

STATE OF NEW YORK

THE EIGHTY-SIXTH ANNUAL REPORT

OF THE

Prison Association of New York

135 East 15th Street, New York

1930



ALBANY
J. B. LYON COMPANY, PRINTERS
1931

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P R E F A C E

This is an official report of the Prison Association of New York to the Legislature of the State of New York, which has been made annually since 1845, and constitutes the eighty-sixth of the series.

Paragraph 6 of Article XI of the Act incorporating the Prison Association of New York provides that "the said executive committee" (of the Prison Association), "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 of 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."

The State law further provides for the printing of 500 additional copies of this annual report at the expense of the State. Additional copies are purchased from the State printers, at the expense of the Association, for distribution to its contributors and many others, not only in New York State but in other States and in foreign countries.

THE PRISON ASSOCIATION OF NEW YORK

In the latter part of the year 1844 there appeared in the papers of this city a notice addressed to the public, and signed by the President of the Board of Inspectors* of Sing Sing Prison, inviting "the attention of the benevolent to the destitute condition of discharged prisoners." Soon after the publication of this notice a meeting was held, and that meeting marked the birth of the Prison Association of New York, the first organization of its kind in the State. At the meeting it was decided that the scope of the Association's activities should not be limited solely to the care of the discharged prisoner, but that the Association should concern itself intimately and generally with the treatment of the prisoner, regardless of his place of detention. In other words, at the beginning, the sponsors of the Association recognized the importance and gravity of the crime problem and were not content to confine themselves to one phase of it. By an act of the Legislature the Association was incorporated in 1846 and given authority to visit and inspect the prisons and required to report annually to the Legislature. (See Preface page 3.)

So the Association has gone on, year after year, unceasingly, and with earnest alertness, combating those things which impede progress in the solution of the crime problem, and initiating and giving utmost support to endeavors that indicated a forward movement. It has been faithful in endeavoring to reform those who have become criminals; in aiding the discharged prisoner and helping him to lead an honest life; guiding and helping destitute mothers, wives and children of men in prison; making prison conditions humane and effective, and securing legislation to improve court procedure and the administration of institutions.

* The managing body of the prison.

TABLE OF CONTENTS

	PAGE
Preface	3
Origin and Purposes of the Association	4
Officers for 1930	7
Standing Committees for 1930	8
Letter of Transmittal to the Legislature	9
Recommendations to the Legislature	11
The Individual Treatment of Prisoners	16
The Prison Association in 1930	20
Prison Betterment	20
The Prison Investigation	20
Full Time Parole Board	21
National Commission on Law Observance and Enforcement	22
Centralization Magistrates' Courts	22
Census Reports	22
Increase in Prison Guards	23
Bond Issue Campaign	24
Study of Fire Hazards	24
Crime Prevention Bureau in the City of New York	25
League of Nations and Penal Reform	25
Alleged Police Methods	26
Crime Studying Clinic	27
American Prison Association Congress	28
Responsibility for Prison Conditions	28
Commission to Investigate Prison Administration and Construction	30
Bronx and Richmond County Jails	31
House of Detention for Women, New York City	31
Relief for Prisoners' Families	32
Employment and Relief for Ex-Prisoners	33
Interesting Letters from Ex-Prisoners	35

Aiding Tombs Prisoners.....	37
Legal Assistance	38
Legislative Activities	39
Bills Approved by the Association.....	39
Bills Opposed by the Association.....	44
The Tenth International Prison Congress.....	46
Questions, Commentaries and Resolutions of the Tenth International Prison Congress	48
Standard Minimum Rules for the Treatment of Prisoners.....	63
Foreign Observations and Comments.....	75
Notes on the English Prison System.....	84
The Grade System in Prison Administration in Prussia.....	101
Explanation to Map Outlining Grade System.....	127
Constitution and By-Laws.....	131
Treasurer's Report	139
Contributors	140

THE PRISON ASSOCIATION OF NEW YORK

OFFICERS FOR 1930

PRESIDENT	SECRETARY	TREASURER
E. O. HOLTER	DECATUR M. SAWYER	C. C. AUCHINCLOSS

CORRESPONDING AND GENERAL SECRETARY

E. R. CASS

VICE-PRESIDENTS

ROBERT W. DE FOREST	MORGAN J. O'BRIEN
GEORGE W. KIRCHWEY	GEORGE W. WICKERSHAM

EXECUTIVE COMMITTEE

GEORGE W. WICKERSHAM, *Honorary Chairman*

CLASS OF 1931	CLASS OF 1933
CHARLES M. BALDWIN	J. FENIMORE COOPER
FULTON CUTTING	ALEXANDER M. HADDEN
WILLIAM H. GRATWICK	FREDERIC P. MOORE
HENRY G. GRAY	MRS. H. HOBART PORTER
HERBERT L. PRATT	WILSON M. POWELL
CHARLES H. SABIN	DEAN SAGE
CLASS OF 1932	CLASS OF 1934
IRA BARROWS	MRS. JAMES P. CURTIS
GEORGE BLUMENTHAL	RICHARD M. HURD
JOSEPH E. DAVIS	FRANK D. PAVBY
MRS. ROBERT F. HERRICK	HAROLD K. HOCHSCHILD
MRS. E. MARSHALL FIELD	MORTIMER L. SCHIFF

STANDING COMMITTEES FOR 1930

COMMITTEE ON LAW

SAGE, GRAY, PAVEY, POWELL, WICKERSHAM, O'BRIEN, BARROWS

COMMITTEE ON FINANCE

AUCHINCLOSS, SABIN, SAGE, SCHIFF, PRATT

COMMITTEE ON DETENTIONS

BARROWS, BLUMENTHAL, HADDEN, SAWYER, BALDWIN, MRS. FIELD,
MRS. CURTIS

COMMITTEE ON NOMINATIONS

HURD, SAGE, SAWYER

COMMITTEE ON PROBATION AND PAROLE

POWELL, MRS. PORTER, HURD, SABIN, CUTTING

COMMITTEE ON PRISON ADMINISTRATION

MOORE, PAVEY, SAGE, SCHIFF, DAVIS, HOCHSCHILD

[8]

**EIGHTY-SIXTH ANNUAL REPORT OF THE PRISON
ASSOCIATION OF NEW YORK**

March 2, 1931.

HON. HERBERT H. LEHMAN,

Lieutenant-Governor of New York:

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

Respectfully,

THE PRISON ASSOCIATION OF NEW YORK,

By EDWIN O. HOLTER, *President.*

E. R. CASS, *General Secretary.*

[9]

RECOMMENDATIONS TO THE LEGISLATURE

I

That the findings and recommendations of the Commission to Investigate Prison Administration and Construction* (Chapter 825, Laws of 1930) be given serious consideration, and that, as a result, necessary funds be appropriated, laws enacted, and departmental procedure altered, so that a new era will begin in the administration of the institutions of the Department of Correction of the State of New York.

The Prison Association of New York urges the above because of its intimate knowledge of the thoroughness of the work of the Commission (of which its General Secretary is a member) and the progressive thought which stimulated and guided its efforts, and further because what is discussed and urged by the Commission is substantially in accord with that in the Annual Reports of the Association to the Legislature, and the findings and reports of other interested bodies.

For the convenience of the Legislature, and to give formal approval and added emphasis, the following statement relative to prison policy, from the report of the Commission to Investigate Prison Administration and Construction, is repeated, as well as some of the outstanding recommendations.

Prison Policy

That the State of New York should develop a prison system which will protect society from the criminal and his evil deeds by endeavoring to re-educate and re-train the men and women in prison, so that these men and women may be fitted upon release to become useful members of the community. This is imperative because 92 per cent of these prisoners return to society within a comparatively short period of time after their incarceration.

To be effective the training and education given a prisoner must meet the special needs and be adopted to the capabilities of the individual prisoner. It is, therefore, necessary that the prisoner should be studied by competent specialists in order that an understanding may be reached as to the personality and ability of each individual, the defects which led to crime, and whether or not the individual can through treatment and training be helped to correct or cure these defects.

In brief, the new prison policy which your Commission proposes for the State of New York is the replacement of mass treatment and routine organization by a system of constant personal study, individual treatment and training of every prisoner.

Recommendations in Preliminary Report of Commission

First: That the State build no more prisons of the fortress type with impregnable steel cells surrounded by impregnable walls, because when existing prisons are remodelled and the construction contracted for at Attica is

* Members of the Commission: Mr. Sam. A. Lewisohn, Chairman; Miss Julia K. Jaffray, Secretary, also Secretary of the National Committee on Prisons and Prison Labor; Senator Thomas C. Brown; Mr. E. H. Cass, General Secretary of the Prison Association of New York; Assemblyman Milan E. Goodrich, Chairman of the Committee on Penal Institutions of the Assembly; Dr. Hastings H. Hart, Consultant in Delinquency and Penology, Russell Sage Foundation; Dr. Walter N. Thayer, Jr., head of the New York State Department of Correction.

completed, the State will have the maximum number of steel cells which will be required for a long period of years.

Second: That there should be two reception prisons: Sing Sing for the eastern and Attica for the western part of the State, at which a thorough psychiatric examination should be given to each prisoner immediately after his commitment; that each prisoner's case should be reviewed periodically during the time of his incarceration; and that the classification resulting from such examination should be made the basis for his assignment and training while in prison. To provide for this classification and psychiatric work your Commission recommended that an appropriation of \$47,000 a year be made for additional psychiatric staff.

Third: That on a new medium security prison should be established in 1931 (a detailed description of the proposed medium security prison was contained in the preliminary report together with recommendations for the site on which it should be located).

Fourth: That the road camp should be continued and extended in 1931.

Fifth: That an appropriation of \$125,000 should be made to the Department of Correction for experiments in prison housing, such as the development of small pre-parole units.

Sixth: That the practice should be abandoned of employing prisoners on confidential work, such as correspondence, telephone, care of the records of inmates and so forth, and that an appropriation of \$57,300 a year should be made for civilian help to substitute for prisoners in such positions.

New Institutions

That as additional funds become available the construction of new prisons, following the first medium security prison, should proceed in the following order:

1. A new institution for defective delinquents,
2. A new psychiatric unit,
3. A second medium security prison,

and that legislation should be introduced at this session authorizing the acquisition of sites for these purposes.

Road Camps

That the system be continued of assigning prisoners to road camps, and that it be extended to include all prisoners selected by the classification staff as suitable for this type of housing and work.

Further, that a survey be made of the road building projects which the State is planning in order to determine in which particular projects prisoners may be advantageously employed, with the suggestion that an excellent opportunity for the employment of prisoners will probably be afforded in the secondary or "dirt road" system which the State has recently undertaken to construct.

The Personnel of the Prison

1. That until adequate qualifications can be established for the personnel for the new medium security prisons, the staff for such institutions should be placed in the non-competitive class of civil service appointments.

2. That the schools for prison guards should be continued, and some type of formal training for the staff be given in all other correctional institutions.

3. That the Correction Law should be amended so as to make retirement of guards possible after twenty-five years of service.

4. That increases in salaries for guards should be dependent not only on length of service but also upon efficiency.

5. That an appropriation of \$57,300 should be made available to the Department of Correction for civilian help to supersede inmates in confidential positions.

Education and Training in Correctional Institutions

That the preliminary educational study be followed by a more detailed study, so that there may be developed a more comprehensive program of education, academic and vocational, in the prisons and reformatories.

Prison Chaplains

1. That the State should provide separate chapels for Catholic, Protestant, and Jewish services; also a parish hall or room where it would "be possible for the men to find a place of quiet, under religious influence, and to meet their chaplains for advice, spiritual ministrations and guidance;" also that the State should provide religious articles which are imperative for the proper work of the chaplain, such as bibles, prayerbooks, hymnals and so forth.

2. That there should be an unpaid state board of chaplains, appointed by the Governor or the Commissioner of Correction, to consist of representatives of the Catholic, Protestant and Jewish churches, to visit each prison at least twice yearly for inspection of the religious work and for counsel and advice to the chaplains.

3. That in each prison the local chaplains should constitute a board to coordinate the religious work in the prison.

4. That the chaplains should be appointed by the Commissioner of Correction on nomination of the head or governing body of the religious faith which they represent, remarking that: "In this the (local) board of chaplains would officially represent the State in spiritual matters and would at the same time carry the prestige and sanctity of the spiritual authorities in that section of the State in which they minister. The Commissioner of Correction might well accord to these various nominating authorities either a formal or informal power, in cooperation with himself, to relieve chaplains whose duties are not satisfactory to either in carrying on their duties."

5. That each chaplain "should be held responsible for the ministrations within the prison itself, and for a coordination of religious work for the families outside of the prison; and also a further responsibility for those admitted to do any religious work." The report added: "In our prisons, as elsewhere, results may be expected only in the degree that chaplains are given opportunity, responsibility and freedom from unnecessary interference. We would therefore recommend that the office of chaplains carry with it such opportunities and dignity as to be comparable with the head of a parish of equal importance."

6. That the chaplain be relieved from such routine and clerical work as inspection of mail or carrying on the school of letters. The committee, however, believed that "the oversight and administration of the library might well be under the educational department of the prison in cooperation with the board of chaplains."

7. That the chaplains should be responsible officers, and that "the Commissioner of Correction shall, on recommendation of the State board of chaplains, make request for a budgetary increase for the salary of assistant chaplain, when the full time or increased time of this officer is required."

Changes in the Executive, Penal and Correction Laws

1. That the Correction Law be amended to permit the transfer at the discretion of the Commissions of Correction of inmates of all institutions of the Department of Correction from one institution to another, depending upon their need for individual study and treatment.

2. That Sing Sing and Attica be designated as receiving and classification prisons for the Department of Correction, and that all commitments to a state prison be made to either of these prisons in accordance with a geographical division to be worked out by the Department of Correction.

3. *That all first-offender felons, with the exception of those convicted of murder in the first and second degree and rape and arson in the first degree, receive a uniform minimum sentence and that the maximum sentence be that fixed by the statute for each crime.

4. *Provided the Division of Parole is able to undertake the additional labor and responsibility involved, it is recommended that the courts continue to

*The Prison Association urges delay in the enactment of legislation that will fulfill Recommendations 3 and 4 until the present Division of Parole has had ample opportunity to become familiar with its task and problems, organize and train its staff, and make a demonstration which will show that it is competent and ready to assume new and heavy responsibilities involving considerable added labor.

give second and third offenders definite sentences; that the second offender be eligible for parole consideration at the expiration or one-half the sentence fixed by the court; and that the third offender be eligible for parole consideration at the expiration of three-fourths of the sentence fixed by the court, and fixed by law for each crime the prisoner be under the supervision of the Division of Parole.

5. That the present fourth-offender act, making mandatory life imprisonment sentence the period of time fixed by law as the maximum for a minimum which he has committed and as a maximum sentence life imprisonment. The determined by the Division of Parole, and subsequent to release the prisoner should be under the control of the Division of Parole for life.

6. That all prisoners serving an indeterminate sentence shall be allowed to earn a reduction on their minimum sentence at the rate of five days per month, such reduction to be known as commutation; if not released at the expiration of the minimum sentence such prisoner shall be allowed to earn the unexpired reduction of sentence at the rate of five days per month on an additional maximum, such reduction to be known as commutation.

7. That all prisoners serving a definite sentence be allowed to earn an additional reduction of sentence at the rate of five days per month, such reduction to be known as commutation.

8. That the Commissioner of Correction be permitted to allow prisoners assigned to work or housed at a distance from the prison, and serving an indeterminate or a definite sentence, an additional reduction of sentence at a rate not exceeding five days per month.

9. That there be established in the Department of Correction a revolving fund to be used in returning non-resident inmates of prisons to their home States subsequent to release.

Fire Hazards

An expert and thorough study of the fire hazards of institutions of the Department of Correction was made without expense to the State by the National Board of Fire Underwriters. The recommendations of that body to the Commission are too numerous to present here, but the serious attention of the Legislature and the State Department of Correction is directed to the findings of the fire hazard experts, so that appropriations may be made by the Legislature for whatever changes are needed, or departmental orders given for their fulfillment.

The following recommendations from the previous Annual Report of the Association are repeated and urged:

II

Improve through legislation the present undesirable condition with respect to the examination of persons awaiting disposition by the courts, in accordance with the provisions of sections 658 and 836 of the Code of Criminal Procedure. This relates to those who are suspected of being insane or otherwise mentally ill and the present practice of appointing lunacy commissions. The determining of the need for the appointment of numerous commissions, the personnel constituting the commissions, and the enormous amounts involved in the payment of fees to the members of the commissions, warrant prompt and thorough attention.

III

Legislation intended to improve the county jail system in this State should be enacted. The glaring defects that exist in our

county jail system have been described again and again in the reports of the Prison Association of New York. The county jails should be under the administrative control of the State Department of Correction. Constitutional restrictions make this difficult as an immediate change, but it is possible to effect by legislation the commitment and custody of sentenced prisoners in the jails. They could be sentenced to the county penitentiaries, which should be taken over by the State and placed under the jurisdiction of the State Department of Correction. The county penitentiaries can be made places of reformation, but so long as they are under county management there is little chance for the development of systematic industry and reformatory influences.

IV

That legislation be enacted which will provide that a person convicted two or more times of a major misdemeanor, when for the first time convicted of a felony, may, in the discretion of the trial judge, be sentenced as a first offender felon, and thereby receive an indeterminate sentence, or as a second offender, and thereby receive a definite sentence.

V

Through legislation discontinue the sheriff's control of prisoners in Bronx and Richmond counties, and also in the handling of prisoners between the New York City prison (the Tombs) and the Criminal Courts building, and transfer the control of prisoners in transit to the courts to the sole jurisdiction of the Department of Correction of the City of New York. Further, provide for the placing of the complete control of prisoners between the New York City district prisons and the Magistrates' Courts under the Department of Correction of the City of New York. The above proposals, if effected, will make for economy, the elimination of duplication, security and the centralization of responsibility.

VI

That a special committee of the Legislature be appointed to investigate the complaints of police brutality, commonly referred to as the "third degree." The frequent reports of such brutalities and their denial, and at the same time the appearance of prisoners after their contacts with the police, suggest that an investigation would be desirable in order to establish the truth or falsity of the complaints.

INTRODUCTION

The Individual Treatment of Prisoners

The year 1930 will go down in history as a period of further awakened public interest and conscience toward the need of dispassionate and intelligent treatment of those who come into conflict with the law and are sent to institutions known as prisons. The public indifference and neglect of decades is being generally recognized, and there is a growing demand that we face about and no longer attempt to sidestep a problem that justly requires public attention, if for no other reason than that of plain decency.

Who is a criminal? Technically, one who breaks the law of the State. The prisoner is the criminal who is imprisoned. What is the purpose of imprisonment? That question is the rock upon which many a prison administration gets shipwrecked.

There are at least four reasons why people are deprived of their liberty. The first is to punish them. Formerly punishment was considered the prime end (and sometimes the sole end) of imprisonment, and it was thought that the severer the punishment the less crime there would be. Children were hanged in London one hundred and fifty years ago for stealing a shilling. Negroes are burned to death in the South now on suspicion, but stealing did not stop, and the unspeakable crime continues in our own country.

Then, again, for the protection of society, just as the board of health removes a nuisance, so society removes its criminal nuisances. When a criminal is locked up he is not dangerous at the time to society. That is why so much emphasis is laid upon the danger of letting a criminal escape.

Then there is a third reason. Imprisonment is intended to deter other people from committing crime. How much deterrence there is, is problematical and cannot be shown statistically, but it is reasonable to assume that the fear of imprisonment causes many criminally inclined to hesitate. No one who is capable of thinking clearly, or has any control over his conduct, is anxious to forfeit the most priceless thing in life—his liberty.

Then in the fourth place, imprisonment should lead to reformation. When the Elmira Reformatory was started in 1876 it was the first adult reformatory in the world. Today, many prisons in civilized lands more or less recognize the principles of reformation. Enthusiasts sometimes claim that reformation is the sole aim of imprisonment. However, the fact is that imprisonment is for all these purposes—punishment; protection of society; deterrence of others from crime and reformation. You can measure any prison by the degree to which it embodies these factors. Does it punish alone? Then it is lacking. Does it simply protect society? It is a partial failure. Does it deter others without affecting the

prisoner? It is lacking. Does it reform? Then, least of all, it is lacking, and most of all it is useful.

The basis of a reasonable and constructive treatment of prisoners must be an adequate knowledge of their individual needs. These needs are often not obvious. Frequently they can be discovered only after considerable time and careful study. The laws of the several American states assume in large measure that it is the duty of the State to render the inmate, through imprisonment, better fitted to be a decent citizen and a self-supporting member of the community. The State must therefore discover what the needs of the individual prisoner are that such rehabilitation may take place.

This is good economic reasoning, as well as a sound humanitarian principle. The State aims primarily to reduce crime. However, a considerable proportion of inmates of prisons return to crime after their release for many causes, some of which are: Industrial incompetency, mental incompetency, physical incompetency, and unstable character. It is clearly advantageous to society then that the prisoner should emerge from prison without such incompetencies.

A characteristic of the history of prison management in this country has been the gradual perception of the soundness of this principle of the necessity of an adequate rehabilitation of the prisoner. In many parts of the United States, however, hardly more than the principle has been recognized. The machinery for equipping prisoners for life is in general still faulty, often deplorably lacking, and not infrequently deliberately or callously unprovided.

Men are sent to different prisons according as they are felons and misdemeanants, a legal distinction. Murderers are considered as far more vicious and depraved than thieves, and thieves than vagrants. The law assumes to be able to differentiate between degrees of crime, and sets maximum sentences according to the apparent seriousness of the offense, not according to the apparent mental and physical characteristics of the offender. For the law has seized upon those characteristics that could be observed superficially and were apparent facts. Children are held to be less responsible than those over sixteen years of age, and persons over sixteen years of age have been regarded as far more reformable than those over thirty years of age. Insanity has been a cause for acquittal, or for removal to an insane hospital, but mental incompetency, not so clear-cut or apparent, has passed by the law into the prison.

These conditions are recognized and pointed out in such a statement as the following: "The intensive study of the individual delinquent from all angles and points of view" must be the aim of the modern criminologist, and consequently of the modern prison administrator.

"Human beings vary within very wide limits in their susceptibility to correction and reformation. Some individuals, be-

cause of their psychological make-up, either qualitatively or quantitatively, are absolutely and permanently incorrigible, and can be dealt with only by permanent segregation and isolation from society."

The converse of that statement is that many individuals within prison walls are only accidentally criminals, and are highly salvageable by proper treatment, if indeed they need special treatment at all. A reasonable social environment provided in prison, and opportunities for industrial training, will suffice for a fairly large portion of the prison population. But the fundamental truth underlying both statements is that each individual delinquent must be known to the proper prison authorities, not superficially but thoroughly. Otherwise both the incorrigible criminal and the accidental offender, as well as the feeble-minded, the pervert, the insane and the physically diseased, will continue to be treated by the "mass method," which is a penological survival of the principle of treating all or most diseases out of one bottle of medicine, and trusting to Providence and to luck.

The new penology of today, by which we really mean the education of the prisoner for life, embraces among other features:

1. Reduction of the causes of crime through various forms of social betterment.

2. The betterment of our criminal law and our criminal procedure in order that crime may be quickly and justly dealt with in the courts.

3. The substitution wherever proper of probation for imprisonment. In other words the utilization of conditional liberty under strict supervision of the prisoner convicted of crime when such conviction is the first one, or when circumstances warrant the judge in believing that the ends of justice and of society can be attained without imprisonment.

4. For inmates of correctional institutions a proper classification whereby first offenders will be separated from hardened offenders, the young from the old; the inebriate and the tramp and the feeble-minded to be segregated in special institutions instead of being promiscuously dealt with in the old time prison.

5. The development of the principle of the indeterminate sentence whereby the fixed sentence will disappear and whereby all sentences will be within limits which the prisoner through good conduct, industry, and change of attitude can largely set for himself.

6. The development of an industrial education within the prison whereby each inmate may learn the habit of industry and receive training that will enable him, so far as his ability permits, to engage in a worthy occupation subsequent to his release.

7. The development of a program which will embrace, in addition to the teaching of the three R's, education in the broadest sense, to wit, the teaching of inmates how to live usefully and happily among their fellowmen.

8. The development of a physical education which helps the man

to attain and maintain physical and mental health, and which teaches him the simple fundamental principles of personal and community hygiene.

9. The development of a moral education whereby those who have come to prison anti-social and down and out may be strengthened and given courage and light, so that they may become honest minded and God-fearing.

10. The development of higher qualifications and working conditions for the personnel of the prison service, so that there may be brought into prison work more of the type of person who will be able to function in the administration of a prison system which has mainly as its objective the training and educating of the law-breaker for better living.

11. And lastly the development of the education of the public whereby those on the outside shall have a much clearer conception of what imprisonment is for, and what our duty is in the great and difficult task of making the prisoner over, and upon his release helping him to regain a foothold in the world.

CHAPTER I

The Prison Association in 1930

**Prison
Betterment**

The outbreaks in our prisons during the year 1929 aroused an unprecedented public interest and concern relative to the administrative features and the physical conditions in these institutions. This interest increased rapidly, and at the beginning of 1930 there was a strong public demand that something be done about our prisons. The press of the State rendered an unusual service in stimulating public interest in support of prison reform. This, coming also from the part of the press heretofore opposed to prison reform, was extremely encouraging. However, most promising of all was the attitude of the 1930 Legislature. From the beginning of the session it was evident to close observers that not only the Governor of the State but the Legislature was determined that the year should not pass without a decided forward step being made in the interest of better prisons and prison administration. Individuals, state departments, and organizations long advocating prison reform realized that the time had arrived for a substantial fulfillment of their recommendations, earnestly and patiently made over a period of years.

**Prison
Investigation**

On January 7th and 14th respectively, the Senate and Assembly of the New York State Legislature directed by resolution an investigation of the prison situation in the State. The Senate Finance and Assembly Ways and Means committees were designated to conduct an investigation, and held hearings on January 29th and 30th, February 5th and 6th, and February 13th and 18th. The General Secretary of the Prison Association was called into conference on numerous occasions by the Senate majority leader and some of the members of the Senate Finance Committee and the Assembly Committee on Ways and Means, relative to the course of the investigation and its general objective. On two occasions he testified before the committee, and in addition there was written into the record of the investigation the 1930 recommendations of the Prison Association to the Legislature and a letter from the Association urging that the State determine a policy and program with respect to administration involving the following:

- (a) Renovation of existing institutions and the construction of new institutions.
- (b) Classification and segregation.
- (c) The use of the Sing Sing clinic as a clearing and distribution centre.
- (d) Individual treatment of offenders.
- (e) A prison for first timers, or preferably a separate institution for those giving most promise of rehabilitation and reform.

[20]

The opening part of the letter reads as follows:

"The condition of our prisons and the treatment of the prisoners requires that there be formulated a definite program relating to administration and housing which will be somewhat permanent in character. One of the difficulties of the past has been that whatever programs have been developed have lacked a beginning or continuity and therefore have been of little or no avail. The result is that the prison system of this State has moved forward but little in the last two decades.

"To plan intelligently for the renovation of existing institutions of the Department of Correction and the construction of new institutions, it is important that there be undertaken on a large scale something that has not been done before, to wit, a study of the inmates of the institutions."

The General Secretary of the Prison Association during conferences with the members of the Legislature prior to the hearings of the investigating committee, and in his testimony before the committee, continually urged that the outstanding need was the *formulating of a policy and the development of a program of administration*. It was exceedingly gratifying to find that others who testified before the committee concurred in this view.

This need was echoed throughout the State by the press and immediately won public approval. The outstanding result of the investigation was threefold. First, the Legislature appropriated liberally for new construction and the renovation of existing institutions. Second, the Legislature enacted a law (Chapter 477) making provision for issuing emergency bonds, the amount not to exceed fifty million dollars, for the construction of buildings under the control of the Department of Mental Hygiene, or the Department of Correction, and provided for the submission of same to the people at the general election in the Fall. Third, there was authorized by the Legislature a Commission to Investigate Prison Administration and Construction. The recommendations of this Commission are found on pages 11, 12, 13, 14.

One of the outstanding developments especially gratifying to the Prison Association of New York was the passage of legislation (Chapter 824, Laws of 1930) providing for a full time service parole board. The Association urged a full time service parole board since 1916, and the idea was given considerable impetus through the report of a committee appointed by Governor Roosevelt in January, 1930, and headed by Mr. Sam A. Lewisohn. That report recommended a full time service parole board, concurring in this respect with the recommendations and the legislative efforts of the Prison Association since 1916, the recommendations of Mr. George Alger, the Moreland Act Commissioner for Governor Smith in 1926, and the 1929 recommendations of the State Crime Commission. The Association gave freely of its knowledge and experience to the committee headed by Mr. Lewisohn, and enthusiastically supported the legislation, Senate Int. No. 12, Pr. No. 2242, by Senator Baumes, which was written into law and created a full time service parole board.

For the success of the full time service Parole Board the Asso-

ciation is most hopeful. It is certain that we shall give our best in cooperation with the new organization, and because of our intimate association with the beginning of the indeterminate sentence and parole in this State, and for that matter in this country, shall always keep a watchful eye on its functioning. In urging the Governor's approval of the bill the Association wrote as follows:

"It is the opinion of our executive committee that the success of the work of the newly created parole board will depend almost entirely upon the ability and high standing of those selected by you as parole commissioners. For years there has been criticism of the operation of the indeterminate sentence and parole in this State. The public has been confused, and to some extent has lost confidence in parole. Therefore, it is essential that you appoint as parole commissioners persons whose names and qualifications will at once assure public confidence."

The balance of the communication to the Governor set forth names of well known citizens as indicative of the type of person that should be selected to undertake the important task of determining the fitness for release of those confined in our State prisons and at the Elmira Reformatory.

National Commission on Law Observance and Enforcement

This Commission, better known as the Wickersham Commission, established a number of special committees made up of members of the Commission, and some of these committees in turn arranged for advisory committees to give them the benefit of intimate knowledge and experience. The General Secretary was appointed a member of the Advisory Committee on Penal Institutions, Probation and Parole. In that capacity he gave freely of his experience and knowledge in matters relating to prison administration, prison construction, the administration of probation and the indeterminate sentence and parole. Meetings of the committee were held during which the scope of research and observation was decided and findings and drafting of reports considered.

Centralization of the Magistrates' Courts

The Association has continued its interest in the proposal for the centralization of the Magistrates' Courts in the Borough of Manhattan. That proposal has come to the point where the opposition has greatly decreased, and the only serious difficulty now seems to be the lack of funds. The proposal has been broadened to the extent of including in one building, in addition to the Central Magistrates' Court, the Court of General Sessions, the District Attorney's office, and the Tombs.

Census Reports

The Association continued its interest in the annual census of penal and correctional institutions. During the year there was made available by the United States Census Bureau two useful publications, one entitled "Prisoners in State and Federal Prisons and Reformatories: 1926", and the other "The Prisoner's Antecedents—Statistics Concerning the Previous Life of Offenders

committed to State and Federal Prisons and Reformatories; 1923." Both reports contained information which has heretofore been obtainable only in part from the decennial census, and usually too long after to be of helpful service. These reports are the outcome of an effort in which the Prison Association and other organizations joined wholeheartedly.

In 1923, at the request of the Census Bureau, the Prison Association and other organizations, a bill authorizing the Bureau of Census to collect annual statistics relating to crime and to the defective, dependent and delinquent classes, was introduced in Congress by Senator Copeland of New York. This bill was supported by those interested in its objective, and at this writing has been passed by Congress and signed by President Hoover. There is now authority in law for the Census Bureau to carry on the work which it did largely on its own responsibility, and for the purpose of demonstration in cooperation with various interested organizations.

The request of Commissioner Patterson of the New York City Department of Correction for an increase in the number of prison guards was warmly supported by the Association. A letter from the Association, which was used to convince the Mayor and his associates as to the need for an increase in staff, read in part as follows:

"The increase in the population of penal and correctional institutions in many parts of the country has raised the question as to the adequacy of custodial personnel, and my information from heads of state departments and from wardens and superintendents of institutions is that there has been a prompt recognition by the authorities in the various communities as to the need for increasing the staffs of the institutions, and that they have acted accordingly. The State of New York, after the costly experience at Clinton and Auburn prisons, increased the custodial personnel of the prisons.

The increase in institution populations, the change in the type of inmates, and the increase in the length of sentences has created generally throughout the country a custodial problem which cannot be overlooked in the interests of public safety and protection. It is repeatedly emphasized at meetings of wardens of national, state and county institutions which I have the privilege of attending, that they cannot deal with present day conditions with the old type and number of prison guards. However, most of these institutional administrators are speaking of their individual institutions, and not of a peculiarly established system of institutions such as is under the Department of Correction of the City of New York. Therefore, I would say that the custodial problem which confronts you is different from that which generally prevails, to the extent of being more difficult, and is also different from that which prevails in the State prisons of this State. Your institutions are of varying size and function. These institutions must be manned whether there is one or more than a thousand inmates. The populations of the institutions vary. An institution that has a fixed staff of seven or eight persons may have on one day two or three prisoners, and on another day twenty-five or thirty. You cannot always foresee the fluctuation in population and therefore must maintain a somewhat fixed personnel. The movement of the population, for example in the Tombs, where men are in and out and back and forth from the courts on writs of habeas corpus or ordinary court appearances, and the idleness among prisoners, especially at the Penitentiary, increase your custodial problem to an extent that makes it incomparable with those in other cities or states. Recently, while one of our workers was

present in a part of the Supreme Court he observed three keepers from the Tombs in charge of prisoners there, and shortly thereafter, and on the same day, he observed one keeper in charge of sixty-eight prisoners who were out of their cells for exercise on one of the tiers in the Tombs. In the event that these prisoners had attempted a break or an assault the one keeper would have been almost powerless to deal with them."

As a result of the assistance rendered by the Association and other interested organizations the Board of Estimate and Apportionment allowed fourteen additional keepers and three matrons.

Bond Issue Campaign

The Prison Association, upon the suggestion of Governor Roosevelt, joined with the State Charities Aid Association in promoting public interest in support of the bond issue for prison and hospital construction. The Citizens' Committee on Care of the State's Unfortunates of the State Charities Aid Association, of which the General Secretary of the Prison Association was a member, with the assistance of the State Departments of Mental Hygiene and Correction and the Prison Association, prepared and made available abundant literature giving a vivid and convincing review of the prison and hospital situations. In addition the Prison Association prepared a special pamphlet dealing specifically with the prison situation and this pamphlet was also circulated throughout the State. Further, the Association conducted a letter writing campaign and members of its staff made public addresses in support of the bond issue. At the fall election an aroused citizenry clearly indicated its approval of the bond issue.

Study of Fire Hazards

Mindful of the fire in the Ohio State Penitentiary that resulted in great loss of life and destruction of property, the Association joined with Dr. Hastings H. Hart of the Russell Sage Foundation in requesting the National Board of Fire Underwriters to make a study of the fire hazards in institutions in the various states. At first this request was favorably received, but it was finally decided by the National Board that it would be unwise for it to take the initiative in making a study in the various states. The board stated, however, that it would hold itself ready to conduct such studies upon request from the proper authorities in the different states. As a member of the Commission (authorized by the 1930 Legislature) to Investigate Prison Administration and Construction in New York State, the General Secretary of the Prison Association urged that the willingness of the National Board of Fire Underwriters to make a study of fire hazards be taken advantage of, and this was quickly agreed to by the Chairman of the Commission, Mr. Sam A. Lewisohn. There resulted without cost to the State the first, so far as the prisons are concerned, state-wide expert study of fire hazards. The study appeared as Addendum No. 3 of the report of the legislative commission, and it has served not only to acquaint the citizenry of the State of fire hazards within the prisons and other institutions in the Department of Correction, but has given the Governor of the

State, the Legislature, the Commissioner of Correction and his various wardens and superintendents, the exceptional benefit of expert knowledge and practical and constructive recommendations. It has been gratifying to note that the Department of Correction, under the leadership of its Commissioner, Dr. Walter N. Thayer, Jr., was quick to utilize so far as possible the findings and recommendations of this valuable report. The National Board of Fire Underwriters is to be highly commended for the public service it so generously rendered.

Crime Prevention Bureau in the City of New York

Together with other organizations the Association supported the movement for a bureau in the police department to undertake crime prevention activities. It is frequently and wisely said that the crime problem can be substantially treated by dealing, in the various communities of our city, with those conditions which make for crime. The scope of the Crime Prevention Bureau is briefly outlined as follows:

"It should be the duty of each crime prevention officer to become acquainted with the social problems and the social agencies of the precinct to which he is detailed. He should know how to secure contact with needed agencies through the welfare council and other means for the dissemination of information. He should have an intimate knowledge of neighborhood conditions, the representatives of public and private agencies, and all of the forces for good or for evil in the precinct. Most of all, he should know the people of the district, and to those who are in need of his services he should be guide, philosopher and friend.

Crime prevention officers should take a leading part in the community program of preventive and protective work. They should be alert to discover problem boys and girls, and individuals and conditions contributing to delinquency. They should work in close cooperation with the church, school and parents, and they should lend their official support to the work of the social agencies in their precinct and be affiliated with their activities.

Supervising poolrooms, public dance halls and beach resorts, adjusting family difficulties and bringing in contact the boys and girls and the neighborhood recreation resources, giving talks to pupils in the schools, and to groups of teachers and to parents, are among the activities to which crime prevention officers should give their attention. They should have knowledge of the laws affecting children and minors, particularly the wayward minors' act, and they should cooperate actively with attendance officers, probation officers, parole officers, and other city officials working in their precinct. Every effort should be made to handle problems by social methods, and recourse to court action should be had only as a last resort.

Essentially, they should bring to the improvement of conditions in the neighborhood and to the service of the people living therein the skill and constructive friendship of a trained worker, made more potent and effective by the authority of the law."

For some years past the Howard League of England, supported by other organizations, has been urging the League of Nations to take up the question of penal reform. The Prison

Association of New York, one of the interested organizations, through its President urged that the Council of the League of Nations include in its agenda a discussion of penal

reform with special reference to its international aspects. It was felt that a useful purpose might be served if the League of Nations gave some attention to penal administration in the various countries of the world, and it is gratifying to record that the Council of the League resolved to place the question of the improvement of penal administration on the agenda of the Assembly. However, due to the suggestion made by the Prison Association and other organizations and individuals in this country and abroad, the League of Nations requested both the Howard League and the International Prison Commission to submit memoranda dealing with the international aspects of the problem, and it is generally understood that action by the League of Nations in penal matters will be in cooperation with these two organizations and others.

