development. Their minds no doubt are less impressionable than those of average children, but they are quite capable of acquiring

^{*} Morrison, Juvenile Offenders.

knowledge. And when to the training of the schools and the shops a course in ethics is added, and this is supplemented by sympathetic instruction in the essential truths of religion, a prisoner should approach the end of his term and liberty with some prospect of becoming a useful and self-supporting member of the community.

"It must never be forgotten that the habitual criminal is in far too many cases a product of prison treatment, a victim of vicious and unsound methods of dealing with the convicted population. The value of prison regulations is not to be tested, as is too often assumed, by the behavior of prisoners within the prison walls. The value of these regulations must be tested by their beneficent effect upon the prisoner when he is restored to liberty. In other words, prison treatment is successful in so far as it results in preventing the ex-prisoner from returning to a life of crime."^{*}

The advantages of those discharged from a reformatory over those discharged from a State prison are noteworthy. The former, provided their detention has been sufficiently long, have received a genuine, if elementary mental education, and more or less adequate industrial training, so that they possess what they had not upon entering the reformatory — ability to earn an honest livelihood in one or other of the established trades or occupations. The earning capacity of hundreds is doubled.[†]

The long-term prisoner in a State prison, as a rule, emerges with no such advantage.

"It is also a fundamental truth that, other things being equal, a man who has been a convict is at a disadvantage in securing and retaining work. If a man does not raise his industrial grade while in confinement, he will find himself on his release worse off than before."[‡]

There will be a general agreement with the opinion that it would be well if employment could be procured in advance of the prisoner's liberation; and that those who seek to assist him in this way, should become acquainted with him in prison, in order to study his disposition, capabilities and needs.

^{*} Morrison, Juvenile Offenders.

[†] Reformatory inmates, many of them, "are at the very bottom of the industrial scale." Elmira Report, 1905, p. 15.

[‡] Elmira Report for 1905, p. 14.

In after-acquired acquaintance, it has been said, it is difficult to gain the confidence of the prisoner, or to acquire such an influence over him as to deter him from wrongdoing.

It is interesting to be informed that four out of five Elmira men seem to be permanently reformed and only 4 per cent. actually return to crime.

It is gratifying to be able to report that in November, 1905, "a fit, comprehensive and adequate school system" was established in the prisons of the State of New York and that the prisoners attend school one hour and a half every day except Sundays and holidays.

It may here be said likewise that the New York Superintendent of Prisons disapproves of granting an absolute release to a prisoner at the end of a definite sentence. He thinks "there should be a period of limited freedom, semi-dependence and partial restraint between the prison and absolute liberty."[§]

The prisoner should be prepared for a conditional liberation, and to face the difficulty of adjusting himself to new conditions, of establishing himself in some trade, or industrial occupation.

THE RELEASED PRISONER.

It is natural for the prisoner to look forward to the day of freedom with pleasure, and even elation. If he has a family and friends to turn to for sustenance and employment, there is a substantial basis for his satisfaction. But what of him who has neither family nor friends? The joy of being free must soon be followed by disappointment and dejection. Homeless, workless, friendless, penniless, his condition is indeed serious.

In the legal sense, the prisoner is free, but he is not in the high moral sense really free, as long as his will is perverted or enslaved, or heteronomous, that is, controlled or directed by immoral, or unmoral motives, by his innate animalism and tendency to disobedience and lawlessness.

The problem is, how to make the ex-prisoner really free, to convert his volencies into volitions, to develop the resisting and propelling power of his will in the pursuit of what is socially normal and morally right. The fascinations and allurements of

[§] Report for 1906, p. 21.

a criminal career must be dispelled, and the satisfactions and rewards of a career of steady industry inculcated.

Here no doubt is an opportunity for personal influence of the strong, firm, yet sympathetic sort. The friendly interest of a true man, or sympathetic woman at such a time is supremely needed by many ex-prisoners. Some of those who have been so favored have become useful and honest members of society.

During the first weeks after liberation, the ex-prisoner is subjected to many open and subtle temptations, while his nature is probably flaccid and easily influenced for evil. He is perhaps in a state of languor and helter-skelter, incapable of initiative, and disinclined to vigorous and continuous exertion in one or other of the departments of conventional activity. He has little or no stimulus to set him to work, little or no encouragement to keep him busy at uncongential and underpaid tasks; no pleasant home to welcome and console him. What he needs is some vivifying force to dispel his languor and infuse energy into him.

Discharged prisoners, as Professor Henderson has said, are not so resentful and ferocious as helpless.

"Perhaps the most distinctive trait in a body of criminals is not violence nor cunning; but simply fecklessness and low vitality. Hereditary weakness, acquired diseases, and the effects of dissipation unnerve young men and rob them of power to resolve and to persist in a course of action."^{*}

It may be true, as it has been said, that 50 per cent. of prisoners leave prison with a desire to amend; but they are incapable of effectuating that desire. This, at any rate, is true of many. Hence the lapses into crime, a return to prison, and perhaps incurable recidivism.

It has been said that there is no very great difference between those in prison and many outside. Prisoners come from all ranks of society; some are educated and refined, of good parentage, and from good homes, although this of course cannot be said of the majority. Undoubtedly it is true that there are many persons, young men in the large cities, for example, who have not become obnoxious to the criminal law, who nevertheless need attention— young men without home influence, detached and aberrant young men, who on account of defective heredity, un-

* C. R. Henderson; *Modern Prison Systems*, Washington, 1903.

fortunate training, or lack of training, and consequently weak character, are headed for the reformatory or State prison.

Prophylaxis is of the highest importance, and if this class could in some way be looked after and be kept straight, the number of candidates for penal institutions would diminish.

There are many unconvicted and unimprisoned persons who, nevertheless, need very much the same treatment as ex-convicts.

Upon leaving prison (in New York) the convict receives a suit of clothes, ten dollars and the cost of transportation to the place from whence he came, his former city, town or village.^{*} The ten dollars are quite likely to be soon parted from him, for there are persons on the lookout for discharged prisoners, who lure them into saloons and succeed in one way or another in getting possession of their money. Of course, prisoners before liberation should be and are warned against such influences and should be persuaded to resist the attractions of the saloon and resolutely abstain from alcoholic drinks; especially is this important to those who were drawn into crime wholly or partly through addiction to drink.

Supposing the ex-prisoner to have at length reached his destination, what is he to do? He has learned in prison that there is an association, society or other organization that makes it its business to assist ex-prisoners. It is quite probable, however, that while in prison he has been prejudiced against one or all of these organizations from hearing about them from other prisoners. Many ex-prisoners refuse to go to the Prison Association in New York. They object to the supervision to which they must submit, to the regulations imposed, to the work required and to the obligation to report weekly or monthly. The ex-prisoners recognize the fact that they are really on probation, and this, to many, is objectionable. If, however, one seeks the Prison Association for assistance, he is registered, provided with meals, and with clothing, if necessary; some task is assigned to him by way of test and an effort made to secure steady employment for him. Reference may be made to the difficulty of securing permanent employment for ex-prisoners, due to the reluctance of many employers to engage the services of ex-convicts; and to the objection of many laboring men to tolerate ex-convicts as coworkers with themselves.

* Some discharged prisoners object to returning to the place of their former residence. The probabilities of complete reformation are sometimes increased by removing to a locality where the ex-prisoner is unknown.

These are not always insuperable difficulties; and there are employers who are ever ready to help a truly repentant ex-prisoner and to give him a chance to show that his reformation is genuine and permanent.

It is, no doubt, true that each ex-prisoner requires personal attention and that the treatment should be adapted to the needs of the individual. This, however, demands an amount of interest and zeal that cannot always be expected from the officers of an organization.