Alleged Police Methods It is regretted that our efforts to have alleged police methods, commonly referred to as the "third degree," investigated by the State Crime Commission or a special committee of the Legislature have not been successful. In their

contact with inmates of the New York City Tombs the Association's agents continue to receive frequent complaints from some of the inmates that they have been severely dealt with, physically, by the police. The appearance of some of these prisoners gives strong grounds for suspecting that severe practices are employed to obtain information from those who come into the hands of the police. Because of these complaints and observations and the denials made by the police, it is the hope of the Association that the Legislature will some day authorize a thorough investigation of the alleged practices. It has also been the experience of the Voluntary Defenders' Committee of the Legal Aid Society, to receive similar complaints of alleged police brutality. The following is taken from its 1930 report:

"POLICE BRUTALITIES"

Approximately 24 per cent of all defendants represented by counsel assert they have been the victims of police brutalities.

Although the Prison Association of New York recommended to the 1930 Legislature that the State Crime Commission be directed to investigate complaints of "third degree" methods on the part of the police, the recommendation was apparently unheeded.

However, the Court of Appeals in the case of *People v. Barbato*, 254 N. Y. 170, clearly showed its attitude toward these brutalities when it reversed a judgment of conviction of murder in the first degree, after which the defendant was discharged.

The Court, in part, said:

"... Yet on the weight of evidence the physical facts corroborate defendant's statement that injuries were inflicted by the police officers to procure a confession. The trial judge should have excluded the confessions. (*People v. Weiner*, supra.)

"It has been said: 'One is driven to the conclusion that the third degree is employed as a matter of course in most states, and has become a recognized step in the process that begins with arrest and ends with acquittal or final affirmation.' (43 Harvard Law Review, 618.) The practice in England seems otherwise. Statements made after arrest in answer to questions by police

officers, if legal evidence (as to which the law is not settled), are cautiously received. (*Ibrahim v. Rev.* (1914) A. C. 599.) Lawless methods of law enforcement should not be countenanced by our courts even though they may seem expedient to the authorities in order to apprehend the guilty. Whether a guilty man goes free or not is a small matter compared with the maintenance of principles which still safeguard a person accused of crime. If torture is to be accepted as a means of securing confessions let us have no pretense about it, but repeal section 395 of the Code of Criminal Procedure and accept all confessions on equal terms with those obtained, trusting to the jury to winnow the true from the false. As long as the section remains in the code, the courts are bound to give as full protection to an accused as the evidence warrants.

Crime Studying Clinic In cooperation with Commissioner Richard C. Patterson, Jr., of the Department of Correction of New York City, the Association addressed the Board of Estimate and Apportionment as follows:

GENTLEMEN—In July, 1929, Commissioner Richard C. Patterson, Jr., of the Department of Correction, addressed you, urging the need of an appropriation for a crime studying clinic for his Department.

In the main, what is urged by the Commission brings to light once more a long standing need. It is increasingly recognized that if we are to make progress and work intelligently with the inmates of our penal and correctional institutions, we must know more about the physical and mental make-up of these inmates, provide for their classification and segregation, and so far as facilities and knowledge permit, administer individual treatment.

The present system, which is hardly more than a hit or miss procedure, resulting only in the temporary protection of society during a usually brief period of imprisonment, has shown itself to be costly and ineffective. The type of offender committed to the institutions of the Department of Correction represent even a more difficult type, because of their physical and mental infirmities, than those sentenced to our State institutions.

Commissioner Patterson has keenly noted the utility of the present system, and, while he has done everything possible to improve conditions, realizes that there must be a very definite change in the treatment and housing of these given into his care, to make for more satisfactory permanent results.

In December, 1929, a luncheon meeting was attended by well known, public spirited citizens, and the representatives of a large number of official and unofficial bodies interested in the crime problem and the welfare of our city. I had the honor to preside at that meeting, and I think you will be interested in knowing that the sentiment expressed by Mr. August Heckscher, Miss Jane Hoey of the State Crime Commission, Mr. Sam Lewisohn of the State Commission of Correction, Dr. Hastings H. Hart of the Russell Sage Foundation, Mr. Robert A. Taft of the Grand Jurors Association of New York County, Mr. Heywood Brown, former Supreme Court Justice Jeremiah T. Mahoney, and others was unanimously in favor of the request made by Commissioner Patterson for an appropriation for the establishment of a crime studying clinic for his department.

It was roughly estimated, in previous mention of the cost of the clinic, that \$150,000 would be necessary. However, since the matter has been given more consideration in conference with psychiatrists and others, it is now estimated that the study can be made at a cost of about \$80,000, to be divided into two annual appropriations of \$40,000.

It is earnestly requested that the Board of Estimate and Apportionment will give this matter serious consideration, and that favorable action will result.

No action has yet been taken by the city authorities to establish this clinic. However, the Association together with other organizations will continue to urge an appropriation for the above purpose.

American Prison Association Congress

The Association continued to actively participate in the affairs of the American Prison Association, which organization was established in 1870 largely through the efforts of Dr. E. C. Wines, who was then General Secretary of the Prison Association of New York. The 1930 Congress was held in Louisville, Ky., and was attended by close on to 500 delegates from forty States of the Union, the Federal Government, the District of Columbia, Canada, France and Germany. The Proceedings of this Congress should be read by all who are interested directly or indirectly in the problem of crime and its treatment.

Two important publications were made available immediately after the Congress: (1) a public pronouncement relative to prison conditions, and (2) a revision of the Declaration of Principles of the 1870 Congress. The need for a statement on prison conditions by the membership of the American Prison Association, which consists largely of those who are in daily contact with the problems of crime and criminals, was strongly urged upon the Board of Directors of the Association by the General Secretary of the Prison Association of New York. It was his contention that there is considerable being said about the treatment of prisoners and the administration of prisons by those who are not reliably informed, and that the time had arrived for those who are charged with the administration of institutions to record themselves. Therefore the Congress unanimously approved the following statement:

RESPONSIBILITY FOR PRISON CONDITIONS

The American Prison Association Congress welcomes the many recent evidences of an aroused public interest in the problems of prison management. Hitherto, public indifference and apathy toward the prisons have tolerated conditions that made possible the unfortunate disorders and sensational difficulties in recent months. In the war against crime the public generally has been satisfied when a man has been sent away to prison, ignoring the fact that 95 per cent are returned to their communities within a few years. The best efforts of prison administrators, wardens, boards and commissions to secure adequate funds for decent housing, proper personnel and sufficient employment in prisons, have, in many places, fallen on the deaf ears of an unresponsive public.

Speaking before the 60th Annual Congress of the American Prison Association, of which he is a past president, Hon. George W. Wickersham expressed the conviction that:

"Public opinion on the subject of crime and its punishment is aroused as it has not been for a long time. This Association, speaking with the authority which the wide experience of its members gives it, may lead public opinion to advocate and compel substantial and useful reforms in the conduct of our penal system."

No single cause can be offered as the complete explanation for the tragedies that have occurred. Official investigations and the testimony of those experienced in prison work have clearly demonstrated that many so-called riots are not in fact riots at all, but the desperate effort of a very few daring, hopeless men to gain their freedom by violent means. The rank and file of prisoners are generally obedient to the regulations of the prison, except when intolerable living conditions produce a spirit of revolt.

Overcrowding

Over-crowding in prisons is a direct result of public indifference and its consequent parsimony. Prison housing has not kept pace with the rapid increase in prison populations. The old badly ventilated, unsanitary vault-like cells, well described as "human filing cabinets," have been bulging with two and three prisoners in a space unit for one human being. This packing of men into close and irritating association has aggravated the prison problem and made for increased tension. It has complicated all phases of internal prison administration.

Loss of Hope Due to Unwise Restrictions

Excessively severe sentences in some jurisdictions and unwise restrictions as to rewards for good conduct and earned release have further aggravated the difficulties of prison administration. Loss of hope, has in many States, been the first evident result of unwise laws that hamper prison administrators and parole boards. Without hope of release, the major incentive to good conduct and reformation is lost. Bitterness, hopelessness, and resentment are the fuel that feed the fire of revolt and rebellion in prisons as in the world outside.

Idleness

Idleness is a major contributing cause to the problems of prison management. Productive labor, vocational training, wholesome recreation and appropriate educational programs are essential elements of a modern prison routine. Without work, there is bound to be deterioration and a break down of prison discipline. This phase of prison management demands constructive action on the part of legislators and administrators supported by an understanding public opinion. Adequate finances, trained personnel, and a cooperative public are all needed for the solution of the problems of idleness in prisons.

Need for Religious and Moral Training

A prison, more than any other institution, demands a virile, dynamic, moral and spiritual program. The neglect of this phrase of prison life cannot be condoned. While much good work is being done, there is vast room for improvement everywhere in these fundamental measures for reformation and rehabilitation. Here is a field for the best efforts of our religious and spiritual leaders.

Prisons Are Too Large

Our prisons are generally planned for too large a number of prisoners. This leads to mass treatment. It is responsible for the mingling of the inexperienced in crime with the repeater and the hardened offender. It nullifies the efforts of prison officials to treat men as individuals and to bring to bear reformative influences. This Association has repeatedly called attention to the mistake of building prisons housing more than a moderate size population. The Toronto Congress set the maximum at about 1,900.

Prison executives have for years called attention to the fact that they have underpaid and insufficient personnel. This is a condition which prevails in some degree everywhere and must be corrected if prisons are to function properly.

Within the prison system, there must be provision for segregating offenders accomplished by a diversity of institutions adapted to the differing groups under care.

The problem brought into prominence by the disturbances of the last year calls for a frank presentation of the facts to the public and a united front in the demand for remedial action. This involves and requires the cooperation and active assistance of the public, the press, public officials, and members of the legislature.

Chairman: WILLIAM J. ELLIS,
Commissioner, Department of Institutions and Agencies, Trenton, New Jersey.

GEORGE T. JAMESON,
Warden, State Penitentiary, Sioux Falls, S. Dakota.

FLORENCE MONAHAN,
Superintendent, State Reformatory for Women, Shakopee, Minnesota.

SANFORD BATES,
Director, U. S. Bureau of Prisons, Washington, D. C.

OSCAR LEE,
Warden, State Prison, Waupun, Wisconsin.

LEON C. FAULENER,
Managing Director, Children's Village, Dobbs Ferry, New York.

E. R. CASS,
General Secretary, The Prison Association of New York, New York City.

As to the revision of the Declaration of Principles of the 1870 Congress, it is not possible because of the space required to print here the revised and reaffirmed Declaration of Principles. They are available in the Proceedings of the American Prison Association, and in leaflet form at the office of the Association, 135 East 15th Street. The Committee in charge of the revision adhered largely to the original rich and dignified language and made changes only as present day needs and ideals required. The Committee could not help but record its appreciation of the ideals and inspired literary expression of those highminded men of prophetic vision who formulated the original Declaration of Principles, and recognized that the Principles contained considerable that is being urged today and regarded in some quarters as modern thought, but which, after all, stands out as a goal for achievement.

Commission to Investigate Prison Administration and Construction

On the joint action of Governor Roosevelt, the President of the Senate and the Speaker of the Assembly, the Association's General Secretary was appointed a member of the Commission to Investigate Prison Administration and Construction, authorized by Chapter 825 of the Laws of 1930. As a member of that Commission he gave liberally of his time and the full benefit of his years of experience in matters relating to the care and treatment of prisoners and the administration of reformatories and prisons. The membership of the Committee was exceptionally well qualified to discharge the duties imposed upon it by law. It proved to be an exceptionally active and warmly interested body. Proof of this is the excellent report submitted to the Legislature (see Recommendations beginning page 11 of this report), and which won the enthusiastic approval of the Governor of the State, the press and the citizenry.

Bronx and Richmond County Jails

During the 1930 session of the Legislature the Association used its best effort to bring about the passage of Senate Int. No. 1847, Pr. No. 2372, to amend the Greater New York Charter, so as to give the Commissioner of the Department of Correction of the City of New York control over the jails in Bronx and Richmond counties, and over court pens, vans and vehicles in the five boroughs constituting the City of New York. This legislation is representative of the continued effort of the Association, following its survey in 1923 and 1924, to bring about the complete control by the Department of Correction of the City of New York over institutions and in the transportation of prisoners between institutions and the courts. The bill introduced in the 1930 session by Senator Baumes was reported in the Senate and reached the order of third reading, but did not come to a vote. Subsequent to the adjournment of the Legislature a Committee on Control and Transportation of Prisoners of the Five Counties (representing seventeen organizations) was formed, and at a meeting on May 22, 1930, the following resolution was adopted:

WHEREAS, The 1930 Legislature failed to pass the bill No. 2372 introduced by Senator Baumes for the transfer of the Bronx and Richmond County Jails, the Court Pens and Vans, to the jurisdiction of the Department of Correction, and

WHEREAS, The Department of Correction at the present time has jurisdiction over the Criminal County Jails in New York, Kings and Queens Counties, but this does not extend to Bronx and Richmond County Jails, and

WHEREAS, The Department of Correction has jurisdiction over only part of the transportation of prisoners, and over only part of the Court Pens, and

WHEREAS, In 1923 and 1924 the Prison Association of New York made a survey and study of the custodial agencies, including the transportation of prisoners in the five counties, and

WHEREAS, On January 19, 1928, the Prison Association of New York formally addressed the Board of Estimate and Apportionment (Item 185, March 8, 1928, calendar), urging that the above mentioned transfers be made in the interests of efficiency, economy, and other administrative reasons, and

WHEREAS, The Department of Correction of the City of New York, under date of January 28, 1929, reported favorably to the Board of Estimate and Apportionment on communication.

WHEREAS, On February 25, 1930, the Association of Grand Jurors of New York County petitioned the Mayor and Board of Estimate and Apportionment, the same appearing on the Calendar, No. 135, Page 64, for the above mentioned transfer, and

WHEREAS, The Mayor's Committee on Plan and Survey has already endorsed the transfer,

Now, be it Resolved, That the undersigned organizations hereby urge the Mayor and the Board of Estimate and Apportionment to support during the session of the 1931 Legislature a bill which will have as its purpose the transfer of the Bronx and Richmond County Jails and the Court Pens and Vans to the jurisdiction of the Department of Correction of the City of New York.

House of Detention for Women New York City

The House of Detention for Women, long urged by the Prison Association and numerous other organizations, is rapidly nearing completion and promises to be the best institution of its kind in the country. After the long delay that has been experienced it is quite fitting that the City of New York should have an institution of

this kind that will merit nation-wide attention. The Association, continuing its long standing interest in the establishment of proper quarters for the care and treatment of women offenders, has been active, together with other organizations, during the year in urging that the Superintendent of the New House of Detention be a woman of the highest type, and that under no circumstances should a man be appointed. Names of women worthy of consideration for the position have been submitted to the Commissioner of Correction.

Relief Bureau for Prisoners' Families

The cost of crime is usually measured in terms of dollars and cents as it relates to thefts, the destruction of property, or the maintenance of police, courts, institutions, etc. However the pitiful distress in which the dependents of those who come into conflict with the law find themselves, often without a moment's notice, is a part of the whole picture of the crime problem that is not generally seen. It is not only the lack of material things that these people suffer, but it is the shame and disgrace experienced by young wives, old mothers and children, that can never be fully understood and appreciated except through the hard experience itself. To have one woman say to another, "Your husband is in prison," or one child say to another, "Your father is in prison," is sufficient to break the heart and courage of most people. Therefore, the Prison Association aims to help these innocent sufferers promptly, sensibly and as liberally as funds will permit. Such help does not mean that all applicants need money, or that they all ought to have money. Sound advice and the willingness to stand by a family or an individual is often the best possible help. The young mother who is wholly unaware of the criminal conduct of her husband, in whom she has had full faith, is often unable to determine for herself what to do when the crash comes. She is in need of the experience and guidance that can be given as a result of years of close contact with such cases. There is nothing sentimental in this effort. It is plain human decency. It is a very definite form of crime prevention. We find that most mothers, and certainly all the children, who come to our attention are worthy of help, and we also know that without that help there is grave danger of mothers and children going to ruin. This sometimes means more crime, with its attendant cost to the public.

From our records it is very easy to cite case after case that would convince even the hardest hearts that something should be done to make certain that these unfortunate people will have food, shelter, clothing, and wise and sympathetic guidance.

The following tabulation gives a vivid picture of the diversified and widespread assistance which is given directly or indirectly by the Association to these families:

Statistics of the Relief Bureau for the calendar year are as follows:

Families under care January 1, 1930	162
New families received during the year	224
Old cases reopened	25

Total number of families cared for in 1930 411

Visits to homes of families and various agencies	727
Persons provided with a substantial Thanksgiving dinner	363
Persons provided with a substantial Christmas dinner	405
Children provided with toys at Christmas time	242
Total cash given to families	\$9,805.08
Women referred to hospitals for general examinations	64
Children referred to hospitals for general examinations	30
Women referred to dental clinics	36
Children referred to dental clinics	43
Women referred to eye clinics	17
Children referred to eye clinics	14
Women referred to mental hygiene clinics	8
Children referred to mental hygiene clinics	10
Women referred to pre-natal clinics	14
Babies referred to baby health stations	18
Women referred to cardiac clinics	12
Children referred to cardiac clinics	12
Women referred to asthma clinics	9
Women referred to skin clinics	14
Children referred to skin clinics	20
Women referred to the Board of Child Welfare, eligible for allowances for their children under the State law	62
Women referred to the Department of Public Welfare, eligible for allowances from the Child Welfare Department of the American Legion or the Spanish War Veterans	41
Women referred to convalescent homes	32
Children referred to convalescent homes	24
Children sent away to the country during the summer	196
Boys referred to the Boy Scouts	68
Girls referred to the Girl Scouts	29
Girls referred to the Camp Fire Girls	16
Children referred to the Settlement Clubs and Classes	98
Boys referred to the Boys' Club of New York	90
Children referred to Day Nurseries	42
Boys and Girls referred to Y. M. C. A. and Y. W. C. A. clubs and classes	27
Children referred to church clubs	26
Women referred to employment agencies	141
Boys and girls from 14 to 19 years of age, referred to employment agencies	89
Children referred to summer play schools	67
Boys referred to the Protestant, Catholic and Jewish Big Brother organizations	54
Girls referred to the Protestant, Catholic, and Jewish Big Sister organizations	33
Women referred to the N. Y. City Department of Public Welfare for old age allowances	21
Women referred to the U. S. Bureau of Naturalization to apply for citizenship papers	11

Employment and Relief Bureau

Frequently men who have served years in prison find it very difficult to adjust themselves to outside life. Their lives have been regulated for them; they have not been called upon to exercise initiative, and consequently their mental and physical responses have become dulled. These men have almost lost the ability to think for themselves. They call upon the Prison Association, bewildered by the many perplexing problems and responsibilities which are suddenly thrust upon them. Some must provide food and shelter only for themselves and others for

their families. These men need to be patiently and judiciously guided in order that they may secure employment, and by gradual stages rehabilitate themselves.

In the process of securing employment it sometimes takes a week or two before suitable placements are found. In this event the men are provided with funds until they receive compensation. In other instances, men are secured employment in a business concern or an institution which pays its employees only twice a month. When this is the case, they are provided for by the Association until they receive their first wages.

One of the saddest problems a released prisoner has to face is typified by the following occurrence. A man obtained a position through his own efforts, hoping to make a fresh start in life, and after making good for a certain period his criminal record was discovered in some way by his employer. He was immediately discharged. This story is heard repeatedly. Here is the case of one we shall call "A." After talking with him for some time the Employment Secretary felt that he was worthy of assistance. He had been confined in a neighboring State Reformatory where he had acted as secretary to the Superintendent, editor of the institution's paper and manager of the library. He held a college degree and appeared to have an unusual amount of native intelligence. After his release from the reformatory he secured a position as director of sales at a salary of \$125 per week. Then his employer learned of his prison experience and dismissed him. He came to New York hoping to begin anew, and unable to find employment asked the Prison Association for help. As a result of his experience in his previous position and his unsuccessful efforts in New York, discouragement and fear dominated him. He came into our office a beaten man, ready to give up. A job as printer was secured for him and money provided for his necessary expenses until his first salary was received. This man is now going along satisfactorily.

Although the task of finding employment for discharged prisoners is never an easy one, and was exceedingly difficult during the depression in 1930, the Association nevertheless experienced a surprising amount of sympathetic interest and cooperation on the part of firms and institutions willing to employ ex-prisoners. Frequently an applicant in his eagerness to get the job agreed to work for compensation below the current rate. The Employment Secretary strongly opposed such a practice. A man who is capable of doing his job well and honestly should not be handicapped by his past. Some of the men who come to our employment bureau are skilled electricians, painters, and others are capable office workers. If after making contact with an employer he is willing to hire these men, knowing their past histories, then they should be allowed to take their place side by side with the other employees and be treated alike.

Among the many services rendered by the Association is that of supplying funds for reduced rate railroad fare. Here is the case

of a young lad, seventeen years old, who had fallen in with a bad companion. He was arrested and detained in the Tombs City Prison on a charge of assault. The judge had agreed to give him a suspended sentence if he could obtain his fare home. The case was referred to the Prison Association by the chaplain of a mission society. The judge was informed of our willingness to send the boy to his parents, and granted a suspended sentence. In cooperation with the mission society the boy was provided with funds for his railroad ticket and other traveling expenses and sent to his home in the south. A few days after he left New York the following letter was received from him:

"I arrived home safely. Everything is fine with me now. I registered today and will start to school after Christmas. My parents are very happy to have me with them again. May I take this opportunity to thank you for having sent me home? Best wishes.

(Signed) R. H.

The following are examples of our every day work in the employment and relief bureau:

McO. S.—Is a young man of English descent who served eighteen months in a Canadian Reformatory for burglary. The Prison Association provided him with lodging and meals and secured a position for him as waiter in a hospital. He reported five months later that he was doing well in his work.

M. O.—Served several years in Sing Sing Prison for assault. He called at our office for assistance. A position as porter in a hospital was obtained for him and two dollars given him for food and carfare. Two weeks later he returned to the office and refunded the amount loaned him. After seven months he still holds this position and his employer is well satisfied with his services.

K. B.—Served eleven years for arson. When he applied to the Prison Association his clothes were in very poor condition, his shoes badly worn, and he was sick and discouraged. He was provided with new clothes and money for food; then he was sent to a railroad company where he secured employment as a machinist. A short time afterward he called at the office with a much improved appearance and stated that his job was going well.

The Prison Association of New York feels that its efforts are well worth while when letters of appreciation such as the following are received:

(This letter is from an employer)

"Dear Sir:

The men you sent to me have proven very satisfactory. They only asked for a chance to work to prove what they could do. J. M. is an excellent carpenter. I have supervised considerable construction work and I have found him quite as good as any man I have had. He is industrious and very interested in his work. I can thoroughly recommend him and when I need a carpenter will gladly employ him again. J. F. is a good painter and should have no trouble in getting work. W. J. has been a plumber's helper and is doing very well. The men have all been paid and I certainly appreciate your kindness in sending them to me.

Very truly yours,

(Signed) K. W. P."

"DEAR SIR.—I certainly appreciate the job you got for me. I am doing carpenter work here. This job was a great help to me and I will be able to pay most of my rent. My wife joins me in thanking you for what you have done.

Respectfully,

(Signed) M. J."

"DEAR SIR.—I appreciate what you people have done for me when I was in need of money to secure my license. As soon as I start housekeeping, which I expect to do in July, I will pay back so much each week until I have repaid the loan made me.

Thanking you for your kindness in helping me, I remain
Respectfully,
(Signed) W. H. C."

The following letter was received from one of the probation officers in the City Magistrates' Court:

"DEAR SIR.—Relative to W. J. whom I sent to you for assistance in getting a position, I wish to say he telephoned me and is delighted with his work and wishes to convey his heartfelt thanks for your great kindness. I can assure you that he will not violate the confidence of your trust in him and will perform any duty assigned to him with hearty energy. Kindly accept my own sincere thanks for your interest, and if it is possible at any time in the future that I may be of service to you please communicate with me. With expressions of high regard, I am,

Sincerely yours,
(Signed) THOMAS J. FITZMAURICE,
Probation Officer."

"DEAR SIR.—A few lines to let you know I secured the job and like it very much. I wish to come in to see you and to thank you personally for what you have done for me. This job came to me when I needed it and means a great deal to me. The conditions here are ideal and nobody could wish for a nicer person to work for. I will try to show my appreciation. Thank you for your kindness.

Sincerely yours,
(Signed) F. J."

"DEAR SIR.—Just a word of thanks for your kindness and consideration to me since my release from prison.

I would like you to know that this kind consideration is in a great measure responsible for my being at liberty today for when first I called on you I was a very discouraged man and did not have a friend in New York on whom I could call for assistance. Frankly I was prepared for anything but the courteous attention I received from you and the Association helped me to better things, and please believe that I will always appreciate what you have done for me.

The process of rehabilitation in my case has been slow but thanks to you I have regained confidence in myself to such an extent that I now feel quite sure that I can make good.

I have spoken to several men that you have taken care of and they feel toward you as I do. The knowledge that you have helped make decent citizens out of so many who without your help would have been just so many delinquents, should help make you feel how very worth while your work has been and still is.

Once again thanking you for your kindness and wishing you every success in your work in the future, I beg to remain,

Respectfully,
(Signed) C. H. A."

STATISTICS OF THE BUREAU

January 1, 1930, to December 31, 1930

Number of interviews.....	7,769
Number of different men interviewed.....	5,979
Number of men who applied for relief.....	5,819

Number of men who applied for employment.....	2,324
Number of men placed in employment.....	785
Number of meals provided.....	11,403
Number of lodgings provided.....	3,178
Number of men receiving clothing.....	632
Number of men receiving cash relief.....	965
Total spent for cash relief.....	\$2,183.53
Number of men visited in Tombs City Prison.....	508
Number of visits to other penal institutions.....	148
Men referred to hospitals and clinics for treatment.....	314
Visits to employers.....	294
Visits to men at work and at home.....	256
Visits to courts, probation bureaus and social agencies.....	289
Total amount spent for relief, meals, lodgings, clothing and cash.....	\$5,541.83

Aiding Tombs Prisoners

Imagine yourself arrested, perhaps for a crime you did not commit, and lodged in the Tombs prison. There you must stay pending action of the Grand Jury or trial. You are without funds, friends or means of obtaining bail, and thus entirely out of communication with the outside world. What would you do?

This is the predicament in which thousands, many of them youths, find themselves each year. There is no way of separating prisoners who have never been arrested from those who have a criminal record. Sentenced prisoners are required to wear the uniform prescribed by the institution and to perform certain tasks, whereas in the detention prison the inmates retain their own clothing and cannot be employed. However, in other respects they are treated very similarly to sentenced prisoners. They are required to be locked in their cells and are permitted to be out only from two until four o'clock in the afternoon. As required by law the prisoner must appear before the court, and if at the time of his appearance he has no lawyer the court appoints one for him. In many instances lawyers who accept such cases, knowing that the defendants have no funds, take very little or no interest in the defense. Because of this lack of interest on the part of the counsel, and for various other reasons, the prisoner is sometimes compelled to remain in the Tombs for many months before any action is taken upon his case. On other occasions important witnesses cannot be located and action is deferred. The co-defendant who has not been fortunate enough to secure bail may be compelled to serve a long time in the Tombs while the other defendants are out on bail. Greater numbers of inmates are detained during June, July and August than in the other months. This is due to the fact that the courts are on a vacation schedule. Often a prosecuting attorney, after reviewing the facts of the case, finds the evidence weak and delays the trial with the thought that the defendant will become weary of his detention and will agree to take a plea.

The Association finds abundant opportunity for service in the Tombs. Many of the inmates, especially the young ones, are experiencing their first imprisonment and are in need of firm yet sympathetic advice and guidance. They need to be cautioned against

all kinds of pitfalls made possible by the attitude and mature experience of some of their fellow inmates. They need to be cautioned and advised against the practices of some lawyers, and the operations of some of those on the outside whom they still are inclined to regard as friends. Contact with parents and wives, through visits to the homes, with former employers, clergymen, school teachers, and others who have had to do with the defendant, often establishes a better understanding of him and brings before him the far reaching consequences of his act.

The Association's agent visits the Tombs almost daily to give the kind of advice and guidance that only its intimate knowledge and long experience makes possible. Upon each of the twenty bulletin boards in the Tombs may be found the following notice which has proved valuable in establishing contact between inmates of the Tombs and the Association.

NOTICE TO PRISONERS

Do not take advice too seriously from fellow prisoners.

If you are without friends, tell your story to the agent of this Association, who will advise you as to all your rights without charge.

If you have no money to pay for a lawyer the court will assign one to defend you. This will cost you nothing.

If a lawyer sends for you be very careful unless you are sure he was sent by your friends.

Tell those who visit you to beware of those around the court and prison who are probably "steerers" for lawyers.

Free advice will be given by the agent of this Association who visits the prison frequently. Letters for him may be dropped in his letter box at the front gate by the prison messengers.

Address letters as follows:

Agent, Prison Association, City Prison,
or 135 East 15th street, New York City.

The files of the Prison Association contain many letters indicating the aid requested by inmates of the Tombs, and also numerous expressions of appreciation from them for services rendered.

Requests for Legal Assistance

In its contacts with inmates of the Tombs there very frequently are found those who are seemingly deserving of legal aid. These cases are referred to the Voluntary Defenders' Committee of the Legal Aid Society, and the Association is happy to report that it has always found Mr. Le Roy Campbell, the Chief Counsel, and his associates wholeheartedly willing to do their best in every case. The splendid service rendered by the Voluntary Defenders' Committee to these inmates is a striking proof of its need and a substantial justification for its existence, and the Association takes this opportunity to permanently record its appreciation and thanks for the valuable cooperation rendered in the interests of justice.

CHAPTER II

Legislation

The improvement of court, reformatory and prison methods usually requires legislative consideration and sanction. Therefore the Prison Association considers one of its major activities the promotion, supporting or opposing of legislation and earnestly applies itself to that end. Through correspondence and active representation in Albany the Association registers its support or disapproval. We enjoy the confidence and friendly cooperation of leaders and many members of the Legislature. During the 1930 session we were indebted for their helpful assistance especially to: Senate Majority Leader John Knight; Minority Leader Bernard Downing; Chairman of Senate Finance Committee Charles J. Hewitt; Senator Thomas C. Brown and Senator Caleb H. Baumes; and in the Assembly to Speaker Joseph A. McGinnies; Eberly Hutchinson, Chairman, Ways and Means Committee and Assemblyman Milan E. Goodrich.

Bills Approved by the Association

Senate Int. No. 6, Pr. No. 6, Assembly Int. No. 22, Pr. No. 22: Appropriates \$50,000 for plans and specifications for new state prison for defective delinquents. Failed of passage.

Senate Int. No. 7, Pr. No. 7, Assembly Int. No. 23, Pr. No. 23: Authorizes state debt and appropriates \$50,000 for a site for a new state prison for defective delinquents. Failed of passage.

Senate Int. No. 3, Pr. No. 8, Assembly Int. No. 24, Pr. No. 24: Appropriates \$9,832,000 for construction and permanent betterments and equipment of various penal institutions. Failed of passage.

Senate Int. No. 9, Pr. No. 9, Assembly Int. No. 25, Pr. No. 25: Appropriates \$100,000 additional for current year to improve quality and increase quantity and variety of food and improve clothing furnished inmates of state prisons, hospitals for criminal insane and reformatories. Failed of passage.

Senate Int. No. 10, Pr. No. 10, Assembly Int. No. 26, Pr. No. 26: Appropriates \$60,000 to pay for 75 additional guards for state prisons, hospitals for criminal insane and reformatories. Failed of passage.

Senate Int. No. 11, Pr. No. 11, Assembly Int. No. 27, S. Pr. No. 1397: Amends sections 216 to 218, 243, Correction Law. Failed of passage.

Senate Int. No. 39, Pr. No. 39, Assembly Int. No. 30, Pr. No. 30: Amends section 114, Correction Law, by increasing maximum limit on compensation of officers and guards of state prisons. Failed of passage.

Senate Int. No. 41, Pr. No. 2164, Assembly Int. No. 32, Pr. No. 2301: Amends section 12, Correction Law, by requiring correction

commissioner to appoint 6 sales representatives in division of industries to extend use and market articles produced therein. Failed of passage.

Senate Int. No. 99, Pr. No. 1042, Assembly Int. No. 159, Pr. No. 2374: Adds new section 205, Mental Hygiene Law, establishing a board of psychiatric examiners for certification of qualified psychiatrists. Failed of passage.

Senate Int. No. 100, Pr. No. 101, Assembly Int. No. 145, Pr. No. 145: Amends sections 658, 662-a, 836, 659, Criminal Code, by providing a method for determining the mental condition as to sanity of a defendant under indictment. Failed of passage.

Senate Int. No. 101, Pr. No. 102, Assembly Int. No. 146, Pr. No. 146: Amends section 2, article 1, Constitution, by providing jury trial may be waived by parties in any criminal case, except where crime charged is or may be punishable by death. Failed of passage.

Senate Int. No. 107, Pr. No. 108, Assembly Int. No. 141, Pr. No. 141: Amends section 2190, Penal Law, by providing where person sentenced for felony commits another felony prior or subsequent to being so sentenced and is sentenced to another term, latter term shall not begin until expiration of other terms. Failed of passage.

Senate Int. No. 187, Pr. No. 190, Assembly Int. No. 303, Pr. No. 2530: Adds new section 939-a, Criminal Code, for establishing psychiatric clinic in connection with probation department, general sessions court, New York County. Failed of passage.

Senate Int. No. 191, Pr. No. 194, Assembly Int. No. 307, Pr. No. 309: Amends section 628, Education Law, by providing for mental and physical examination of every school delinquent and also for social investigation. Failed of passage.

Assembly Int. No. 636, Pr. No. 1261, Senate Int. No. 483, Pr. No. 1003: Adds new subdivision 6, section 554-b, Criminal Code, requiring bail bond agents to keep records of business and report daily to district attorney and police or sheriff and authorizing insurance superintendent to establish reasonable regulations therefor. Failed of passage.

Senate Int. No. 512, Pr. No. 531, Assembly Int. No. 665, Pr. No. 696: Amends section 2, article 1, Constitution, to allow Legislature to make laws permitting a verdict by five-sixths of jury in civil or criminal cases except where crime is or may be punishable by death.

Senate Int. No. 1700, Pr. No. 2042: Adds new sections 695-a, 695-b, Greater New York Charter, giving department of correction exclusive control of all court pens for detention of prisoners. Failed of passage.

Assembly Int. No. 12, Pr. No. 12: Amends section 176, Correction Law, by striking out provision that no printing shall be done by prisoners for use of state or any political subdivision. Failed of passage.

Assembly Int. No. 13, Pr. No. 1770: Amends section 161, Labor Law, by requiring one day of rest in seven for employees of state correctional institutions. Failed of passage.

Assembly Int. No. 1202, Pr. No. 2102, Senate Int. No. 910, Pr. No. 984: Amends subdivision 4, section 230, Correction Law, by providing for commutation of indeterminate sentences, diminution of minimum term not to exceed 5 days for each month thereof, for good conduct and efficient performance of duties. Failed of passage.

Assembly Int. No. 1495, Pr. No. 2372: Creates temporary commission and appropriates \$15,000 for survey of prison industries. Failed of passage.

Assembly Int. No. 306, Pr. No. 308, Senate Int. No. 189, Pr. No. 192: Adds new sections 1290-a, 1290-b, Penal Law, providing on indictment for larceny, defendant may be convicted of any of forms of larceny defined by statute, and also for joinder of a count for forgery in same indictment as larceny and permitting conviction for either or both offenses arising out of same transaction. Failed of passage.

Senate Int. No. 1728, Pr. No. 2115, Assembly Int. No. 2075, Pr. No. 2433: Amends section 554-b, Criminal Code, relative to definition of what constitutes the business of giving bail and increasing premium from 3 to 5 per cent of amount of bond or deposit, sum in no case to be less than \$25.00. Failed of passage.

Senate Int. No. 1847, Pr. No. 2372: Amends section 695, adds new sections 695-a, 695-b, Greater New York Charter, so as to give correction commissioner control over jails in Bronx and Richmond counties as well as Kings and Queens, and over court pens and vans or vehicles. Failed of passage.

Assembly Int. No. 1873, Pr. No. 2144, Senate Int. No. 1486, Pr. No. 1743: Repeals sections 827 to 834, adds new sections 827 to 855, re-numbers old section 836 as 870, Criminal Code, by providing for a uniform criminal extradition act. Vetted.

Assembly Int. No. 29, Pr. No. 1952: Amends section 14, Correction Law, by requiring probation director to collect statistical and other information and make recommendations regarding administration of probation in children's courts. Passed. Chap. 283, Laws of 1930.

Senate Int. No. 17, Pr. No. 241: Amends subdivision 9, section 153, General Municipal Law, by permitting a child welfare board to grant allowance to a mother, permanently incapacitated and confined in an institution or is insane. Passed. Chap. 41, Laws of 1930.

Senate Int. No. 25, Pr. No. 64: Makes appropriations for prison cantonments, for food and clothing for prisoners, for additional prison guards, for increased pay for guards, for expenses in lighter-guards and other controversies relating to Port of New York, and for payment of indemnities on account of tubercular bovine animals. Passed. Chap. 3, Laws of 1930.

Senate Int. No. 184, Pr. No. 1246, Assembly Int. No. 265, Pr. No. 1711: Creates state debt and appropriates \$9,660,000 for construction of certain state buildings. Passed. Chap. 82, Laws of 1930.

Assembly Int. No. 305, Senate Pr. No. 916: Amends section 2188, Penal Law, by providing judge must have before him, in a felony case, record of defendant, his social history and circumstances of crime, before sentence or execution can be suspended. Passed. Chap. 298, Laws of 1930.

Senate Int. No. 306, Pr. No. 311: Adds new section 69, repeals sections 67, 68, General Business Law, prohibiting sale in this state of goods, manufactured or mined by convicts of other states, except those on parole or probation. Passed. Chap. 136, Laws of 1930.

Senate Int. No. 325, Assembly Pr. No. 1662: Amends section 611, Correction Law, section 92, County Law, repeals section 93, Prison Law, by providing for return with mother, of a child born outside correctional institution, if mother is physically fit to care for child, which shall not remain in an institution after it is one year old. Passed. Chap. 242, Laws of 1930.

Assembly Int. No. 658, Pr. No. 688: Amends section 696, repeals sections 697, 698, Criminal Code, by providing determination of violation of any parole, pardon or commutation or reincarceration therefor shall be had in the manner prescribed in Correction Law. Passed. Chap. 38, Laws of 1930.

Assembly Int. No. 657, Pr. No. 687: Adds new subdivision 7, section 1234, Civil Practice Act, by providing petition for habeas corpus writ or certiorari to inquire into cause of imprisonment or restraint, must state whether previous applications were made, whether appeal was taken from any order and also any new facts. Passed. Chap. 81, Laws of 1930.