If there cannot be individual treatment in the best sense, there can be provided gradations of treatment for different classes of ex-prisoners: (1) for reformatory graduates; (2) for ex-prisoners who have served but one term; (3) for second, third and fourth termers, or habitual and professional criminals. For the last class, however, there is almost no prospect of permanent reformation, except through the influence of religion. Prison Association agents and officials could give abundant and interesting testimony, showing the weakness and helplessness, the instability, the duplicity and untrustworthiness of many ex-prisoners.

It should always be kept in mind that the object of prison associations is to rehabilitate the former prisoner, to prevent recidivism and to protect society or the State. "This," said a French writer, "is a simple work of benevolence and a matter of public security." It is of the highest importance that society should take precautions against the extension of the so-called criminal class, "cette hideuse génération de malfaiteurs qui effraient partout la civilisation."

Whether the State by paid agents and officials should exercise supervision over ex-prisoners or undertake the work now performed by associations and individuals, is a question that is perhaps not finally answered and settled. Should the State, it may be asked, intervene and exercise control over prisoners' aid societies? If the moral reformation of the ex-prisoners is the main thing in view, the interference of the State in the management of prisoners' aid associations can hardly be regarded as proper or desirable.*

While the police can sometimes assist ex-prisoners, police surveillance is, nevertheless, disapproved by French writers, as tend-

* Report of Seventh International Prison Congress, p. 115.

ing to make it difficult or impossible for the ex-prisoners to secure employment, and hence to engender discouragement, despair and recidivism.

SHORT TERM MEN.

The army of discharged prisoners is unnecessarily enlarged by those committed for short terms to jails and penitentiaries for the less serious offenses, such as intoxication, vagrancy and various other misdemeanors. Upon being released, they soon fall back into the familiar evil ways and are returned to the jail or penitentiary for another short term. This procedure continues for indefinite periods. These short-term prisoners constitute a troublesome and expensive class. It would be better for them and for society if they could be sent to farm colonies or penal colonies, such as exist in Germany and Switzerland, where they could be compelled to labor and directed intelligently, with the view of making them useful and perhaps effecting a permanent improvement.

These offenders are generally victims of the drink habit and other vices, and disinclined to work steadily, if not incapacitated for productive industry. A correction farm, like the one near Cleveland, would probably prove of benefit to them and a relief to society.

THE BEGINNING OF REFORMATION.

Concerning a considerable number of prisoners, it has been asserted that they are deficient in moral sense, or even totally without it. How far this is a true statement it is difficult to say. If a prisoner is entirely destitute of moral sense, the hope of reform is, of course, at zero. If, however, as is most probably the case, his moral sense is only obscured or dormant, there is hope of reformation. He has potentially, at any rate, to use the expression of Dante, the good or the light of the intellect, but it is temporarily extinguished.

Reformation begins, therefore, in awakening the dormant moral sense, in causing the light of the intellect to shine. Stir in the offender the feeling of regret, repentance, remorse for his wrongdoing; revive in him self-respect; awaken the consciousness of the supreme authority, the inviolable majesty of the moral law, the absolute necessity of obedience to the eternal prohibitions and the categorical imperative, and the work of reformation has begun.

Without this perhaps revolutionary, or evolutionary experience, external aid, personal interest, encouragement, admonition, industry will not wholly avail. Enable him to perceive and become convinced of the reasonableness and inner rewards of right living, develop in him the faculty of self-help, and reliance upon the eternal Author of the moral law, and his start upon the pathway of reformation and the normal life will be most favorably auspicious.

If, in addition, he is emancipated from the dominion of drugs or drink, or other vices, and is on his guard against temptations in all their subtle and insidious forms, and his will reinvigorated and resolutely determined to follow right in scorn of consequence, the prospect of complete reformation is bright indeed.

PRISON REFORM.

I am by no means without hope that prisons will eventually be reformatory institutions in the best sense; that in structure, location, management, the improvements demanded by an intelligent solicitude for the reformation of the criminal population, and so indirectly for society itself, will be adopted.

Instead of a great gloomy building where prisoners of all grades of criminality, without classification, are assembled under one roof, with the ill-lighted, ill-ventilated cell blocks and other features more or less abominable, the model prison should consist of a group of buildings situated upon a farm or tract of land sufficiently extensive to admit of agriculture on a large scale. The men should spend a large part of the day in the open air, engaged in farm work or road making. There should also be one or more buildings for instruction in the various trades and industries, in order to prepare the men for self-support after liberation. Provision should also be made for the simple education, which many prisoners so greatly need.

I anticipate the objections that can and will be raised to any such scheme of proposed prison reform. The expense of maintenance, it may be said, would be too great. Perhaps it would be larger than at present, but the beneficial results would justify it. Again, it will be asserted that the possibility of escapes would be increased, especially if there were no massive prison wall twenty or thirty feet high.

In reply, it may be said that if the prison were placed in a neighborhood remote from a railway or river, the natural boundaries of which, such as mountains, would deter and discourage prisoners from attempting to escape, an escaping prisoner would not be able to proceed very far before a notification of his escape and description of him were sent by telephone or telegraph to adjacent villages and stations.

Moreover, in the model prison, there would be a classification of prisoners, the more desperate and dangerous ones being carefully secluded and guarded; while there would be no need of such strictness in the care of the majority, who, it may be assumed, would be amenable to discipline and disinclined to escape.

The Correction Farm at Cleveland is an instance of the rational treatment of jail cases. The results hitherto have been gratifying; and there seems to be no reason why a similar experiment with those convicted of felonies should not be tried, and with the prospect of good results.

These are, of course, only suggestions or outlines of what, in the writer's opinion, a modern prison should be.

In conclusion, let it be repeated that prevention is the principal thing — to impress upon the young the importance of simpler and more rational living, in closer touch with nature; to check and turn back the stream of young men and girls from the country to the large cities, to encourage and stimulate an enlarged interest in agriculture and forestry, occupations and handicrafts that take men and women into the open air; to put an end to, or at least to relieve and reduce the congestion in great cities; to regulate strictly the liquor business and abolish the saloon as at present permitted in some States; but above all, to change or try to change the entire attitude of men toward property and its acquisition, so as to discourage the accumulation of monstrous fortunes by iniquitous and criminal methods, and their transmission to irresponsible and degenerate descendants; so that greed of gain and the passion for property may be regarded as a species of abnormality to be avoided by reasonable men; to treat with severity rather than with honor and distinction those whose lives are wholly spent in the acquisition of great wealth by illegal and criminal methods and for selfish purposes.

TREASURER'S REPORT.

(For the twelve months ending December 31, 1908.)

Balance in Mechanics National Bank, January 1, 1908.	\$4,536 18
Received from Reserve Fund.	5,571 50

INCOME.

Donations received (12 months)....	\$13,060 48	
New York State Reformatories....	1,500 00	
Rents	956 00	
		15,516 48
		<hr/>
		\$25,624 16

EXPENDITURES.

Expenses of agency in New York city for persons under arrest, on probation in care of the Association, discharged convicts and general relief work	\$8,811 35	
Expenses of State organization, prison and jail inspection and county work.	3,713 37	
Expenses of library and furniture..	576 71	
Expenses of real estate including taxes, water rents, insurance, interest on mortgage, repairs, supplies, etc.	1,220 63	
Transferred to Reserve Fund.	2,000 00	
Mortgage on 135 E. 15th street paid off	5,500 00	
		21,882 06
		<hr/>
Balance on hand December 31, 1908.	\$8,802 10	

COUNTY COMMITTEES.

In order to secure proper attention to local conditions, and co-operation with reference to the general prison system of the State, the plan of organization of the Prison Association of New York permits the formation of a corresponding and co-operating committee in each county of the State. The persons in the following counties have accepted such positions.

Broome county.—Residence, Binghamton, Dr. J. G. Orton, H. M. Beecher, Austin S. Bump, D. H. Carver, Dr. J. M. Farrington, S. J. Hirshman, E. C. Tichenor, William A. White.

Cattaraugus county.—Residence, Portville, Hon. W. B. Merse-
reau.

Cayuga county.—Residence, Auburn, Frank W. Richardson, Dr. Choese-man, Prof. Arthur S. Hoyt, Mrs. Mary C. Beardsley, Frederick Sefton, M. D., Rev. E. W. Miller.

Chemung county.—Residence, Elmira, Z. R. Brockway, Rev. William T. Henry, W. C. Peebles, Mrs. J. H. Pierce, Hon. Charles R. Pratt, Theron H. Wales, M. D.

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Clinton county.—Residence, Plattsburg, James Eckersley, W. C. Pike.

Delaware county.—Residence, Delhi, Andrew J. Nicol, James K. Penfield.

Erie county.—Residence, Buffalo, A. G. Sherman, George B. Bell, C. B. Armstrong.

Essex county.—Residence, Keene Centre, John Martin, Mrs. John Martin, Horace Nye, Mrs. Lillian Winch.

Genesee county.—Residence, Batavia, H. J. Burkhardt.

Greene county.—Residence, Greenville, Chas. P. McCabe; resi-
dence, Catskill, J. I. Olney, Jeremiah Day.

Herkimer county.—Residence, Herkimer, O. H. Deck, M. D.

Jefferson county.—Residence, Watertown, J. C. Knowlton.
Livingston county.—Residence, Geneseo, Dr. John H. Milno;
residence, Dansville, Dr. James H. Jackson, A. O. Bunnell.

Monroe county.—Residence, Rochester, William E. Sutherland, Judge Arthur E. Sutherland, Quincy Van Voorhis, W. R. Taylor.

Montgomery county.—Residence, Fonda, W. Frothingham, J. C. Caton.

Oneida county.—Residence, Clinton, Rev. E. P. Powell.

Onondaga county.—Residence, Syracuse, A. B. Blodgett, J. C. Carson, Henry N. Hyde, Rev. E. W. Mundy.

Ontario county.—Residence, Canandaigua, Dr. C. T. Mitchell; residence, Seneca Castle, Levi Page.

Oswego county.—Residence, Oswego, C. H. Butler, Gilbert Mollison.

St. Lawrence county.—Residence, Canton, Charles Caldwell, Worth Chamberlain, Mrs. D. L. Jackson, Dr. Payson, W. R. Remington; residence, Ogdensburg, Robert J. Donahue, Bishop Henry Gabriels.

Steuben county.—Residence, Atlanta, H. C. Hatch; residence, Hornellsville, B. F. Smith, M. F. Smith; residence, Hammondsport, Monroe Wheeler.

Wyoming county.—Residence, Warsaw, H. E. Gurney.

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Colorado.—William F. Slocum, Colorado Springs.

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Illinois.—Prof. C. R. Henderson, Rev. H. H. Hart, Chicago.

Indiana.—Thos. E. Ellison, Fort Wayne.

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Louisiana.—Clarence F. Low, New Orleans.

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

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Clausen, G. U.....	10 00	Darling, Mrs. W.....	5 00
Claxton, H. H.....	5 00	Davidson, Mrs. M. L.....	10 00
Clyde, W. F.....	25 00	Davies, W. G.....	10 00
Cochran, W. H.....	5 00	Day, Mrs. H. M.....	10 00
Cockroft, Miss M. T.....	10 00	Dayton, R. E.....	5 00
Coffin, C. A.....	25 00	DeBary, F. & Co.....	10 00
Coffin, J. W.....	1 00	de Coppet, E. J.....	25 00
Cohen, N. D.....	5 00	de Coppet, H.....	25 00
Coit, J. T.....	10 00	Dederer, Miss P. H.....	1 00
Coley, Dr. W. B.....	5 00	de Forest, Robert W.....	10 00
Colgate, R. R.....	10 00	Delon, Miss M. H.....	20 00
Colgate, W.....	50 00	de Jonge, L.....	5 00
Collins, Miss M.....	10 00	De Klyn, B. F.....	25 00
Collord, G. W.....	25 00	DeLafield, Mrs. J. R.....	5 00
Comstock, J. C.....	2 00	DeLafield, Miss J. L.....	10 00
Congdon, H. L.....	5 00	DeLafield, M. L.....	25 00
Conklin, Mrs. K.....	2 00	Delano, W. A.....	10 00
Connell, J. H.....	5 00	Denny, Miss A. E.....	5 00
Constable, Rev. M. J.....	10 00	De Puy, Miss A. L.....	25 00
Cooke, H. D.....	1 00	De Puyser, Miss A. M.....	2 00
Coombe, T. G.....	5 00	de Solis, Pros. & Pardo.....	25 00
Cornell, E.....	5 00	Dickie, E. P.....	100 00
Coster, Mrs. C. H.....	10 00	Dieckhoff, Miss Marie M.....	5 00
Coster, Miss H.....	25 00	*Dir, Rev. Morgan.....	10 00
Cox, Mrs. J. J.....	10 00	Dodd, L. W.....	5 00
Coxe, Mrs. D.....	25 00	Dodge, C. H.....	25 00
Crampton, E. H.....	2 00	Dodge, Rev. D. S.....	25 00
Crane, Mrs. A. B.....	5 00	Dodge, Miss E. W.....	10 00

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Dodge, Francis E.....	\$10 00	F.	
Dodge, Miss G. H.....	25 00	F. S.....	\$10 00
Dodge, Mrs. W. E.....	100 00	Fagnani, Rev. C. P.....	3 00
Domerich, Mrs. L. F.....	5 00	Fahnestock, H. C.....	25 00
Dominick, M. W.....	10 00	Fallon, Hon. J. J.....	10 00
Donaldson, Mrs. H. H.....	5 00	Fearley, Mrs. M. L.....	10 00
Doob, Mrs. H. M.....	5 00	Ferguson, J. A.....	25 00
Doster, C. T. N.....	5 00	Field, Mrs. W. D. G.....	3 00
Doubleday, F. N.....	5 00	Fincke, Mrs. B.....	2 00
Douglas, Mrs. G. W.....	10 00	Fink, Mrs. M. D.....	10 00
Dowd, J. J.....	10 00	Fischer, B. & Co.....	5 00
Dows, Mrs. D.....	25 00	Fish, Mrs. N.*.....	12 00
Draper, Mrs. H.....	10 00	Fisher, Dr. C. L.....	5 00
Dreyfus, Mrs. E.....	1 00	Fisher, Mrs. H. J.....	20 00
Dreyfous, Estate of Mrs. J. A. I.....	1 00	Fisk, P. H.....	10 00
Drisler, Mrs. A.....	5 00	Fiske, G. P.....	10 00
Drummond, A. L.....	1 00	Flagg, Mrs. J. B.....	5 00
Duane, Dr. A.....	5 00	Flint, Dr. Austin.....	5 00
Du Bois, Mrs. E.....	5 00	Floerstein, S.....	10 00
Duer, Miss H. R.....	3 00	Flower, A. R.....	25 00
Duer, Miss M. T.....	5 00	Floyd, Mrs. W.....	24 00
Duggin, Mrs. C.....	10 00	Floyd-Jones, Mrs. G. S.....	5 00
Dun, Mrs. R. G.....	50 00	Footo, Dr. E. B., Jr.....	5 00
Dun, R. G. & Co.....	25 00	Forbes, D.....	10 00
Duncan, Miss A. L.....	50 00	Foster, A. L.....	10 00
Dunham, Mrs. C.....	10 00	Foster, J. H.....	10 00
Dunham, Mrs. G. H.....	10 00	Foster, M. G.....	25 00
Duryee, Mrs. G. Van W.....	1 00	Fougera, E. & Co.....	5 00
Dutton, E. P.....	10 00	Fouk, Mrs. M. P.....	5 00
Dwight, Mrs. M. E.....	5 00	Fowler, Miss E. A.....	4 00
Dyer, Mrs. F. L.....	1 00	Fowler, T. P.....	10 00
Dyer, Mrs. Geo. R.....	10 00	Fox, H. F.....	5 00
		Francis, C.....	5 00
		Frank, E. H.....	10 00
E.		Frankenbach, C. E.....	2 00
Eastman, Rev. A. F.....	5 00	Frankfort, M.....	5 00
Edison, T. A.....	10 00	Fraser, Mrs. G. S.....	10 00
Edwards, J. H., D. D.....	2 00	Fraser, Miss J. K.....	10 00
Ehret, G.....	25 00	Fraser, Miss A.....	10 00
Elitz, R. J.....	10 00	French, Mrs. J.....	10 00
Elizstein, Wolf & Co.....	5 00	French, F.....	3 00
Elischnan, Mrs. S.....	5 00	Frenkel, F.....	3 00
Ellett, C. J.....	10 00	Frisell, A. S.....	10 00
Ellis, W. D.....	5 00	Fry Art. Co.....	5 00
Emmanuel, Miss C.....	1 00	Fuller, Mrs. G. A.....	2 00
Emmons, A. B.....	25 00	Furniss, Miss C.....	10 00
Engler, A.....	5 00	*G. W. W.....	10 00
Erbsloh, Rudolph.....	5 00	Gannett, Rev. W. C.....	5 00
Erlanger, A.....	5 00	Garrettson, F. T.....	5 50
Ewer, E.....	1 00	Garrigue, W. A.....	10 00