Senate Int. No. 696, Pr. No. 732: Amends section 472, Correction Law, by providing for disability benefits to guards or other employees in state prison or reformatory and employees in correction department or former prison department, pension to be three-fourths of salary and maintenance allowance. Passed. Chap. 192, Laws of 1930.

Assembly Int. No. 911, Pr. No. 1415: Amends section 114, Correction Law, by increasing compensation of certain officers and guards of state prisons, and appropriating \$204,121.66. Passed. Chap. 173, Laws of 1930.

Assembly Int. No. 1221, Senate Pr. No. 2212: Amends section 17, State Charities Law, by empowering social welfare department to study throughout the state juvenile delinquency and other problems and social welfare generally. Passed. Chap. 723, Laws of 1930.

Assembly Int. No. 1521, Pr. No. 1683: Amends section 132, Criminal Code, by empowering appellate division, Supreme Court, to investigate inferior courts and judges and justices thereof, either through a designated Supreme Court justice or a referee appointed therefor. Passed. Chap. 500, Laws of 1930.

Senate Int. No. 1103, Pr. No. 1235: Amends section 125, Correction Law, by increasing money and property allowance to prisoners on release from prisons. Passed. Chap. 273, Laws of 1930.

Senate Int. No. 1104, Pr. No. 2163: Amends sections 187, 189, Correction Law, by providing that prisoners may receive compensation for work performed which may be paid to aid dependent relatives. Passed. Chap. 503, Laws of 1930.

Senate Int. No. 1266, Pr. No. 2364: Amends section 111, Correction Law, by increasing to \$6,000 minimum salary of chief administrative officer in any institution where felons are confined and wardens, providing for annual increases up to \$9,000 and appropriating \$33,850. Passed. Chap. 549, Laws of 1930.

Senate Int. No. 1402, Pr. No. 1631: Amends Chap. 460, L. of 1926, by extending to March 1, 1931, life of commission to examine crime situation and appropriating \$50,000. Passed. Chap. 688, Laws of 1930.

Senate Int. No. 1686, Pr. No. 2025: Appropriates \$2,500 to New York State Reformatory, Elmira, for food. Passed. Chap. 448, Laws of 1930.

Senate Int. No. 1687, Pr. No. 2029: Provides for issue of \$50,000,000 of emergency bonds for constructing buildings under control of mental hygiene and correction departments, proposal to be submitted to voters at general election, 1930. Passed. Chap. 447, Laws of 1930.

Senate Int. No. 1814, Pr. No. 2288: Reappropriates \$41,717.76, for constructing assembly hall, Great Meadow prison. Passed. Chap. 547, Laws of 1930.

Senate Int. No. 1823, Pr. No. 2323: Appropriates \$1,350 for state department of correction for increased allowances to prisoners. Passed. Chap. 545, Laws of 1930.

Senate Int. No. 1851, Pr. No. 2376: Creates temporary commission to make intensive study and investigation of prison administration, to formulate plan of prison construction and financing and development and expansion of prison industries and appropriating \$10,000. Passed. Chap. 825, Laws of 1930.

Assembly Int. No. 920, Pr. No. 2575: Amends section 103, New York City Inferior Criminal Courts Act, relative to removal of officers and employees, providing for notices and hearing and court review and authorizing appellate division to direct a justice or city magistrate against whom charges are pending to refrain from exercising his office during such pendency. Passed. Chap. 568, Laws of 1930.

Assembly Int. No. 1856, Pr. No. 2126: Adds new section 1828-a, Penal Law, making it a misdemeanor for an officer or employee of state correction department or state correction institution to deliver or to attempt to deliver contraband articles or things to prisoners. Passed. Chap. 492, Laws of 1930.

Senate Int. No. 146, Pr. No. 147: Gives state's acceptance of title to lands in town and village of Attica, conveyed and legalizes certain acts relating thereto. Passed. Chap. 4, Laws of 1930.

Assembly Int. No. 264, Pr. No. 1610: Making appropriations for the Legislature and judiciary. Passed. Chap. 111, Laws of 1930.

Senate Int. No. 560, Pr. No. 579: Amends Ch. 4, L. of 1930, relative to moneys available for paying for lands in village of Attica. Passed. Chap. 11, Laws of 1930.

Senate Int. No. 911, Pr. No. 985: Adds a new section 21, Correction Law, empowering commissioner of correction to acquire real property or easements therein for institutional purposes when moneys are appropriated therefor. Passed. Chap. 250, Laws of 1930.

Senate Int. No. 1839, Pr. No. 2349: Amends section 737, Criminal Code, by providing bail taken in courts of special sessions outside New York City must be in sum not exceeding \$500, instead of \$200. Passed. Chap. 616, Laws of 1930.

Senate Int. No. 12, Pr. No. 2242: Amends section 7, repeals 13 and 17, Correction Law, amends section 13, adds new section 18; rennumbers art. 11 as art. 12 and adds new art. 11, Executive Law, by providing for a board of parole of 3 members appointed by Governor at \$12,000 a year each; for an executive officer and an employment bureau, and appropriating \$259,500. Passed. Chap. 824, Laws of 1930.

Assembly Int. No. 33, Pr. No. 428: Amends sections 929, 931, Criminal Code, by requiring probation officers to investigate circumstances responsible for a child's appearance in court. Passed. Chap. 8, Laws of 1930.

Bills Opposed by the Association

Senate Int. No. 40, Pr. No. 40, Assembly Int. No. 31, Pr. No. 31: Adds new section 21, Correction Law, providing no person shall be appointed as officer, attendant or guard of a state correctional institution unless he is a citizen, of sound mind and good moral character, nor until he has passed a physical and mental examination. Failed of passage.

Senate Int. No. 44, Pr. No. 44, same as Senate Int. No. 693, Pr. No. 729: Amends subdivision 2, section 555, Criminal Code, by permitting admission to bail of a fourth offender or one convicted of a felony while armed with weapon. Failed of passage.

Senate Int. No. 55, Pr. No. 2443, Assembly Int. No. 2207, Pr. No. 2684: Amends sections 18, 114, 286, 289, 436, adds new sections 18-a to 18-c, Correction Law, section 52, Civil Service Law, by creating office of inspector of prison guards, a prison guard corps and training school, increasing compensation of certain officers and employees and relative to membership of guards in state retirement system. Failed of passage.

Senate Int. No. 1424, Pr. No. 1654, Assembly Int. No. 1855, Pr. No. 2125: Adds new section 490-a, Correction Law, for transfer of prisoners to penitentiaries in case of overcrowding of state prisons. Failed of passage.

Assembly Int. No. 135, Pr. No. 135: Amends sections 50 to 52, 60, 105, New York City Inferior Criminal Courts Act, by providing for election of city magistrates. Failed of passage.

Assembly Int. No. 1651, Pr. No. 1849: Adds new section 18-a, Correction Law, requiring all prison guards hereafter appointed to be between 30 and 45 years old and of military training. Failed of passage.

Assembly Int. No. 1652, Pr. No. 1850: Adds new section 22, Correction Law, prohibiting organization of societies among inmates of prisons and correctional institutions except under supervision of prison authorities. Failed of passage.

Senate Int. No. 537, Pr. No. 556: Creates commission of five to examine crime situation so far as it relates to crimes committed by persons under twenty-one, administration of justice in such cases and punishment therefor, together with effect of imprisonment as a deterrent to such crime and appropriating \$50,000. Failed of passage.

Senate Int. No. 730, Pr. No. 1107, Assembly Int. No. 975, Pr. No. 1035 (Similar Bill): Amends sections 2186, 2194, Penal Law, by classing as juvenile delinquents, child under eighteen years, instead of sixteen as at present and relative to sentence of such minors. Failed of passage.

Assembly Int. No. 656, Pr. No. 686, Senate Int. No. 501, Pr. No. 520: Amends subdivision 3, section 1239, Civil Practice Act, by providing, when practicable, habeas corpus writs shall be made returnable at the institution in which the person is confined. Vetted.

CHAPTER III

Tenth International Prison Congress

In 1846 the first international gathering of those interested in or specializing in penology was held at Frankfort on the Main. The world's attention was being cooperatively directed to the problems of prisons. In the antipodes, the daring experiments of Maccochie, with self-government in limited measure and with a broad interpretation of the honor system, had already been tried out. Obermaier in Bavaria had accomplished extraordinary results through trusting to the honor of prisoners. In short, a distinct penological literature, was being built up, less in America than in Europe. Germans, French, Belgians and English were plunged into both academic and practical controversies over the relative merits of the Auburn and the Pennsylvania systems, and the battle was being fought on the other side in a far more scholarly and thorough manner than had been the case in the land of their origin.

For the first International Prison Congress we are indebted to the vision and understanding of men who knew the value of discussion and the exchange of opinions and experiences in the treatment of a human problem as complex as crime. In its Twenty-fourth Annual Report (1868) the Prison Association of New York published a paper on the prison question in Russia by Count Sollow, Director-in-Chief of the House of Correction and Industry at Moscow, Russia. The closing paragraph of the Count's essay was in these words:

"It is not the auspicious initiative of the Prison Association of New York the harbinger of an International Congress of prison discipline. Might not such a congress determine the immutable bases of every penitentiary system, giving at the same time due consideration to the topographical and ethnographical exigencies of each country? Such, it would seem, is the demand of the age; and this brief sketch closes with the proposition, submitted to all who are interested in the future of prisons, to convoke an international reunion of specialists and jurists, who, under the patronage of their respective governments, should be charged with the duty of giving to penitentiary science its definitive principles."

This suggestion impressed Dr. E. C. Wines, who was then General Secretary of the Prison Association of New York, as wise and timely, and he at once set upon the development of an international prison congress. The result was the first Congress in London, in 1872.

The thought expressed by Count Sollow, and put into operation by Dr. Wines, is as wise and as timely today as it was then, over sixty years ago. In a paper read by Mr. Charles Lucas before the French Academy, prior to the London Congress in 1872, the value of an international gathering was lucidly and forcefully stated by that eminent and venerable man:

"International congresses have been too often repeated in our day to be looked upon as facts purely accidental. There is a reason for their existence.

They are the necessary consequence of the two laws of the sociability and perfectibility of man, which, at the present advanced stage of our civilization, demand the international exchange of ideas to promote the moral progress of humanity, as they do that of material products to advance the public wealth. Such congresses serve to show the condition of different nations as regards their intellectual development, in the same manner as industrial exhibitions show the comparative results of their economic development.

Hitherto there have been convened congresses of governments and congresses of citizens. The first have already done good service, and it is desirable to increase their importance and their frequency in international and diplomatic relations. The second play the part of generous satellites of civilization, which, that they may give light and direction to its progress, rush to the front, sometimes rather precipitately and not in the most perfect order, but always affording a useful stimulus to human development. What stamps upon the Congress of London a character of complete originality is that it is entitled, and, in effect, is to be, a semi-official conference, combining the initiative of governments and individuals. The circumstance most remarkable about it is that, this semi-official character has been given to the congress by a government heretofore least disposed to interfere in the slightest degree, with the free initiative of individuals and associations, and by a people least inclined to tolerate such interference."

The Tenth International Prison Congress, held in Prague, Czechoslovakia, August 25th to 30th, 1930, duplicated and enhanced the value of the first and subsequent Congresses, and served beneficially the students and workers of the various countries at a time when enlightenment, guidance, encouragement, and inspiration was needed in dealing with a problem that has since the beginning sorely taxed the patience, intelligence and ingenuity of man.

Those attending the Congress were: the heads of prison systems, professors in penal law, public prosecutors, magistrates, ministers and deputy ministers of justice, prison governors, prison reformers, and citizens doing voluntary work for prisoners' aid associations. The official language of the Congress was French. The English speaking representatives numbered thirty from the United States, of whom ten were appointed by President Hoover. The American delegates were under the leadership of Mrs. H. Otto Wittppenn, the Commissioner on the part of the United States on the International Prison Commission, the governing body of the International Prison Congress. She was assisted by the Hon. Sanford Bates, Director of the United States Bureau of Prisons, who was selected as spokesman for the American delegates during the debates at the general sessions. The General Secretary of the Prison Association of New York and the American Prison Association, E. B. Cass, was one of the official delegates appointed by President Hoover. There were forty-two countries officially or unofficially represented at the Congress.

The Program of the Congress embraced the following: Prevention of Crime; Unification of the Fundamental Principles of Penal Law in the different countries represented at the Congress; The Indeterminate Sentence; The Payment of Prisoners; Recreation of Prisoners; Professional and Scientific Training of the Prison Staff; Cellular Confinement; The Necessity of Knowing the Antecedents of Defendants; Probation and its Organization as between Different Countries; International Cooperation for the Study of

Changes in the Movement of Crime and their Causes; Children's Courts and their Auxiliaries Service and the Treatment of Juvenile Delinquents.

About one hundred reports on stated problems had been prepared in French and distributed well in advance. These reports gave considerable valuable information on conditions in leading countries of the world and were replies to the various questions which were decided upon in advance of the Congress, and which served as a basis for the Congress program of discussion and decision. These reports were considered in afternoon section meetings, and were followed by a resolution which was subsequently submitted to a general session of the Congress for further consideration and final action. In this respect the procedure of the Congress was quite different from the usual conferences held in the United States where the greater part of the program consists of the reading of prepared papers.

The questions considered by the various sections of the Congress, the comments, and the resolutions finally adopted, are set forth below:

SECTION I

Legislation

FIRST QUESTION

(a) *The adoption of the policy of measures of Prevention having become more general, the question arises: What administrative methods are most suitable? and how should they best be classified in one system?*

(b) *Is suspension of sentence applicable in cases of measures of Prevention?*

Commentary. (a) Several penal codes or proposals for penal codes have introduced in one way or another, in addition to the penalty for the crime, some measure of Prevention, corresponding to the dangerous or criminal tendencies of the culprit; and have so solved a problem which has been discussed for a long time. It is desirable now, however, more from a practical than from a theoretical point of view, to ascertain as far as possible the different measures in use, and to distinguish one from another in relation to a general system.

Such a system should include, *inter alia*, the special methods applicable to habitual offenders; it has been suggested, e. g., that they should be kept only for a short preparatory stage in special institutions and then transferred, together with their families, to live in large rural districts or settlements organized for the purpose, in which they would be located for an indefinite period and

would not be allowed to leave and resume their connection with society till the authority entrusted with their supervision was satisfied that they had reformed and were fit to be left without control. Further, this problem raises numerous questions with regard to the procedure, especially whether a measure of Prevention can be imposed only in case of a trial; and whether the authority having power to impose it, and the principles to be observed during the procedure¹ must be the same as in the case of a trial with an ordinary penal sentence in view.

(b) Considering the difference between penalties and measures of Prevention, the question follows as to whether suspension of execution of sentence should also be applicable in cases of measures of Prevention and, if so, whether in every case or only in certain cases.

RESOLUTION

(a) In cases where the penalty is insufficient or cannot be applied, it is necessary for public safety that a system of measures of prevention should complement that of penalties.

Measures of prevention tend to reclaim the delinquent, to eliminate him, or to deprive him of the possibility of committing an offense. These measures are applied by the courts.

Besides those measures of prevention which deal with children, the following are especially recommended:

I. Measures consisting of deprivation of liberty

1. The confinement of abnormal and mentally defective delinquents who are a social menace, with the aim, as far as possible, of curing them and fitting them for freedom.

2. The confinement of alcoholic and toxicomaniac delinquents, with a view to curing them.

3. The confinement of beggars and vagrants, for the purpose of fitting them for work.

4. The confinement of habitual delinquents, for the purpose of eliminating them, but without depriving them of chances to reform in the system of rules which they are to follow.

This confinement takes place in special institutions.

II. Measures which do not involve loss of liberty

The most efficient of these is that of after-care or supervised liberty.

The guarantee of good conduct, the prohibition to practice certain trades or professions, the exercise of which has caused the

¹ There are tendencies to restrict the application of some of these principles even in the case of penalties, as may be seen from the following resolution, which was adopted by the Ninth International Prison Congress, London, 1925 (Section I, question 1, paragraph 10):

"The trial ought to be divided into two parts: in the first the examination and decision as to the guilt should take place; in the second one the punishment should be discussed and fixed. From this part the public and the injured party should be excluded."

violation of the law, and the prohibition to visit drinking places can give useful results. If necessary, these measures may be combined with after-care.

III. Other kinds of measures

Measures of practical prevention should also be provided for, such as the confiscation of objects which are dangerous for public safety, or else these objects should be rendered harmless.

Since the expulsion of foreign criminals is apt to hinder international co-operation in the war against crime, it is to be hoped that international conventions will regulate this matter.

(b) Save in exceptional cases, the execution of measures of prevention cannot be suspended. When this happens, supervised aid should be invoked.

SECOND QUESTION

Would it be desirable to have the fundamental principles of penal law unified in different countries? If so, to what extent and by what means?

Commentary. The question of an international agreement on the fundamental principles of penal law has already occupied various international organizations. On the one hand, the League of Nations has taken up the problem in a restricted form, dealing only with the question of the international penal law and with the law of extradition; but their experts were opposed to a general regulation of the international penal law and also, at present at any rate, to the establishment of common rules for the law of extradition. With regard to this latter subject, the International Prison Commission, being interested in and working on its own ground for an agreement as to the formation and application of penal systems, is arranging for the preparation by a Sub-Commission of a draft-Treaty of Extradition which may be useful to the States in their negotiations for concluding individual extradition treaties. On the other hand the "Association Internationale de Droit Pénal" is of opinion that further steps can be taken, and in its conferences held at Warsaw in 1927 and at Rome in 1928 it considered the question of unifying the penal law in general.

Even if the problem is not considered in so wide a sense, the difficulties of an international agreement which relates only to the fundamental principles cannot be disregarded; but it is worth while to consider whether such an agreement is possible and desirable and, if so, by what means it may be reached and within what limits it ought to be kept. For this reason the International Prison Commission, as a central and fully international body, has put this subject, as now formulated, on the programme of the Congress for 1930, so that the question may there be discussed from every side and on a really international basis.

RESOLUTION

1. It is desirable that the fundamental principles of penal law be unified.

This is in order to facilitate the joint war of States against crime, and to give a single basis to the science of penal law in the whole world.

2. The limit to which this effort at unification may go is the point at which the risk appears of depriving the penal law in the various countries of the necessary strength which it derives from the historical development in each country, and from the roots which it has taken in the hearts of the people.

3. In vast fields of penal law, the efforts of international societies of jurists and practitioners have brought about a union of ideas. This co-operation presages well for the future, and deserves to be encouraged. The joint solution of fundamental questions of penal law will also be advanced if the various states increase their co-operation in the struggle against certain offenses. Consequently, every opportunity should be taken to find out if it is possible, outside the limits of the facts which are charged, to find a common solution of the general problems related to these facts.

THIRD QUESTION

Should the various forms of punishment consisting in deprivation of liberty for a certain period be abolished and replaced by one single form?

If so, what should be this form of punishment? Should it be detention in farm colonies; or in non-agricultural Institutions within locked gates; or in Institutions of mixed type? Should the establishments be specialized, according to the gravity of the offenses, or to the aptitudes of the prisoners, etc.?

Commentary. The question of imposing one single form of punishment is very controversial.

On one hand, its partisans point out that, if any difference exists in practice in the carrying out of the various forms of punishment of some length which are prescribed in most of the existing or projected penal codes (France: travaux forcés, réclusion, emprisonnement correctionnel; Italy: ergastolo, reclusione, detenzione; Swiss and German drafts: house of correction, imprisonment, etc.) it is only external and formal. Since any real distinction in the nature of the punishment is impossible, it might be better, according to this view, to efface all appearance of such difference.

On the other hand, the opponents to this idea of one single form of punishment point out that its introduction would seriously affect the sanction of the penal law in the sense that there would be a general impression that serious offences were not adequately punished while minor offences were too severely punished. It would also result in too much discretionary power being given to a Prison Governor. As it might not be always

possible to appoint to such a post a man in every way qualified to use such power, it might be necessary to create safeguards, e. g. by appointing a Committee coordinated with the Governor, a course of action which might not satisfy those in favor of a single form of punishment.

RESOLUTION

The section let it be known that it did not have sufficient time to discuss this third question as fully as its complexity demanded, and that it felt itself bound to propose an adjournment of the third question till the next congress.

The General Assembly agreed to this proposal.

SECTION II

Administration

FIRST QUESTION

Within the limits of the existing laws, what should be the rules governing the carrying out of punishments on the basis of the idea, already adopted, of the reform and reclamation of prisoners?

Can this object be achieved by, e. g.

- (a) *Collaboration of private individuals during the execution of punishment;*
- (b) *Choosing and recompensing the work imposed on the prisoners;*
- (c) *Recreation which, through its educational value, would not interfere with the character of the punishment?*

Commentary. The object of this question is to determine the rules which it would be advisable to adopt for the execution of punishments, in order to restrict the idea of chastisement to a reasonable extent and to give more scope to the idea of reform and of reclamation.

(a) In recent times many States, though some of them had refused formerly to do so, have allowed private individuals, not connected with the administration, to assist in the treatment and education of prisoners during the period of punishment. It would therefore be of great interest to compare the experience gained in this connection by the different States and to draw conclusions therefrom with regard to the forms and limits within which such participation can produce good results.

(b) As labour is the most important factor in the reform of a prisoner, the question must be explored as to how that purpose can be furthered by the choice of such work as corresponds to the aptitude of the prisoner and brings a high moral influence to bear on him, permitting him when released to earn

an honest livelihood. The efforts made in this direction are greatly helped by giving wages for the work done; this stimulates zeal and so helps the prisoner to accustom himself to a life of work.

(c) With the same object of reclamation, the last part of the question deals with the means of recreation: music, lectures, and particularly those resulting from modern inventions, such as moving pictures, and broadcasting. The aim is to obtain practical suggestions as to the extent and conditions under which such means can be introduced into prisons; it may be useful to consider the question separately for the various classes of prisoners, viz., short-termers and long-termers, first offenders and recidivists, adults and juveniles.

RESOLUTION

For the better protection of society, the execution of the punishment should tend to educate and reform the prisoner by using all the means which pedagogy offers. It should develop the prisoner's physical faculties, and keep in view his moral and intellectual education by making use of the criminological examination, and by dividing the prisoners in groups according to the manner in which they are influenced by education.

To attain this end, provision should also be made for:

- (a) The collaboration in the execution of penalties of private individuals, chosen exclusively for their personal qualities of mind and character;
- (b) Work for which the prisoner is fitted, for which remuneration should be made according to his conduct and achievement, a reasonable portion of this remuneration being made over to those who depend on him for their sustenance;
- (c) Means of mental and physical recreation in conformity with the customs of the different countries. These means of recreation deserve much more consideration than they have hitherto received.

SECOND QUESTION

How should the professional and scientific training of the prison staff, both for administration and supervision, be organized?

What qualifications should be demanded on one side and what advantages should be offered on the other in order to obtain the best possible persons for this service?

Commentary. The modern conception of punishment as deprivation of liberty imposes new duties on the prison staff and requires an adequate training for its members. This conception is based on a scientific study of the physical, moral and mental state of the prisoner, and the specialists in charge of such study can only pursue it efficiently with the enlightened collaboration of every grade of the prison staff. It is therefore important that the members of the staff, besides understanding administrative matters, should have a more or less wide knowledge of penitentiary

science and related sciences, such as forensic medicine, criminal anthropology, psychiatry, hygiene, etc. In order to acquire such knowledge, the various grades of the staff require a professional and scientific training adequate to the tasks which they have to fulfill.

If this training is to be fruitful, it requires special qualities in the persons who undergo it, and therefore the applicants must be most carefully selected with respect to their character and qualifications. But persons who are qualified will not apply for the prison service unless they are offered advantages which are in proportion to the qualifications required.

RESOLUTION

All the officers of the administration of prisons must be specially educated and trained for their work. Higher officers need a higher scientific training. It is absolutely necessary to have schools and special courses for the education of directors and supervisors. The foundation of an institute of penitentiary science and criminology appears to be especially necessary in all countries. Present officers should be given extra courses. Special attention should be paid to a social and pedagogical education.

Applicants for penitentiary service must prove their ability to be practical and judicious in discharge of their duties. Applicants for positions as directors must also prove their ability to treat scientifically problems related to the execution of penalties by an examination of theory and practical service.

Only those applicants should be finally accepted who have proved, during the term of probation, that they possess, besides the necessary practical and scientific knowledge, a personal interest in their profession, an upright character, love of their neighbor, a knowledge of men, and the necessary ability to deal with abnormal prisoners, from the physical, intellectual, and moral points of view.

The various groups of officers should receive a salary sufficient for their economic situation, with due regard to the work accomplished by each. It seems desirable that the penitentiary staff should have a special rank in the hierarchy of State officials, and receive those advantages which the latter generally enjoy in the various countries.

In the instruction and organization of female officers, the special condition of female prisoners should be considered. For these, only female officers should be engaged, including, if possible, the chaplain.

These provisions refer also to institutions for children.

PROPOSAL

It is desired that the central penitentiary administration should also receive the collaboration of those persons who are most capable of fulfilling the respective functions, chosen from criminologists who devote themselves to the science of prison reform, as well as from the directors of penitentiary institutions.

THIRD QUESTION

To what extent and in what manner should cellular confinement be applied in the modern penitentiary system? And what should then be the relation of cellular imprisonment to detention in association?

Commentary. In theory as well as in practice, imprisonment in the wider sense of the word has gone through various modifications during the last fifty years. The most remarkable phenomenon certainly is the change which has taken place with regard to the system of confinement. After the associated system had to a great extent, or even entirely in some countries, been replaced by solitary confinement, the cellular system seems again to have given way to the "association" plan. Apart from other reasons, it is evident that the application of the latter is more and more demanded by the modern conception of punishment. But besides its advantages it has its disadvantages and its well known dangers, which are to be taken seriously into account if the object in view is not to be missed. The cellular system has the merit of avoiding them, and the question arises whether it is not advisable to maintain this system, while preventing certain faults and dangers connected with it, and to apply it together with the other.

RESOLUTION

1. The system of cellular confinement must be considered an organic part of a progressive system.

2. In principle, cellular confinement should be applied to accused prisoners.

3. For short time penalties, the system of cells has advantages, but also certain inconveniences. An adequate medical service, and a system of classifying prisoners will realize these advantages, and remove the inconveniences.

4. For long terms of penalty, progressive systems of detention in common should, as a rule, be substituted for the cell. It is for the director of the prison to decide—after consultation with the doctor, who is also an anthropologist and a criminologist—at what time and to which prisoners detention in common should be applied.

5. If the prisoner desires, one can, when possible, continue the isolation, if his conduct is good and if he is worthy of special consideration for physical or moral reasons.

6. As a rule, a system of separation during the night must be considered an essential element of a modern administration, but exceptional circumstances may arise in certain countries which necessitate a system of dormitories or of rooms shared in common, duly supervised.

Note: It is understood that the cell is a room which affords a sufficient amount of privacy and security.

SECTION III

Prevention

FIRST QUESTION

How can the necessity to know the antecedents of certain persons—which is felt by the Courts of Justice and by the community in general—be reconciled with the idea of rehabilitation and with the efforts to help discharged prisoners in gaining an honest living?

Commentary. Modern penal legislation has a tendency to overlook former convictions after a certain lapse of time if the convicted persons have since behaved well. The after-care of discharged prisoners is considered in the first place; to provide work for them is one of the most important things, but often an impassable obstacle is met if the master and the fellow-labourers know that the man is a discharged prisoner.

If Courts of Justice wish to fulfill their task in accordance with modern ideas, a thorough examination of the previous life of the accused is indispensable. The same rule applies in the matter of the trustworthiness of important witnesses. Public officials and institutions who have to appoint persons for posts of confidence should also know the previous life-history of applicants.

There is therefore a conflict of interests, and the possible solution of the difficulty has to be considered. Are hard and fast conditions to be laid down for rehabilitation? or is it to be limited in its effect? Is it necessary to fight the general fear of discharged prisoners, or is it permissible to place them in employment without mentioning their previous criminal history? It would be desirable to have information concerning the experience gained in this respect with regard to rehabilitation and after-care of prisoners.

RESOLUTION

1. The end to which all efforts must tend, is to set up a system in which liberation is but one part of a definite method of reform, and in which the occupation of the paroled prisoner continues his penitentiary treatment.

2. Under present conditions, it is necessary:

(a) To act on public opinion, so as to interest the public in the reform of discharged prisoners;

(b) To distinguish those which can be reformed from the incorrigible ones, for example by means of a test applied by the aid society, and to recommend only the reformable ones;

(c) To individualize, by choosing the occupation of the discharged prisoner according to the nature of his offense and of his social position.

3. It is suggested that the prisoner's rehabilitation be regulated by law.

SECOND QUESTION

What have been the results of the application of laws of probation and of conditional liberation from their introduction until the present time? What reforms might be advisably introduced into these systems and into their working methods to make them more efficacious?

What system could give the prisoner the security that, if he conforms to the conditions prescribed by the regulations, he will be released on parole after the minimum term fixed by law?

How could the control and assistance of persons under probation or on license be organized as between different countries?

Commentary. The important part which laws of probation and of conditional license play nowadays in the administration of penal justice has been recognized and it seems desirable to study the results which the various countries have obtained up to the present time through the operation of such laws. At the same time the question is to be considered whether the experience gained and the claims of modern progress would or would not appear to recommend certain reforms.

With respect to conditional liberation, it may be asked, *inter alia*, whether automatism is to be introduced into this system. The object aimed at is to allow a prisoner who has in every respect conformed to the prison rules in respect to work and behavior to know exactly the day when he will be released, and so, in a manner, to put the key of the prison into his own hands. It is hoped that the prisoners to whom this rule will apply, especially the first offenders, will thus be encouraged to good behavior—which is still more in their own interest than in that of the administration—and that this regulation will mitigate for them the state of being deprived of liberty.

A problem of the greatest importance consists in the supervision and aid of persons conditionally sentenced or conditionally discharged. It has already occupied the International Prison Congress held in London in 1925, so that the discussion can now be restricted to the International side of the problem: How can control and aid be organized for persons going to countries other than that in which they have been put on probation or conditionally liberated?

RESOLUTION

1. Probation and conditional freedom should be granted to only that class of delinquents which is really fit for the application of this system. The individuality of the delinquents and the amount of social menace which they constitute should here be taken into consideration.

2. The judge, or the administrative authority which shall have to decide on the probation or on the conditional freedom, will have to obtain and use, before their application, detailed reports, made by the officers of the associations or eventually by the authorities, on the physical, mental, moral and material conditions of the delinquent.

3. Supervised aid is indispensable for the success of conditional freedom, and, as a rule, for the success of probation.

4. Those states which do not have a complete system of supervised aid exercised by public officers must give reasonable subsidies to private aid associations in order that these may employ more salaried persons. These states must possess a sufficient number of officers to control the work of these associations.

Similarly, those states which use public officers to exercise supervised aid, must organize this service in such a way as to make it entirely satisfy the needs.

5. The scientific education—befitting the work of supervised aid—of those persons which are mentioned under (4), must be systematically organized, either by the aid societies subsidized by the states, or by the states themselves.

6. It is not advisable to give the prisoner the guarantee that if he satisfies the usual conditions, he will be conditionally liberated in the minimum time fixed by law.

Nevertheless, he must be given the guarantee that his eventual conditional liberation will be examined, in the minimum time fixed by law, by an impartial authority.

7. It is advisable that the aid societies of one country be grouped in a National Central Association and that these national central associations subsequently form themselves into an International Association. This International Association will have to formulate rules to help convicted prisoners, or those who are conditionally freed, who are allowed to go into other countries. Later, international treaties should be made in this respect.

THIRD QUESTION

Is an international cooperation for the study of the changes in the movement of crime and of their causes possible? and under what conditions?

Commentary. In the general opinion of today one of the most important tasks of criminology is to observe the changes in the movement of crime and to examine their causes. Most of the works of that kind are limited to the study of the conditions existing in the country to which the author himself belongs. If the inquiry is extended to other countries, there is a great risk of making mistakes which only an intimate knowledge of the social conditions of these countries can prevent. On the other hand, important data may be expected to be found by a comparison of the forms which criminality takes in various countries and of the circumstances connected with them. This leads to the idea of an international cooperation. It is therefore to be considered in what form this idea could be put into practice. Should there be a temporary special Commission, or preferably a permanent Institution? Is it advisable to begin by considering some very distinct and important form of criminality, about which reports would be collected from the different States? In any case it seems desirable in the beginning strictly to limit

the task, and the limits to be defined must be considered: e. g., Is a certain group of crimes to be chosen? or, perhaps, Is the criminal activity of the different social classes to be treated?

RESOLUTION

It is possible and even advisable to form an international cooperation with the aim of organizing the scientific study, by uniform methods, of the causes of the changes in the movement of crime.

PROPOSAL

It is advisable to work out a uniform method for the scientific examination of delinquents.

MOTION

The Congress urges the International Commission on Penalties and Penitentiaries to find the best means of putting the above mentioned resolution and proposal into execution.

SECTION IV

Youth

FIRST QUESTION

How should Children's Courts be composed?

How should their auxiliary services be organized?

Commentary. As is shown by a survey which was recently published on this subject by the International Prison Commission¹, a general opinion exists today on the point that children and juveniles who have committed offenses against the law should be neither subjected to the ordinary penal procedure nor tried before the ordinary Courts: magistrates specially appointed for this purpose are required for ordering the educational rather than the punitive treatment which is to be applied to those young persons. The present question is concerned with the composition of such Children's Courts: Will their task be best fulfilled by one single judge or by a Court consisting of several judges? Should women be appointed, whether as single judges or as members of such a Court? To what extent should cooperation of medical and educational specialists be called for?

In order to accomplish their task, the Children's Courts need of course auxiliary services (guardians, "rapporteurs", probation officers, Shelters, Homes, Institutions, etc.). It must therefore be asked what should these auxiliary services be? how far can they be utilized during the trial and for the measures to be

¹ Enquête sur les Tribunaux pour Enfants. Bulletin de la Commission Pénitentiaire Internationale, nouvelle série, No 3, décembre 1927. Printed by Stempfli & Co., Bern (Switzerland).

applied to the minors (information, supervision, probation)? and how should they be organized in order to work in the best manner?²

RESOLUTION

The authority called to deal with violations of the law committed by children—whether it be a judicial body or not—must be different from that which judges adults, and must in all cases consist of persons who are qualified by their knowledge of children, and who are inspired with the idea of protection.

The children's court must consist, as far as possible, of a single judge who is a specialist in matters concerning juvenile crimes, or admit the presence of assessors, who should be chosen especially from among doctors, pedagogues, or social workers. The collaboration of women, either as judges or else as assessors is to be recommended in the highest degree.

A minute examination should be made of the antecedents, the social background, and the character of the child, for the purpose of enlightening the court on the measures which it should apply; during this examination the help of experts in psychiatry and pedagogy, as well as the assistance of a social service, should be resorted to as much as possible.

Auxiliary services in the children's courts should be confided to persons who have received special technical instruction, and who devote themselves permanently to this work.

The assistance of benevolent persons is very much to be desired; nevertheless it needs to be directed by professionals.

These services have to exercise a preventive and curative action, which includes the period before, during, and after the verdict.

In order to facilitate the medical and physio-psychological examinations of children, it is advisable to form special establishments for observation, which should be put at the court's disposal.

Similarly, special establishments must be organized in order to insure the execution of measures of treatment to be applied to children, the court retaining the power to supervise their execution and to make any change, suspension, or cessation, whether conditional or definite.

SECOND QUESTION

Would it be desirable that ordinary Courts be given power to send juvenile delinquents (adults according to penal law but minors according to civil law) to special Institutions or to special quarters in an Institution?

If so, what would be the best form of discipline for such Institutions: educational or punitive?

Commentary. In almost all legislations the full responsibility in matters of penal law begins before the civil majority is attained.

While the civil law is far from recognizing the full capacity of

²The auxiliary services of the Children's Courts will form the subject of a survey by which the "Comité de la Protection de l'Enfance" of the League of Nations has decided to continue the above-mentioned survey of the International Prison Commission, in collaboration with the latter.

persons having reached an age of 16, 17 or 18 years (or whatever may be the limit for penal minority), the criminal judge treats them as adults and makes them undergo the same penalties as are intended for the punishment of long practised criminals; at best their youth is considered an extenuating circumstance.

It is true that a young man need not have reached the age of civil majority to be able to distinguish between the licit and illicit character of his deeds; but it is not less true that the motives by which he is guided are not the same as in the case of adult persons, so that it may be asked whether the same reaction is justified. This is so much the more questionable as such reaction should at the same time prevent the commission by the young delinquent of future offences. At this age generally, the character can still be formed, and the worst thing which can be done is to expose the minor to contamination by old and hardened criminals; segregation of the young offenders from the adults is indispensable. But it must be asked whether such segregation is enough and whether the judge should not have power to send juvenile delinquents to quite different institutions and whether these institutions, in order to attain the object of the punishment, should not be given a particular character, viz., an educational rather than a punitive one.

RESOLUTION

If it is advisable that there be everywhere societies of criminal prevention for children (e. g., 14 year old minors), and also courts which are specially fitted to adapt penal law and procedure to youthful persons (e. g., from 14 to 18 years old), institutions which are generally known as children's courts, it is equally advisable that special laws regulate jurisdiction with regard to juvenile delinquents (e. g., from 18 to 25 years at most), that this jurisdiction be exercised by specialized judges, and that the ordinary courts be able to place these offenders in a special institution, or at least in a special quarter, under a discipline which is educative in the largest sense of the word, but only in the event that the system of probation is not appropriate or has failed.

If a special institution be chosen, it is preferable that it be given another name than that of a prison.

THIRD QUESTION

How should the control, the management and the use of sums allowed to young offenders, whether as wages or as gratuity or otherwise, be organized while they are undergoing a sentence?

Can such sums be used to cover the costs of trial?

Commentary. This question has already been submitted to the Ninth International Prison Congress, held in London in 1925, where it was annexed to a question concerning the constitution and utilization of the gratuity ("pécule") of adult prisoners. However, the principal question absorbed the whole interest of

the discussion, and the first four paragraphs of the resolution which was adopted deal only with the gratuity of adults. The last paragraph, with regard to minors, simply says: "Minors should be able to earn an amount sufficient to constitute a small capital for them on attaining their majority. The precaution against squandering this should be applied even more strictly than in the case of adults."

If minors are detained in correctional institutions and reformatories belonging to the State, the problem is indeed to be faced in the same manner as for adults, and it may be referred in general to the solutions which are proposed for these. But in the case of minors who are handed over to private institutions, aid societies, or private persons, or even given back to their own families, the question presents itself in quite a different form viz., such as was formulated in the second paragraph in 1925. Because this part was not considered then, the London Congress has expressed the wish that it be again submitted to the next Congress. This question is therefore again on the program.

A second paragraph, which has been added, is of particular interest for the administration. Can sums which are so allowed to minors, or at least part of them, be used to pay the costs of trial of these children?

RESOLUTION

It is advisable that a private account be opened in the name of each minor who is undergoing a sentence. On this account shall be written all the receipts and expenditures of the gratuity, which consists of the minor's earnings, as well as the sums which he may receive from outside.

Societies or individuals who refuse to keep this private account shall not be allowed to supervise or keep the minor.

The management of the gratuity is assured, according to the different cases, by the State, the society, or the person to whom the child is confined.

The use of the gratuity must be regulated; the money can be used, for instance, for small authorized pocket expenditures, or for buying clothes.

The costs of trial and of maintenance devolve on the family, if it is found to be responsible and not destitute.

NOTE: The official document, containing the questions, comments and resolutions, published subsequent to the Congress in Prague, was in French—the official language of the Congress. The Prison Association was therefore obliged to have a translation made. In this connection it desires to record its appreciation for the service rendered by Mr. Noel D. Moulton of Columbia University, who made the translation, and Professor Adolph Erny of the faculty of Columbia University, who read and approved the translation.

STANDARD MINIMUM RULES FOR THE TREATMENT OF PRISONERS

Minimum rules for the treatment of prisoners, as prepared by the International Prison Commission were given formal approval at the Prague Congress in August, 1930. The rules together with the explanatory preface follow:

PREFACE

During its first session after the London Congress of 1925 where it assumed fresh activities, the International Prison Commission was invited to examine the question of whether it was desirable and possible to establish a set of general Rules designed to assure suitable treatment for all of those who are deprived of their liberty by a decision of the competent judicial authorities in different countries.

The suggestion which was made by Mr. Waller, a delegate from the British Government and at that time Chairman of the Prison Commission for England and Wales, was at once made the subject of discussion at the Meetings of the Commission and was received with general favour. The Commission did not disguise from itself the fact that to establish such Rules was a somewhat delicate matter and that many difficulties must be necessarily encountered in composing them, but at the same time it was recognized that the task was one essentially appropriate to its mission and was certainly worth while endeavouring to accomplish.

When thereafter Mr. Waller, in collaboration with his British colleagues, Lord Polwarth, Chairman of the Prison Commission for Scotland, and Mr. Paterson, a Prison Commissioner for England and Wales, had worked out an outline of a kind of standard-rules, a first draft was distributed to the members of the Commission in order to ascertain their views upon it.

In the course of the following session at Prague, in the spring of 1928, after fresh deliberation, the Commission resolved to pursue further the preparation of a collection of Rules for the treatment of prisoners, based on the above-mentioned draft, and, with that object, appointed a sub-Committee to whom was entrusted a Table of the observations made by different members of the Commission. This sub-Committee, in addition to Mr. Waller and Mr. Paterson, already mentioned, consisted of M. Almqvist, formerly Director of the Prisons of Sweden; M. Bunke, Director at the Ministry of Justice of the Reich and since then, named as President of the Superior Court of the Reich; and Dr. Simon van der Aa, formerly Director General of the Prison Administration of Holland and Professor of Penal Law at the University of Groningen. This Committee revised the first draft at a meeting held at Paris in the beginning of this year and after having submitted the modified draft to all the members of the Commission and having received further suggestions made by them, considered the

scheme anew on the eve of the recent session of the Commission at Berne. Lastly, during that session, the final text was adopted by the Commission in the form in which it has been presented to the various Governments interested and is now published in the present Bulletin of the Commission.

The Commission did not think it necessary to add any statement of the motives or objects of the different Rules, which seem to explain themselves. On the other hand, it appears useful, in order to indicate clearly the tendency of the Set. of rules to point out certain features in connection with the Preliminary Observations preceding the text.

In setting out this collection the Commission has followed a similar aim to that which regulated its enquiries during recent years into the organizations of Children's Courts, and into the guarantees against abuse of the imprisonment of those awaiting trial¹, viz. to make known the progress which has been made or which ought to be realized in the different countries in some parts of the great field of penal and prison law. The object with which the Commission is concerned this time, viz. the treatment of prisoners, is of an altogether general character and presents a common interest for all existing penal systems in the various states. Attempts may be made by legislative and administrative measures to reduce the application of the measure of imprisonment of persons awaiting trial, but there will always remain a certain number of them; endeavours may be made to avoid the imprisonment of first offenders and others by an increase of preventive methods, such as conditional sentence and probation; the punishment of imprisonment may be replaced as far as possible by other forms of penalty — but all the same imprisonment under its different forms and names will always continue to play a preponderating part, and moreover, new measures for obtaining security, by detaining in one form or another in institutions certain classes of delinquents, are getting introduced and developed in law and practice. There are in reality very considerable numbers of prisoners in different categories as shown by statistics, and it is evident that their treatment is a matter of great importance regarded from all points of view concerning their sojourn in prison and their restoration to society.

The Commission, in setting out the Rules, was not inspired by the penal system of any particular country, but taking into account the systems which exist in many different countries it has attempted to draw up a system of Rules which can be considered as generally admissible and practicable according to circumstances. For this purpose the Commission has limited itself generally to marking out the main lines without, however, omitting the prescriptions of detail which seemed indispensable, and has wanted to establish minimum rules which ought to regulate, according to present day ideas, the treatment of all those who are confined in Penal

institutions. Admitting that the fixing of a minimum involves the risk of becoming prejudicial when considered as a maximum, which it is sufficient to obtain, it is necessary to insist upon this latter point, viz. that these are the minimum conditions for a suitable treatment. It is the realization of these conditions that the Commission has in view without entering upon the modern theories of the situation of prisoners from the point of view of law, as recently discussed in legal literature.

It is plain that many provisions analogous with those which the Commission has formulated, are comprised in the laws and rules which are actually in force in the penal systems of different countries. That does however not mean that their application is assured. Even in those countries which are most advanced in this matter, there are still backward prisons or incomplete organizations and in many countries circumstances are not favourable to the development of the penal system which seems often to be hampered, especially by the economic situation. Now, the Commission imagines that the statement of rules which it has drawn up will be of assistance to those placed in authority at the head of the central administrations of Prison Institutions, who will there find arguments in support of their efforts to obtain the necessary funds for the realization of the progress in view. It is thus that a real amelioration of the situation of prisoners may be accomplished, and that thereby the Commission may obtain a fulfillment of its object in the modern movement of penal and prison reform, which follows its course.

October 1923.

The Secretary-general
of the *International Prison Commission*
J. SIMON VAN DER AA.

¹ Bulletin de la Commission Pénitentiaire Internationale, nouvelle série, No. 3, décembre 1927, et No. 4, septembre 1928.

RULES FOR THE TREATMENT OF PRISONERS

PRELIMINARY OBSERVATIONS

The Rules contained in this collection are framed with a practical object. They show the general direction which it is desired should be followed in the application of every penitentiary system.

These Rules do not in their entirety describe a model condition of things, but they serve to indicate the minimum conditions which should be observed in the treatment of prisoners from the humanitarian and social point of view.

If amongst the Rules laid down there are some which cannot be carried out by reason of special circumstances, particularly in very small prisons, it is evidently desirable that the number of such prisons should be reduced to the lowest possible figure. Nevertheless there may be conditions, especially in sparsely populated countries, where the distances are great and the means of communication restricted, which make it necessary to continue the use of such prisons. In these cases the spirit of the fundamental ideas should be maintained and the Rules should be applied as far as possible.

Under the term "prisoners" are included all persons deprived of their liberty and shut up in prison for any reason whatever. The term "Prison" is used in the widest sense of the word.

I. LOCATION AND ACCOMMODATION

1

As far as possible the different categories and groups of prisoners should be detained in different prisons. Where this is impossible prisons should be so arranged as to permit of their separation.

Males and females should always be separated.

Untried prisoners should be kept separate from convicted prisoners. Those in prison for debt as well as other civil prisoners under order of the court should be distinguished from other prisoners.

Young prisoners should always be kept separate from adults, and first offenders from those regarding whom, on account of previous convictions or other causes, there is reason to fear that they may exercise a bad influence upon their fellow prisoners.

2

It is usually preferable that prisoners should sleep in separate cells.

If this is impossible, they should sleep in dormitories so contrived as to ensure their separation.

When common dormitories are used, special night supervision must be arranged.

II. TREATMENT

3

Prisoners in the same category should on principle be given identical treatment. In the application of the treatment the character of each individual should be considered.

4

The principal aim of the treatment of prisoners should be to accustom them to order and work and to strengthen their moral character.

The treatment of young prisoners should be specially inspired by the desire to improve their education and their general character. When they are still at the age of physical development this should equally be the object of special care.

More severe treatment or more lenient treatment should only be admitted according to rules prescribed by the law, or by a decree of competent administrative authorities. Prisoners who have to undergo a sufficiently long period of detention should be induced to interest themselves in their own improvement during their detention. With this object they should by degrees be given a certain measure of responsibility and should receive certain privileges resulting from that responsibility, and should be made to take a share in determining their later position during detention and after liberation.

As soon as they enter prison, all prisoners should be instructed in the rules for their conduct and duty.

5

Untried prisoners and persons imprisoned for debt should not be subjected to any greater restriction of liberty or severity than is necessary to ensure detention and to maintain order.

6

All money or valuables brought in by a prisoner should be taken in charge by the Governor or other officer appointed by him. After an accurate record of these has been made, they should be kept in a safe place in order to be returned to the prisoner on his liberation, except in so far as money may have been spent by him on authorized payments. Money received from outside during his detention shall be treated in the same way.

7

Clothing and bedding should be supplied by the administration, except in such cases as the prisoner is allowed to use his own. They should be suitable for the climate, and for the state of health of the prisoners.

8

The administration should supply prisoners with food sufficient both in quality and quantity to maintain their ordinary health and strength.

Every prisoner should at any time have access to pure water for drinking.

The feeding of prisoners should be under the supervision of the Medical Officer of the establishment.

9

Convicted prisoners so sentenced as to be bound to work, should always be supplied with work.

Untried prisoners should have the opportunity of working if they desire it.

10

As far as possible the work should be instructive and of a nature which may enable prisoners to earn their livelihood after liberation.

In assigning the prisoners to work, attention should be paid as far as possible to their physical and intellectual capacity, and to the profession which they exercised before their imprisonment. The work assigned to young prisoners should be educative in character, and should as far as possible teach them a trade.

11

The arrangements for work in prisons should be organized as far as possible on the model of free labour.

The precautions laid down to protect the life and health of free workmen should be equally observed in prisons.

12

The maximum number of hours for the daily work of prisoners should be fixed. It may vary according to the different categories of prisoners.

13

It is desirable to give prisoners some remuneration for the work accomplished.

14

Establishments used for the detention of prisoners should always be in such a condition that they do not involve any danger to the health of the prisoners.

15

In every prison the lodging of prisoners should be appropriate to the climatic conditions and to the interests of health. In cold countries a certain minimum temperature should always be maintained. In all countries, especially those of a warm climate, the construction and use of buildings should ensure a sufficient quantity of air and space.

16

The places or cells where prisoners are detained should have the windows sufficiently large to enable them easily to read or work by daylight.

When prisoners have to read or work by artificial light, this should be sufficient to enable them to do so without injury to their eyesight.

17

All inhabited places or cells, both by day and night, should always be scrupulously clean. All other parts of the establishment should be kept as clean as the circumstances permit.

18

All rooms or cells where prisoners are detained should be sufficiently ventilated. The windows should be so constructed that they can be opened to allow the entrance of fresh air whether or not there is artificial ventilation.

19

The administration of the prison should supply every prisoner with water and the necessaries for keeping his body as clean as it should be.

Such installations should be provided as will permit every prisoner to comply with the needs of nature in such a manner as will not damage his health nor be objectionable to the feelings of other prisoners.

20

The prison authorities must watch that prisoners, as well as their clothes—where these are not supplied by the administration—are thoroughly clean from the moment they are lodged in prison.

21

Clothing, both upper and under, furnished to prisoners should always be clean when it is supplied to them. Underclothing worn next the skin should as a rule be washed once a week.

Clean bedding should be supplied at intervals fixed according to the requirements of cleanliness, or according to the instructions given by the medical authorities for the sake of health.

22

On his arrival at the prison, every prisoner should be examined by the doctor so that every case of physical or mental illness may be discovered and the necessary measures taken.

23

It is essential to watch over the preservation of the bodily and intellectual health of the prisoners. With this object, the Medical Officer should see all prisoners at regular intervals. The medical examination should, amongst other matters, determine whether the prisoner is capable of work, and if the régime of isolation is a danger to his health.

24

As a rule the Medical Officer should make a daily round to visit all sick prisoners who require it and every prisoner who complains of illness.

The necessary medical treatment and care must be supplied to sick prisoners. Special accommodation should be provided for those whose condition demands it.

There should be a sufficient supply of medicines for the medical service.

25

Every prisoner who is not employed at work out of doors should have at least half-an-hour daily at exercise in the open air, if the weather permits.

A longer period at exercise in the open air should be given to young prisoners who are still at the age of physical development.

26

The Medical Officer should inspect the sanitary services of the prison, and report every defect to the Governor or Warden of the Prison in order that it may be remedied.

27

Every prisoner should regularly have the opportunity of satisfying the needs of his religious life, so far as circumstances permit.

Access of a qualified representative of his religion should not be refused to any prisoner.

If the prison contains a sufficient number of prisoners of the same religion, a regular spiritual minister should be appointed for them.

28

Prisoners undergoing sufficiently long sentences should receive intellectual instruction so far as that instruction appears likely to be useful to them.

All young prisoners should receive instruction appropriate to their age.

29

Every prison should have a sufficient library of books assigned to the use of prisoners. Books should be specially of an instructive and recreative character, and prisoners should be allowed to read them from the commencement of their sentence.

30

The administration should furnish prisoners with the means of keeping in touch with the important events which take place in the world. This principle applies especially to prisoners undergoing long periods of detention.

31

Prisoners should have the opportunity of communicating with their relations and respectable friends, under necessary supervision. Arrangements should be made to allow this communication at regular intervals, both by receiving visits and by correspondence.

32

Prisoners belonging to a foreign nation should be authorized to hold communication with the diplomatic and consular representatives of the State to which they belong.

III. DISCIPLINE

33

Disciplinary punishments should never, either by their nature or by their application, depart from the prescriptions of the law or the decrees of competent administrative authorities.

34

The law or a decree of the competent administrative authority should determine the individual or the authority to whom should belong the right of inflicting disciplinary punishment.

35

Before a punishment is inflicted, it should be preceded by a thorough examination, and the prisoner should have the opportunity of expressing whatever he wishes to say for his defence.

If the person or the competent authority inflicting punishment does not speak the language of the prisoner, the latter should have the opportunity, before he is punished, of giving his defence through an interpreter.

36

If, in certain countries, for exceptional cases, corporal punishment is permitted, the method of its execution should be determined by the law.

If it is allowed, corporal punishment should never be carried out unless the Medical Officer certifies that the prisoner can bear it. It should never be carried out except by an official and under the personal control of the Governor and the Medical Officer.

37

If, in certain countries, for exceptional cases, placing in a dark cell is permitted, the restrictions which govern it should be regulated by the law.

38

Disciplinary punishments which, by their nature or on account of the condition of the prisoner, may have consequences prejudicial to his health, such as the reduction of food below the ordinary ration, or the reduction or deprivation of open air exercise, should never be applied for more than a strictly limited period and in accordance with the decision of the Medical Officer. The maximum period for which these punishments can be imposed should be prescribed by law.

39

Instruments of restraint, such as handcuffs, chains and strait-jackets should never be applied as a punishment but used only for the temporary restraint of violent prisoners and only when they are necessary for preventing them from doing injury to themselves or to others or from continuing to destroy property. They should be removed as soon as circumstances permit, and

should not be applied again unless the prisoner recommences his violence.

Instruments of this nature should be constructed according to models approved by the central penal administration.

40

Chains or other devices which are not intended to deprive the prisoner of the use of his limbs, but only to prevent him from escaping, should always be light and constructed to a model approved by the central penal administration.

When these are employed, the Governor or Warden and other officers must watch to see that they are so applied as not to cause wounds or bruises.

41

Every prisoner should have each day the opportunity of making requests or complaints to the Governor or Warden of the prison, or his deputy.

42

Every prisoner should have the opportunity of making complaints by the approved channel to the superior authorities outside the prison.

IV. PERSONNEL

43

The choice of the whole personnel of the prison should be made with the greatest care, not only as regards their capacity but particularly as regards their character.

44

All the officials of the prison should carry out their work in an exemplary manner. Their duty is not only to keep the prisoners in safe custody but, by their own good conduct, to exercise over them an educative influence.

45

In all large establishments, the Governor or Warden should live upon the prison property or in its immediate vicinity, and he should not exercise any other functions.

When several small establishments are under the care of one Governor or Warden, he should visit all at frequent intervals. Each of these establishments should have at its head a responsible resident official.

46

The Governor or Warden should speak the language of the prisoners of the country, so that he can converse with them without the use of an interpreter.

The deputy Governor or Warden and as far as possible the other officials of the prison, should be able to speak the language of the majority of the prisoners.

Whenever necessary, the services of an interpreter should be employed.

47

In order to give every prisoner the regular opportunities of worship of his own religion, a minister of his faith should have regular access to the prison and be given, as far as possible, facilities for conducting worship. Moreover, this minister should be allowed regularly to converse in private with every prisoner of his faith.

48

A medical man should be attached to each prison.

In large establishments he should reside upon the prison grounds or in their immediate vicinity. To those that are too small to justify the employment of a medical man exclusively for the work of the prison, he should pay frequent visits and should reside sufficiently near to be summoned without delay in cases of urgency.

It is desirable that prison medical officers, especially those who give their whole time to the work, should have a knowledge of psychiatry.

49

In prisons where the teaching of prisoners can be arranged, qualified persons should be engaged with this object.

50

The supervision of female prisoners should be entrusted, as far as possible without exception, to female officers.

No male officer, whatever his rank, should be allowed to enter the female prisons or sections of prisons, except when he is called by his duties. In this case he should be always accompanied by a female officer, unless in the case of the Governor, the Medical Officer or the Chaplain.

51

Officials should never use their arms nor force against a prisoner except in self-defence, or in cases of attempted escape when this cannot be prevented in any other way. The use of force should always be strictly limited to what is necessary.

52

Officials, as soon as they have entered the service, should be instructed for sufficient time in the duties and responsibilities of their profession before they are entrusted with the supervision of prisoners.

53

The authorities should make every effort to awaken and maintain in both the prison officer and the general public the conviction that this service entails heavy responsibilities and that it is of a considerable social importance.

V. ASSISTANCE OF LIBERATED PRISONERS

54

The assistance given to prisoners for the period after liberation demands most careful attention. This assistance should begin during the period of detention and should be based upon an exact study of the conditions of life of the prisoner and his relations. Its object should be to give to the discharged prisoner the possibility of leading henceforth a straight and regular life.

55

It is desirable to encourage as far as possible in connection with each establishment the formation of Aid Societies which will take charge of the assistance of liberated prisoners, especially by visiting them and assisting them to return into society and to find a place amongst honest citizens.

CHAPTER IV

Foreign Observations and Comments

During the last few years crime has been conspicuously before the people of the United States, and there has been frequent inquiry as to foreign methods of crime treatment and institutional administration. A comparison between foreign and American methods is extremely difficult because of varying social and economic conditions, firmly fixed national characteristics and homogeneous populations. The difficulty is added to by the fact that American observers have not been able to give adequate time to the study of court and institutional procedure and their results, and are seriously handicapped by the difference in languages.

There is no doubt that the size and location of countries, the controlled movement of people from one country to another, and the greater fear and respect for governmental authority are important factors in the control of crime in England and on the Continent. To the American visitor these factors are quickly apparent. The freedom of movement enjoyed by the people of America, in their country of nearly 3,000 miles from coast to coast, is not enjoyed by the people of European countries. Movement from place to place within countries and from country to country abroad is subject to governmental scrutiny. Foreign governments exercise the right to inquire as to your identity, where you plan to go, and what is your business. While it is true that with all this system of control, extremely rigid in many places, criminals do operate internationally, their operations are greatly curtailed. Visitors from foreign countries to America are at once impressed with its size and the freedom of movement of its people from one part to another.

As a delegate to the Tenth International Prison Congress the General Secretary of the Prison Association of New York visited institutions and conferred with officials in the following countries: England, Holland, Belgium, France, Germany and Czechoslovakia. The subsequent observations and comments are submitted as general first hand information. It is wholly misleading to be of the impression that perfection, or nearly such, is to be found in England or continental countries in penal matters. However, it is certain that there is something beneficial for the American to learn from countries abroad, and for the foreigner to learn from America.

The treatment of the criminal is still a serious problem in all parts of the civilized world. No country yet has developed a system that is satisfactory, even to its most enthusiastic supporters or the most impartial and friendly foreign observers. The civilized world is still groping with the problem of the criminal. We hear it said that the tendency in America is to make it easy for the confined law-breaker, and in contrast with that it is stated that the severity of foreign methods deters the law-breaker and makes him fear imprisonment. So far as can be determined, in countries abroad

the recidivist is still a conspicuous member of the institution population, even in countries where solitary confinement during a period of years of imprisonment prevails.

There is no question that America is being challenged in whatever claim it makes for leadership in penal reform. The strong tendency in countries like England and Germany is toward an enthusiastic renewal of penal experimentation, and a desire to know more about the individual criminal.

The following are some of the outstanding features relative to crime conditions and institutional administration which should interest the American public, heads of institutions and students of penology.

1

Prompt Detection of Crime and the Apprehension and Prosecution of the Criminal

The inhabitants of foreign countries have a real understanding and an evaluation of the efficiency of the police and the crime prosecuting agencies. They do not gamble anything like as liberally as the people of America on the likelihood of escaping detection, apprehension and prosecution. Certainty and promptness of punishment is characteristic of England and most of the continental countries.

2

Shorter sentences

Regardless of the general impression that in England, for instance, severity is practiced by giving long sentences, the fact is that England is today giving shorter sentences than at any time since the war. Sentences of two or three years for a crime that would result in a sentence of five, ten or fifteen years in America is a common occurrence in England. It can be safely said that there is a tendency to depart from the so-called rigor of the past in favor of a more liberal system of punishment, either through the giving of a reprimand, imposing of a fine, placing on probation or the giving of a short sentence. In any event however, the offender is made to realize that he has violated the law and must come face to face with the representatives of the law. Once again the elements of certainty, and of detection and promptness of punishment for the majority, as compared with, in America, unlike-likelihood of detection and punishment for most offenders, and increasing severity for the minority, those who happen to be caught.

3

Systems of Central Control

In countries abroad administrative policies and details operate mainly on a national basis. For example, the Home Office in London determines the policy and administrative routine of all the convict and local* prisons in England and Wales. Likewise, the

* The local prisons in England and Wales are similar in function to the county jails in the United States. There are in England and Wales approximately 52 local prisons as compared with over 3,000 county jails in the United States.

Prisons Department in Scotland determines for that part of the British Empire. This sharply contrasts with the variety of systems and administrative policies which we experience in the United States. The State of New York determines how it desires to house and treat the inmates of its institutions, and entirely independently do the states of New Jersey and Pennsylvania. Good or bad as these various policies may be they are nevertheless entirely independent, and it therefore can be truthfully said that we have no fixed national policy. While there are similarities in the various states in policy and procedure there are, however, a huge variety of differences. This is not so in England and Wales and Scotland. The respective central offices exercise complete and unquestioned control, and the outstanding result is uniformity and definiteness of procedure. Therefore, what is found to be good procedure in one part can be readily established in other parts, by order of the Home Office in the case of England and Wales, and the Prisons Department in Scotland. This is also true of the continental countries.

4

Tenure of Office

There is a noticeable superiority abroad in the public attitude toward the importance of the prison systems and their personnel. There is unquestionably a more careful selection of the personnel to head these various systems and to administer the institutions. Selection is based on individual merit and in accordance with high standards, and the incumbents are infrequently disturbed in their term of office. The frequent change of incumbents is common in America. Many times an official just begins to know his duties and problems when his successor appears. The advantage of the English and continental systems is that there results a more fixed administrative personnel and a continuity of program. The benefits of this need not be enlarged upon. In many of our American states we suffer from the lack of a policy, or if one is decided upon, the failure of its development or continuity. Therefore, too frequently, what one administration starts another neglects or discontinues.

5

Size of Institutions

The aim in countries like England and Germany is to have institutions housing a small number of prisoners. That number is usually less than 1,000, and in England, as a rule, does not exceed 700, and averages about 500. This is sharply in contrast with institutions in the United States, such as Sing Sing with a present population of over 2,400 inmates; the new prison at Jackson, Michigan, with accommodations for ever 6,000, and other institutions in the various states housing 1,000 to 2,000.

In England and Germany the strong tendency is toward individual treatment of prisoners, an extremely desirable approach, long urged in this country and abroad, but without an appreciable

degree of practical application. In the Borstal institutions (the brightest spot of the English system), housing young offenders 16 to 21, the number of inmates is kept at about 300, and this number is divided into smaller units of 50 or 75 within the institution. The Borstal institutions might be referred to as the Elmira institutions of England. The idea which inspired their establishment (in 1910) is identical with that underlying the establishment of Elmira Reformatory (law passed 1869, institution opened 1876). Briefly that idea is to provide a separate institution for young and promising offenders, and thereby remove them from the contaminating influence of the prisons. England has kept faith with the idea of doing its best for the young criminals requiring institutional treatment, by keeping its Borstal institution population down to a small number, so that the inmates may receive the maximum of benefit that can be obtained through such a system. Whereas, for example, in the United States, at an institution like Elmira the population ranges as high as 1,500 or 1,600, and there is, therefore, no fair basis of comparison between what can be done in a Borstal institution with the smaller number and what can be done in an institution such as the Elmira Reformatory. The average combined population of the Borstal institutions during 1929 was 1,336 inmates. This number, it should be noted, is less than the population of one institution such as Elmira.

Individual treatment, opportunity for self-expression, close contact with the wholesome personalities of the institution staff are the very essence of the Borstal system. The atmosphere resembles very much that of a well conducted Boy Scout camp. A very large success is recorded by the Borstal institutions, and the system as seen in operation supports the likelihood of these claims.

6

Systems of Classification

England, Holland, Belgium and Germany are increasingly recognizing the value of classification of prisons and prisoners. The trend in these countries is to separate more and more the hopeful from the less hopeful type of inmates. In England the classification of inmates is determined by a qualified staff identified with the Home Office (See Page 90, Classification of English prisons). In Belgium the classification is somewhat determined through a clinic that has been in operation since 1907, and under the direction of Dr. Louis Vervaeck. The centre for this clinic is located at the Prison de la Forest in Brussels. In Germany various clinics are conducted for the purpose of learning more about the criminal as a personality, and in the operation of the Prussian system of grading clinical service will play an important part. Holland has established an institution (at Leiden) for mentally defective delinquents somewhat paralleling the Napanoch institution in the State of New York. Holland has also established an institution (at Veenhuizen) for habitual criminals, and will house there for life those who give little or no promise of future satisfactory behavior. Commitments to this institution will be directly from the courts or through the

Secretary of Justice, and a release cannot be effected except through the Secretary of Justice. A new prison is being built in Holland for young prisoners, 18 to 23 years of age, and some up to 25, who are considered too old for the reformatory at Amersfort.

The grade system in prison administration in Prussia came into being by order of the Prussian Ministry of Justice, in June, 1929. For a complete statement of this system see pages 101 to 130.

7

Probation and Fines

Particularly in England the use of probation is increasing and also the use of fines. The latter system is so operated that it is possible to pay fines on the instalment plan. At the beginning probation was used mostly in the so-called police courts, but it is now being extended to the higher courts. In America, in some instances, the use of the fine system has proved a failure. However, it is found of increasing value in England. In the United States, in 1923, nearly 50 per cent of the commitments to prison were for non-payment of fines. It can be easily understood how the freer use of the fine system in England does affect the prison population. It should be noted, however, that prostitution, drug addiction, and liquor law violations are not considered crimes in England. It is true in most parts of the United States, and with regard to these three offenses, that the fine system is a failure.

8

Employment of Prisoners

Idleness is not a common sight in English and continental prisons. In England prisoners are employed eight hours a day. It is held that if a trade cannot be taught at least a very definite attempt should be made to develop the habit of industry. It is true of course that the labor assignments are overmanned, but there is a system of distribution which provides some work for every inmate. This does not always parallel the quantity of work that would be required of an individual on the outside, but rather than have prisoners idle, which would be considered detracting from punishment, and at the same time inhuman, the administrators of foreign institutions manage to find some employment for all inmates who are physically able to work. This is in glaring contrast with the large numbers of unemployed that are frequently found in American institutions. In one institution in America not so long ago the writer observed a group of close on to 800 men who were kept in a stockade for hours each day because of unemployment. That scene would not greet the eyes of a visitor to a foreign prison.

9

Education

England perhaps is outstanding in its effort to have education in the broadest sense play an increasingly important part in treating its prison inmates. School classes are conducted at night, and teachers give their services voluntarily, there being about four

hundred qualified and well vouched for persons going into the prisons at least one night a week to render this educational service. There is no worth while parallel to this in America. Education in a broad sense is an earnest effort on the part of the English prison system administrators.

In German prisons, especially among young prisoners, education is a fixed part of the daily program, but is not allowed, as is also true in England, to interfere with the working day. In Germany young prisoners awaiting trial are obliged to attend school at least one hour a day. That is the only time they are allowed to be in association. At other times they are kept in their cells. This observation was made in the *Untersuchungsgefangnis* in Berlin. Compared with this is the almost universal observation in institutions like the New York City Tombs and the county jails of America, where prisoners young and old awaiting trial or other court disposition for days and months spend their time in promiscuous association in idleness and without any wholesome educational effort being directed toward them. These institutions are sometimes referred to as schools of crime. This cannot be said of the institution in Berlin. It is evident that every effort is made to save these young offenders, between the ages of 16 and 21, from mental and moral deterioration, and to point out to them through educational means a more wholesome way of living.

10

Physical Exercise

In the English prisons special effort is made to preserve and develop the health of prisoners through a routine system of daily physical exercise. These exercises are held in the mornings and are intended to give the prisoner a good start for the day. It is to be noted also that in Holland, Belgium and France, where the solitary system of confinement in whole or part is in use, the need for systematic physical exercise is not overlooked. Generally speaking this is not true in American institutions, except reformatories, that is, there is not a systematic form of setting-up exercises for the entire population such as is found in English prisons. The exercise in American prisons is more of a haphazard, go-as-you-please procedure, half an hour, or one hour, or the whole afternoon in the yard. Of course there is baseball for those who have the skill and the liking, but that only affects a small part of the population.

11

Riots in Prisons

There have been in the recent past disturbances in English prisons, but nothing that could be classified as a riot or in any way comparable to the recent outbreaks in this country. However, at the Fresne prison in France, the Louvain prison in Belgium and the prisons at the Hague and Haarlem in Holland, there is very little likelihood of a riot because prisoners are kept in solitary confinement, and the most that the prisoner can do if he is inclined

toward riot is to riot with himself. At the Tenth International Prison Congress held in Prague in August, 1930, frequent reference was made to the riots in some of the American prisons. If these references were intended to emphasize that there were no riots in the European prisons during the same period and that therefore the system of administration is superior, it is quite proper to hold that this is not a fair basis of comparison. Those who frequently called attention to the riots in American prisons came from countries where there exists a system of solitary confinement, a system which requires that prisoners spend anywhere from one year to ten, and often more, in solitary confinement, eating alone, sleeping alone, exercising alone, worshipping alone, a system that would not be tolerated by the American public, and which was condemned and discontinued in America during the early part of the 19th century. The one striking difference between life within an American prison and that within, for example, the prisons at the Hague and Haarlem in Holland, and the big prison at Fresne in France, is that in the latter prisoners are kept in solitary confinement. This system has all the evidences of an extreme effort at classification.

12

Prison Architecture

Europeans do not spend extravagantly in the building of their institutions. There is a general conservatism in keeping with the frugal characteristics of the people. The monumental type of prison building is noticeably absent. However, they do build for permanence and with simplicity of design. The prison at Ghent in Belgium was first occupied in 1773 and is still wholly in use. The institution at Leiden, Holland, for mentally defective delinquents, was erected in 1660. Of course the interior has been somewhat renovated to meet present day needs. It is interesting to note that at this institution, and for the entire population, a cubicle or cage-like system of housing prisoners at night is used. However, it is suspected that this is more a matter of expediency than a desire to depart from the solitary system of housing and the usual type of outside cell arrangement. The outside type of cell, that is the cell built against the side walls of the building, and with a window at the rear opening out to a yard or a space between wings of the prison structure, is universally in use. The fronts of the cells are separated by a wide corridor, which is well lighted through a skylight arrangement in the roof. However, the fronts of these cells are of the solid door type, and the inmate receives no benefit from the light in the central corridor. The solid doors prevent communication between prisoners. Air and light is received mainly through a window at the rear of the cell, and in some instances through a small ventilator on one of the side walls.

There has long been a controversy between prison workers in America and in Europe as to the relative merits of the outside European type of cell and the inside American cell block. The

European cells are usually larger and are generally more deserving of the title "room." However, this should be so, especially in institutions where the solitary system of confinement is employed.

The prison Cellulaire de Forest, and the prison at St. Gilles in the city of Brussels, are good examples of outside cell construction. They are excelled only by the Camp Hill institution,* on the Isle of Wight, in England, and the new prison at Brandenburg, a short distance from Berlin. The Brandenburg institution is Germany's latest product, and is typical of economy and simplicity of design. Its outstanding feature is the diversity of housing facilities. There are individual outside cells, but they are much smaller than the usual European outside cells. This is explained by the fact that the cells will be used only for sleeping. Then there are cells in which it is planned to house five or seven prisoners, with a bed for each. There are locker, lavatory and toilet facilities. The opportunity offered in this institution for classifying various types of inmates, through a separate wing arrangement and different types of cells, is a feature that merits serious study. The Germans have given here a very definite recognition of the need of individualization in dealing with the inmate population. Other facilities worthy of note are the receiving quarters, punishment section, workshops, rooms for visits from relatives, auditorium, a large kitchen and bakery. No provision is made for a common dining hall, it being planned to serve prisoners in their cells. This is the usual practice in England and continental countries.

13

Training Schools for Prison Officers

In countries abroad, as well as in America, the establishment of a system of training prison guards has long been urged. Since 1925 England has maintained a training school for prison officers at the Wakefield prison, and with a very marked degree of success. This is further evidence of a recognition on the part of the British authorities as to the need of an efficient and high type of personnel to deal with the inmates of its institutions. England does not believe that every person is suitable for prison administrative responsibilities. This thought is shown in the selection of the personnel, from the heads of the system to the lowest ranking officer, and is in striking contrast with instances in America where the prison service is manned by those who have no other qualification than that of political affiliation. In America there has been too often evidenced the sentiment that anything is good enough for the prisons, whether it be inadequate appropriations, mediocre personnel or bad administration. The increasing appearance of training schools for prison officers in America is a very hopeful sign.

*The best institution physically in England. Authorized in 1908 to house recidivists for the purpose of preventive detention. The system, planned under the Preventive Detention Act, has not worked out satisfactorily, and the institution is soon to be used for first offenders.

14

Privileges

In the English institutions inmates are not, at the time of their reception, given the maximum of privileges and comfort. As an illustration, a boy upon his admission to a Borstal institution does not receive a regular bed. He sleeps on a plank bed, elevated a few inches from the floor, and covered with blankets. In the same dormitory in which he sleeps he will see other boys who have advanced through the various grades sleeping in regular cot beds. He is made to realize that those things which are representative of privilege and comfort in the institution are to be earned as a result of endeavor on his part. In American institutions, usually, the maximum of whatever physical comforts the institution has to offer is given at the start, and newcomers are deprived only of such privileges as letter writing, visits, etc. In the English institutions of course visits and letter writing privileges are also restricted at the start.

15

After Care

In Holland, England and parts of Germany the government gives financial aid to organizations caring for those released from institutions. It is recognized in these countries that many times the released prisoner finds it difficult to adjust himself because of employment conditions, suspicion on the part of the public or home or neighborhood conditions. Organizations doing this work are given the fullest cooperation by the government and are not required to depend solely upon the sympathy and interest of a relatively small number of the population for financial support. Their service is recognized as necessary and important and in the interest of public protection.

16

Prison Visitors

England has the unique system of allowing selected citizens to make contact with the inmates of the prisons in accordance with certain regulations. All persons so selected have been highly recommended by responsible people in the community and have received the approval of the Home Office. Each visitor is allowed not more than ten prisoners, with whom he may make weekly personal contact. Visits are made in the prisoner's cell, and conversation is permissible on all subjects except politics and religion. Prison officers are not present and the prison visitor goes from cell to cell, unlocking doors himself. The visitors keep the prisoners in touch with the outside world. They endeavor to arouse in them wholesome thoughts and a broader and better view of life. Subsequent to release, so far as is practicable, contact between these men and the visitors continue. This is an exceedingly liberal system, and is a further proof of the erroneous impression that the English prisons are places with an unvarying standard of severity of treatment.

CHAPTER V

English Prison System

* Notes on Imprisonment, Detention in Borstal Institutions, Penal Servitude, Preventive Detention, Etc.

IMPRISONMENT

1. When a person is sentenced to imprisonment, without the option of a fine, for a criminal offence, imprisonment may be with or without hard labour.

Nowadays there is no wide distinction between imprisonment with hard labour and imprisonment without hard labour. Special forms of hard labour, such as the crank and the treadmill have long been abolished, and every convicted prisoner, other than a First Division prisoner is now required to do a full day's work to the extent of his medical fitness, i.e., to work 8 hours a day outside his cell, generally in association, and either to work 2 hours in the evening in his cell or to engage in some educational occupation. This is required of every prisoner, whether sentenced to hard labour or not and, apart from certain technical and legal consequences, the only effect of imposing hard labour when passing a sentence of imprisonment is as stated in paragraph 2 below.

Imprisonment with Hard Labour

2. Men sentenced to hard labour work, for the first 14 days, in their cells instead of in association, unless the Governor earlier places them in association. During those 14 days they are not allowed a mattress unless they are over 60 years of age or unless the Medical Officer so orders. After the first 14 days, the conditions of imprisonment with hard labour are the same as those of imprisonment in the Third Division; see next page.

3. For women the conditions of imprisonment with hard labour are exactly the same as those of imprisonment in the Third Division; see next page.

Classes and Divisions of Prisoners

4. The treatment of prisoners varies according as they are (1) on remand or awaiting trial or the result of appeal to the Court of Criminal Appeal; (2) convicted; (3) "debtors."