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Geer, Mrs. W.....	\$25 00	Harr, J. M.....	\$5 00
Gerrish, Mrs. F. S.....	5 00	Harkness, E. S.....	100 00
Gerry, E. T.....	25 00	Harkness, L. V.....	25 00
Gerry, P. G.....	100 00	Harrison, Mrs. W. E.....	20 00
Gerry, R. L.....	25 00	Harrison, Mrs. M. L.....	5 00
Gibson, Mrs. H. S.....	2 00	Hartwell, J. A., M. D.....	10 00
Giting, J. C.....	1 00	Harvey, Miss R.....	5 00
Gilbert, G. N.....	1 00	Hauslaclier, J.....	5 00
Gold, C. B.....	6 00	Hastings, Rev. T. S.....	5 00
Goldenberg, Bros. & Co.....	5 00	Havemeyer, J. C.....	10 00
Goldman, Mrs. M.....	2 00	Hawley, J. S.....	10 00
Goodnow, Mrs. A. F.....	5 00	Hayden, Mrs. H. J.....	10 00
Goodrich, Mrs. D.....	10 00	Haynes, Miss L. deP.....	5 00
Goodwin, J. J.....	25 00	Healy, A. A.....	10 00
Gould, Edwin.....	100 00	Hearn, J. A. & Son.....	25 00
Grace Church.....	98 63	Heide, H.....	10 00
Gracme, Mrs. J. W.....	2 00	Heidgerd, D. & H.....	5 00
Gray, H. G.....	5 00	Heilbrun, C.....	2 00
Gray, Hon. J. C.....	10 00	Heimler, Percy B.....	5 00
Greef, Bernhard & Co.....	25 00	Heimann, J.....	10 00
Greene, J. A.....	10 00	Heintz, J. C.....	10 00
Greenbaum, Mrs. S.....	5 00	Heiser, Miss R.....	1 00
Greene, G. S., Jr.....	5 00	Heller, Miss E. M.....	1 00
Greenough, J.....	10 00	Heller, L. & Son.....	5 00
Grout, T. J.....	5 00	Heller, Miss L. R. & friends	5 00
Guild, F. A.*.....	5 00	Henscken, Mrs. A. C.....	50 00
Guinzberg, Mrs. V.....	5 00	Heneken, H.....	5 00
Guterman, Mrs. M. S.....	5 00	Henderson, Miss M. W.....	5 00
Guterman, P. L.....	2 50	Hendricks, Miss E.....	5 00
Gulliver, W. C.....	10 00	Hendricks, Miss E.*.....	5 00
Gunther, F. C.....	10 00	Henriques, Mrs. C. A.....	10 00
Gurnee, A. C.....	10 00	Henry, W.....	10 00
Gwynne, A. C.....	5 00	Hentz, L. S.....	10 00
		Hentz, L. S.....	1 00
		Hepburn, Dr. W. M.....	5 00
		Herrmann, A.....	5 00
		Herrmann, J.....	5 00
		Herrman, Mrs. E.....	10 00
		Herzig, J.....	10 00
		Hess, S.....	5 00
		Heubach, G.....	5 00
		Hewitt, Mrs. A. S.....	5 00
		Hewlett, Mrs. J. A.....	5 00
		Hibbie, J. S.....	10 00
		Hills, Mrs. A. K.*.....	5 00
		Hills, W.....	10 00
		Hilyard, G. D., Jr.....	2 00
		Hinrichs, F. W.....	2 50

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Hitch, Mrs. F. D.....	\$10 00	Jacobi, Dr. A.....	\$5 00
Hoar, Mrs. E. H.....	10 00	James, Mrs. D. W.....	25 00
hoer, R. & Co.....	25 00	Jameson, E. C.....	25 00
Hoe, Mrs. R.....	10 00	Jermain, Miss M. C.....	25 00
Hoffman, Mrs. E. A.....	20 00	Jessup, H. W.....	5 00
Hoffman, F. B.....	10 00	Jesup, Mrs. M. K.....	50 00
Hoffman, S. V.....	10 00	Jex, Mrs. I.....	10 00
Holmes, A. D.....	5 00	Johnson, A. G.....	5 00
Holmes Electric Protective Co.....	10 00	Johnson, E. M.....	5 00
Holt, Miss C. B.....	5 00	Johnson, Gilbert H.....	30 00
Holt, H.....	10 00	Johnson, I. B.....	5 00
Holt, Mrs. L. E.....	10 00	Johnson, J. W.....	30 00
Holter, Mrs. E. O.....	10 00	Johnston, D. V. R.....	10 00
Hopkins, J. A. H.....	10 00	Johnston, E. L.....	2 00
Hopkin, W. W.....	5 00	Johnston, Mrs. F. U.....	10 00
Hopps, Mrs. L. W.....	2 00	Johnston, W. G.....	10 00
Howard, Mrs. E. W.....	5 00	Jonas, W.....	5 00
Howe, J. Morgan.....	5 00	Jones, A. B.....	5 00
Howell, W. P.....	2 00	Jones, H. B.....	2 00
Hoyt, Miss G. L.....	5 00	Judkins & McCormick Co.....	5 00
Hoyt, J. S.....	25 00	Judson, Henry I.....	10 00
Hoyt, W. S.....	10 00		
Hudson, P. H.....	10 00		K.
Hun, M. T.....	10 00	Kahle, M.....	5 00
Hunt, C. W.....	10 00	Kalle & Co.....	5 00
Hurd, R. M.....	25 00	Karlesen, A. E.....	5 00
Husted, A. N.....	5 00	Kaufman, Mrs. L.....	5 00
Hutton, W.....	5 00	Kearsey, Miss, F. H.....	5 00
Huyler, J. S.....	10 00	Keiser, James R. Inc.....	10 00
Hyde, C. M.*.....	100 00	Keller Printing Co.....	5 00
		Kellogg, Mrs. C.....	10 00
		Kelsey, C. H.....	25 00
		Kendall, Misses The.....	10 00
		Kendall, Mrs. E. H.....	5 00
		Kenyon, Mrs. E. C.....	5 00
		Kerr, W.....	10 00
		Keteltas, Miss A.....	30 00
		Keyes, Dr. E. L.....	10 00
		Kidd, Mrs. J.....	5 00
		Kidde, W.....	5 00
		Kidder, Mrs. A. M.....	25 00
		Kilborne, C. T.....	10 00
		Kimball, A. R.....	10 00
		King, Miss M. R.....	5 00
		King, Mrs. W. V.....	5 00
		Kingsland, R. D.....	10 00
		Kingsland, Mrs. W. M.....	10 00

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Kissam, S. H.	\$20 00	Lockwood, Mrs. F. W.	\$5 00
Kissel, G. E.	10 00	Lockwood, H. N.	10 00
Kittreige, S. D.	1 00	Lockwood, Mrs. I. F.	5 00
Knauth, Nachol & Kuhnle	20 00	Looser, Mrs. V.	10 00
Knopf, S. D.	5 00	Lelake, Otto E.	5 00
Kohn, R. D.	5 00	Loomis, Mrs. H. P.	5 00
Koster, C. H.	1 00	Lord, C. E.	5 00
Kouwenhoven, P.	5 00	Lord, G. de F.	10 00
Kunhardt, W. B.	10 00	Loring, D. A.	25 00
		Lorsche, Mrs. H.	2 00
		Low, Hon. Seth.	10 00
	L.	Low, W. G.	25 00
Laight, Miss A. H.	5 00	Lowell, Miss C. R.	25 00
L'Amoreaux, J. S.	5 00	Ludlum, G. P.	10 00
Landon, Mrs. H. H.	10 00	Lupton, F. M.	20 00
Lane, F. T. L.	5 00	Lydig, David.	10 00
Langdon, W. G.	20 00	Lydig, Miss A. I.	5 00
Langhaar, H. L.	5 00		M.
Langton, J.	50 00	McCagg, L. B.	25 00
Lanman & Kemp.	5 00	McClmonds, Mrs. L. K.	100 00
Lasher & Lathrop.	5 00	McConnell, F. W.	5 00
Lathers, Miss A.	10 00	McCook, Col. J. J.	10 00
Lawrence, J. B.	10 00	McCord, W. H.	10 00
Lawrence, Mrs. S.	5 00	McCreery, Mrs. James M.	10 00
Lawrence, W. B.	10 00	McEwen, D. C.	5 00
Leask, E. M.	5 00	McEwen, T. Jr.	2 00
Lee, Mrs. G.	1 00	McGouch, Arthur M.	10 00
Lee, J. L.	5 00	McIndoe, Walter J.	10 00
Lee, S.	5 00	McLane, Mrs. A. L.	5 00
Lee, W. H. L.	10 00	McLane, Guy R.	25 00
Leech, Mrs. J. E.	5 00	McLane, J. S.	20 00
Lehmaier, J. M.	10 00	MacLaren, Mrs. F.	25 00
Lent, W. D.	10 00	MacMurray, Mrs. J. W.	10 00
Letchworth, Hon. W. P.	25 00	Maey, V. E.	25 00
Levi, Sondheimer & Co.	5 00	Maey, W. H., Jr.	10 00
Lewis, Mrs. E. A. S.	1 00	Mager, Mrs. F. R.	10 00
Lewis & Conger.	10 00	Mahn, William	5 00
Lewisohn, Mrs. A.	10 00	Major, Miss Maria T.	5 00
Lewisohn, Misses Alice and Irene.	500 00	Maniero & Maniero.	20 00
Liebman, Mrs. Adolph.	5 00	Mansfield, H.	5 00
Lincoln, L.	5 00	Mare, T. M.*	10 00
Lindeman, Miss A. S.	2 00	March, Miss V. A.	5 00
Lindemann, O.	10 00	Marrow, J. L.	1 00
Lion Brewery.	10 00	Marston, E. L.	5 00
Livingston, Miss J.	10 00	Martin, J. J.	5 00
Lobenstein, W. C.	10 00	Martin, W. A.	10 00
Loeke, J. M.	2 00	Martin, W. V.	5 00
Lockman, J. T.	10 00		

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Marvin, Dr. D. M.	\$5 00	Mott, W. F.	\$10 00
Marwick, J.	10 00	Munn, C. A.	10 00
Massey, G. C.	5 00	Munroe, Mrs. C.	5 00
Maxwell, Mrs. R. M.	10 00	Munsey, F. A.	5 00
Mayer, Dr. A.	10 00	Murray, Miss C.	2 00
Mayer, Edward L.	10 00		
"M. E. D."	1 00		N.
Meier, E. D.	5 00	Nagel, C. F.	2 00
Meighan, B. C.	1 00	Nassau Smelting & Refining Works	5 00
Meigs, Mrs. T. B.	10 00	Nathan, H. H.	10 00
Meleher, J. S.	10 00	Neilsen, S.	10 00
Mendelsohn, Bornemann & Co.	1 00	Neustadter, Mrs. C.	25 00
Mendelson, S.	5 00	New Home Sewing Machine Co.	10 00
Menocal, L. W.	5 00	North, Dr. N. L., Jr.	10 00
Merriam, Miss A. L.	5 00	North, T. M.	10 00
Meserole, A.	10 00	Noyes, Mrs. H. D.	5 00
Meserole, Mrs. C. M.	1 00		O.
Metcalf Bros. & Co.	10 00	O'Connor, T. H.	25 00
Metzger, Mrs. J.	2 00	Odell, C. F.	1 00
Meyer, W. & Co.	10 00	Ogden, Mrs. C. W.	10 00
Middleton & Co.	10 00	Ogden, Miss M. F.	10 00
Milbank, Mrs. J.	50 00	Ogden & Wallace.	10 00
Miller, Mrs. A.	10 00	Ogilvie, F. B.	5 00
Miller, I. DeP.	10 00	Olcott, Dudley.	25 00
Mills, Mrs. M. M.	3 00	Olcott, Mrs. E. E.	5 00
Minturn, Mrs. J. W.	10 00	Olcott, G. M.	25 00
Mitchell, Mrs. C. J.	5 00	Olmsted, Mrs. C. T.	15 00
Mitchell, Mrs. M.	10 00	Olyphant, F. M.	5 00
Mitchell, W.	10 00	O'Neill, Mrs. H.	10 00
Moffet, Mrs. C.	10 00	Opdycke, Mrs. E.	10 00
Mollineaux, General E. L.	5 00	Opdycke, Mrs. W. S.	5 00
Mollineaux, R. B.	5 00	Openlym, Mrs. A.	5 00
Moller, E. C.	10 00	Openlym, W. & Sons.	10 00
Monteath, Miss S. J.	2 00	Oppenheimer, Dr. H. S.	5 00
Montgomery, J. M.	10 00	Ormsbee, A. I.	5 00
Montgomery, Mr. & Mrs. J. S.	10 00	Osborn, William Church.	25 00
Moore, Miss E. T.	10 00	Ottersen, Miss Lucy.	5 00
Moore, W. H. H.	10 00	Ottley, James H.	10 00
Moran, Mrs. D. E.	5 00		P.
Morgan, Miss C. L.	25 00	Page, F. P.	5 00
Morgan, Mrs. D. P.	20 00	Palmer, General W. J.*	10 00
Morgan, E. D.	20 00	Paris, Mrs. F. U.	10 00
Morgan, G. H.	10 00	Paris, W. F.	10 00
Morgan, Mrs. W. F.	10 00		
Morgenstern, Mrs. E. M.	5 00		
Morningstar, J.	10 00		
Morris, Mrs. W.	2 00		
Morse, Mrs. L. D.	10 00		
Mott, Lewis F.	5 00		