Prisoners on remand, or awaiting trial or the result of appeal to the Court of Criminal Appeal, and "debtors" are treated under special rules allowing various ameliorations of treatment and are kept apart from convicted prisoners serving sentences. The Rules applicable to "debtors" apply to persons imprisoned for Contempt of Court or in default of payment of a debt (including a civil debt recoverable summarily), or persons imprisoned in default of payment of arrears under bastardy or maintenance orders.

* These notes are reprinted here with the permission of the Home Office.

5. Convicted prisoners generally were divided into *Three Divisions* by Section 6 of the Prison Act, 1898, which must now be read with Section 16 of the Criminal Justice Administration Act, 1914.

Third Division

6. In this Division are all convicted prisoners who have been sentenced to imprisonment without hard labour^o or committed to prison for non-payment of a fine (Criminal Justice Administration Act, 1914, Section 16 (2) *without* a direction by the Court that they be placed in the First or Second Division, and who have not been directed by the Visiting Committee of the Prison to be treated in the Second Division.

7. The tests that Parliament has directed the Courts to apply in deciding whether to make no direction and so to leave a prisoner to pass into the Third Division are *the nature of the offence and the antecedents of the offender*. The object of the distinction between the Third Division and the Second Division is *not* to set up two different systems of treatment or discipline but to separate persons who are not depraved and not usually of criminal habits from those who are depraved or are usually of criminal habits. The former, therefore, should go into the Second Division, the latter into the Third Division.

8. The conditions as regards discipline, work, diet and medical treatment or observation in the Third Division and the Second Division are identical. *If therefore it appears to a Court that a prisoner whose offence and antecedents indicate imprisonment in the Third Division is in need of special medical care or observation, such care and observation can be secured just as effectively in the Third Division as in the Second and it would be a mistake, by ordering his imprisonment in the Second Division on that ground only, to place him with prisoners of a different class who should not be brought into association with him.*

Second Division

9. As indicated in paragraph 7, this Division is for prisoners whose offences are of such a nature and whose antecedents are of such a character that they ought not to be brought into association in the Third Division with persons who are depraved or are usually of criminal habits.

First Division

10. This Division is for strictly limited classes of prisoners and mainly for those for whom First Division treatment is prescribed by statute, e.g., persons convicted of seditious libel. A prisoner in the First Division is kept apart from prisoners in all other Divisions and Classes; he may use, on payment, a specially furnished room, pay for service, wear his own clothes and have food sent in at his own expense. He is not required to engage in prison industries unless he wishes; if he does, he may earn the usual remission of sentence; see paragraph 21 below.

^o As to prisoners sentenced to hard labour, see paragraphs 2 and 3 on page 84.

11. Apart from the statutory classification of prisoners into Divisions, the Prison Authorities have found it necessary and desirable to make further provision for certain kinds of prisoners by way of instituting special "classes" in which prisoners may be placed after reception but not by way of sentence.

Star Class

12. Third Division prisoners and prisoners sentenced to hard labour, if they have not been previously convicted of serious crime and are not habitually criminal or of corrupt habits are placed in this class.

Young Prisoners' Class

13. All male prisoners under 21 and all female prisoners under 25 are placed in the "Young Prisoners' Class," and if their sentences are of three months or over they are removed to selected prisons known as Young Prisoners' Centres.

14. So far as possible, Young Prisoners are kept apart from others but prison conditions, whether in an ordinary prison or in a Young Prisoners' Centre, do not permit of such absolutely complete separation at all times of Young Prisoners from others that they never come in sight of or into contact with them.

15. At the Young Prisoners' Centres and, so far as possible, in all prisons, special arrangements are made to provide for Young Prisoners such physical, mental and vocational training as is possible under prison conditions and within the limitations that arise from many of them being under short sentences. After-care on discharge is specially attended to at each prison by a Young Prisoners' Committee.

Special Class

16. All male prisoners of the Third Division between 21 and 26 years old who, by reason of character, are ineligible for admission to the Star Class are placed in the Special Class. Further, selected prisoners of the Third Division between 26 and 30 years old who are ineligible for the Star Class may be admitted to the Special Class if they are considered likely to benefit by inclusion and not likely to harm the rest of the class.

17. The object of the Special Class is to secure a measure of separation from older prisoners, combined with employment and forms of training suited to prisoners between 21 and 26 years old, e.g., harder work, and physical exercises in lieu of mere walking exercise.

Stage System

18. This system has been set up to serve as an incentive to industry and good conduct on the part of all prisoners. It gives each well-conducted and industrious prisoner privileges, which increase as time goes on, in the way of visits, letters, association and recreation.

19. Upon conviction and sentence a Third Division Prisoner or a Second Division Prisoner is regarded as in the First Stage.

20. In 28 days he may earn enough marks by good conduct and industry to qualify for the Second Stage; during 28 days in the Second Stage he may qualify for the Third Stage; and during 28 days in the Third Stage he may qualify for the Fourth Stage. In each stage he receives rather more in the way of letters, visits, etc., than in the previous Stage.

Earned Remission, for Good Conduct and Industry

21. A convicted prisoner with a sentence of more than one month may earn, by good conduct and industry, a remission of his sentence not exceeding one-sixth of the whole; this remission is absolute; that is to say, on the day of discharge the sentence is by statute deemed to have expired.

22. The amount of remission earned depends upon the number of marks gained. If a prisoner gets only five marks a day he serves his sentence in full. If he gains six marks every day for five-sixths of his sentence, he is then entitled to release; if he fails to gain six marks on some days the amount of remission earned is proportionately less.

23. The system of earned remission does not apply to the *Young Prisoners' Class* (paragraph 13); in order that advantage may be taken of the whole period of the sentence for training, a prisoner in the Young Prisoners' Class serves his sentence in full, unless some remission—not exceeding one-sixth—is specially recommended by the Young Prisoners' Committee of the prison.

Visiting Committees

24. At each local prison (i.e., a prison for persons sentenced to Imprisonment and not to Penal Servitude) there is a Visiting Committee consisting of Justices appointed annually by the various Quarter Sessions or Benches of Justices concerned with the prisoners in the prison. Their principal functions are to co-operate with the Prison Commissioners in promoting the efficient working of the prison; to enquire into and report on any matters that the Secretary of State or the Commissioners may refer to them; to bring to notice any abuses or any repairs urgently needed which come to their knowledge; to hear and investigate complaints by prisoners; and to adjudicate on the more serious offences against prison discipline, which are beyond the powers of adjudication of the Governor. To assist them in carrying out their duties they have free access to all parts of the prison, to all prisoners and to the books of the prison. Each Committee makes an annual report to the Secretary of State on all matters within its scope.

Discharged Prisoners Aid

25. At every Local Prison there is a Discharged Prisoners' Aid Society, working in close co-operation with the Governor and Chaplain to help discharged prisoners to make a fresh start. Such societies receive small Government grants, but rely mainly upon voluntary subscriptions.

DETENTION IN BORSTAL INSTITUTIONS

26. Where a person is convicted *on indictment* of an offence for which he is liable to be sentenced to penal servitude or imprisonment, and it appears to the court—

(a) that the person is not less than 16 nor more than 21 years of age*, and

(b) that by reason of his criminal habits or tendencies, or association with persons of bad character, it is expedient that he should be subject to detention for such term and under such instruction and discipline as appears most conducive to his reformation and the repression of crime;

it is lawful for the court, in lieu of passing a sentence of penal servitude or imprisonment, to pass a sentence of detention under penal discipline in a Borstal Institution for a term of not less than two years nor more than three years.

27. Where a person is *summarily* convicted of any offence for which the court has power to impose a sentence of imprisonment for one month or upwards without the option of a fine, and it appears to the court as in (a) and (b) in paragraph 26 above and, further, it is proved that the offender has previously been convicted of any offence or, that having been previously discharged on probation, he failed to observe a condition of his recognizance, it is lawful for the court, in lieu of passing sentence, to *commit the offender to prison until the next Assizes or Quarter Sessions*, when the Court after inquiry must pass a sentence of detention in a Borstal Institution, as above, if a case is made out for that course, or deal with the case in any way in which the Court of Summary Jurisdiction could have dealt with it.

Report or Representation from Prison Authorities

28. Before a Court of Assize or Quarter Sessions proceeds to pass a sentence of detention in a Borstal Institution, or a Court of Summary Jurisdiction commits to Assizes or Quarter Sessions with a view to such a sentence, the Court is required to consider any report or representations of the Prison Commissioners as to the suitability or otherwise of the offender for such detention. If necessary, the Court of Summary Jurisdiction is to *adjourn* the case, so as to afford an opportunity for such report or representation to be made. When a Court adjourns a case for this purpose, it should *endorse on the remand commitment a request to the Governor for a report*. The report to the Court comprises information collected from the offender's school, parents, employers and the police as well as from any probation officer under whose supervision he may have been.

Borstal Institutions

29. Males sentenced to Borstal Detention are sent to *Wormwood Scrubs Prison* where there is a *Reception Class*; thence they are

* The Secretary of State has not exercised his power under section 1 (2) of the Act of 1908, of raising the higher limit of age from 21 to 23.

sent to the Borstal Institutions at *Portland, Borstal, Feltham, Lowdham Grange* as may seem best.

Females are all sent to the Borstal Institution at *Aylesbury*.

Actual Period of Detention

30. The Prison Commissioners have power to licence females after three months, or males after six months, if satisfied that there is a reasonable probability that the offender will abstain from crime and lead a useful and industrious life. In the majority of cases such a probability does not develop thus soon; in a few cases it may; in some others it may be possible to license before two years have expired; and in some others it may not be justifiable to license until after more than two years. In the great majority of cases, licence is not granted until after *about two years*, which is the minimum period usually necessary to make the training effective.

Work, Training, Discipline, Etc.

31. The object of Borstal Detention is training rather than punishment. The aim is to give young offenders, whose minds and characters are still plastic, a new outlook and a new bent and, by the personal influence and example of the staff, to create a corporate spirit and a standard of social behavior while in the Institution which may persist after release; to inculcate in the workshops habits of application and industry; to stimulate intelligence and enlarge interests; and in sports and games to develop loyalty and the spirit of fair play. To achieve these ends it is necessary to require much work and give much training; to allow and encourage recreation; and to accord a measure of freedom, reposing trust in the individual, which shall increase as time goes by, so that each day may not only be fully occupied but see some progress made in the general process of building up a stabler character.

32. The active day is of 15 hours; it begins for males with physical training; then eight hours' work is done in a workshop or with an outdoor working party; then come 1½ hours or two hours of school and study. The workshop courses are in woodworking trades, metal trades and minor trades. They are directed to the training of hand and eye in the use of ordinary tools and of the simpler forms of power machinery, so that a two years' course may fit a young man for a place in the outside world as improver. Others, who are not fit for training in skilled work, are trained in unskilled manual work according to their capacity.

Visiting Committees

33. At each Borstal Institution there is a Visiting Committee appointed by the Secretary of State, which discharges functions similar to those of the Visiting Committee of a local prison; see paragraph 24 above.

Supervision while on Borstal Licence

34. Every person upon release is placed under the care of an Association which is responsible to the Prison Commissioners. Young men pass to the care of the Borstal Association (office, 16, Buckingham Street, Strand, W.C.2); young women to the care of the Aylesbury Association (address, Bierton Hill, Aylesbury, Bucks). The Associations find them employment, help them with regard to lodgings and outfits and arrange generally for their supervision, which ordinarily continues for one year after the expiration of the sentence (see section 6 of the Prevention of Crime Act, 1908, as amended by section 11 of the Criminal Justice Administration Act, 1914).

Revocation of Licence

35. If there is failure to comply with the conditions of a licence, the Borstal Association or Aylesbury Association reports to the Prison Commissioners, so that the licence may be revoked. Upon recall, young men are received in a special block at *Wormwood Scrubs*, which has been set apart as a Borstal Institution; young women are received at *Aylesbury*. The usual period of detention ensuing is three months.

Persons upon Borstal Licence or under Supervision who are brought before Courts for Fresh Offences

36. If such a person is charged with a fresh offence, the Court should consider whether, having regard to the facts of the case, it will be sufficient for the offender to be sent back to a Borstal Institution. In that event, the convenient course is to make this view known to the Prison Authorities and to pass a short sentence of imprisonment during which the Prison Commissioners can make the necessary arrangements for return to a Borstal Institution.

PENAL SERVITUDE

37. Persons sentenced to penal servitude are styled "convicts." The Convict Prisons for men are at *Maidstone*, *Parkhurst* and *Dartmoor*; those for women are at *Liverpool* and *Aylesbury*.

Classification of Convicts

38. A convict after sentence is placed by the Prison Commissioners in (1) the "Star" class, or in (2) the "Intermediate" class, or in (3) the "Recidivist" class.

(1) The convicts placed in the *Star Class* are those who are not usually of criminal habits and are not likely otherwise to contaminate other convicts in the class. There is a sub-division of the *Star Class* for convicts in that class who are under 26 years old, which is called the *Young Convict Class*.

(2) The *Intermediate Class* is for convicts who are by character or habits unfit for the *Star Class*, but can be distinguished from the "Recidivists" (see (3) over) by their youth, or by the fact that their previous offences have not been grave or often repeated.

Most convicts under 30 years old who are ineligible for the *Star Class* go into the *Intermediate Class*.

(3) The *Recidivist Class* is for convicts who have had several sentences of penal servitude or of imprisonment for grave offences. Occasionally convicts who have not been convicted previously but who have been shown to have been engaged persistently in crime are placed in this class.

39. Convicts in each class are kept separate, so far as practicable, from convicts in other classes; this is facilitated by the assignment of particular prisons to particular classes. The present assignment is as follows:—

Maidstone takes all male "stars" except those who require special medical attention, and also the "Young Convicts", who occupy a separate block;

Parkhurst takes all male "Intermediates" and also such "Stars" or "Recidivists" as require special medical attention.

Dartmoor takes all male "Recidivists" except those who require special medical attention.

Aylesbury takes the few "Star" women convicts; *Liverpool* takes all other women convicts.

Aged Convicts

40. Male convicts who reach the age of 67 and aged convicts under that age who are recommended for medical reasons may be included, if they are well conducted, in the "Aged Convicts' Party" at *Parkhurst Prison*. Convicts in this party are allowed hospital diet and certain amenities in the way of exercise, clothing, employment and location.

Marks in Convict Prisons

41. Convicts can earn, by good conduct and industry, so many marks a day; marks may be forfeited for misconduct or idleness.

Stages in Male Convict Prisons

42. There are four stages.

(1) Marks entitling to promotion from the *First Stage* to the *Second* can be secured in 18 months.

(2) Convicts in the *Second Stage*, may attend lectures and entertainments and have some amount of evening recreation. Promotion to the *Third Stage* may be earned after 12 months, or by "Stars" after six months.

(3) Convicts in the *Third Stage* wear different dress, have additional cell furniture and are allowed associated evening recreation, when talking is permitted and games, such as chess and draughts, may be played. If a convict is in the *Third Stage* for less than six months, he may by continuous exemplary conduct earn release upon licence three days earlier, or seven days if he is in the *Third Stage* for six months or more.

(4) When a convict has served four years in all he may be considered for admission to the *Fourth or Special Stage*. In the

Special Stage convicts may talk at exercise, may have meals in association where practicable and can earn small gratuities, which they may spend on weekly newspapers, tobacco, etc., or on minor articles of comfort or relaxation. Retention of all the privileges of the Special Stage depends upon general demeanour and good conduct.

Stages in Female Convict Prisons

43. These are so arranged that women convicts can pass from stage to stage more rapidly than men. Their minimum period in the *First Stage* is 12 months instead of 18; in the *Second Stage* 8 months instead of 12. The minimum period before the *Fourth or Special Stage* can be reached is three years instead of four.

Release of Male Convicts on Licence

44. Male convicts under definite sentences who earn full marks can qualify thereby for release on licence upon serving three-quarters of the sentence (less in certain cases three days or seven days—see paragraph 42 (3) above):—

<i>Sentence.</i>	<i>Shortest period before licence in ordinary course.</i>
3 years	2¼ years
4 years	3 years
5 years	3¾ years
6 years	4½ years
and so on up to 20 years	15 years

Release of Female Convicts on Licence

45. Female convicts under definite sentences who earn full marks can qualify for release on licence upon serving two-thirds of the sentence (less in certain cases three days, or seven days):—

<i>Sentence.</i>	<i>Shortest period before licence in ordinary course.</i>
3 years	2 years
4 years	2¾ years
5 years	3½ years
6 years	4 years
and so on up to 20 years	13¾ years

46. Moreover, a female convict serving a sentence of five years or more may, if that course be suitable, be specially licenced to the care of a Home or Refuge *nine months before* she would be due for release upon an ordinary licence; in which event the shortest period before release from prison is nine months less than in the table in paragraph 45.

Convicts not under Definite Sentences

47. The period to be served under an original or commuted sentence of Penal Servitude for Life is indefinite; but the convicts

concerned earn marks and their marks count for promotion from stage to stage. Further, when the Secretary of State eventually decides that release will be justified, his decision may take the form of directing that the convict is to be released after serving as *though* for a sentence of so many years. In that event marks earned or to be earned will advance the date of release in the same way as though the convict were under a definite sentence.

Periodical Reports upon Convicts in Prison

48. At the end of each four-year period of detention reports are made to the Secretary of State upon the physical and mental condition, conduct, industry and general state of each convict.

Boards of Visitors

49. The Secretary of State is required by statute to appoint for every convict prison a Board of Visitors, of whom not less than two must be Justices of the Peace, with such powers and duties as he may prescribe by rules under the Prison Acts. The Boards, which are drawn from residents within reach of the Prison, hold office for three years. Their functions are generally similar to those of Visiting Committees of Local Prisons: see paragraph 24 above.

Aid to Convicts on Release

50. Arrangements regarding *men* convicts who need help on release are made by the Central Association for the Aid of Discharged Prisoners (15, Buckingham Street, Strand, London, W.C.2), a voluntary Society which receives a Government grant and works in close co-operation on the one hand with the Prison Authorities and on the other hand with the various associations and agencies that are willing and able to help. The Central Association has agents throughout the country through whom it can keep in touch with any convict who needs help in finding work and in winning anew a place in Society.

51. Similar arrangements regarding *women* convicts are made by the Aylesbury Association (address, Berton Hill, Aylesbury, Bucks).

Reports by Convicts on Licence

52. Convicts released on licence are required, during the currency of the licence, to report to the police every change of residence, and male convicts have also to report themselves monthly. The police have instructions not to enforce these requirements in such a manner as to prevent licence-holders obtaining honest employment, or as to injure their prospects when they are in employment; and a chief officer of police may allow a licence-holder to make his monthly reports by letter.

53. The Secretary of State may remit the requirement of reporting to the police, either at the time the licence is granted, or later, if he is satisfied that in all the circumstances that course is justified. Thus in 1928 the requirement of reporting was remitted in 34 cases.

*Revocation and Forfeiture of Licences**Revocation at Pleasure*

54. A licence may be revoked at His Majesty's Pleasure, whereupon the licence holder becomes liable to serve so much of the sentence of Penal Servitude as still remains unexpired at the date of revocation.

Failure to Report and Breach of Conditions of Licence

55.—(1) A convict on licence is required by statute to report to the Police unless the requirement is remitted by the Secretary of State (cf. paragraph 52). If he is convicted of a breach of this statutory requirement by a Court of Summary Jurisdiction the Court, in its discretion, may either forfeit his licence or sentence him to imprisonment for a term not exceeding one year (cf. section 5 of the Prevention of Crimes Act, 1871, as amended by section 4 of the Penal Servitude Act, 1891). If the Court forfeits the licence, the convict becomes liable to serve so much of his sentence of Penal Servitude as still remains unexpired at the date of forfeiture. If, on the other hand, the Court imposes a sentence of imprisonment, the Secretary of State will not exercise in any case his power of revoking the licence (cf. paragraph 56).

(2) If a convict on licence breaks one of the conditions set out on his licence, he is liable on summary conviction under section 5 of the Penal Servitude Act, 1864, or section 4 of the Prevention of Crimes Act, 1871, to three months imprisonment.

(3) A convict's licence may be forfeited by a Court of Summary Jurisdiction under section 3 of the Prevention of Crimes Act, 1871, as extended by section 2 (2) of the Penal Servitude Act, 1891, if it appears from facts proved before the Court that there are reasonable grounds for believing that the convict is getting his livelihood by dishonest means and he is convicted of this offence. In this event the convict is liable to serve so much of his sentence of Penal Servitude as still remains unexpired at the date of forfeiture.

Revocation by the Secretary of State on Reconviction by Court of Summary Jurisdiction of Fresh Offence

56. If the Secretary of State exercises this power and revokes the licence, the licence holder becomes liable, after undergoing any other punishment to which he may be sentenced by the Court for a fresh offence, to serve a term of Penal Servitude equal to the term that remained unexpired when the licence was granted. This term is known as the "remanet."

Forfeiture of Licence upon Conviction on Indictment

57. A convict who, while at large on licence, is convicted on indictment, thereby forfeits his licence and, under Section 9 of the Penal Servitude Act, 1864, must, after undergoing any other punishment to which he may be sentenced for the offence in respect of which his licence is forfeited, further undergo a term of Penal Servitude equal to the term of Penal Servitude that remained

unexpired when the licence was granted. This last term is known as the "remanet" (cf. paragraph 56). This being the statutory provision, it follows that any direction by the Court as to the forfeiture of the licence or as to the serving of the remanet is redundant and that if any direction be given that conflicts with the statutory enactment, it will be invalid; e.g., a direction that the remanet is to be served concurrently, or a direction that the remanet is to be served before the new sentence. In the case of Hamilton (1908, 1 Cr.App.R.87) the Chairman of Quarter Sessions had ordered that the remanet of the penal servitude was to run concurrently with the remanet. The Court of Criminal Appeal struck out the direction for concurrency, leaving the Home Secretary to act as he thought fit with regard to the remanet. On the recommendation of the Secretary of State the requirement to serve the remanet was remitted. In the cases of Smith and Wilson (1909 II Cr.App.R. 271) the Chairman of Quarter Sessions had given similar directions. In giving the judgment of the Court of Criminal Appeal the Lord Chief Justice said:—

"Now, in these cases the sentences ought to have been so many days or months without any reference to the remanets at all. What this Court has to do is to pass a proper sentence in each case, as was indicated in Hamilton's case. Smith was sentenced to three years' penal servitude, to commence after a remanet of 318 days. Following the principle we have enunciated, we pass a sentence of three years' penal servitude. Wilson was sentenced to three years' penal servitude, to run concurrently with 245 days' remanet. If we were to strike out the words "to run concurrently" he would get more than he was meant to receive. Therefore, without any reference to the remanet, which by operation of law he may have to serve, we pass a sentence of eighteen months' imprisonment with hard labour."

It may be added that the Court of course, is not prevented from alluding to the remanet, or considering it; but the forfeiture of the licence and the requirement of serving the remanet are statutory consequences of the reconviction on indictment; the inclusion of these matters in the formal sentence of the Court can have no effective force and, on the other hand, may cause misunderstanding especially in the mind of the re-convicted licence holder.

58. It is obviously important that the exact position regarding a licence holder's "remanet" should be before the Court. Prison Officers in attendance at Courts have instructions, therefore, to acquaint the Officer of the Court, for the information of the Judge, Chairman of Quarter Sessions or Recorder, of the amount of the remanet which the licence holder will have to serve if reconvicted on indictment.

The forfeiture cannot be regarded as part of the punishment for the new offence; properly speaking, it is a part of the punishment of the original offence, which part is revived in consequence of the violation of those express conditions on which alone release before expiration of sentence was granted.

Serving of Remainder of Sentence or of Remanet

59. A reconvicted licence holder serving the remainder of a sentence of Penal Servitude or a remanet earns marks in the same manner as other convicts—see paragraph 41 above. If upon a fresh conviction a convict has been sentenced to a new term of Penal Servitude, the fresh term and the remanet are by Section 3 (2) of the Penal Servitude Act, 1891, to be deemed one term of Penal Servitude for all purposes of the Acts relating to licences, so that a male can qualify for release on licence after serving three-quarters of the combined term, and a female after serving two-thirds.

PREVENTIVE DETENTION

60. In the circumstances set out in Part II of the Prevention of Crime Act, 1908, a sentence of Preventive Detention may be passed upon a person found to be a Habitual Criminal, i.e., a person guilty of crime, three times previously convicted of crime, and leading a persistently dishonest or criminal life. Such a sentence takes effect after the antecedent sentence of Penal Servitude has been served whereupon the convict is removed to a prison, or a part of a prison, specially set apart for the purpose.

61. The Preventive Detention Prison for men, which was specially built for the purpose, is at *Camp Hill* in the Isle of Wight. So few women are sentenced to Preventive Detention that the provision of a separate establishment for them is not justified and their sentences are served, under Preventive Detention Rules, in the Women's Convict Prison at *Liverpool*.

62. The Rules applicable to convicts apply to persons undergoing Preventive Detention "subject to such modifications in the direction of a less rigorous treatment as the Secretary of State may prescribe" (Prevention of Crime Act, 1908, Section 13). The modifications so prescribed enable a prisoner by good conduct and industry to earn certain privileges, including association at meals and permission in the evenings to smoke, or to read newspapers or magazines, and so on. Prisoners may also earn, by way of "work-money," small sums which may be spent on the purchase of comforts at a store called "the canteen" and, at *Camp Hill*, prisoners may cultivate allotments and thus earn a little money for the produce grown.

63. *Discharge upon licence* may be authorized by the Secretary of State if he is satisfied that there is a reasonable probability that the prisoner will abstain from crime and lead a useful and industrious life, or that he is no longer capable of engaging in crime, or that for any other reason it is desirable to release him from confinement in prison. These conditions are rarely satisfied until a substantial proportion of the period of Preventive Detention has been served.

64. The exact date of discharge on licence is fixed by the Secretary of State after considering reports made by the Advisory Committee (which consists of the Camp Hill Board of Visitors and

other gentlemen), who visit the prison, interview the prisoners and report periodically as to their conduct and behaviour and as to their prospects and probable conduct on release.

65. *Upon release*, a man licensed is placed under the charge of the Central Association for the Aid of Discharged Convicts (address, 16, Buckingham Street, Strand, W.C. 2), and the licence requires him to live and work at a place approved by the Central Association and to lead a sober and industrious life to the satisfaction of the Association. Any breach of the licence renders him liable to be taken back to the Preventive Detention Prison to complete his term of preventive detention. The time during which he has been absent from prison *under licence* counts as though it had been served.

Women licensed are placed under the charge of the Aylesbury Association (address: Bierton Hill, Aylesbury, Bucks).

MISCELLANEOUS MATTERS

Consecutive Sentences of Imprisonment

66. Where a prisoner is sentenced to two or more consecutive terms of imprisonment, the sentences are served as if they formed one continuous sentence; and the prisoner may earn remission accordingly (see paragraph 21 above).

Consecutive Sentences of Penal Servitude

67. The sentences are served as though they were one continuous term.

Consecutive Sentences (Imprisonment: Penal Servitude)

68. If a term of Penal Servitude is ordered to follow a term of imprisonment, the term of Penal Servitude begins from the day when the sentence of imprisonment expires, or, if remission has been earned, from the day when the sentence of imprisonment is deemed to expire (see paragraphs 21 and 22).

69. Serious difficulty would arise if, on the other hand, a sentence of imprisonment were made consecutive to a sentence of Penal Servitude, for if such a direction were strictly carried out, it would render necessary the prisoner's re-arrest *after he had enjoyed a period of liberty on licence* under his sentence of Penal Servitude. It is, therefore, very undesirable that a sentence of imprisonment should be made consecutive to a sentence of Penal Servitude.

Concurrent Sentences of Imprisonment

70. Where two sentences of imprisonment run concurrently, the prisoner is allowed to earn remission on both at the same time.

71. For example, take the case of a prisoner whose first sentence is 12 months' imprisonment and who, after serving six months, is convicted of another offence and receives a fresh sentence of imprisonment concurrent with the earlier sentence. If the fresh sentence will not extend beyond the period of the first sentence (if for instance in the case stated, the fresh sentence be of three

months), the fresh sentence will have no real effect; but if the fresh sentence be, say, of nine months, so that it will extend beyond the period of the first sentence, it will be the earlier sentence that will cease to have effect, and the prisoner will be able to earn full remission on the new sentence.

Concurrent Sentences of Penal Servitude

72. Marks earned by a convict who has received concurrent sentences count for stage and licence under both sentences. If one sentence is shorter than the other, or is of the same length, but has been passed earlier and so has expired before the other, the convict is licenced on the sentence that has still to expire.

Concurrent Sentences (Penal Servitude: Imprisonment)

73. In effect, the sentence of imprisonment, being shorter than the sentence of Penal Servitude, is disregarded.

Disqualifications on account of Conviction

74. There are many cases in which a conviction involves professional or other disqualification, e.g., any conviction of felony disqualifies permanently from holding a licence under the Intoxicating Liquor Licensing Acts. The disqualifications mentioned below, which depend on the sentence that is passed, are those which Courts are most likely to wish to bear in mind.

75. Under Section 2 of the Forfeiture Act, 1870 (33 & 34 Vict. cap. 23), a conviction of felony followed by a sentence of death, or of penal servitude, or of imprisonment with hard labour, or of imprisonment for a term of more than 12 months, vacates any place, office, or emolument in any University, College or other corporation, which the prisoner may at the time be holding. The prisoner at the same time becomes incapable, until he has served his full sentence, of holding any military or naval office, or any civil office under the Crown, or other public employment, or any ecclesiastical benefice, or of being elected or sitting or voting as a member of either House of Parliament, or of exercising any right of suffrage or other Parliamentary or municipal franchise whatever within England, Wales, or Northern Ireland.

76. A conviction of felony followed by such a sentence as above-mentioned also forfeits any *pension* or *superannuation allowance* payable by the public, or out of any public fund. There is, however, generally a power in the Pension Authority to restore a pension payable to a former member of the Army, Navy or Air Force, and this power is not dependent upon the nature or length of the sentence imposed.

77. Under Section 6 and 8 of the Forfeiture Act, 1870, a conviction of felony followed by a sentence of death or penal servitude also renders the convict incapable of alienating or charging any property, making any contract, or bringing any action for the recovery of any property, debt, or damages, but under Section 9 of the Act, an administrator of his property may be appointed by the Secretary of State to act for the convict.

78. A person convicted of any crime, either summarily or on indictment, and sentenced to imprisonment with hard labour, or to any greater punishment, is disqualified for five years thereafter from holding the office of Guardian, or being Chairman or member of any Parish or District Council, other than a Town Council (56 & 57 Vict. cap. 73, s. 46).

79. A person sentenced on conviction to imprisonment without the option of a fine or to any greater punishment, is disqualified from receiving or continuing to receive an *Old Age Pension* or a *Widows', Orphans' or Contributory Old Age Pension* while in prison, but no longer. Further, if the convicted person is 60 years of age or upwards and is liable to have a detention order made against him under the Inebriates Act, 1898, the Court may order him to be disqualified for a period not exceeding ten years from receiving a pension under the Old Age Pension Act, 1908.

Insanity; Mental Deficiency; Weak-mindedness

80. Persons under sentence of imprisonment or penal servitude who are found while in prison to be *insane* are certified insane at the prison and removed as *Criminal Lunatics* to Broadmoor Criminal Lunatic Asylum or, in some instances, to a County or Borough Mental Hospital. If they recover during the currency of their sentences, they must be returned to prison. As they cease to be Criminal Lunatics at the end of their sentences, and, if insane then, can be detained only under the Lunacy Laws, it is usual, if a prisoner is not found to be insane until just before a sentence of imprisonment will expire, for him to be certified, instead, under *section seven* of the Criminal Lunatics Act, 1884, and removed to a Mental Hospital as a *pauper lunatic*.

81. Persons under sentence of imprisonment or penal servitude who are found while in prison to be *mentally defective* within the meaning of the Mental Deficiency Acts, are certified as Mental Defectives at the prison, and are removed to appropriate Institutions as soon as the Board of Control can find accommodation for them.

82. Persons under sentence of imprisonment or penal servitude who are found while in prison to be by reason of mental weakness unsuitable for ordinary prison discipline and training, although they are *not* certifiably insane or mentally defective, are treated under a suitable *régime* under special medical supervision and, if they have still some time to serve, are removed to selected prisons. The special centre for convicts is at Parkhurst.

Education

83. An important factor in the training of prisoners is an Adult Education Scheme which has now reached considerable proportions and involves an extensive organisation. At each prison, with few exceptions, there is an Educational Adviser—generally a prominent local educationist—who advises the Governor on all matters concerning the education of the prisoners, the provision of teachers

and the organisation of classes. The actual teaching work is carried out mainly by voluntary teachers, but some paid teachers are employed for evening teaching at the Young Prisoners' Centres. The whole system is carried out in consultation with the board of Education which arranges for inspection. Some elementary teaching of young prisoners and illiterates is also carried out by scholastic officers of the prison service.

84. All education is carried out in the evening, after the completion of the day's industrial work. In local prisons all prisoners who are mentally capable of profiting by education and whose sentences are long enough to make attempts at education useful, are eligible for classes. During 1925-6, 9,000 individual prisoners attended evening classes.

85. Actual teaching work is supplemented by the provision, at every prison, of a library that is educational as well as recreational and by a programme of lectures and concerts for which all well-behaved prisoners are eligible.

Emigration of Criminals not to be facilitated

86. Cases used formerly to occur, from time to time, in which a Court either discharged a convicted person without passing sentence, or passed a reduced sentence, on the condition or understanding that the offender would go overseas or abroad or would be induced by his friends to do so. It is, perhaps, hardly necessary to say that there are strong reasons why Courts should not nowadays take any such course. It would give any State, Dominion, or Colony in question ground for very strong remonstrance and furthermore the laws of various foreign countries, for instance the United States, prohibit the admission of aliens guilty of felonies or other crimes or misdemeanours involving moral turpitude. The Prison Authorities have strict instructions not to do anything to facilitate the departure of ex-prisoners or convicts to places where they have no claim to admittance, and it is very desirable that the objections to any such course should be borne in mind by the Courts.

Steps for acquainting Prisoners with Regulations, &c.

87. Upon reception into prison every prisoner is seen by the Deputy-Governor or Governor, who checks with him that any money or property he had in his possession is correctly recorded, that his religion has been rightly stated and that the general rules and regulations have been read over and explained to him. In each prisoner's cell cards are displayed explaining fully and clearly all he need know about bail, Poor Prisoners' Defence, appeals, rules and regulations, stages, remission or licence, dietary and aid on discharge. These cards also tell him that he can have an interview with the Governor, the Medical Officer or the Chaplain; or with a Member of the Visiting Committee or Board of Visitors; or with a Commissioner or Inspector of Prisons. Prisoners can also petition the Secretary of State. All such petitions are carefully considered and any necessary action is taken.

CHAPTER VI

The Grade System in Prison Administration in Prussia*

I

Introduction

(1) According to the experience gathered from the workings of the General Order of January 2, 1925 (VIII 1016), the Grade System with its gradual granting of privileges has contributed towards facilitating the maintenance of good order and discipline, even under difficult conditions, towards stimulating the prisoners to good behavior, and towards decreasing the use of disciplinary measures for breaches of prison regulations. I appreciate that the administration and officials of our institutions have answered the increased requirements which the application of the Grade System has made of them, and that by their intelligent readiness to grasp the fundamental goal of that Order they have helped to set conditions for the good results which have been obtained.

(2) The experience already gained from the application of the Grade System shows us also in which direction to develop the Grade System in order to reach educational effectiveness.

Aim and Nature of the Grade System

The aim of the Grade System in prison administration is to educate the prisoner towards living a law-abiding and well-ordered life. In order to influence the prisoner's attitude towards the State and towards Society in a way which will guide him beyond the day of his release it is necessary to direct his willpower not only towards the attainment of the material advantages which beckon to him in the higher grades, but to win him even for the work itself which the prison administration aims to perform with him for his rehabilitation. Therefore it is necessary that he be gradually brought to bear increasing responsibilities, that he be given rights as the outcome of such responsibilities, and that he be called upon finally to participate in the actual planning of his life inside the institution and outside it after his release.

Distribution to Different Institutions According to Groups and Grades

(4) To achieve this aim, and to work and deal with the prisoner in this manner, there must be:

1. A separation of those prisoners to whom it is intended to apply the Grade System from those to whom it is not applicable;

* This system is at present binding only on Prussia and does not cover the other German States. The plans for a new universal German penal law book and a law for penal development to cover the whole country were not settled before the dissolution of the Reichstag in July, 1930. It is therefore necessary to place these plans before the new Reichstag.

2. a separation, under the Grade System, of prisoners with severe previous convictions from prisoners with no or minor previous convictions;

3. finally a separation, under the Grade System, of those prisoners who are responsive to the educational influence from those who remain inaccessible.

(5) The following groups of prisoners shall be excluded from the Grade System:

1. Prisoners suffering from severe mental deviation;
2. professional and habitual criminals who appear not accessible to an educational influence under normal conditions;
3. prisoners with short sentences.

(6) From the Map added to this Order and the explanations thereto (see page 127) it will be found into which institution a prisoner must be sent at the beginning of his prison term.

II

Study of the Prisoner's Personality in the Admission Prison

(1) In the Admission Institution (Grade 1, probationary stage) the prison treatment has to begin with a systematic investigation of the prisoner's personality. In penal institutions where a special division for criminological and biological research has been established, it is the task of this research division to carry through the investigation. Where a research division does not exist but a full-time Medical Officer is working in the institution, it is he in the first line who must be made to participate in the collecting and interpreting of the material for the study of the prisoner's personality. — It is not sufficient to make the prisoner fill out a questionnaire, and to glance over his criminal records; but wherever it can be made possible, all records that may contribute to the right and true estimate of his personality must be consulted: as, for instance, records of his behavior under previous sentences, Probation Officers' reports to the court, reports of Prisoners' Aid Agencies, of Departments and District Bureaus of Public Welfare, and of Juvenile Courts and Juvenile Agencies, and like social institutions.

(2) Where this material seems to require completion this must be gained by further enquiry from competent agencies (Welfare Departments, Juvenile Departments, Health Departments and Boards of Health, institutions for mental patients and for addicts, State Schools for Juveniles, Probation Offices, Discharged Prisoners' Aid Agencies, Diocesan Bureaus, etc.)

(3) The result of the study of the prisoner's personality must present, as far as possible, a complete picture of his mental and spiritual make-up, of his personal development and his family conditions (home surroundings); it must determine if, and in what degree, the prisoner will presumably be responsive to influences brought to bear upon him, and, particularly, in what direction his talents, abilities, and inclinations tend; what moral and social qualities are present in him and can be developed; what

means appear applicable for this end; also, it must be examined how far the prisoner may be advanced perhaps by vocational advice and vocational training. — Mere intellectual achievements or highly qualified work results must not in themselves be valued as evidence of high moral quality of a person.

Solitary, Single Night Cell, and Group Confinement

(4) It will be recommendable, as a rule, to keep a prisoner in isolation or single night cell until his personality may be summed up with a certain degree of reliability, and an individual treatment plan may be construed, except if the condition of his health makes it necessary to place him in group confinement. — The question as to whether it is better than he shall continue to remain in solitary or single confinement, or that he be placed in group confinement, must be decided individually in each case.

III

Treatment in the Admission Prison. General Rules

(1) Prisoners, in the beginning of their stay in the Admission Institution, do not receive any privileges which alleviate confinement. Measures relating to their physical well-being and to their mental and moral advancement do not count as alleviations of confinement. The participation in divine worship and school, attendance at purely instructional lectures, and participation in physical exercises must, therefore, not be made conditional upon the duration of the prisoner's stay in the institution, nor upon his attitude with respect to his prison confinement. Games, however, which experience has shown to be considered as special alleviation of confinement by the prisoners, must be excluded from this Grade.

(2) The perusal of the prison magazine shall be permitted to all prisoners from the beginning of their confinement. Also the permission to write and draw for the purpose of improving himself (professional drawing, study of some language, bookkeeping, shorthand, etc.), and the use of his own textbooks may be granted to every prisoner for whom a special gain may be expected from such occupation. — For this purpose of self instruction, the prisoner may also spend part of his spending-money up to one-half of the amount which he has earned during the current month. The proper use of the writing and drawing materials must be supervised.

(3) Prisoners guilty of breaches of prison regulations may, for a definite time, be denied participation in community exercises if this appears to be necessary in order to uphold or restore order.

(4) All prisoners are permitted to join in festive exercises at Christmas, Easter, and Whitsuntide. At Christmas every prisoner may receive a parcel of presents.

Alleviations of Confinement in Grade 1

(5) Prisoners who have already served six months of their sentence, who have worked diligently, and who have behaved well

generally, may be considered for the granting of the following privileges, notwithstanding the fact that they will still remain in the Admission Institution (Grade 1):

1. They may spend one-half of the spending-money which they have earned during the current month for the purchase of edibles or similar luxuries, including cigars, cigarettes, and tobacco. Convicts (see explanation page: 127) also may be allowed to smoke.

2. They may use the remainder of their spending-money for the purchase of books, drawing materials, etc. and they may subscribe to a daily newspaper.

3. They may be allowed to write and to draw for other purposes than purely instructional ones.

4. They may have light in their rooms (place of confinement) until 9.30 p. m.

5. They may set out, or hang up, in their rooms, pictures of relatives, motto-cards, or a calendar.

6. They may be ascribed to work in cell-house, yard, or kitchen.

7. They may attend lectures and exercises, even of an entertaining character.

It is not recommended to have such exercises more than once every two months.

8. They may join the choir or orchestra of the institution.

9. They may keep things which are not absolutely necessary, according to the Director's decision.

10. They may spend one-half of the monthly amount of any extraordinary reward earned through special diligence besides their ordinary gratification, for the purposes specified before in paragraphs 1 and 2.

Badges

(6) Prisoners who have been granted privileges of the foregoing kind wear upon the left forearm a white stripe two centimeters wide by ten centimeters long.

Accumulation of Privileges

(7) The above alleviations of confinement must not all be granted at once after the elapse of the minimum period of six months. They should be used to spur the prisoners to industry and good behavior, and by fostering the expectation to earn more privileges or to lose them by a decline in industry and good behavior, the prisoners shall be stimulated to continue industrious and well-behaved. This does not prohibit, however, that in the discretion of the Director one or more of the above privileges may be given regularly with the granting of the good conduct stripe.

Recreation

(8) The recreation hour, when not devoted to gymnastics or physical exercises, shall be passed in walking alone as laid down in section 111 Nr. 3 of the Prison Administration Rules (D. V. O.: Dienstund Vollzugsordnung).

(9) A second hour of recreation is not permissible as a privilege in the Admission Institution but may be recommended by the Medical Officer.

IV

Promotion to Institution for the Advanced (Grade 2)

(1) A prisoner who has worked industriously and behaved himself well may be promoted to the Institution for the Advanced (Grade 2) if the Staff Meeting is satisfied that he is responsive to educational influence, i. e., that he realizes the antisocial character of punishable behavior and that he is willing to live in accordance with that knowledge.

(2) Promotion must not be denied to a prisoner because he has been guilty of an occasional offense against prison regulations. Particularly such acts as he may have committed in moments of excitement, and which are not due to deliberate evil intent, must not without further reasons stand in the way of promotion.

(3) Promotion is not sooner admissible than after the prisoner has been six months in the Admission Prison. The time spent under arrest while awaiting trial, even if it has been allowed to apply upon his sentence, shall not be reckoned as part of the above period of six months.—Promotion must only be made after the prisoner has served at least one-quarter of his sentence.

(4) A prisoner who has already served two or more sentences of over six months each shall remain at least one year in the Admission Institution. In every case the prisoner's past life must be carefully considered when it is being examined whether he has become fit for promotion to the Institution for the Advanced. This applies especially to prisoners who have reached the second or third Grade during a previous period of imprisonment.

(5) The President of the Prison Service may make an exception in the minimum period upon such application of the Prison Director who examines thoroughly all the reasons for an exception.

(6) Ordinarily promotion should not be considered if the remainder of the prisoner's sentence is less than three months.

V

Control of Dates

(1) Upon entry into the Admission Institution, the date which is the earliest for possible promotion to Grade 2 must be established for each prisoner. This date must be marked upon a calendar which shall be devised like the calendar for releases without the column for the hour of the release.—After the minimum period for his stay in the Admission Institution has elapsed, it has to be determined officially if the prisoner fulfills the requirements for promotion to the Institution for the Advanced.

Examination of Requirements for Promotion

(2) This decision requires careful preparation. Regard must be had to about the same circumstances and about the same course

must be followed as are outlined in my Order on Final Diagnoses of Prisoners for the Personal Record (Order of 26, Nov. 1928, VIII, 1072). Thus the preparation of this decision must start from the consideration of the prisoner's personality, and the motives for his acts, as expressed in the court's reasons for the punishment inflicted; then attention must be specially focussed on the prisoner's behavior in the institution, on the assets and weaknesses of his character, on his responsiveness towards the institution's work of resocialisation with him, and the reasons which may possibly have caused failure of this work.

(3) In order to arrive at a correct estimate of the prisoner's personality, all officials who come into close contact with him, must participate in an adequate way in the observation, and their opinions must be heard. Also, this examining for evidence of fitness for promotion must not begin only when the question of promotion arises because of the earliest date thereof having been reached, but at that time it should be completed in all essential points.—It is recommended to place the prisoners in charge of particular officials by way of smaller groups or divisions. It will be the special task of such official to readjust the prisoners individually and socially while in confinement, and this includes the duty of preparing the report for promotion of the prisoner to Grade 2, as based upon this official's own observation and those of the other officials mentioned before.

Decision of the Staff Meeting. Participation of the President of the Prison Service

(4) Promotions are decided upon by the Staff Meeting, after the report of an official charged with that duty has been given. For the promotion of a mentally deficient prisoner the consent of the Medical Officer is required. Should it be the opinion of the Director that a decision, granting or denying promotion, is adverse to the prisoner's social education, he may, while postponing promotion, ask the decision of the President of the Prison Service to whom he submits his differing opinion.

(5) Should the Staff Meeting decide to deny the promotion of a prisoner for the present, it must, at the same time, fix a date for reconsideration. As a rule, this should not take place within three months. The new date must also be marked upon the calendar.

Informing of the Prisoner

(6) The prisoner is to be informed of his promotion. It is recommended that this be done in a manner which will impress not only the promoted prisoner but also the other prisoners of the institution with the significance of promotion: as, for instance, in the course of a community gathering, or as a matter of the classroom to which the promoted one belongs, or in some other fit way.—The fact that a prisoner's promotion is denied, and the reasons therefor, must be made known to him personally by the Director or his representative.

VI

Uniting of Prisoners in the Institution for the Advanced.

Prisoners coming from Admission Institutions A and B (see Map page: 130) need no longer be kept separated in the Institution for the Advanced. Convict Prisons which are designated as Institutions for Advanced Convicts may also receive convicts under age who have been promoted to Grade 2.

VII

Treatment in the Institution for the Advanced. General Rules.

(1) Treatment in the Institution for the Advanced must be directed by the policy of meeting the prisoner with confidence in his good will and right inner attitude, and of letting him feel this confidence. The officials must, therefore, refrain from supervising the prisoner step by step, and from regulating every single daily act of his, whether it be during working hours or during leisure time, by definite order and prohibition. The prisoner must be given a greater amount of freedom that he may have opportunities for justifying the confidence shown to him, and for controlling his personal inclinations by self discipline.

Self-Government.

(2) The granting of self-government within certain limits serves especially towards this end. The prisoners are allowed to elect Monitors for the groups that have been formed. The Director may refuse that status to a prisoner so elected. He may also at any time remove a Monitor who proves unfit for his duties, and may have a new election.

(3) The Monitors are responsible for order and cleanliness during the hours of recreation and leisure, at the general meals, and in the common rooms, and also to see to the careful handling of furniture and other things entrusted to the prisoners in these rooms. They must endeavor to foster a friendly spirit among the prisoners, and to compose any little quarrel that may arise.—Self government aims at having the prisoners grow, under the leadership of the Monitors, to an inner attitude towards the prison community, and this includes also the administration of the institution, which finds its realization in coöperation of the prisoners among themselves and with the officials of the institution for the welfare of all the inmates.—Even where this aim cannot be achieved in its full and pure extent, it must indicate nevertheless the direction in which the prisoners exercise their self-government. The prison officials must endeavor to promote this spirit among the inmates of the institution as far as possible.

(4) The Monitors are entitled to bring wishes of the prisoners before the Director, or, if he is present in the institution, also before the President of the Prison Service or his representative.

VIII

Treatment in the Institution for the Advanced. Miscellaneous Provisions. General Alleviations of Confinement

(1) Prisoners in an Institution for the Advanced (Grade 2) are permitted:

1. To apply their spending-money and any special reward for industry which they may have earned to the purchase of food and luxuries, particularly, for instance, chewing or smoking tobacco, or of such things in the nature of personal necessities as are not disturbing to the order of the house. Also prisoners in convict prisons may smoke tobacco;

2. To receive on Birthdays or Namedays, besides that at Christmas time, a parcel of food stuffs, sweets and the like weighing not more than ten pounds. Or they may purchase at these occasions such articles up to the value of ten gold marks* out of their saving-fund.

Saving-funds of less than 50.— gold marks may not be used for this purpose. The purchase and receipt of liquor, or food or other luxuries containing alcohol, is prohibited;

3. To go in pairs when walking about out of doors during recreation hour, and to converse. At least three days a week they shall be granted a second hour of recreation which shall be devoted preferably to sports and physical exercises. It may also be used for games. On Sundays and holidays the prisoners must have at least one hour and a half of outdoor exercise when weather permits. Prisoners may be excused from taking this whole time outdoors on Sundays, if they so desire;

4. To receive a visit every two weeks and to write and receive one letter every week. The duration of the visit must not be curtailed to less than thirty minutes against the prisoner's wish.

5. To subscribe to a daily newspaper, or to purchase books and other printed matter out of their spending-money;

6. To make free use of the prison library;

7. To take part in all lectures and other occasions which may be provided for the prisoners. At least once a month a concert, a lecture, or some similar instructive or amusing entertainment should be arranged;

8. To own musical instruments and to play them in their rooms or in a special practicing room provided for this purpose, on condition that they do not use instruments which disturb the quiet of the institution unduly, or annoy the other prisoners;

9. To decorate their rooms with pictures of their own choice, to raise plants, or to keep a bird in a cage.

Pictures of an offensive content are not permitted. It must be remembered to advise the prisoners in the selection of good pictures, in order to develop their good taste.

* One goldmark = 25 cts. approximately.

10. To have light in their rooms until 10.00 p. m.

11. To employ their leisure in writing, drawing, or any other private occupation not disturbing to the prison order, and to buy the materials therefor out of their spending-money or special rewards.

(2) Every prisoner who has been received in the Institution for the Advanced has automatically with this promotion the right to the above alleviations of confinement.

Special Privileges

(3) In addition to the foregoing privileges the Director, upon request from the prisoner and as a mark of special recognition of his endeavor, may fulfill particular wishes pertaining to: the choice of where the prisoners shall work, the desire to work in company with certain prisoners, the mutual visiting of prisoners in their rooms during leisure time, especially on Sundays and holidays, for the purpose of conversation or some common occupation (such as the study of a language, or shorthand practice), and the like. The Director may permit also that prisoners practice music together, organise a prison orchestra and contribute a program at festive occasions (divine worship, Christmas, Constitution Day, etc), and that also, at other times, prisoners may serve the prisoners' fellowship by contributing to the instruction and entertainment programs. — The Director may also allow that several prisoners together use their spending-money or special rewards for the common purchase of such articles as learning materials, tools for handicraft work, sporting goods, etc.

Clothing

(4) In Institutions for the Advanced the prisoner receives a suit of clothes which differs from those issued to prisoners of the Admission Institution, and which is more likened to simple civilian clothing. A special Order will govern this. As long as the Institutions for the Advanced have not been furnished with the new clothing, the prisoners shall be allowed, as far as possible, to wear their own clothing when going out or to interviews, when receiving visits, and on Sundays and holidays.

Places of Confinement. Common Rooms

(5) All places of confinement must be made more comfortable than in the Admission Institution by colorful wall-painting and better furniture.

(6) Every Institution for the Advanced must have common rooms in which the prisoners may come together freely on Sundays, holidays, and on three days a week after work is over. Here they may read, write, play games, or occupy themselves in any manner not disturbing to the order of the house. Cards and games of chance are prohibited.

(7) There should be several, but at least two common rooms in order that those who want to write in quiet, may have an oppor-

tunity to do so. There is no objection to the furnishing of these rooms with radio sets. — A few daily papers, available to all and purchased by the Administration should be provided for the common rooms.

(8) When space permits, meals should also be taken in common in these rooms.

Visits to the Prisoners in the Common Rooms. Participation at Meals

(9) It is desirable that an official of the higher grades of the prison administration who shall be changed weekly, share the prisoners' meals in each public room. Meal time will offer the officials plenty of opportunity to get to know the prisoners individually in an unconstrained and inconspicuous way, and it will also make it easier for the prisoners to develop special confidence in their higher officials. These officials shall not have to pay anything for these meals.

(10) It is equally desirable that several times a week a higher official visit the prisoners after work time in the common rooms. This visit must not have the character of an inspection, but it should also serve towards a closer acquaintance with the prisoners, and should give them an opportunity of conversing freely with the officials.

Furlough

(11) The Prison Director may, with the consent of the Staff Meeting, grant a furlough to a prisoner who has been in the Institution for the Advanced at least six months, and who has served half of his sentence. This furlough is meant for visiting his family or for some other purpose, and it shall be granted if it is in the interest of the prisoner's social education, or is helpful towards adjusting him to the community after his release. Furlough may only be granted if there appears to be no danger of its misuse; especially if because of the prisoner's personality it need not be expected that he will transgress the conditions of his furlough, or fail to return to the institution. Also, it must not be granted unless the prisoner has some place to go to approved by the authorities. — To meet the expenses of the journey the prisoner may draw upon his spending-money, and upon his saving-fund if this exceeds 50.—goldmarks. He may also use his own money, or have money sent to him. A furlough for which a prisoner needs expense money, may only be granted after the necessary sum has been secured before the beginning of the furlough.

(12) A furlough shall not exceed one week per year. The first year to be counted for this purpose begins with the day when the prisoner has been six months in the Institution for the Advanced, and has served half of his sentence. A furlough that has not been availed of during the first year may not be carried over for the next year. Furlough may be taken for the entire period of one week or in installments. The wishes of the prisoner in this matter shall be followed as far as possible.

(13) Upon the condition that the prisoner acquires no record of delinquencies which would necessitate his demotion to the Admission Prison (cf. Chapter XV) during his further prison term, this furlough will be made to apply upon his sentence by act of pardon. A special Order will be issued pertaining to procedure in these cases.

(14) The Director of the Institution must cancel the furlough and recall the prisoner for immediate return to the institution, if he hears that the prisoner has misused his freedom.

(15) As soon as a prisoner complies with the conditions under which a furlough may be granted to him, the Director must make that fact known to the State Attorney*. The State Attorney may report objections to the granting of a furlough to the Prison Director. If the State Attorney and the Prison Director cannot agree, the decision will be given by the Attorney General and the President of the Prison Service, sitting together, and if these two cannot agree, the Minister of Justice will decide.

Work

(16) The Institution for the Advanced shall be provided chiefly with work of an instructional and mentally stimulating character.

Fifteen Hours Day Service

(17) The period of night-rest between lock-up and opening-up shall not exceed nine hours, which gives a day service of at least fifteen hours duration. With the exception of the midday recess, the work hours must not be interrupted nor used for school, singing classes, interviews, outdoor exercise or walking, or other occupations connected with prison life. After the work day is over, the prisoners should be stimulated to a right use of their leisure time and they must be assisted therein. In particular these hours must be used for individual social and rehabilitation work with the prisoners. — It is desirable, also, that during leisure hours gifted prisoners be encouraged to share their knowledge and abilities with other prisoners who show an interest therein.

Prison Guards

(18) The number of prison guards in these institutions must not be increased, not only because of additional expense but chiefly because the prisoners' feeling of responsibility for each other within the scope of self-government granted to them shall be strengthened, and because the confidence with which they are met, shall be shown to them visibly. — If in every case the conditions are carefully examined which a prisoner must fulfill in order to be promoted to an Institution for the Advanced, there will not ensue any bad results for the general discipline of the house because of such decrease in supervision. In case there should be any prisoner

* This being the authority for execution of sentences of the courts.

in the Institution who does not live up to these expectations, his demotion (cf. Chapter XV) offers the means for preventing disturbances.

IX

Promotion to Discharge Institution (Grade III). Dates. Procedure

(1) A prisoner who has also done his duty and behaved himself well in the Institution for the Advanced may be promoted to the Discharge Institution (Grade 3), if the results of the training and educational influence of Grade 2 are apparent in his whole conduct. This will be achieved if he has demonstrated that he is capable of controlling his will for the sake of his social adjustment. Also, he must justify the confidence that he will make right use of the liberties which in Grade 3 will be granted to him, that he will continue to work toward his own social adjustment, and that upon his release he will give evidence of good social behavior.

(2) Promotion to the Discharge Institution can only be made, at the earliest, after the prisoner has been six months in the Institution for the Advanced. Moreover, it must not be pronounced before the prisoner has served half of that part of his sentence which remained for him to serve when he entered the Institution for the Advanced. The President of the Prison Service may grant exceptions from these minimum periods upon the special representations of the Prison Director. As a rule promotion should not be considered if the remainder of the prisoner's sentence is less than three months.

(3) For the rest, the orders dealt with in Chapter V shall be applied, viz. those on Control of Dates, on Examination of the Prisoner's Personality, on Preparation of a Report on the Prisoner, on the Staff Meeting and their Decision, and on the Informing of the Prisoner of their Decision.

Uniting of Convicts and Prisoners in Grade III

(4) Special Discharge Institutions for Convicts will not be established. If a convict is promoted to Grade 3 he is to be placed into that institution which is designated to receive third Grade prisoners.

X

Treatment in Discharge Institution. General Rules

In Discharge Institutions the principle of selftraining of the prisoners in an institution community which is based on mutual responsibility, shall be deepened and strengthened in its practical application even more than in the previous institutions. The prisoner shall not undergo the test for his capacity of making a right use of his freedom only after his release when he is already at liberty, but this test shall be made even during the final stage of his sentence. The management of the Discharge Institution must be directed by this aim in all details. Thus the Discharge Institu-

tion, too, in order to carry out this aim, must be separated entirely from institutions for the lower Grades, in location as well as in administration.

XI

Self-government

(1) In the Discharge Institution (Grade 3) the principle of self-government must be still further elaborated in the direction indicated in Chapter VII. Direct supervision of the prisoners through guards shall be abolished entirely if possible. Supervision shall consist chiefly of assisting and advising the Monitors in the guidance of their groups, and of caring for a smooth running of the work and administrative apparatus of the institution.

(2) The Monitors shall take an advisory part in the drawing up of local regulations. They have the right to suggest to the Director changes of such regulations.

(3) When it appears that a prisoner cannot adapt himself to the spirit of the Institution, the Director shall first ask the group to which the prisoner belongs, and the Monitor of that group, to influence the prisoner towards his adjustment to the institution community.

Disciplinary Measures

(4) Disciplinary measures shall only be imposed by the Staff Meeting. The Director has, however, the duty to take immediately such measures with a prisoner guilty of a serious offense which are necessary in order to prevent the prisoner from continuing to give offense, and, especially, from exercising a bad influence upon the others.

Staff Meetings

(5) The Monitors shall participate in the deliberations of the Staff Meeting, and where there are more than three Monitors they shall elect a committee of three out of their midst. Their participation is limited to matters which affect individual prisoners directly, as, for instance, disciplinary measures, demotion, and the like, or which concern directly the interests of the inmate community. — Before the Staff Meeting passes any decisions the Monitors must first be given an opportunity of stating their opinion and the grounds therefor.

Supervision at Work

(6) Supervision at work should be limited to the guidance needed for technical and vocational reasons. If there are prisoners with special vocational training or skill these shall be appointed as foremen. The upholding of industry and good team-work is the Monitors' duty in the first line.

Work with Outside Employers

(7) When a prisoner has been in the Discharge Institution six months, the Director may allow him to work with a free employer outside the institution, provided that the employer is prepared to

pay for the prisoner to the institution the regular scale of wages prevailing for that class of work, or, if there is no such regular scale, the local wages. — The prisoner's earnings shall be divided so that he receives one quarter for spending-money, one quarter for his saving-fund, and the rest shall go to the institution as compensation for outlay in shelter and food for the prisoner.

(8) If a prisoner desires to take up such work, the Director shall assist him in securing an adequate position.

(9) On Sundays and holidays, and during their leisure hours, the prisoners who have permission to work with a free employer must also remain in the institution.

(10) The institution shall, if possible, provide the prisoner with food for the working hours. The prisoner may also receive part of his spending-money in cash for the purpose of satisfying a few personal needs during working hours, such as car fare, a drink and so forth. But care must be taken that the prisoner does not employ this freedom for an abusive taking of intoxicating liquors. If he shows any signs of such abuse he must be warned seriously, and, if this seems advisable according to the circumstances, he must be recalled from free labor.

(11) The Director of the Institution shall make the contract with the employer. It must be expressly stated therein that the prisoner may be released from the agreement at any time without previous notice, if the institution rules make it necessary; especially if he should misuse his freedom, as, for instance, by failing to come to work or by not observing the hours of labor.

(12) The regulations laid down in sections 7 to 11 foregoing, do not apply to convicts.

Private Occupation

(13) The power to allow a prisoner some private occupation, as laid down in Section 107, paragraph 2, of the Prison Administration Rules (D. V. O.) shall be deferred to the Director as far as inmates of a Discharge Institution are concerned.

XII

Treatment in the Discharge Institution. Miscellaneous Provisions.

General Alleviations of Confinement

(1) Prisoners in the Discharge Institution are automatically entitled to all the privileges which also the prisoners in Grade 2 enjoy automatically, according to Chapter VIII. In addition, because of their membership in Grade 3, they are automatically permitted:

1. To draw upon their savings for the purchase of articles of personal use (see Chapter VIII, section 1, paragraph 1), if the savings exceed the sum of three goldmarks for every completed month of their sentence, and have a minimum total of 50.—goldmarks. Food and luxuries may not be purchased out of savings;

2. To spend their own money up to five goldmarks per month for the purchase of food and luxuries, or of articles specified in paragraph 1 above, and to have money sent in to them for these purposes;

3. To walk about freely during the recreation hour. Care must be taken, however, that the object of the recreation hour, viz. physical exercise in the open air for health purposes, is not lost sight of. When weather permits at least one hour a day, and on Sundays and holidays one and one-half hours, must be given for outdoor exercise. Upon request a prisoner may be excused from spending more than thirty minutes at the recreation hour;

4. To visit each other in their rooms in leisure hours during day-time;

5. To receive a visit every week. This visit is only to be supervised by an official if there is reasonable danger of the prisoner misusing the privilege;

6. To write and receive an unlimited number of letters, and to use their own writing paper for their correspondence. Outgoing and incoming letters shall only be read by an official, when there appear special reasons therefor;

7. To obtain entertaining and instructive books through the Institution from public or lending libraries;

8. To make daily free use in their leisure hours of the common rooms in accordance with the regulations laid down in Chapter VIII;

9. To wear their own clothing and to use their own bed linen and blankets; feather beds are only permitted when recommended by the Medical Officer.

Special Privileges

(2) In addition to the foregoing privileges the Director, upon request from the prisoner and as a mark of special recognition for his endeavor, may fulfill particular wishes, not as general permission but at definite occasions, in the same way as is allowed in Institutions for the Advanced.

Clothing

(3) The clothing must resemble civilian dress still more than in Institutions for the Advanced. The provisions on Clothing of Chapter VIII apply correspondingly. Prisoners who are permitted to work with free employers shall wear clothing which does not distinguish them from free workmen.

Places of Confinement (Rooms). Common Rooms. Wall.

Confinement

(4) All rooms shall be made even more comfortable in decoration and furniture than in the Institution for the Advanced. The windows may be provided with curtains. Within his budget for the general furnishing of the rooms the Director is not bound by

the provisions laid down in the Ordinance of May 1924 on Plants, Remodeling and Interior Furnishings of Prisons. — For the common meals knives, forks, and table furnishings like those found in simple homes must be supplied as far as possible.

(5) The windows of the rooms shall be widened wherever possible and as far as funds are available to the size of normal windows for living rooms. Windows do not have to be barred. Where they are bars they may gradually be taken away as far as building funds are available.

(6) A wall is not necessary around Discharge Institutions.

(7) The rooms need not be locked in the day-time. The entrance to the prison itself, however, must be guarded by a gatekeeper also at day-time.

8. The watch-hole in the cell doors provided for in Section C, I, 1, paragraph 1 of the Ordinance of May 1924 (see above), shall be abolished in Discharge Institutions. Where it still exists it must be closed by a cover fixed on the inside of the celldoor.

(9) Public rooms must be provided for at least in the same measure as Chapter VIII establishes them for Institutions for the Advanced.

Furlough

(10) The Director may, with the approval of the Staff Meeting, grant a prisoner a furlough under the same conditions as those laid down in Chapter VIII for prisoners in Institutions for the Advanced. It is recommended, however, that furlough be only granted after the Director has had sufficient opportunity for studying the prisoner. The minimum period of six months established in Chapter VIII Section 11 need not be complied with.

(11) The furlough must not exceed two weeks per year. The year counts from the day on which a prisoner in an Institution for the Advanced becomes eligible for furlough. If he has already had furlough in an advanced Institution during the current year then, after his transfer to a Discharge Institution, he is, during that same year, only entitled to a furlough equal to the difference between that which he has already enjoyed and the maximum period of two weeks. Any unused furlough may not be carried forward as a credit to the next year. The rules concerning the dividing of a furlough, its relation to the sentence, and its interruption, as set forth in Chapter VIII, apply also to the prisoners in the Discharge Institution.

Walks in the Neighborhood of the Institution

(12) The Director may allow such prisoners who are eligible for furlough to take walks in the neighborhood of the institution on Sundays and holidays when accompanied by an official. This official shall wear civilian clothes. When the Institution is not yet supplied with the special clothing devised for its inmates, the prisoners who participate in the walks shall wear their own civilian clothes. They may be allowed to do this even if there is enough supply of Institution clothing.

(13) These walks, as a rule, shall be planned so that the chief meals can be taken in the institution. It is prohibited to go to restaurants or eating-places during these walks.

(14) In order that the official has the possibility of keeping in direct touch with all the prisoners, one official shall not have charge of more than fifteen prisoners during these walks.

Fifteen Hours Day Service

(15) All necessary rules with regard to day service (15 hours) and to the use of the prisoners' leisure time as covered in Chapter VIII are to be applied in a way corresponding to the general principles of management in the Discharge Institution.

XIII

Pardons

(1) The Director shall recommend the prisoner's application for pardon for reasons which lie in the effect of the punishment upon the convicted only, when the prisoner has reached that grade which will be the highest attainable for him on account of the length of his sentence. In any case, all utterances in questions of pardon, which the Commissioner of Pardons or any other authority concerned with these matters, has called for, must contain all the reasons on which they are founded. They must draw up a picture of the prisoner's personality as it presents itself to the Director from his observations during the prisoner's imprisonment; they must point to all the assets and weaknesses of his character, and must describe what has been done in order to work with the prisoner towards the aims set forth in the previous chapters; they must state what inward and outward causes, according to the knowledge of the prisoner's personality and his circumstances as gained in the institution, have brought forth his social maladjustment and his unlawful behavior; and how far he has been responsive to the influences brought to bear upon him in the institution, or, if such be the case, for what reasons he has barred himself to these influences. The Grade to which the prisoner belongs must be indicated, and, finally, an opinion must be given as to what the officials of the institution consider to be the chances of the prisoner's adjusting to the free community, and what measures of welfare and rehabilitation have been taken or should be planned.

(2) Especially a pardon which will give a conditional release with a definite probationary period, should be applied for in fit cases only, if the prisoner submits to parole supervision, and capable persons or organisations which are prepared to carry out the supervision and guidance of the parolee, may be recommended. Further, it will often be good to suggest to the authority who has asked for an opinion, to set as date for the discharge from the institution some future day and not the day upon which the notification of the pardon has been received, in order that the Institution may have opportunity of arranging successfully for a suitable work position for the prisoner.

(3) In matters of pardon, the Institution must not consider its cooperation limited to the giving of a report on the prisoner, but must especially conceive of them as problems of welfare and rehabilitation work, and must carry them out as such.

(4) Whenever a prisoner is promoted to a Discharge Institution the Director of the institution from which he has been promoted shall submit officially to the Commissioner of Pardons a short report stating the grounds upon which promotion has been made.

(5) Whenever the Director of a Discharge Institution, with the concurrence of the Staff Meeting, believes the object of the punishment for the prisoner to have been attained, he must consider whether it is advisable to apply officially for a pardon for the prisoner, and if he decides in favor of this he must make the necessary recommendation to the Commissioner of Pardons.

XIV

Stay of Second Grade Prisoners in an Admission Institution

(1) When a prisoner in an Admission Institution is so far advanced that the question arises of his transfer to an Institution for the Advanced, and he desires for important reasons (such as the handling of business affairs which necessitate the giving of verbal instructions, or influence upon members of his family, and the like) to stay where he is, permission for such stay may be given by a decision of the Staff Meeting. The whole facts must be written into the records; especially the prisoner's wish for this arrangement must be incorporated in his personal record in the form of a report.

(2) Such a prisoner may be allowed to enjoy as alleviations of confinement some of the rights established in Chapter VIII, Section 1, paragraphs 1, 2, 4, 5, 6, 8, 9, 10 and 11 for second Grade prisoners. Self-government, however, the permission to visit in each other's rooms, the privilege of purchasing certain things in common, and the wearing of special clothing, are not granted to these prisoners. — If there are several prisoners of this grade in the Institution they may be allowed to gather in a designated room on Sunday afternoons to converse or to occupy themselves.

Stay of Third Grade Prisoners in an Institution for the Advanced

(3) If a prisoner in an Advanced Institution becomes eligible for transfer to a Discharge Institution but nevertheless desires, for sufficiently important reasons (see above) to remain where he is, permission to do so may also be given by a decision of the Staff Meeting. The whole facts must be incorporated in the records.

(4) Such a prisoner is entitled to the rights specified in Chapter XII, Section 1, paragraphs 1, 5, 6 and 9. He may be granted a furlough up to two weeks per year.

(5) In all other matters, these prisoners, defined in section 3 above, must content themselves with the rights given to Grade 2, especially they cannot enjoy any increased self-government, nor work with free employers, nor walks outside the Institution.

Stay of Third Grade Prisoners in the Admission Institution

(6) When a prisoner in an Admission Institution who, although eligible for promotion to an Institution for the Advanced, has elected to remain where he is, becomes still further eligible for promotion to a Discharge Institution, he may be granted a furlough of two weeks per year under the provisions of Chapter VIII.

Administrative Interests

(7) Under no conditions whatever pressure shall be brought to bear upon a prisoner to make him renounce transfer to an Institution for the Advanced or to a Discharge Institution for the sake of administrative interests.

Later Transfer to an Institution for the Advanced

(8) A prisoner who remained in the Admission Institution by his own desire, if he changes his desire later, can only be transferred to an Institution for the Advanced. A transfer direct from the Admission Institution to a Discharge Institution is not permissible. The necessary period that must elapse before he can be promoted from an Institution for the Advanced to a Discharge Institution begins to run only from the day of his entry to the Advanced Institution.

XV

Demotions

(1) If a prisoner in an Institution for the Advanced or in a Discharge Institution fails to live up to the expectations which had caused his promotion, he must be demoted. A prisoner of the advanced grade must be sent back to an Admission Institution, and one from the Discharge Institution may be sent back to an Institution for the Advanced or to an Admission Institution.

(2) Demotion must not be pronounced because of occasional breaches of the regulations. It is the severest penalty that can be inflicted upon a prisoner. The prison officials must be conscious of their special responsibility for the prisoner's development when pronouncing demotion.

(3) In the case of a serious offense such as an escape, an attempted escape, a new punishable act which is threatened with imprisonment, a grave misuse of privileges granted in the institution, or the like, the prisoner's demotion is indicated without question. — If demotion seems necessary only, because the prisoner in his total behavior fails to adjust himself to the standards of the grade, he shall first be warned. The warning shall be entered as a report upon the prisoner's record. At the same time, the Monitor of his group shall be asked to take special care of this prisoner, and to try, through his own personal influence and through that of the group, to bring about a change of his behavior. A demotion upon these grounds may only be pronounced after the prisoner has been twice warned in vain.

(4) Demotion must be pronounced through a decision of the Staff Meeting. This decision must set forth the grounds upon which it

is based, must be signed by the Director, and must be incorporated in the prisoner's record. The prisoner shall receive a copy of the decision. A second copy shall be sent to the President of the Prison Service, and if the prisoner is an inmate of a Discharge Institution, another copy shall be sent to the Commissioner of Pardons.

(5) With the help of these copies of the decisions the President of the Prison Service shall keep himself informed on the manner in which the individual institutions of his jurisdiction carry out this measure, and where the practice of demoting, or, especially, the reasons furnished, give grounds for doubt, he must seek to amend the situation.

(6) When the Director is of the opinion that the demotion of a prisoner will endanger his future social readjustment, and, particularly, if it appears undeserved, he may postpone the carrying out of the decision, submit his differing opinion and ask the decision of the President of the Prison Service. — He may take the same course in the event of the Staff Meeting deciding to refrain from demotion in spite of the prisoner's offenses, and the Director being of the opinion that this measure involves serious handicaps against the prisoner's re-socialisation.

(7) A prisoner who escapes, or who attempts to escape, must always be demoted to the Admission Institution. The same rule applies to a prisoner who fails to return from his furlough. In a case where the overstay of a furlough does not exceed twenty-four hours, and if there are reasons which make overstay excusable, demotion need not take place. — Furthermore, the penalty of demotion may be waived, if in the opinion of the Medical Officer the escape, the attempted escape, or the overstay of a furlough are due to causes which would not have induced the prisoner to his behavior under normal circumstances, and which, therefore, would explain his behavior only if an abnormal mental condition is supposed to exist.

(8) When a prisoner escapes from a Discharge Institution the Director must give a full report to the President of the Prison Service. He must describe all the circumstances, and, especially, state the probable reasons for the escape. All the documents and reports relating to the prisoner's promotion to the Discharge Institution must be added. Also, a short notice must be given of the rearrest of the prisoner, and the original report must be supplemented if any new facts are gained from the examination of the prisoner after his rearrest, or later, from other sources.

(9) A prisoner who has committed so serious an offense that his penalty must be solitary confinement, may no longer remain in a Discharge Institution; if the penalty exceeds three days of solitary confinement the prisoner must be demoted to an Admission Institution.

(10) When a prisoner in an Institution for the Advanced or in a Discharge Institution is sentenced to a further severe prison term, he must be demoted to a lower grade only, if it appears that

probably he would not have been promoted to his present grade had the facts been known on which this new conviction is based. The increase in the length of his sentence due to this new conviction does not necessarily make his demotion imperative, not even, when the duration of his stay in the different grades because of his new conviction does not correspond in its relation to the total sentence to the rules laid down in Chapters IV and IX. If he remains in his grade he may not be granted a furlough, nor may he participate in the walks in the neighborhood, nor take up work with a free employer, before he has served at least one-half of his whole prison term.

(11) A demoted prisoner, with respect to the requirements for his repeated promotion, has the same position as a prisoner who has been newly received in that grade. If the date of his repeated promotion depends on the length of the sentence, the remainder of the sentence which the prisoner had to serve from the day of his demotion shall be counted as length of sentence.

XVI

Consecutive Sentences

(1) Several consecutive sentences shall be taken as one continuous sentence when the dates and periods for the individual application of the grade system are established. This holds good also, when a prisoner must serve a term of imprisonment in a prison in addition to a term in a convict prison, or vice versa.

Interruption of Prison Terms

(2) A prisoner whose prison term has been interrupted, when again taking up his imprisonment, shall return to an Institution of the same grade to which he belonged last, unless some guilt of his made the interruption necessary, and, thereby, he appears unworthy of the grade. In such a case the Director of the institution in which the prisoner was last confined shall immediately communicate this fact to the State Attorney. The State Attorney must consult the Department of Prison Service of that district, in which the prisoner is living at the time of the continuation of his sentence, in order to decide in which institution the prisoner must be placed.

Revocation of Parole

(3) When a prisoner has been released on parole from an Institution for the Advanced or from a Discharge Institution and the parole has been revoked, he must serve the remainder of his sentence in an Admission Institution. In the matter of his subsequent promotions Chapter XV, Section 11 shall be applied.

XVII

Transfers. Transportations

(1) The transfer of a prisoner, except in the case of his promotion to a higher grade, is to be avoided. But if this is not possible

for cogent reasons, then the prisoner shall only be transferred to an institution of the same grade. If this too is not possible in the district to which the prisoner must be transferred, for lack of such an institution there, or when he is sent to an institution of lower grade in his own interest or according to his own wishes, then he can only enjoy the privileges laid down in Chapter XIV for prisoners who have not been promoted to a higher grade because of their own desire.

(2) The institution to which the prisoner is transferred shall receive a report of the prisoner's characteristics; this report shall also contain particular information about the way in which the prisoner has so far responded to educational influences, if and for what date his promotion to a higher grade had been planned, or, which are the objections that stand still in the way of promotion.