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Parish, H.....	\$30 00	Q.	
Parker, Mrs. A. W.....	5 00	Quattlander, Rev. P.....	\$2 00
Parker, G.....	5 00		
Parker & McInyre.....	5 00	R.	
Parker, Mrs. N. T.....	10 00	R. & G. Corset Co.....	5 00
Parsons, Mrs. E.....	10 00	Rady, J. J.....	10 00
Parsons, Mrs. F. T.....	10 00	Raspsperger, G.....	2 00
Parsons, J. E.....	10 00	Rand, Rev. W. W.*	2 00
Passavant & Co.....	5 00	Raphael, Mrs. E. R.....	3 00
Pavenstedt, Adolf.....	20 00	Raven, A. A.....	10 00
Payne, Miss S. K.....	2 00	Raymond, R. W.....	10 00
Pearson, Mrs. F.....	10 00	Read, W. A.....	25 00
Peck, Miss E.....	5 00	Redmond, Miss E.....	20 00
Pedersen, F. M.....	1 00	Reutter, Mrs. R.....	10 00
Pedersen, Dr. J.....	1 00	Rhoades, Miss J. H.....	5 00
Pegram, G. L.....	3 00	Rhoades, Miss Nina.....	25 00
Ponfold, Miss J.....	25 00	Rice, J.....	5 00
Perry, W. Herbert.....	2 00	Richard, Miss E.....	10 00
Peters, W. R.....	5 00	Richardson, Mrs. W. J. and	
Phelps, Mrs. C.....	2 00	Miss Bertha.....	2 00
Phelps, Mrs. M. R.....	5 00	Riederer, L.....	5 00
Philbin, E. A.....	25 00	Richter, J. H.....	10 00
Philbrick, E. C.....	5 00	Riker, S.....	10 00
Phipps, H.....	100 00	Ripley, Mrs. L. A.....	5 00
Pilot, Miss C.....	20 00	Ripley, Miss S. S.....	5 00
Plantan, John R.....	10 00	Rives, G. L.....	20 00
Plaut, Albert.....	10 00	Robb, J. H.....	15 00
Plumb, C. L.....	2 00	Robbins, P. A.....	10 00
Post, Mrs. W. M.....	10 00	Robbins, Mrs. W. H.....	5 00
Post, Mrs. C. L.....	5 00	Roberts, J. E.....	10 00
Pope, Miss E. A.....	5 00	Roberts, Mrs. M. L.....	5 00
Pope, J. M. T.....	10 00	Robinson, Mrs. K. D.....	5 00
Pope, Miss T.....	5 00	Robinson, Mrs. T. D.....	5 00
Post, A. S.....	10 00	Rockwell, Miss H. M.....	5 00
Post, J. H.....	25 00	Rockwell, Mrs. J. W.....	100 00
Potter, Miss B.....	10 00	Rodewald, Miss A. L.....	3 00
Potter, Miss G. H.....	5 00	Roesler & Heeslacher Chemi-	
Ponch, F. E.....	5 00	cal.....	10 00
Powell, B.....	1 00	Rogers, F.....	5 00
Prall, J. H.....	10 00	Hollins, W. F.....	15 00
Pratt, S.....	5 00	Root, Charles T.....	10 00
Prentice, R. K.....	5 00	Rosbach, Jacob.....	5 00
Presbrey, C. H.....	2 00	Rothschild, Bros. & Co.....	5 00
Price, Mrs. G. A.....	2 00	Rusch & Co.....	10 00
Prime, Miss M. R.....	10 00	Rushmore, J. D.....	2 00
Proudt, Mrs. A.....	3 00	Russell, J. W.....	2 00
Pugh, T.....	1 00	Rutterau, M. M.....	1 00
Putnam's Sons, G. P.....	10 00		

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	S.	Shepard, Mrs. E. F.....	\$25 00
"Savings of Carola".....	\$50 00	Sherman, Mrs. C. E.....	10 00
Sachs, L.....	5 00	Sherman, F. T.....	5 00
Sachs, Mrs. S.....	10 00	Sheriff, Miss M. L.....	5 00
Sackett, H. W.....	5 00	Short, Miss F.....	2 50
Sage, Dean.....	100 00	Sibley, Mrs. H. W.....	5 00
Sage, Mrs. Dean.....	50 00	Silberstein, A.....	2 00
Sahler, Miss H. G.....	3 00	Silliman, H. B.....	25 00
St. Peter's Church.....	15 00	Sius, J. S.....	5 00
Sanford, E. T.....	5 00	Simon, A. L. & Co.....	10 00
Sand, G.....	5 00	Skiddy, Mrs. W. W.....	10 00
Saul, C. R.....	5 00	Skougaard, J.....	25 00
Sawyer, D. M.....	10 00	Slade, F. L.....	5 00
Sayre, Miss M. H.....	20 00	Slicer, Mrs. T. R.....	5 00
Schenck, Miss H. W.....	2 00	Stoan, W. S.....	5 00
Schermerhorn, F. A.....	25 00	Smith, Mrs. A. A.....	5 00
Schiffelin, W. J.....	20 00	Smith, Dr. A. H.....	10 00
Schiffelin, Mrs. W. J.....	10 00	Smith, Eugene.....	25 00
Schieren, Mrs. C. A.....	5 00	Smith, George C.....	10 00
Schiff, Jacob H.....	50 00	Smith, J. R.....	10 00
Schiff, M. L.....	25 00	Smith, W. A.....	25 00
Schmidt, L.....	5 00	Spencer, Miss C.....	2 00
Schmieding, H. Jr.....	10 00	Spencer, C. H.....	5 00
Schulteis, H.....	2 50	Sperry, W. M.....	10 00
Schuyler, Miss G.....	5 00	Speyer & Co.....	10 00
Schuyler, Miss L. L.....	5 00	Speyer, L.....	10 00
Schwab, Miss E.....	5 00	Spool Cotton Co.....	25 00
Scott, Miss L. B.....	10 00	Spring, Miss A. R.....	5 00
Scott, W.....	5 00	Squire, G. H., Jr.....	15 00
Scribner, Mrs. J. B.....	20 00	Stagg, Mrs. Charles T.....	2 00
Seager, H. R.....	5 00	Stammner, George.....	5 00
Seaman, F. A.....	10 00	Stanton, Mrs. F. E.....	5 00
See, A. B. Electric Elevator Co	15 00	Starr, Y. M.....	10 00
Seely, Mrs. N.....	5 00	Stebbins, Mrs. C. H.....	5 00
Selden, A. K., Jr.....	1 00	Steele, C.....	10 00
Seligman, E. R. A.....	5 00	Steers, J. R.....	10 00
Seligman, G. W.....	10 00	Stein, Miss H. A.....	2 00
Seligman, I. N.....	25 00	Stein, P. F.....	1 00
Seligman, Mrs. J.....	5 00	Stern, B. L.....	10 00
Seligman, J. & W. Co.....	25 00	Stern, Mrs. L.....	5 00
Seligman, Miss M.....	10 00	Stetson, F. L.....	25 00
Selwe, T. G.....	10 00	Stettinmer, Mrs. R. W.....	1 00
Shainwald, Mrs. R. L.....	5 00	Stevens, Mrs. B. K.....	10 00
Shaw, Mrs. J. C.....	5 00	Stevens, Mrs. J. R.....	10 00
Shaw, Mrs. S. T.....	5 00	Stewart, Miss I. M.....	5 00
Sheets, Dr. E. A.....	10 00	Stewart, Hon. W. R.....	25 00
Sheldon, E. B.....	10 00	Stewart, Hon. L. W. B.....	10 00
Shelton, Dr. G. G.....	10 00	Stillman, Miss C. R.....	50 00
Shepard, Edward M.....	10 00	Stimson, H. L.....	10 00