(3) Prisoners of the higher grades, when in transit, have no claim, in the transit institution, to any privileged treatment they may have enjoyed in the Institution for the Advanced or in the Discharge Institution. Such consideration, however, of their status in the Grade System as is possible within the organisation of the transit prison, shall be accorded to them. This applies especially to the use of their spending-money, the receipt of visits, correspondence, the receipt of parcels on birthday or Name-day, subscription to a daily paper, the use of the institution library, the possession of pictures of relatives, private occupation during leisure hours, the lighting of the cells at night, and the use of their own clothes and linen.

(4) The transportation papers shall contain all those data which the institution where transportation ends needs to know in order to deal with the prisoner accordingly; especially the grade to which the prisoner belongs must be told, and how large an amount of spending-money and of savings he owns.

XVIII

Life Convicts

(1) Convicts serving a life sentence shall not be transferred from an Admission Institution to an Institution for the Advanced before five years since their admission have passed. But the President of the Prison Service may set an earlier date for the transfer upon representation of the Director, when based upon sufficient grounds.

(2) A transfer of such prisoners to a Discharge Institution under the instructions contained in Chapter IX is only admissible when their sentence has been commuted by act of pardon to one specifying a definite number of years of imprisonment. No departure from this rule is permitted.

XIX

The Sick

(1) How far a sick prisoner may make use of the privileges which he is entitled to enjoy because of his grade, or because of special permission, depends upon the decision of the Medical Officer.

(2) When calculating the minimum period of six months or one year necessary for promotion (Chapter IV and IX) the time spent by the prisoner in the hospital division shall, as a rule, not be included.

XX

Mentally Deficient Prisoners

(1) Whenever the Medical Officer diagnoses a prisoner as mentally deficient, every measure that is of importance in relation to the prisoner's status and advancement within the prison system, needs the Medical Officer's consent; this applies especially to the infliction of disciplinary measures upon the prisoner, to his promotion to a higher grade, or to the refusal of such promotion, and also to his demotion.

(2) Mentally deficient prisoners shall be put chiefly under the control of the Medical Officer for their treatment and observation since they need a special approach to their personality because of the defects of their mental condition. If there result from the remaining of a mentally deficient prisoner in the institution any difficulties which affect the general discipline considerably, the advisability must be examined of sending this prisoner to a special Institution for Prisoners of Highly Abnormal Mental Condition.

XXI

The Aged and Infirm

Prisoners who, by reason of age or infirmity, are weak or otherwise in need of special help may be granted, without regard to the grade to which they belong, within the scope of Section 53 of the Prison Administration Rules (D.V.O.) such alleviations of confinement which appear adequate to their condition. The Director and the Medical Officer shall decide together about the particulars.

XXII

The Doer of Unlawful Acts from Conviction

A special Order will govern the management of such persons who have committed unlawful acts for the sake of a conviction („Überzeugungstäter“).

XXIII

Work Outside the Institution

Groups for work outside the institution must be so composed that only prisoners of the same grade are employed together in any particular kind of work. In case of prisoners of grade one only those of the same category (Admission Institution A and Admission Institution B; see pages 127 & 128) may work together.

XXIV

Juvenile Prisons

(1) In Juvenile Prisons the prison treatment must also be organised in grades. These prisoners, however, need not be separ-

ated in different institutions.—Because of the greater psychological plianthood of persons of younger age, their treatment shall be governed by a specially attentive application of the experiences of psychiatry and pedagogy. Care must be taken that any signs of deficiency in their mental make-up are not overlooked and whenever they are apparent their suitable scientific and therapeutic treatment must be attempted under the responsible guidance of the Medical Officer.—As far as the circumstances of the institution permit, and the officials who work there can do so, it must be ascertained how far the prisoners are fitted for particular professions, and they shall be given vocational guidance and professional training, or, at least, some preparation for a professional training.

(2) For the rest, it will be left with the Director of the Juvenile Prison, in what way he will shape the grade system in his institution basing it on the experiences that have been made with it so far, provided his measures find the approval of the locally competent Department of Prison Service.

XXV

Short Term Prisoners

(1) In the special Institutions for Short Term Prisoners the prisoners shall be kept as much as space permits in solitary or single night cell confinement, except when group confinement is necessary for health reasons. Also, contact should, if possible, always be avoided between prisoners of less than 25 years of age and older prisoners, and between those with no or little previous convictions and those with severe previous convictions; especially they must not be brought together in dormitories or common work rooms.

(2) A prisoner who behaves well and works diligently may, with the beginning of the fourth month of his imprisonment, be granted some of the alleviations of confinement enumerated in Chapter III, Section 5, paragraphs 1 to 6, 9 and 10. When deciding upon a privilege to bestow regard must be had to the personality of the particular prisoner, for the rest, however, some reserve in the granting of privileges shall be exercised. No prisoner shall receive all possible privileges.

Institutions for Special Problem Cases

(3) Prisoners in an Institution for Special Problem Cases (prisoners who are most difficult to train and to resocialise, see pages 127 & 128), when they have served one-quarter of their sentence, or, at least, six months, and when they have worked diligently and behaved well, may be granted the same privileges that are provided for prisoners of the Admission Institute with the beginning of the seventh month of imprisonment there (Chapter III, Section 5).—In addition, they may have permission to subscribe to a daily newspaper, and they may enjoy a second hour of recreation which shall be devoted preferably to sports and physical exercises.—

When granting them privileges the principles shall be followed which are laid down in Chapter III, Section 7, for the granting of alleviations of confinement in Admission Institutions.

(4) Treatment in these Institutions for Problem Cases shall have the aim of accustoming the prisoners to work and discipline, and, wherever there appears to be a desire towards social adjustment, of trying to encourage that desire. As far as possible these prisoners must be spared the impression that they have been "given up." They must know that they can be assigned to the regular prison system as soon as their behavior justifies the hope that they will be advanced through the regular prison treatment.

(5) If a prisoner from an Institution for Problem Cases is taken over into the regular prison system, he must always be assigned to an Admission Institution for Prisoners with Previous Convictions (Admission Institution B), and preferably to that institution which would have received him in case he had been placed under regular prison treatment from the beginning. He may there enjoy any privileges that he had earned already in the Institution for Problem Cases.—In so far as the date of his promotion to an Institution for the Advanced depends upon the duration of his sentence, the remainder of his sentence on the day of his admission to the Admission Institution shall be taken as his sentence.

Prisoners of Highly Abnormal Mental Condition

(6) The privileges which may be granted in Institutions for Prisoners of Highly Abnormal Mental Condition are covered by Section 53 of the Prison Administration Rules (D.V.O.). For the rest, the Director decides upon their treatment. Whenever psychotherapeutic treatment promises some success, it shall be tried.

(7) When a prisoner from this special institution is taken over into the regular prison system (to Admission Institution A or B), he may be allowed within the scope of privileges permitted in Admission Institutions to keep those privileges which he had been granted in the special institution. Section 5 above deals with the requirements necessary for his further promotion in the Grade System.

(8) In prisons which serve mainly as jails where persons are kept while awaiting trial, sentences against prisoners which should be placed in an Admission Institution, should as a rule not be carried out. The privileges which may be granted to convicted prisoners who are placed in jails, are covered by Section 2 above.—Prisoners who have to serve a sentence of more than nine months, and who for administrative reasons, f. i. the technical service in the institution, are held back with their own consent in the jail, are entitled to alleviations of confinement of the same kind, and under the same conditions, as those extended to prisoners who remained in an Admission Institution by their own request, as provided in Chapter XIV.

XXVI

The Prison Officials

(1) The work of education and resocialisation which shall be carried out with the help of the Grade System, depends more than upon the system and the measures which it provides, upon the application by the prison officials. This work presupposes that the officials are inspired by true love of humanity.

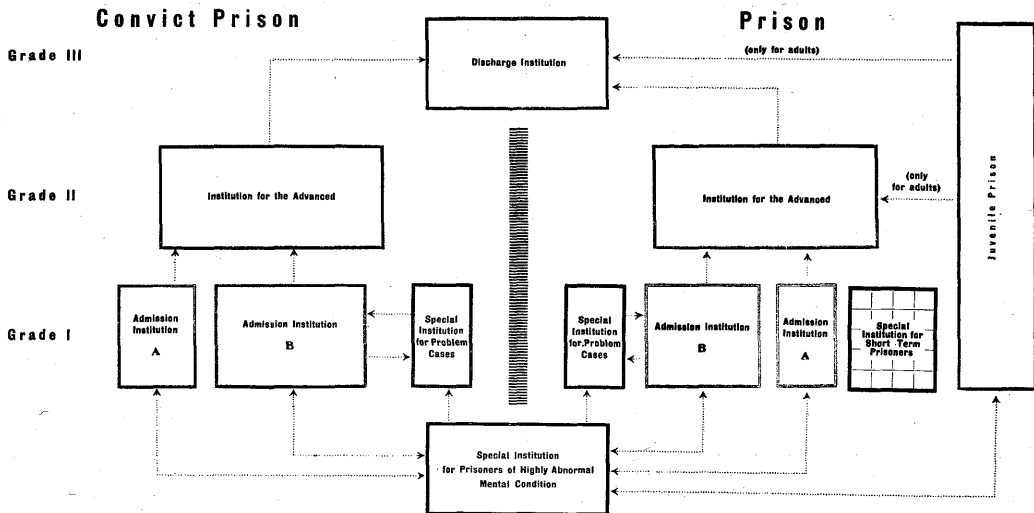
(2) It demands that the work be done in a truly pedagogical spirit. Such spirit can only emerge where the officials give their attention to the fundamentals of pedagogy, and endeavor to supplement their knowledge therein, and to avail themselves of the experiences made in educational practice.

(3) To help the prisoners is the greater human duty that goes beyond all obligations and orders that the officials have to fulfill as such. I have full confidence in the officials of the prison administration, that the consciousness of the responsibility which lies upon them, will also give them the will and the ability which this responsibility demands.

Berlin, June 7, 1929.

(Signed) DR. SCHMIDT

The Minister of Justice



Admission Institution A receives:

- in the Convict Prison: Minors, and adults with slight previous convictions,
- in the Prison: Adults with no or slight previous convictions (minimum term 9 months).

Admission Institution B receives:

- in the Convict Prison: Adults with severe previous convictions,
- in the Prison: the same (minimum term 9 months).

The Special Institution for Short Term Prisoners receives:

- a) Minors who have to serve less than one month,
- b) adults who have to serve not more than 9 months.

Institutions with Grade System are red.

Special Institutions are black.

The Juvenile Prison is green.

The arrows between the institutions indicate the possibility of transfers between the institutions.

Explanations to the Map

I

CONVICTS

1. ADMISSION INSTITUTIONS

(1) Admission Institution A receives such prisoners who are under age at the time their present prison term begins, and all older prisoners who, during the last five years previous to the beginning of their present term, have not served a penalty of more than six months imprisonment.

(2) Admission Institution B receives all adult prisoners who have served a penalty of more than six months imprisonment during the last five years previous to the beginning of their present term.

(3) A prison term of more than six months which has been served in substitution for a fine which could not be paid, does not count as previous conviction in the above sense, and does not hinder admission to an institution of type A.—Besides, the President of the Prison Service has power to order, by way of exception, a prisoner with a previous conviction of more than six months, to be received in an Admission Institution A, or to be transferred thereto later, if this involves an advantage for the prisoner from an educational point of view, and if there is no danger of his exercising a bad influence upon the prisoners of Institution A.

2. SPECIAL INSTITUTIONS

(a) *Special Institution for Problem Cases*

(1) Prisoners who, with the beginning of their present term, have reached 25 years of age, who have been previously convicted at least three times to serve terms of one year or more in a prison or convict prison, and whose life history, especially their conduct in connection with the unlawful act, with previous unlawful acts, and during previous terms of imprisonment, indicates that they lack the ability or the will to social adjustment, shall be placed in a separate Institution for Problem Cases.—The foregoing conditions may only be taken as fulfilled if, on the grounds of a study of the prisoner's personality as based on facts (cf. Chapter II of the Order, page 102), and especially of a thoroughly well grounded medical report, it cannot be expected that the aim of the prison system: the readjustment of the prisoner to Society can be attained for these prisoners within the Grade System.

(b) *Special Institution for Prisoners of Highly Abnormal Mental Condition*

(2) Prisoners who, according to a thoroughly grounded medical report, suffer from an abnormal mental condition of so high a degree that they cannot live up to the demands of the normal

prison treatment, and who would affect considerably the work of education and re-socialisation to be carried out through the normal prison treatment, must also be placed in a special institution. — The Director of this institution shall be a trained physician who has specialised in psychiatry.

(3) A prisoner can be placed in one of the above special institutions already at the beginning of his term if, at that time already, there exists sufficient data for a diagnosis of his personality. This will be the case, for instance, if the prisoner has previously served a term in such a special institution, if, during the time of his awaiting trial, he has been examined for his mental condition, or if he has been studied already in a division for criminological and biological research (see page 102). If it is found only during the course of his prison term that the prisoner fulfills the conditions for placement in a special institution, he must be transferred thereto.

(4) A prisoner who has been placed in a special institution may be transferred to an Admission Institution A or B, if a thorough and careful medical observation in the special institution yields that the conditions for his placement there have been taken to be fulfilled by mistake, or if they do not exist any more.

II

PRISONERS IN PRISONS AND JAILS

1. JUVENILE PRISONS

(1) All prisoners who, at the beginning of their terms, are still under age, and who have to serve one month or more, and also all unmarried prisoners between 21 and 25 years of age who have to serve at least nine months and who have not yet served a prison term of more than six months, must be placed separately from all other prisoners. The institutions where they shall be received are called "Juvenile Prisons."

(2) Prisoners of age may be transferred from a Juvenile Prison to such an institution for adults as corresponds to the duration of their sentence and to their previous convictions, if they have matured so far mentally and physically that they do not need any more the special treatment indicated for young persons, or if a bad influence from them upon the education of the younger prisoners must be feared. The decision on their transfer to an institution for adults shall be passed by the Director of the Juvenile Prison and the Medical Officer together.

2. ADMISSION INSTITUTIONS

(1) Admission Institution A receives those prisoners who have to serve a term of more than nine months, and who, during the last five years before the beginning of the present term, have not served a penalty of more than six months. In so far as they must be received in Juvenile Prisons according to Section II, 1 this must

be done. — Prisoners with shorter prison terms who, during the last five years, have not served a penalty of more than six months imprisonment, may be received in Admission Institution A, if this appears advisable in view of local circumstances.

(2) Admission Institution B receives all other adult prisoners who have to serve more than nine months. The rules laid down in I, 1, paragraph 1 are valid accordingly.

3. SPECIAL INSTITUTIONS

(a) Special Institution for Short Term Prisoners

(1) Prisoners who do not have to serve more than nine months, and who have not been received in Admission Institution A according to local circumstances, must be placed in special institutions for Short Term Prisoners. The prisons connected with court houses (jails), in the first line, shall be used for this purpose.

(b) Special Institution for Problem Cases

(2) Prisoners who fulfill the conditions enumerated in I, 2 a, and who have to serve more than three months, must be placed in prisons for Problem Cases.

(c) Special Institution for Prisoners of Highly Abnormal Mental Condition

(3) Prisoners who fulfill the conditions enumerated in I, 2 b, and who have to serve more than three months, must be placed in the special institution mentioned in I, 2 b. They need not be separated from the convicts placed there. Prisoners of this kind who have not completed 21 years of age, must be left in the Juvenile Prison.

(4) As for the time of admission to a special institution for Problem Cases or for Mentally Abnormal, and also as for transfer to the regular prison treatment in Grade Institutions, the provisions I, 2, paragraphs 3 and 4 apply correspondingly.

III

COMMON RULES FOR CONVICTS AND PRISONERS

(I and II)

Special Divisions

(1) Prisoners of different groups who, according to above regulations should be placed in separate institutions, may, as an exception, be placed in separate divisions of the same institution, if the special conditions of the institution guarantee the complete separation of the different divisions at work, during leisure time, and especially, recreation and school.

Consecutive Sentences

(2) In so far as, according to the regulations in I and II above, the length of the sentence is relevant, several sentences which have to be served in uninterrupted sequence are taken as one sentence, even if they constitute different types of punishment.

Receiving Divisions

(3) Prisoners whose placement in a certain institution depends upon conditions which cannot be ascertained immediately, as age, number and length of previous convictions can be, shall be placed in one or several specially designated Receiving Divisions which will be established in one or several institutions which are fitted for this purpose because of location and type.—The prisoners stay in the Receiving Division until the conditions for their definite placement have been made clear.—Prisoners in Receiving Divisions must be kept in solitary or single night cell confinement, unless health reasons make group confinement necessary. The Director of the Institution which contains the Receiving Division must determine the institution where the prisoner shall be placed definitely, and also the date of his transfer thereto.

Transfer

(4) If, beside in the cases of paragraph 3 above, a prisoner shall be transferred to another institution for reasons which lie in his personality, the consent of the Director of the second institution must be asked for before the transfer. He must be informed of the reasons for the transfer, and the prisoner's personal record must be sent to him. If the directors involved cannot agree, the question will be decided by the Department of Prison Service in that district to which the institution belongs to which transfer is planned.

CONSTITUTION AND BY-LAWS

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:

Section 1. All such persons as are now and hereafter shall become members of 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 alteration 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. For 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 person 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 of such persons, as, in their opinion, may be likely to promote the objects of the society, and shall have power to fill any vacancy which may occur in any of the offices of the association, intermediate the annual meetings.

ARTICLE 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. The annual meeting shall be held on the third Thursday of January in each year at half-past three in the afternoon at the office of the association.

The number of members composing the executive committee exclusive of the officers of the association, is hereby fixed at twenty-four, and divided into four groups or classes as follows: At the election held at the annual meeting of the year 1916, there shall be elected, to serve from that date, six members for the term of one year, six for the term of two years, six for the term of three years, six for the term of four years. At each annual meeting thereafter six members shall be elected for the term of four years in place of those whose terms of office then expire. Any vacancies in the membership of the committee by death, resignation or otherwise, may be filled either by the association at any annual meeting or, in interims between the annual meetings, by the executive committee.

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. 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. Reports 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 at least the following standing committees: executive; finance; law; detention, nominations; probation and parole; prison administration. Such committees in addition to any powers or duties conferred by these by-laws shall severally possess the power and be subject to the duties designated from time to time by the executive committee. Furthermore, the committee on probation and parole shall function as the committee on discharged convicts mentioned in the constitution, and the committee on prison administration shall function as the committee on prison discipline mentioned in the constitution.

The duties of the above named committees, not otherwise provided for in the constitution or by-laws, are as follows:

It shall be the duty of the committee on detention to inquire as far as may be practicable or necessary into the causes of commitment of persons held in institutions of the Department of Correction of the City of New York, and, when deemed desirable, to adopt available measures for procuring the discharge or providing for the defense of such as shall appear to be entitled thereto. It shall further be the duty of the committee, when arrangements are made therefor, to extend its work to jails, penitentiaries, reformatories and prisons outside of the City of New York and within the State of New York.

It shall be the duty of the committee on nominations to consider the qualifications of persons available for election as vice-presidents or available for membership on the executive committee of the association, and to make recommendations thereon to the executive committee for final action.

It shall be the duty of the committee on probation and parole to be associated with the operation of the probation, parole, and employment bureaus of the association, and, from time to time, to make recommendations in respect thereof.

It shall be the duty of the committee on prison administration to consider the internal organization and management of county jails, penitentiaries, reformatories and state prisons, and the welfare of persons confined therein.

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 sureties of the endowment and reserve fund.

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 then 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 the 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 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 question 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.

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

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

XIV. 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.

TREASURER'S REPORT

Statement of Income and Expenses for Year Ended December 31, 1930

INCOME		
Donations:		
Regular	\$19,436 02	
Special purposes	7,010 50	
		\$26,446 52
Interest and dividends		14,799 63
Rent of second floor		1,000 00
Total income		<u>\$42,246 15</u>
EXPENSES		
General administration:		
Salaries and wages	\$11,583 68	
Traveling expenses	1,262 23	
Printing and stationery	519 69	
Postage	456 02	
Telephone and telegraph	273 96	
Annual report, distribution, etc.	509 16	
Legal and auditing	235 00	
Legislative service	120 00	
Bond issue campaign	363 62	
Furniture and fixtures	135 01	
Rental—water	209 63	
Periodicals, Custodian, etc.	406 67	
House maintenance	1,940 59	
Total from general fund	\$18,015 86	
Research, legislative—special fund ..	400 00	
		\$18,415 86
Relief:		
Prisoners and families	\$15,348 91	
Relief—administration	3,351 85	
Employment—administration	3,551 08	
Appeal—administration	4,125 32	
		26,375 16
Total expenses		<u>44,791 02</u>
Excess of expenses over income:		
Decrease of special funds	\$1,797 79	
Decrease of capital account	747 08	
Total decreases of funds		<u>\$2,544 87</u>

We have audited the books, accounts, minutes and other records of The Prison Association of New York for the year ended December 31, 1930, and have verified the cash, securities and other assets and liabilities of the Association at that date, and we certify that the above statement of income and expenses correctly states its financial condition at December 31, 1930, and its operations for the year ended on that date.

Respectfully submitted,
 (Signed) WEBSTER, BLANCHARD & TAYLOR,
 Certified Public Accountants,
 50 Broadway, New York City.

CONTRIBUTORS

LIFE PATRONS

By Contributions of \$500 or More at One Time

Auchincloss, Charles C.
Blumenthal, George.
Brewster, Robert S.
Bureau of Social Hygiene Inc.
Clark, F. Ambrose.
Harkness, E. S.
Hochschild, Harold K.
Hoiter, Mrs. E. O.
James, Arthur Curtiss.
Lewisch, The Misses Alice and Irene.
Lotta Fund for Discharged Convicts.

New York Foundation.
Rocks, John D.
Rocksfeiler, John D., Jr.
Rocksfeiler, The Laura Spelman Memorial.
Sagan Holding Co.
Sage, Dean.
Schiff, Mortimer L.
Tiffany, L. C.
Yahi, Mrs. Lawrence.
Woorshofer, Mrs. Anna.

HONORARY LIFE MEMBERS

By Contributions of \$100 at One Time

F. S.
C. S. S.
G. W. W.
A Friend.
Anonymous.
Anson, Mrs. Enald.
Association of Grand Jurors, N. Y. County.
Auchincloss, Mrs. C. C.
Bachelors, The.
Baker, George F.
Bandler, Maurice E.
Baring, Charles.
Barksdale, Mrs. H. M.
Bell, Mrs. Gordon Knox.
Boettger, Henry W.
Bowen, Mrs. Harry S.
Brokaw, George T.
Brown, Alexander H.
Brownell, Miss Matilda A.
Bruce, Miss Sarah E.
Bulkeley, Mrs. Jonathan.
Carhart, Mrs. Hamilton.
Cary, Miss Kate.
Chapman, Mrs. John J.
Chisholm, George E.
Chisolm, B. Ogden.
Choate, Joseph H.
Clafin, John.
Clark, Edward Severin.
Clark, Mrs. Stephen C.
Clarke, Miss Florence M.
Clarke, Mrs. Lewis L.
Clyde, Mrs. William P.
Coe, William R.

Colgate, William.
Connor, W. E.
Coolidge, Mrs. Sherman.
Cooper, James Fenimore.
Cooper, Mrs. James Fenimore.
Crownwell, James W.
Curtis, Mrs. James F.
Cutting, Fulton.
Davis, Joseph E.
deBrabant, Mrs. Marius.
de Forest, Henry W.
Delano, Mrs. Warren.
Devoe, Miss Harriet E.
Dick, Mrs. W. K.
Dodge, Mrs. Cleveland H.
Durand, Mrs. Frederic F.
Dwight, Winthrop E.
Elbert, Mrs. Robert G.
Ewing, William F. C.
Field, Mrs. E. Marshall.
Frost, Aaron V.
Gabriel, Mrs. E. Vivian.
Gardner, Mrs. Robert Folger.
Gerry, Peter G.
Goldman, Julius.
Gould, Edwin.
Grace Church.
Hadden, Alexander M.
Halkett, Mrs. Sarah.
Hall, Mrs. Bolton.
Harris, John F.
Hayden, Charles.
Hearn, James A. & Son, Inc.
Herrick, Mrs. Robert F.
Hochschild, Walter.

[140]

Hulewit, Frank T.
Hurd, Richard M.
Hyde, Mrs. Clarence M.
Jackson, Mrs. Charles H., Jr.
Jameson, E. C.
Jenning, Miss Annie B.
Jinks, The.
Johnson, Arthur G.
Johnson, Gilbert H.
Johnson, James W.
Kunhardt, W. B.
LaFarge, Mrs. Oliver H. P.
Langley, William C.
Lehman, Mrs. H. H.
Lewisch, Adolph.
Lewisch, Sam A.
Livingston, Johnston.
Lorillard, Pierre.
Low, William G.
McHarg, Henry K.
McKinney, Price.
McLean, Mrs. James.
Moore, Edward S.
Moore, Mrs. William H.
Morgan, John P.
Morris, Mrs. Lewis R.
Nichols, W. H.
Olyphant, Robert M.
Osborn, William Church.
Osborn, Mrs. William Church.
Ostwalt, F. E.
Pond, Miss Florence L.
Porter, H. Hobart.
Post, James H.
Potter, William C.
Pratt, George D.
Pratt, Herbert L.

Prentiss, Bernon S.
Rack, George C.
Reed, Latham G.
Reid, Ferguson.
Remsen, Miss Elizabeth.
Rice, Mr. and Mrs. Alexander H.
Richardson, Mrs. C. Tiffany.
Rinckhoff, John P.
Rionda, Mrs. Manuel.
Riverside, The Church.
Sabin, Charles H.
St. Thomas Church.
Satterlee, Mrs. Herbert L.
Seoville, Miss Grace.
Schlzman, J. & W. Co.
Sexton, Mrs. A. G.
Shepard, Mrs. Finley J.
Simpson, Miss Jean Walker.
Steel, Mrs. Roosevelt, Jr.
Sloan, Samuel.
Sloane, Mr. and Mrs. George.
Smith, J. Hopkins.
Stillman, Miss Charlotte R.
Third Panel Sheriff's Jury.
Thomson, George M.
Train, Mrs. Arthur.
Trevor, Mrs. John B.
Uttermeyer, Samuel.
Vanderlip, F. A.
Van Gerbig, Mrs. Barend.
Van Norden, Warner M.
Warburg, Felix M.
Weekes, Harold H.
Wickersham, George W.
Wood, William.
Woodin, William H.
Zabriskie, Mrs. George.

LIFE MEMBERS

By Contributions of \$50 at One Time

A. H. (In Memory of).
A. Z.
C. S.
K. V. R. and O. A. V. R. (in Memory of).
P. H. A.
A Friend.
"From a Friend."
Acorn.
Agent.
Anonymous.
Adkins, Mrs. Leonard D.
Adler, Felix.
Alexander, William.
Anderson, J. Cameron.
Arnold, Edward W. C.
Baker, Mrs. Walter.
Baldwin, William M.
Barrows, Ira.
Baumert, Frank J.
Bellak, C. Morton.

Benecke, Alex.
Benjamin, William E.
Biggs, Mrs. H. M.
Bigelow, Mrs. Lucius H.
Bliss, Cornelius N.
Bliss, Mrs. Robert W.
Borden, Albert G.
Borg, Simon.
Brown, Everett L.
Brown, Stewart.
Bryce, Peter Cooper.
Bulkeley, Edwin M.
Bulkeley, Mrs. Edwin M.
Campbell, Mrs. O. A.
Cary, S. W., Jr.
Cary, Mrs. Ellen G.
Chapin, Charles Merrill, Jr.
Chapin, Simeon B.
Christ Church of New Brighton.
Cheney Brothers.
Cheney, Mrs. Starling W.

Christian Herald.
 Christie, Robert E.
 Clarkson & Ford Co.
 Cluett, Walter H.
 Comey, John W.
 Cooper, J. H.
 Coster, Mrs. Charles Henry.
 Coward, Mrs. Thomas R.
 Cromwell, J. H. R.
 Cross, John Walter.
 Davis, Henry J. (in Memory of Mrs. Amy Eliz. Davis).
 Davis, Thomas B.
 De Lamar, Miss Alice A.
 Delano, William Adams.
 de Foyster, Miss Augusta M.
 de Ruyter, Mrs. John L.
 Dinsmore, Mrs. W. B.
 Dwight, Mrs. Edward F.
 Eastman, Mr. and Mrs. Lucius R.
 Estingon-Schild Co.
 Ellis, William D.
 Emmet, Mrs. C. Temple.
 Emmet, Miss Lydia F.
 Emmons, Mrs. Arthur B.
 Evans, Hartman K.
 Farrelly, Mrs. Gerald J.
 Field, Mrs. William D. C.
 Flagler, Mrs. Harry H.
 Foster, James, Jr.
 Fox, Mortimer J.
 Friendly Fund, Inc.
 Gabrilowitsch, Mrs. Clara.
 Gage, Mrs. B. V.
 Gallatin, Albert.
 Gallatin, Mrs. Albert.
 Geidies, Donald G.
 Geer, Mrs. Walter.
 Guggenheim, Mrs. Simon.
 Hamersley, L. G.
 Hammond, Mrs. John Henry.
 Hawkes, Mrs. Morris.
 Heifetz, Jascha.
 Hird, Miss Martha.
 Hochschild, Miss Gertrude.
 Hoe, Mrs. Richard M.
 Hunt, Mr. and Mrs. Thomas.
 Hyde, Mrs. Talbot B.
 Hyde, E. Francis.
 Hyde, Frederick E.
 Irvin, Richard.
 Johnson, Mrs. Aymar.
 Jones, Edward.
 Jones, Mrs. Edward H.
 Jones, James J.
 Joost, Martin.
 Jourdan, Edward R.
 Kata, Mrs. Hannah E.
 *Kelsey, Clarence H.
 Kemble, George I.
 Kerr, Mr. and Mrs. Robert C.
 Kilder, Mrs. A. M.
 Klee, Walter S.

* Deceased.

Lamont, Miss Elizabeth K.
 Landauer, James D.
 Landon, Francis G.
 Lathers, Miss Julia.
 Leffingwell, R. C.
 Leon, Maurice.
 Lester, Miss M. Elizabeth.
 Low, Miss Lois Curtis.
 Magee, Mrs. John.
 Mauriee, Miss Marian B.
 Maxwell, Mrs. J. Rogers.
 Metcalf Brothers & Co.
 Moore, Benjamin.
 Moore, Henry Booth.
 Moore, Mrs. Paul.
 Moore & Schley.
 Morgan, Miss Caroline L.
 Morris, Mrs. Lewis R.
 O'Brien, Morgan J.
 Parish, Henry.
 Parks, Leighton.
 Peabody, George Foster.
 Pearl, Mrs. Frederick W.
 Peckham, Mrs. Wheeler H.
 Perkins, Mrs. Frederick C.
 Perry, Mrs. H. G.
 Peters, Mrs. Theodore.
 Phipps, Mrs. John S.
 Pitkin, Mrs. Albert J.
 Polk, Mrs. William M.
 Pope, Mrs. Charles F.
 Potter, Howard.
 Prudden, Wilson M.
 Prosser, Thomas.
 Putnam, Mrs. B. V.
 Randolph, Mrs. Francis F.
 Reed, Lenaing P.
 Resor, Mrs. Stanley.
 Reynolds, George G.
 Richard, Miss Elvina.
 Riegger, Arnold F.
 Robbins, Mrs. Francis LeB., Jr.
 Roessler, Mrs. Franz.
 Root, Charles T.
 Rothbart, Albert.
 Rothschild Brothers & Co.
 Russell, Miss Marie L.
 Satterlee, Herbert L.
 Scott, Miss Mary Evelyn.
 Scott, Walter.
 See, Alonzo B.
 Sheldon, James C.
 Shephard, Finley J.
 Sicker, Dudley P.
 Simmons, Joseph Ferris.
 *Skougaard, Jens.
 Sorchan, Mrs. Victor.
 Sparks, F. Ashley.
 Speyer, James.
 Stebbins, E. Vail.
 Steele, Charles.
 Steers, James R.
 Stewart, Mrs. P. H.

Stokes, J. G. Phelps.
 Stone, Miss Ellen J.
 Stone, Samuel H.
 Stout, Mrs. Andrew V.
 Straus, S. W. & Co.
 Taylor, Lloyd.
 Thacher, Thomas D.
 Thompson, Mrs. Joseph T.
 Towns, Mrs. John H.
 Townsend, Edward.
 Tucker, Allen.
 Tucker, Samuel A.
 Tuckerman, Mr. and Mrs. Paul.

Twichell, Mrs. Burton P.
 Ulman, Mrs. Morris S.
 Van Vechten, F. R.
 Wade, Mrs. Alfred B.
 Watson, Mrs. James S.
 Wellington, Miss Elizabeth R.
 White, Mrs. Henry.
 White, Miss May W.
 Williams, Harrison.
 Wilson, Mrs. Orme.
 Yeatman, Pope.
 Zabriskie, Mrs. Cornelius.

CONTRIBUTORS' LIST

For Fiscal Year January 1, 1930 to December 31, 1930

Designation of Funds.

Contributions preceded by name only are for the General Fund, for general purposes. Other contributions are designated as follows: G. R., General Relief (used only for relief); S. R., Special Relief (donations for specially designated instances of need); A. S., Assistant Secretaries' Fund (for salaries and incidental expenses); E. B., Employment Bureau; S., Special Purposes; C. T., Christmas Toys.

A.	
Abbe, Miss Harriet C.....	10 00
Abraham, Ludolph H.....	10 00
Achelis, John.....	20 00
Ackerman, Mrs. Marion S.....	5 00
Adams, Mrs. C. Thayer.....	10 00
Adams, Mrs. Hall.....S.	5 00
Addy, John Gilmore.....	3 00
Adee, George T.....	30 00
Adey, Miss Dorothy.....	2 00
Adkins, Mrs. Leonard D.....	25 00
Adler, Jacob & Co., Inc.....	10 00
Adriance, Harris Ely.....	5 00
Agnew, Mrs. George B.....	25 00
Alcuin Preparatory School.....	10 00
(From the Students)	
Aldrich, Mrs. Richard.....S.	30 00
Aldrich, Mrs. Richard.....	10 00
Aldrich, Mrs. Winthrop Wil-	10 00
liam.....	10 00
Alexander, Miss Agnes.....	2 00
*Alexander, Mrs. H. Eugene	3 00
Alexander, Miss Mabel W.....	50 00
Alexander, William.....	10 00
Allen, Frederic W.....	5 00
Allen, George Marshall.....	5 00
Allen, Mrs. Paul.....	1 00
Alley, James C.....	10 00
Alsbarg, William.....	10 00
Altschul, Mrs. Chud.....	5 00
Altschul, Miss Clara.....	15 00
Anderson, Clayton & Flem-	5 00
ing.....	20 00
Anderson, Miss Cornelia.....	10 00
Andrews, Mrs. Samuel Wake-	5 00
man.....G. R.	20 00
*Andrews, Mrs. William	10 00
Loring.....	50 00
Anson, Mrs. E. E.....	5 00
Appel, S. & Co.....	10 00
Appley, Mrs. John S.....	25 00
Arnold, Mrs. Benjamin W.....	1 00
Arnold, Mr. and Mrs. J.	10 00
Loring.....	1 00
Armstrong, Mrs. Leo.....	1 00
Arthur, Miss L. Louise.....	5 00

* Deceased.