Stine, J. R. & Co.	\$10 00	U.	
Stokes, A. P.	10 00	Ughetta, Henry L.	\$5 00
Stokes, J. G. P.	5 00	Ullman, E. S.	10 00
Stone, Miss A.	10 00	Ulmann, C. J.	10 00
Stone, Miss E. J.	50 00	Unsrail, W. P.	5 00
Storer, Mrs. A. H.	5 00	Unz & Co.	5 00
Story, Mrs. M.	20 00	Upman, Mrs. E. K.	10 00
Story, Mrs. M. H.	20 00		
Strassberger, R. W.	3 00	V.	
Street, J.	5 00	Van Beuren, Mrs. F. T.	10 00
Strong, T. S.	5 00	Vanderbilt, J. L.	5 00
Sullivan, Miss I.	10 00	Vanderpoel, Mrs. J. A.	5 00
Sullivan, Mrs. J.	3 00	Van Dyke, Mrs. H.	5 00
Summer, Miss S. F.	5 00	Van Iugch, Mrs. E. H.	10 00
Sutro, L.	2 00	Van Santvoerd, Miss A. T.	10 00
Swzey, Mrs. C.	5 00	Van Sinderen, W. L.	10 00
		Van Winkle, Miss M. D.	15 00
		Vernon, H.	3 00
		Villard, Mrs. H.	25 00
		Villard, O. G.	10 00
		Voorhees, J. D., M. D.	2 00
		W.	
Tack, T. E.	5 00	"W. W. A."	10 00
Talmadge, Mrs. E. T. H.	10 00	Wadsworth, Mrs. R. C. W.	2 00
Tappin, J. C.	10 00	Wagnalls, A. W.	5 00
Tatlock, J.	5 00	Wagner, J.	5 00
Taylor, W. J.	10 00	Walker, F. W.	5 00
Thomas, Mrs. S. P.	5 00	Walker, Mrs. S. K.	5 60
Thomas, Mrs. T. G.	5 00	Wallier, Miss A.	5 00
Thompson, Morris S.	10 00	Wanamaker, John.	10 00
Thomson, J. W.	5 00	Warburg, P. M.	25 00
Thorndike, Mrs. E.	2 00	Ward, A.	10 00
Thorne, J.	25 00	Ward, C. S., Jr.	10 00
Thorne, S.	10 00	Ward, J. S., Jr.	25 00
Thorne, W. V. S.	5 00	Wardwell, A.	10 00
Tiebout, C. H.	5 00	Wardwell, W. T.	10 00
Tiffany & Co.	20 00	Warner, Miss F.	5 00
Tilley, G. H.	3 00	Washington, W. I.	5 00
Timpson, Mrs. J.	10 00	Watrous, Mrs. C.	5 00
Titus, Henry.	5 00	Watson, Rev. J. H.	10 00
Todd, Mrs. H. A.	5 00	Watson, Mrs. J. S.	25 00
Tomkins, C.	5 00	Weidenbach, E.	5 00
Tompkins, H. B.	10 00	Weil, I. M. D.	5 00
Tompkins, Mrs. M. W.	25 00	Weinman, J.	5 00
Townsend & Dix.	10 00	Weld, S. M. & Co.	10 00
Tracy, Mrs. M. M.	10 00	Welling, W. B.	5 00
Trotter, W.	5 00	Wellington, Miss E. R.	10 00
Trowbridge, J. A.	10 00	Wells, H. C.	5 00
Truslow, J.	5 00	Wemple, Mrs. S. J.	10 00
Tuck, Mrs. H.	5 00		
Tuckerman, A.	10 00		
Tuckerman, Mr. & Mrs. P.	5 00		
Turnbull, Mrs. R.	5 00		
Tuttle, Dr. G. M.	5 00		

Westinghouse, Church, Kerr & Co.	\$100 00	Williams, Mrs. T. S.	\$10 00
Weston, Mrs. T.	5 00	Williams, Mrs. W. B.	1 00
Wetmore, J. McE., M. D.*	10 00	Williamson, F. S.	25 00
Wheeler, Miss E. M.	10 00	Willis, W. P. & Co.	25 00
Wheeler, Miss M.	2 00	Willis, C. T.	5 00
White Alfred T.	10 00	Wilson, C., Jr.	5 00
White, A. M.	10 00	Wilson, S. M.	50 00
White, Miss F. E.	10 00	Winthrop, E. L.	25 00
White, Miss	10 00	Winthrop, Miss M.	25 00
White, Mrs. M.	2 00	Winer, E.	5 00
White, W. A.	10 00	Wisner, E. H.	10 00
Whitehouse, Mrs. J. H.	10 00	Wisner, C. M.	10 00
Whitlock, Miss G.	10 00	Wisner, Miss E. H.	10 00
Whitney, J. F. & Co.	2 00	Wisner, Miss J.	10 00
Whitney, J. B.	5 00	Witherbee, Mrs. F. S.	15 00
Whittemore, H.	5 00	Woerishoffer, Mrs. Anna.	25 00
Wicks, W. A.	10 00	Wolfe, S. H.	5 00
Wilcox, F. A.	5 00	Wolf, L. S.	10 00
Wilkinson, Bros.	5 00	Wood, J.	10 00
Wilcox, W. G.	5 00	Wormser, Mrs. I.	10 00
Wilets, J. T.	15 00	Wunderlich, F. W., M. D.	5 00
Wilets, Miss M. T.	5 00	Wurzburger, A.	5 00
Williams, F. D.	5 00		
Williams, Mrs. G. P.	5 00	Z.	
Williams, Mrs. I. T.	5 00	Zabriskie, Mrs. T.	10 00
Williams, R. C. & Co.	5 00	Zimmermann, Mrs. J. E.	5 00

* Deceased.

DONATIONS OF CLOTHING, READING MATTER, ETC.

Mrs. Alexander.
 Rev. W. W. Atterbury.
 Herbert S. Barnes.
 Mrs. P. G. Bartlett.
 Miss Virginia L. Bayne.
 M. C. Bishop.
 F. L. Blanchard.
 E. C. Bogert.
 J. D. Brown.
 Charles S. Butler.
 Mrs. Joseph J. Byers.
 Mrs. F. S. Cauldwell.
 Cyrus Clark.
 Mrs. Coombe.
 Mrs. C. A. Daards.
 Miss Davidson.
 Miss E. Nora Davison.
 Mrs. Henry Draper.
 Dr. J. H. Emerson.
 Miss E. C. Fessenden.
 M. Fisher.
 M. N. Forney.
 James J. Franc.
 George N. Gilbert.
 Mrs. H. Grunwald.
 Mrs. H. F. Hadden.
 Mrs. S. F. Hallock.
 Mrs. J. Hershheim.
 Frederick Trevor Hill.
 Mrs. G. D. Hilyard.
 William P. Howell.

Rev. Dr. Howes.
 Mrs. George T. Jackson.
 Miss Keudall.
 Mrs. W. M. Klein.
 W. B. Kunhardt.
 Thomas Le Boutillier.
 Mrs. G. Loeser.
 David Lydig.
 Mrs. MacBokkelen.
 Charles B. Meyer.
 Mrs. J. Miller.
 R. B. Moffat.
 Mrs. L. C. Mygatt.
 Needlework Guild.
 Mrs. Opdycke.
 Mrs. A. W. Parker.
 William B. Parsons.
 Mrs. W. G. Paxton.
 Mrs. Patham.
 Mrs. George Place.
 R. & J. Specialty Co.
 Miss M. A. Rogers.
 A. F. Sabler.
 Mrs. Stebbins.
 Mrs. C. R. Swords.
 Mrs. M. K. Thompson.
 Mrs. S. A. Tucker.
 Mrs. O. W. Vail.
 Miss E. J. Vaughn.
 Mrs. A. Wolf.
 Andrew C. Zabriskie.

APPENDIX.

AN ACT to incorporate the Prison Association of New York.
 Passed May 9, 1846, by a two-thirds vote. (As subsequently amended.)

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

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

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

ARTICLE FIRST.

The objects of the association shall be:

1. The amelioration of the condition of prisoners, whether detained for trial, or finally convicted, or as witnesses.
2. The improvement of prison discipline and the government of prisons, whether for cities, counties or States.
3. The support and encouragement of reformed convicts after their discharge, by affording them the means of obtaining an honest livelihood, and sustaining them in their efforts at reform.

ARTICLE SECOND.

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

ARTICLE THIRD.

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

ARTICLE FOURTH.

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

ARTICLE FIFTH.

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

ARTICLE SIXTH.

Any person contributing annually to the funds of the association not less than five dollars shall, owing to such contribution, be a member thereof. A contribution of five hundred dollars shall constitute a life patron; a contribution of one hundred dollars shall constitute an honorary member of the association for life, and a contribution of fifty dollars shall constitute a member of the association for life. Honorary and corresponding members may, from time to time, be appointed by the executive committee.

ARTICLE SEVENTH.

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

ARTICLE EIGHTH.

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

ARTICLE NINTH.

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

ARTICLE TENTH.

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

ARTICLE ELEVENTH.

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

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

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

§ 3. The said executive committee shall have power to establish a workhouse in the county of New York, and in their discretion, to receive and take into the said workhouse all such persons as shall be taken up and committed as vagrants or disorderly persons in said city as the Court of General Sessions

of the Peace, or the Court of Special Sessions, or the Court of Oyer and Terminer, in said county, or any police magistrate, or the commissioner of the almshouse may deem proper objects, and the said executive committee shall have the same powers to keep, detain, employ and govern the said persons as are now by law conferred on the keepers of the bridewell or penitentiary in said city.

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

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

§ 6. The said executive committee by such committees as they shall from time to time appoint, shall have power, and it shall be their duty to visit, inspect and examine, all the prisons in the State, and annually report to the Legislature their state and condition, and all such other things in regard to them as may enable the Legislature to perfect their government and discipline. And to enable them to execute the powers and perform the duties hereby granted and imposed, they shall possess all the powers

and authority that by the twenty-fourth section, of title first, chapter third, part fourth of the Revised Statutes are invested in inspectors of county prisons and the duties of the keepers of each prison that they may examine shall be the same in relation to them, as in the section aforesaid, are imposed on the keepers of such prisons in relation to the inspectors thereof; provided, that no such examination or inspection of any prison shall be made until an order for that purpose to be granted by the chancellor of this State, or one of the judges of the Supreme Court or by a vice-chancellor or circuit judge, or by the first judge of the county in which the prison to be examined shall be situate shall first have been had and obtained, which order shall specify the name of the prison to be examined, the names of the persons members of the said association by whom the examination is to be made, and the time within which the same must be concluded.

BY-LAWS.

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

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

III. The order of business at the annual meeting shall be as follows:

1. Election of chairman and secretary.
2. The reading of the minutes of the last meeting.
3. Report of committee on nominations.
4. Election of officers.
5. Report of corresponding secretary on the work of the year.
6. Annual report of the treasurer.

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

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

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

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

VI. The recording secretary of the association shall be the secretary of the executive committee; and it shall be his duty

to keep the minutes of the proceedings of said committee, to record them in a book provided for that purpose, and to give due notice of all meetings of the committee.

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

VIII. The treasurer shall have charge of the funds of the association, and shall give such security as the executive committee may require. His duties are more fully defined in by-law X.

IX. There shall be six standing committees, namely, on finance, detentions, discharged convicts, law, house, and library.

X. The committee on finance shall be charged with the duty of raising and caring for the funds.

The funds of the association shall be divided into three parts to be known as:

1. The endowment fund.
2. The reserve fund.
3. The general fund.

The Endowment Fund.—The endowment fund shall consist of such contributions as shall be given with the restriction that the income only shall be used for the purpose of the association, and all legacies.

The Reserve Fund.—The reserve fund shall consist of such sums as may be set aside from the general fund from time to time by the executive committee for investment. Whenever any part of the reserve fund shall be appropriated by the executive committee, such sum shall be immediately transferred to the general fund. The endowment and reserve funds shall be under the immediate direction and control of the committee on finance, and all investments of these funds shall be ordered by the committee. The treasurer of the association shall be a member and act as the treasurer of the committee on finance, and shall be responsible for the safe-keeping of the surties of the endowment and reserve funds.

Any uninvested balance of the endowment and reserve funds shall be kept each in separate trust companies in the name of

the association, subject to check of the treasurer, and shall, whenever possible, bear interest. All income from the endowment and reserve funds may be transferred to the general fund as soon as received.

No part of the reserve fund shall be used for any purpose except by resolution of the executive committee, and whenever any part shall be appropriated by the executive committee it shall immediately be transferred to the general fund.

The General Fund.—The term "general fund" shall cover all receipts of the association not constituting a special fund or specified for the endowment fund, the intention being that all the income, except legacies, including donations for general purposes, and income from endowment and reserve funds, shall be credited to the general fund to which the authorized disbursements of each activity of the association shall be charged at the close of the fiscal year.

The treasurer shall notify the corresponding secretary at once of all transfers of income from the endowment and reserve funds to the general fund.

The treasurer shall notify the corresponding secretary, immediately on receipt by him of any sum for the account of the association, that such receipt may be entered at once to the credit of the proper account on the books of the association.

The corresponding secretary shall be the general disbursing agent of the association, the object of the provision being to keep in the central offices of the association all receipts for payments by him for the association of any kind, nature or description, and to have in the central offices immediate record of all his disbursements. This provision shall not apply to the endowment and reserve funds.

All donations received by the corresponding secretary shall be entered by him upon the proper books of the association and deposited in such bank as directed by the treasurer to the credit of the association. Whenever the executive committee shall make an appropriation out of either the reserve or general fund, the corresponding secretary shall send to the treasurer a copy of the resolution making the appropriation, certified by the recording secretary, which certified copy shall be the treasurer's authority

for transferring the appropriated amount to the corresponding secretary.

The treasurer shall keep an account covering the general fund in the name of the association, subject to his check as treasurer in such bank as may be selected by him and approved by the committee on finance. Such account shall be separate and distinct from those accounts opened for the uninvested balance of the endowment and reserve funds.

The corresponding secretary shall keep a bank account in the name of the association, subject to his check as corresponding secretary for current disbursements, and shall deposit to the credit of said bank account all moneys he may receive from the treasurer drawn from the general fund.

The committee on finance shall audit and report upon accounts of the treasurer and of the corresponding secretary.

At each regular meeting of the executive committee the treasurer shall make a detailed statement of the receipts and disbursements for the preceding calendar month. He shall make a statement showing investments and the receipts and disbursements of the endowment and reserve funds; he shall make, at the annual meeting of the association, a detailed statement of receipts and disbursements for the fiscal year.

XI. It shall be the duty of the committee on detentions:

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

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

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

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

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

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

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

5. To consider the internal organization of the management of prisons, and the physical and moral influences to be exerted on the prisoners during their confinement; to report upon their health, reformation, upon convict labor, administration and internal police, on the comparative merits of different prison systems, and on the visitation of prisons and houses of reformation.

XIII. It shall be the duty of the committee on law to examine and report from time to time upon the penal legislation of the State, with their suggestions for the amendment thereto, to consider questions relating thereto which are under discussion in the press or the Legislature, including pending bills, and report their views and conclusions upon them; also to care for the law business of the association.

XIV. It shall be the duty of the committee on house to care for the maintenance of the real estate of the association.

XV. It shall be the duty of the committee on library to see that it is properly housed and catalogued and to take steps for its increase.

XVI. One or more agents may be appointed by the executive committee to assist the standing committees in their duties.

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

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

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