[144]

CONTRIBUTORS' LIST

145

Barrows, Ira.....	25 00	Blum, Miss Estelle B.....	1 00
Barstow, Miss Cornelia K.....	4 00	Blumenthal, George.....	500 00
Barstow, Mrs. Henry G.....	15 00	Blaumenfeld, Mrs. Sol.....G. R.	5 00
Barton, Mrs. Joseph.....	2 00	Boardman, Henry F.....	10 00
Bass, Frederick W.....	5 00	Boese, Edwin.....	10 00
Bassett, Mrs. Charles F.....	10 00	Bogert, Walter L.....	5 00
Bataille, A. H.....	10 00	Bolling, Mrs. Bayne D.....	25 00
Bates, Mrs. Edgar A.....	5 00	Bolton, Miss Frances H.....	3 00
Baxter, Mrs. W. J.....	1 00	Bonbright, Irving W.....	10 00
Bayer, Mrs. Edwin S.....	5 00	Bonney, Mrs. Leonard W.....	10 00
Beatty, William.....	20 00	Boocock, Laurence.....G. R.	10 00
Beckard, Martin.....	25 00	Borden, Albert G.....	25 00
Bedford, Mrs. Alfred C.....	1 00	Botjer, Miss Bertha L.....	5 00
Bedford, E. R.....C. T.	2 00	Boucher, Mrs. Charles.....	5 00
Beesbe, Mrs. Evelyn.....	10 00	Bowen, George N.....	1 00
Beer, Mrs. Julius.....	10 00	Bowen, W. A.....	1 00
Beers, Miss M. Elisabeth.....	2 00	Bowie, Mrs. W. Russell G. R.	2 00
Behr, Edward.....	10 00	Bowker, Miss L. Pauline.....S.	10 00
Beincke, Bernhard.....	10 00	Bowler, Mrs. Muriel.....C. T.	5 00
Beincke, Walter.....	10 00	Boyce, Dr. A. L.....	5 00
Beltz, H.....G. R.	5 00	Bradford, Mrs. John Henry.....	10 00
Bell, Harvey W.....	5 00	Bradley, Charles B.....	10 00
Bell, Mrs. J. Lovlie.....	10 00	Breller, Miss Mary T.....	10 00
Beller, Abraham.....	5 00	Breed, Mrs. James McV.....	25 00
Belloni, Miss Sadie H.....	2 00	Brennan, Edward E.....	2 00
Benjamin, Miss Aline F.....	25 00	Brewster, Miss Josephine.....	2 00
Benjamin, Mrs. Joseph J.....	5 00	Brewster, Robert S.....	100 00
Bennett, Eugene B.....	45 00	Brill, A. A.....	5 00
Bentley, Mrs. Harold D.....	20 00	Bristol, Mrs. Ina Devoe.....	5 00
Bentley, Miss Meta E. and	5 00	Broadway Auto Renting Co.	5 00
sister.....	5 00	Brouner, Miss Mary L.....	1 00
Benze, Perfection Sample	2 00	Brown, William L.....	5 00
Card Co., Inc.....	5 00	Brown, Mrs. Donaldson G. R.	15 00
Berger, Mrs. Charles F.....	5 00	Brown, Miss Edith Harman.....	5 00
Berkey, Mrs. Charles P.....	1 00	Brown, Mrs. Franklin Q.....	5 00
Bernald, I. Charles.....	10 00	Brown, Mrs. George Alex-	4 00
bernhelm, Henry J.....	10 00	ander.....	
Bernheimer, Miss Cora A.....	10 00	Brown, 5 00	
Bernstein, Isaac.....	10 00	Wright.....	10 00
Berzoux, O. M. H.....	1 00	Brown, Miss Julia D.....	10 00
Bethge, Max.....	10 00	Brown, Lathrop.....	5 00
Betts, Samuel R.....	5 00	Brown, Lawson.....	2 00
Bewer, Julius A.....	20 00	Brown, Mrs. Lyman D.....	2 00
Bier, Mrs. Sylvan.....	5 00	Brown, R. R.....	25 00
Bigelow, Mrs. R. Lavante.....	20 00	Brown, Mrs. Thornton K.....	2 00
Billings, Miss Elizabeth.....	3 00	Brown, Mrs. and Mrs. J.	10 00
Binger, Mr. and Mrs. Walter.....	5 00	Brown, Warren D.....	25 00
Bissell, Miss Kathryn L.....	5 00	Brown, William Adams.....	5 00
Bland, Mrs. Edith.....G. R.	2 00	Browne, Mrs. Curtis North-	2 00
Blaney, Mrs. Charles P.....	1 00	rop.....	
Blanke, Miss Katherine.....	2 00	Brownell, Miss Matilda A.....G. R.	5 00
Blev, Henri Jacques.....G. R.	10 00	Browning, Mrs. William C.....	5 00
Bloch, Adolph.....S.	10 00	Bruce, Harold Fuson.....G. R.	15 00
Bloch, Mrs. Bertram.....	5 00	Bruce, Miss Sarah E.....	100 00
Bloch, Charles E.....	1 00	Bruck, Leo.....	5 00
Bloch, Henry.....	10 00	Bruer, Otto C. F.....G. R.	5 00
Blodgett, Mrs. Arba.....	1 00	Bruen, Alexander Fay.....	25 00
Blodgett, Delos A., 2d.....	10 00	Bruen, Miss Bertha A.....	1 00
Blossom, Mrs. Francis.....G. R.	5 00		
Blugg, Mrs. Morris J.....	10 00		

Brundage, Mrs. Madeleine B.	10 00	Chapin, Simon B.	S. 50 00
Brundage, Miss Elizabeth Banks	2 00	Chapin, Warren W.	5 00
Brunswick, Mrs. Emanuel	10 00	Chapman, Mrs. John D.	5 00
Bryce, Miss Mary T.	10 00	Chapman, Mrs. John Jay	25 00
Buchanan, Mrs. S. Edwin	10 00	Chapman, Miss Mary W.	5 00
Buchanan, William R.	5 00	Chapman, Miss Mary W. S.	2 00
Bucknall, Mrs. Henry W. J.	5 00	Chapman, Mrs. William P.	10 00
Buckner, Thomas A., Jr.	10 00	Chapman, Mrs. Wm. G. R.	5 00
Bulkeley, Mrs. Edwin M.	25 00	Charles, Mrs. Mary de Peyster	5 00
Bulkeley, Edwin	25 00	Chase, R. Hilditch	2 00
Bull, Mrs. E. Lewellyn	5 00	Chauncey, Mrs. Henry	5 00
Burchard, Miss Anna T.	2 00	Chenery, Christopher T.	25 00
Burchell, Henry J.	5 00	Child, Miss Ruth A.	5 00
Bureau of Social Hygiene, Inc.	500 00	Childs, Mrs. John Lewis	10 00
Burlingham, Mrs. Charles	25 00	Childs, Mrs. Starting W.	50 00
Burnett, Chauncey H.	1 00	Chisholm, George E.	100 00
Burnham, E. Palmer, G. R.	10 00	Choate, Mrs. Arthur Osgood	10 00
Burns, Mrs. A. L.	S. 10 00	Christian Herald	G. R. 10 00
Burns, A. L.	10 00	Christie, Mrs. Percy M.	1 00
Burr, Mrs. Frederic M.	10 00	Church of the Incarnation	5 00
Burr, Mrs. Louis H.	5 00	Church Social Service of Women's Alliance Branch of West Side Unitarian Church	G. R. 10 00
Burrows Metal Mfg. Co.	1 00	Cisco, George Harris. G. R.	10 00
Burt, Miss Alice R.	C. T. 1 00	Clafin, John	100 00
Bushnell, Mrs. Ericson F.	5 00	Clark, Mrs. Bruce	5 00
Butler, Charles Stewart	5 00	Clark, Mrs. Cyrus	12 50
Butler, The Howard Russell Trust	5 00	Clark, Mrs. Ella Mabel	15 00
Butler, Miss Mary M.	5 00	Clark, F. Ambrose	100 00
Butler, Willard Parker	5 00	Clark, Mr. and Mrs. J. G. Franklin	3 00
Butterick, Miss Mary	10 00	Clark, Miss Maud S.	2 00
Butterworth, Mrs. George Forrest	10 00	Clark, Mrs. O. M.	10 00
		Clark, Mrs. Stephen O.	100 00
		Clark, Walter	1 00
		Clark, Mrs. William Brewster	5 00
		Clarke, Mrs. A. F.	5 00
		Clarke, Mr. and Mrs. Andrew A.	S. 5 00
		Clarke, Charles Edes F.	10 00
		Clarke, Mrs. E. Arthur Stanley	10 00
		Clarke, E. Arthur Stanley	10 00
		Clarke, Miss Florence	5 00
		Clarke, Miss Helen MacG.	G. R. 10 00
		Clarusen, Mrs. George U.	20 00
		Cleland, Mrs. T. J.	15 00
		Clements, Mrs. George H.	5 00
		Cloest, Walter H.	10 00
		Clyde, Mrs. Wilfrid P.	10 00
		Cochran, George D.	10 00
		Cockcroft, Miss Mary T.	10 00
		Cocks, Francis E.	2 00
		Coe, William B.	100 00
		Coggill, Mrs. George	5 00
		Cohen, William N.	25 00
		Cohn, Mrs. Alfred E.	5 00
		Colburn, Mrs. L. T.	G. R. 5 00
		Colgate, Henry A.	25 00
		Colgate, William	100 00

Colley, Arthur E.	5 00	Cutting, Mrs. William Bayard	25 00
Collier, Mrs. Robert J.	5 00		D.
Colt, Harris D.	10 00	Dail, Mrs. Charles Whitney	10 00
Colt, Mrs. Richard C.	25 00	Dalmases, Henry	2 00
Coman, Miss Caroline C. T.	5 00	Dalzell, Hugh	10 00
Community Church of New York (Charity Committee)	10 00	Damosch, Mrs. Walter	5 00
Conboy, Martin	20 00	Dana, Mrs. David T.	10 00
Condit, Fillmore	10 00	Dana, Mrs. William S. B.	1 00
Cons Export & Commission Co.	25 00	Danforth, Mrs. Francis J.	G. R. 5 00
Cone, Jno. J.	5 00	Danforth, Miss Isabel	10 00
Conrad, Mrs. H. V.	5 00	Dannemiller, Edward	1 00
Conway, W. P.	10 00	Darlington, Mrs. Charles F.	10 00
Cook, James D.	5 00	David, Irwin W.	G. R. 2 00
Cook, Mrs. W. W.	C. T. 2 00	Davies, Mrs. Dora A.	S. 5 00
Cooley, James C.	G. R. 5 00	Davies, Mrs. J. Clarence	5 00
Cooper, J. H.	50 00	Davies, William D.	G. R. 10 00
Cooper, Mrs. James Fenimore	200 00	Davis, Mrs. Joseph E.	10 00
Cooper, James Fenimore	100 00	Davis, Joseph E.	50 00
Cooper, Mrs. W. M.	C. T. 2 50	Davison, Miss Ella H.	10 00
Covercan, Mrs. George Buntings	G. R. 10 00	Davison, Mrs. Henry P.	10 00
Cornell, Edward	5 00	Davison, Howard C.	G. R. 1 00
Cornish, Mrs. A. H.	C. T. 3 00	Dayton, Ralph E.	5 00
Cornwell, William Caryl	10 00	Dean, Mrs. Bashford	5 00
Cory, Robert H.	10 00	Dearborn, David B., Jr.	10 00
Coster, Mrs. Charles Henry	10 00	De Boer, David H.	10 00
Cottrell, Mrs. Arthur M., Jr.	G. R. 25 00	de Champlin, Madame Angelina	10 00
Cowen, Mrs. Gertrude E.	5 00	Decker, Casper G.	15 00
Cowl, Mrs. Clarence	5 00	Decker, Robert W.	5 00
Coyle, John E.	5 00	Decker, Thompson W. G. R.	1 00
Crafts, Miss Elisabeth S.	5 00	deForest, Mrs. Henry W.	25 00
Crain, Miss Christobelle	5 00	deForest, Henry W.	25 00
Crane, William F. & Co.	5 00	deForest, Robert W.	25 00
Cravath, Mrs. Ernest M.	5 00	de Graff, James W.	10 00
Crawford, Miss Jessie G. R.	5 00	De lafield, Lewis L., Jr.	10 00
Creamer, William G.	2 00	De Long, Mrs. Emma	5 00
Crimmins, Mrs. Thomas	10 00	Danases, Miss Mary M.	2 00
Crocker, Mrs. Keroline W.	10 00	Deming, Miss Eleanor	5 00
Crocker, William T.	5 00	Dennis, Frederic S.	2 00
Crofoot, Mrs. L. F.	10 00	Denny, Mrs. Thomas, Sr.	10 00
Cromley, Mrs. Robert W.	2 00	de Peyer, Miss Frances G.	10 00
Crowell, F. William, Jr.	5 00	Derr, Mrs. Charles	5 00
Cudaby, Miss Clara	5 00	De Sola, Mr. and Mrs. B. E.	2 00
Culbert, Miss Anna M.	5 00	Dickey, Mrs. Charles D., Jr.	10 00
Cullman, Mrs. Joseph F.	50 00	Dillingham, Frank A.	5 00
Cuning, Mrs. Rochester	5 00	Dimock, E. J.	10 00
Curry, P. Minor	5 00	Dimock, Edwin	10 00
Curtis, Mrs. Elroy	C. T. 2 00	Dinsmore, Mrs. Thomas H.	5 00
Curtis, Mr. and Mrs. Eugene J.	G. R. 10 00	Dodge, Murray W.	10 00
Curtis, Mrs. James B.	10 00	Dodge, Mrs. Cleveland E.	5 00
Cutting, Fulton	100 00	Dodge, Mrs. Cleveland H.	100 00
		Dodge, Mrs. Francis E.	5 00
		Dodge, Mrs. Frank A.	5 00
		Dodge, Philip Lyndon. G. R.	25 00
		Dodson, Mrs. Robert B.	10 00
		Dommerich, Mrs. Alex L.	20 00
		Donaldson, Mrs. Frederick E.	5 00

Doellite, Judson A.	2 00	Ellsworth, Mrs. J. Magee	5 00
Dorrance, Mrs. Samuel M.	5 00	Emerson, Mrs. Juliet W.	5 00
Dotter, Charles T.	5 00	Emery, Dean	G. R. 10 00
Doubleday, Mrs. Frank N.	10 00	Emil, Allan D.	2 00
Douglas, Miss Elizabeth	25 00	Emmet, Mrs. Herman Le Roy	10 00
Douglas, Mrs. George William	10 00	Emmons, Mrs. Arthur B.	50 00
Douglas, Mrs. John Sheafe	10 00	Emshelmer, Charles	2 00
Douglas, Mrs. William P.	25 00	Enslow, H. G.	5 00
Dowl, Herman	3 00	Engelhart, Jeffrey H.	5 00
Drakenfeld, Mrs. B. F.	20 00	Ensign, Rufus C.	10 00
Draper, Miss Ruth	10 00	Erskine, Mrs. John	10 00
Dresser, Mrs. E. B.	G. R. 5 00	Evans, Hartman K.	50 00
Dreyfus, Fred J.	2 00	Ewer, Edward	G. R. 1 00
Driggs, H. B.	1 00		
Driver, Wilbur B.	25 00		
Droge, Mrs. Amelia V.	2 00		
Duane, Mrs. James May	10 00	Fairfax, Mrs. Lindsay G. R.	25 00
Duane, Richard B.	10 00	Falk, Mrs. Anna A.	2 00
Duane, Mrs. Robert L. G. R.	5 00	Farley, Robert E.	10 00
Du Bois, Mrs. Arthur	10 00	Farr, James W.	5 00
Du Bois, Miss Ethel	30 00	Farrand, Wilson	10 00
Dubois, Mrs. L. F. (In Memory of Leon Barre)	10 00	Fassett, Mrs. J. Sloat	S. 5 00
Du Bois, Mrs. Matthew B.	10 00	Fast, J. R.	10 00
Duffe, Mrs. Antoinette L.	2 00	Fay, Clifford C.	S. 5 00
Dugan Brothers	2 00	Feickert, Edward F.	10 00
Dunbaugh, Frank M.	5 00	Ferguson, Mrs. Harry	2 00
Duncan, Mrs. Dora	C. T. 5 00	Ferguson, Mrs. J. Bruce	5 00
Duncan, Mrs. Harry L.	5 00	Fick, George H.	2 00
Dunn, Homer A.	25 00	Field, Mrs. E. Marshall	100 00
Durand, Mrs. Frederic F.	75 00	Field, Miss Marjorie L.	5 00
Durant, Thomas W.	5 00	Field, Mrs. William B. Osgood	5 00
During, Mr. and Mrs. Charles A.	5 00	Field, Mrs. William D. C.	50 00
Durkin, E. W.	G. R. 5 00	Fincke, Mrs. B. C.	5 00
Durlach, Mrs. Milton I.	5 00	Fincke, Mrs. Harry S.	5 00
Duryee, Joseph E.	10 00	Findley, Mrs. G. W.	2 00
Duryee, Samuel	5 00	Fish, Mrs. A.	5 00
Duseberry, Miss Grace	5 00	Fish, Miss Laura I.	S. 1 00
Dutt, Henry M.	10 00	Fisher, Frederick T.	10 00
Dwight, Mrs. Winthrop	10 00	Flaske, George Perry	25 00
		Flagg, John L.	D. C. 5 00
		Flecker, Mrs. Simon	10 00
		Flint, John	5 00
		Flood, Mrs. Anna MacDonald	1 00
		Flower, Edward	10 00
		Floyd, Mrs. Augustus	G. R. 5 00
		Floyd, Mrs. Rolfe	5 00
		Floyd-Jones, Mrs. G. Stanton	10 00
		Floyd-Jones, Mrs. G. Stanton	10 00
		Fort, Mrs. Mary Elizabeth	1 00
		Francis, Mrs. Lewis W.	5 00
		Foster, Mrs. Charles H. W.	5 00
		Foster, Giraud	10 00
		Pox, Mrs. Andrew J.	5 00
		Francis, Mrs. Lewis W.	5 00
		Frank, Mrs. Leo E. (In Memory of Leo Frank)	5 00
		Frank, Mrs. Leo E.	C. T. 1 00
		Frankel, Mandel	5 00

Frankfort, Maurice	5 00	Goodwin, Mrs. James J.	10 00
Fraser, Arthur C.	10 00	Goodwin, Mrs. Cath F. S.	2 00
Fraser, Miss Jane K.	20 00	Gotthel, Mrs. Paul	5 00
Fraser, Miss S. Grace	10 00	Grace Church	134 50
Free, Albert F.	G. R. 4 00	Grace, Joseph P.	25 00
Freeman, J. S.	5 00	Grady, Mrs. John	10 00
Freeman, Mrs. Edward Woolsey	25 00	Grady Mfg. Co.	2 00
Frelinghuysen, Mrs. Frederick	10 00	Gratwick, William H.	25 00
Frost, Edward	10 00	Gray, Henry G.	25 00
Frothingham, Charles Frederick	30 00	Grays, Mrs. John W.	2 00
Fry, Morton H.	10 00	Green, Mrs. Edward H.	10 00
Fuller, A. F.	G. R. 5 00	Greenberg, Dr. Sarah K.	5 00
Fuller, Mrs. G. A.	2 00	Greene, Mrs. Mrs. Carlton	5 00
Fulton, Mrs. Robert Edison G. R.	5 00	Greenough, Mrs. John G. R.	20 00
		Greenwood, Miss Eliza E.	10 00
		Gregory, George D.	10 00
		Griggs, Mrs. John W.	10 00
		Gristede, D.	5 00
		Grissold, Mrs. H.	5 00
		Grossman, Peter	3 00
		Grossmann, Mrs. Edward A.	2 00
		Grunder, Mrs. Max	5 00
		Gruntal, Benedict H.	25 00
		Gruntal, Edwin A.	5 00
		Guggenhe Foundation (The Harry Frank and Caroline Morton)	25 00
		Guggenheim, Simon F.	5 00
		Guinzburg, Miss Lillie	5 00
		Guinzburg, Richard A.	2 00
		Guinzburg, Mrs. Victor	10 00
		Guion, Mrs. C. C.	2 00
		Gutterman, Frederick	2 00
		Guthrie, C. G. Sons	20 00
		Gwynne, Miss Mabel	5 00
			H.
		Haas, Albert	10 00
		Hackett, Miss Irene A.	2 00
		Hackett, Morris H.	C. T. 5 00
		Hadden, Alexander M.	25 00
		Hadden, Hamilton	5 00
		Hadioe, Charles H.	5 00
		Hague, Miss Elizabeth	5 00
		Haines, Mrs. Charles D.	10 00
		Haines, Charles D.	10 00
		Hall, Joseph F.	10 00
		Halsed, Miss Mary M.	10 00
		Hannan, Mrs. William A.	5 00
		Hammerschlag, I. G.	3 00
		Hampson, John Henry	25 00
		Hammord, Mrs. John Henry	10 00
		Hanson, Theodore	1 00
		Hancy, Edward J.	S. 10 00
		Harbison, Mrs. W. A.	G. R. 25 00
		Harburger, Mrs. Julius	5 00
		Hardenberg, E.	5 00
		Harding, Miss Charlotte K.	10 00
		Hare, Mrs. Meredith	G. R. 25 00
		Harper, Harold	2 00

Harrison, Charles C.....	5 00	Hills, Mrs. John.....	5 00
Harrison, E. Roland.....	25 00	Hills, W. B. Alt.....	1 00
Harris, A. J.....G. R.	5 00	Hiltman, Mrs. J. W.....	1 00
Harris, Maurice H.....	3 00	Hilton, Mrs. Frederick M.....	25 00
Harris, Mr. and Mrs. Victor	30 00	Hilyard, George D.....	5 00
Hart, Mrs. William Cook.....	5 00	Hird, Miss Martha.....	5 00
Hartman, Mrs. Sidney K.....	5 00	Hirsch, Mrs. Albert.....G. R.	5 00
Hartshorn, Mr. and Mrs.		Hilvac, Charles W.....	2 00
Stewart H.....	10 00	Hoag, Mrs. J. Edward.....	3 00
Hartshorn, Mrs. W. M. Mors-		Hochschild, Miss Gertrude.....	50 00
fat.....	5 00	Hochschild, Mrs. Walter.....	100 00
Hartshorne, Miss Katherine		Hoddenly, Mrs. George H.....	2 00
B.....	20 00	Hodges, Miss Mary G.....	5 00
Harvey, L. J.....S.	25 00	Hoe, Mrs. Richard March.....	20 00
Haskoll, Mrs. J. G.....	1 00	Hoe, Mrs. Richard March.....	20 00
Hatters Fur Exchange, Inc.		Hoe, William J.....	5 00
Hawkes, Mrs. Morris.....	50 00	Hoeser, Oscar.....	1 00
Hayden, Miss Sarah L.....	5 00	Hoffman, Miss Margaret E.....	5 00
Hayman, Mrs. Dora D.....	1 00	Hoffman, Miss Mary U.....	20 00
Haynes, Harry E.....	5 00	Hoffman, Samuel V.....	10 00
Haynes, W. de F.....	10 00	Hoffman, William Wickham	
Hazan, S.....C. T.	1 00	Hogan, Mrs. Jefferson.....	20 00
Hazard, Mrs. Frederick R.....	5 00	Hogbin, John L.....	5 00
Hearn, James A. & Son, Inc.	15 00	Hogg, Miss Elizabeth M.....	25 00
Heberd, Mrs. Isaac N.....	5 00	Holden, Edward P.....S.	5 00
Heck, Mrs. George C.....G. R.	10 00	Holden, John.....	5 00
Heide, Henry, Sr.....	10 00	Holtzman, Mrs. Gustavus M.....	2 00
Heidgerd, Gustav H.....	5 00	Holt, Calvert.....G. R.	5 00
Heiser, Mrs. Rosalie M.....	1 00	Holt, Mrs. L. Emmett.....	10 00
*Heisenbuttel, William F.....	25 00	Holt, Maynard F.....	5 00
Hellwahl, John A.....	2 00	Holt, Mrs. Robert S.....	25 00
Heller, Mrs. H. Howard.....	20 00	Holter, Mrs. Edwin O. E. B.	450 00
Heming, Henry L.....	10 00	Holter, Miss Elizabeth Sage	
Hencken, Hancke.....	10 00	Holmberg, John C.....	10 00
Henderson, Mrs. E. C.....	10 00	Homan, Mrs. Sheppard.....	5 00
Hendricks, Henry S.....	5 00	Hoogland, John W.....	5 00
Henry, Miss Florence.....	10 00	Horn, The Misses.....	20 00
Henry, Francis A.....	20 00	Horton, E. P.....S.	10 00
Henry, Miss H. Maud.....	10 00	Hoyt, Mrs. Charles.....	5 00
Herbert, Preston.....	5 00	Housman, Miss Louise.....	2 00
Herkimer, Bert S.....	5 00	How, Miss Mary E.....C. T.	10 00
Bermes, Frank J.....	10 00	Howard, Mrs. William	
Heroy, Miss Anne P.....C. T.	10 00	Howells, John Mead.....G. R.	10 00
Herrick, Mrs. E. F.....	10 00	Hubbs, Charles F. & Co.....	5 00
Herrick, Mrs. W. W.....	10 00	Huber, Joseph M.....	20 00
Herman, Henry.....	10 00	Hudson, Paul H.....	15 00
Herrmann, Arnold.....	5 00	Hughes, John C.....G. R.	5 00
Herrmann, Paul.....	1 00	Hulawit, Frank T.....G. R.	100 00
Herz, Fred W.....	5 00	Hunt, Miss Mary F.....G. R.	10 00
Herzog, Oscar M.....G. R.	10 00	Hunt, Mrs. Seth Bliss.....	10 00
Hess, Edwin H.....	5 00	Hunt, Thomas.....	25 00
Hessberg, Mrs. Lena.....	5 00	Hunt, Mr. and Mrs. Thomas	50 00
Hester, Mrs. William.....		Hunt, Mr. and Mrs. Thomas	
G. R.....	10 00	Hunter, Mrs. Margaret.....C. T.	25 00
Hewlett, Arthur T.....	5 00	Hunter, Samuel J.....	5 00
Hicks, Mrs. Frederick C.....	5 00	Huntington, Mrs. C. R.....	5 00
Hicks, Mrs. Joshua T.....	1 00	Huntington, Mrs. Francis C.....	10 00
Hicks, Walter F.....S.	2 00	Huntington, Mrs. Henry S.....	2 00
Hill, Miss Jennie L.....	5 00		
Hill, Mrs. Oliver B.....	5 00		
Hillhouse, Mrs. Charles			
Betts.....	2 00		

* Deceased.

Hantling, H. Howard.....	5 00	Keashey, Robert A. Co.....	15 00
Hard, Richard M.....	25 00	Kehr, Gustav.....	10 00
Russ, Henry Holden.....	2 00	Kelleher, Hugh G. M.....	5 00
Hutchinson, Miss Sarah S.....	5 00	Keller, Mrs. D. H.....	1 00
Hyde, Mrs. Clarence M.....	25 00	Keller, Mrs. Lillie.....	1 00
Hyde, Edward.....	10 00	Kellogg, Mrs. Frederic R.....	10 00
		Kellogg, Herbert S.....	5 00
		Kellogg, Morris W.....	10 00
	I.	Kelly, Mrs. Francis A.....	5 00
Ide, Mrs. Henry E.....G. R.	3 00	*Kelsey, Clarence H.....	50 00
Industrial Press.....	10 00	Kelsey, Courtland.....	25 00
Ingalls, Mrs. W. C.....	15 00	Kemery, Walter S.....	20 00
Iosa, R. C.....	1 00	Kendall, Mrs. Edward H.....	10 00
Ireland, Mrs. Frederick G.....	6 00	Kendall, Miss Georgiana.....	20 00
Irving, Emmet W.....G. R.	5 00	Kennedy, Mrs. H. Van Rens-	
Isaac, Mrs. I.....	5 00	selaar.....	10 00
Issacs, Mrs. Elsie Gold G. R.	2 00	Kenyon, Mrs. Adelbert A. S.....	5 00
Iselin, Mrs. O'Donnell.....	10 00	Kern, Jerome J.....G. R.	5 00
Iselin, William E.....	10 00	Kernan, Mrs. Michael J.....	5 00
Israel, Mrs. Albert.....	10 00	Kerr, Mrs. Louis S.....	10 00
	J.	Kerr, Robert C.....	50 00
Jacobs, I. Randolph & Co.....	10 00	Kieser, Carl E.....G. R.	5 00
James, Arthur Curtiss.....	50 00	Kimball, Mrs. Reuel B. G. R.....	5 00
James, Thomas J.....	5 00	King, Mrs. Frederic R. G. R.....	10 00
Jameson, E. C.....	25 00	King, Miss Isabella C.....	10 00
Jameson, Mrs. James		Kinney, G. R. Co., Inc.....	25 00
Walker.....	5 00	Kirchwey, George W.....	20 00
Jarvis, Mrs. Samuel M.....	10 00	Kissel, Mrs. Gustav E.....	10 00
Jay, Mrs. Augustus.....	10 00	Kitching, Miss Belle M.....	5 00
Jeandron, W. J.....	5 00	Kittredge, Mr. and Mrs.	
Jeffares, James N.....	10 00	Samuel D.....	5 00
Jeltrup, Mrs. Henri.....	1 00	Kline, Mrs. Charles D.....S.	5 00
Jennings, William N.....	2 00	Klugman, Julius.....	10 00
Jerman, Miss Maria C.....	30 00	Knickerbocker Yarn Co. G. R.	5 00
Jinks, The Misses.....	150 00	Knight, Mrs. George T.....	5 00
Johnson, Mrs. Aymar.....	25 00	Knoeder, M. & Co., Inc.....	10 00
Johnson, Bradley G.....	10 00	Knower, Mrs. Benjamin.....	10 00
Johnson, Mrs. Elmer Har-		Knox School.....	5 00
land.....	20 00	Koehler, Mrs. Richard A.....	5 00
Johnson, Gilbert H.....	15 00	Kohn, J. C.....	5 00
Johnson, Gilbert H.....S.	15 00	Kohn, Robert D.....	10 00
Johnson, Miss Helen R.....	10 00	Kohn, Robert D.....G. R.	10 00
Johnson, James W.....	25 00	Kohlstadt, Edward.....	15 00
Johnson, Leeds.....	10 00	Kohlstamm, Mr. and Mrs.	
Johnson, Guy E.....	2 00	Joseph.....	15 00
Johnstone, The Misses.....	5 00	Krashes, Mrs. David.....G. R.	2 00
Jonas, George E.....	25 00	Kress, Samuel H.....	10 00
Jones, Miss Abbie E.....	10 00	Kunhardt, Wheaton B.....	25 00
Johnson, Gilbert H.....S.	15 00	Kuyper, Miss Grace H.....	5 00
Jones, Charles Wesley.....	10 00	Kuser, Dryden.....	5 00
Jones, Mrs. De Witt Clinton		Kutz, Miss Lucy A.....	2 00
Jones, Miss Helen S.....	10 00	Kyle, John M.....	2 00
Jones, Trevor F.....	5 00		
Jones, W. Strother, Sr.....	10 00		
Jourdan, Arthur R.....C. T.	25 00	L.	
Julian, R. Lewis.....	10 00	Lacy, Miss Jane G.....G. R.	5 00
Jung, Frederick C.....	1 00	Ladd, William S.....G. R.	10 00
		La Farge, Mrs. Bancel G. R.....	5 00
		La Farge, Mrs. Oliver H. P.....	10 00
	K.	Lake, Miss Jennie S.....	2 00
Kane, John P.....G. R.	25 00	*Lambert, August V.....	5 00
Katz, Mrs. Hannah E.....	50 00		

* Deceased.

Lambert, Mrs. Samuel W.	25	00	Loveman, Miss Amy	5	00
Lamont, Mrs. Thomas W.	5	00	Lowig, Lawrence	1	00
Lanont, Thomas William	10	00	Low, William G.	20	00
La Monte, Miss Caroline B.	10	00	Lowell, Sidney V.	2	00
Lane, Wolcott G.	10	00	Lovry, Mrs. Holt	5	00
Langenbacher, George F.	5	00	Ludlam, Charles S.	5	00
Langer, Alfred	3	00	Ludvig, Elek John	10	00
Langley, William C.	25	00	Luders, George	10	00
Langsdorf, Mrs. Morris	5	00	Luders, George & Co.	10	00
Larned, Mrs. Marguerite Y.	5	00	Lund, Harry A.	C.T.	1 00
	G. R.		Lusk, Graham	5	00
Lathrop, Spencer	5	00			
Lathimer, Miss Julia W.	25	00		M	
Lauterstein, Mrs. Leon	2	00	Mahon, Mrs. A. F.	1	00
Lawrence, Miss Clara Louise	30	00	Maclay, Mrs. Alfred B.	5	00
Lawrence, F. Walter, Inc.	G. R.		MacLean, Mrs. Charles F.	10	00
	5	00	MacNeil, Herman A.	5	00
Lawton, Mrs. Francis	2	00	Madigan, John H.	S.	5 00
Leaman, Walter E.	2	00	Magee, James	5	00
Leavens, Mrs. William B.	5	00	Magee, Mrs. John	G. R.	25 00
Lee, Burton J., Jr.	G. R.	10 00	Mallaby, Miss Theodora F.	10	00
Leech, Alfred	5	00	Mandel, Max	5	00
Lefferts, Mrs. Franklin B.	5	00	Manges, Morris	10	00
Lefferts, Mrs. Frederic K.	G. R.	5 00	Manges, Morris	G. R.	10 00
			Markowitz, Mrs. A. Lincoln	1	00
Lehman, James M.	10	00	Marony, Robert J.	S.	5 00
Leo, Jack G.	10	00	Marquand, Mrs. Allan	20	00
Le Page, Clifford B.	15	00	Marquand, Miss Sarnia	10	00
Le Roy, Mrs. Edward A.	10	00	Marsh, William P.	10	00
Le Roy, Mrs. Robert	25	00	Marshall, Mrs. Chancey	30	00
Lester, Miss Fanny A.	10	00	Martin, Alfred W.	2	00
Lester, Mrs. Joseph H.	3	00	Martin, Mrs. Alfred W.	5	00
Lester, Miss M. Elizabeth	50	00	Martin, William V.	10	00
Levi, George	5	00	Marvin, Mrs. George	1	00
Levy, Benjamin	1	00	Mason, Mrs. Eugene Water-		
Levy, Ephraim B.	5	00	man	10	00
Levy, Leo E.	5	00	Mathews, Mrs. A. H.	10	00
Levy, Maurice J.	1	00	Mathewson, Douglas T.	S.	5 00
Lewisohn, Adolph	25	00	Maurice, Miss Marian B. R.	25	00
Lewisohn, Sam A.	100	00	Mauzy, Mrs. Henry Tobin	5	00
Liebman, Julius	10	00	Maxwell, Howard W.	25	00
Limbürg, Herbert R.	10	00	May, Mrs. Louis H.	10	00
Lincoln, Mrs. Frederic W.	5	00	Mayer, Mrs. Edwin	S.	10 00
Lincoln, Mrs. Frederic W. S.	10	00	Maynard, Miss Helen Louise	10	00
Lindemann, Oscar	5	00	McAlpin, Mrs. William W.	10	00
Lindley, Miss Alice F.	5	00	McCarroll, Mrs. James R. T.	G. R.	5 00
Lindley, Mrs. Erasmus C.	20	00			
Lion, Miss Sarah G. (In			McCarthy, Thomas F.	G. R.	5 00
Memory of Esther Lion)	S.	5 00	McClellan, Mrs. George B.	25	00
Lipman, Walter L.	G. R.	2 00	McCConnell, Frank W.	5	00
Lisberger, Mrs. L.	5	00	McCreehy, Henry Forbes	25	00
Litchfield, Electric D.	5	00	McCully, Mrs. Harry G.	G. R.	2 00
Lloyd, Mrs. Francis G.	5	00			
Lloyd Sabaudu	5	00	McCutchen, Charles W.	10	00
Lobenstein, Mrs. William C.	10	00	McCutchen, Mrs. Charles	10	00
Lockwood, Mrs. I. Ferris	30	00	McDonald, Walter	5	00
Loews Inc.	10	00	McDowell, Miss Florence	5	00
Loines, Mrs. Stephen	10	00	McEwen, Floy	G. R.	5 00
Lonsdale, Herman Lienthal	G. R.	2 00	McGovern, Miss Eleanor	5	00
			McGowan, Thomas H.	S.	5 00
Lotta Fund for Aiding Dis-			McLean, Mrs. James	100	00
charged Convicts	S.	300 00	Meade, Miss Annie P.	S.	5 00
Love, John W.	1	00	Meigs, Ferris J.	10	00

Mendenhall, Henry B.	5	00	Murphy, Miss Janet B.	G. R.	10 00
Menger, M. F.	1	00	Murray, Mrs. Francis W.	5	00
Merchant, Mrs. E. T.	10	00	Myers, Marcus A.	1	00
Merle-Smith, Mrs. Wilton	G. R.	25 00	Mygatt, Kenneth	5	00
			Myrick, Thomas N.	G. R.	5 00
Merrill, Mrs. Charles E.	5	00			
Merrill, Mrs. Charles E., Jr.	5	00		N.	
Meresereau, Mrs. Jacob	5	00			
Meyer, Mrs. Charles B.	5	00	Nash, Mrs. Francis P.	10	00
Michaelis, Joseph	5	00	*Nathan, Mrs. Harmon H.	25	00
Middelkoop, Frans	G. R.	2 00	Neave, Mrs. Charles	5	00
Middlebrook, Mrs. William	2	00	Neameyer, Mrs. G.	5	00
W.	2	00	Neuss, William	10	00
Middleton & Co., Ltd.	10	00	Neustadt, Mrs. S.	5	00
Miller, Miss Annie	10	00	Newburg, M.	S.	10 00
Miller, Miss Florence	C. T.	1 00	Nichols, George	10	00
Miller, Mrs. G. Macculloch	G. R.	20 00	Nichols, Mrs. John W. T.	5	00
			Nichols, William W.	5	00
Miller, Mrs. Henry Wise	10	00	Nicolai, Nathaniel	5	00
Miller, Mrs. Lawrence McK.	25	00	Norris, Miss Fanny	10	00
Millet, Stephen C.	5	00	Norris, Mrs. Samuel	G. R.	3 00
Millett, Mrs. Stephen C.	5	00	Norton, Mrs. Charles D.	25	00
Miliken, Seth M.	10	00	Norton, Mrs. Frank L.	5	00
Mills, David B.	10	00	Nourse, Miss Juliet L.	5	00
Milne, Mrs. George G. G. E.	25	00	Noxall Waist & Dress Co.	5	00
Minford, Miss Agnes A.	5	00	Nut, Mrs. John Wesley	S.	5 00
Minner, Edmund E.	1	00		O.	
Mitchell, Mrs. Clarence Blair	G. R.	10 00	Oakley, Alonzo Gore	5	00
Mitchell, Mrs. John Murray	10	00	O'Brien, Morgan J.	50	00
Moeller, Miss Hannah T.	1	00	O'Brien, Morgan J.	S.	25 00
Moody, William F.	G. R.	10 00	O'Connor, John Christopher	10	00
Moon, Mrs. George C.	1	00	Ogden, Charles W.	10	00
Moore, Benjamin	25	00	Ogden, Miss Mary F.	10	00
Moore, Edward S.	100	00	Ogston, Olat	1	00
Moore, Mrs. Paul	50	00	Ogston, Mrs. Eben Erskine	5	00
Moore, Mrs. William H.	25	00	Oleott, Miss Mary	G. R.	10 00
Morawetz, Mrs. Victor	25	00	Oleott, Miss Theodora	C. T.	10 00
Morche, Ernest W.	2	00	Olyphant, Miss Elizabeth G.	S.	2 00
Morgan, Miss Caroline L.	G. R.	10 00			
Morgan, Mrs. Edith P.	5	00	O'Neill, Miss Annie	C. T.	10 00
Morgan, Mrs. Edwin D., Jr.	G. R.	25 00	Openhym, Wilfred A.	25	00
			Orne, Henry M.	G. R.	5 00
Morris, Mrs. Lewis R.	S.	60 00	Osborn, Mrs. William Church	S.	10 00
Morris, Lewis Spencer	10	00			
Morris, Richard L.	10	00	Osborn, William Church	100	00
Morris, William H.	10	00	Otis, F. Burton	2	00
Morton, Mrs. Paul	10	00	Owen, Mrs. Walter T.	S.	10 00
Moses, Mrs. James	5	00			
Mott, Edgar P.	5	00		P.	
Mott, Lewis F.	20	00			
Mourralle, Miss Mathilde	M.	3 00	Palen, Miss Grace	5	00
M.	3	00	Palmer, Mrs. J. Culbert	5	00
Mowbray, Miss Mary E.	3	00	Panthen, Karl A.	S.	10 00
Mowry, Eugene C.	5	00	Pappenheimer, Mrs. A. M.	10	00
Mueller, Jacob P. Co.	2	00	Parker, Mrs. A. W.	10	00
Mueher, Miss Louise M.	5	00	Parker, Mrs. Willard	10	00
Munn, John P.	20	00	Parks, Mrs. Elton	G. R.	5 00
Munroe, Mrs. Chester	25	00	Parsons, Miss Anna H.	1	00
Murphy, Grayson M. P.	20	00	Parsons, Mrs. Edgerton	5	00

* Deceased.

Parsons, William Barclay..	5 00
Parsons, William Barclay, Jr.	5 00
Parsons, William H.....	10 00
Partridge, Theodore Dwight G. R.....	10 00
Patterson, H. Azro.....G. R.	5 00
Paulding, James Kirke.....	5 00
Pavenstedt, Adolf J.....	10 00
Pavey, Frank.....	20 00
Payne, Miss Sarah Kate.....G. R.	1 00
Pearce, William G.....	25 00
Peabody, Miss Clarence H.....	3 00
Pegram, Edward Sanford S.....	5 00
Peteris, Siegfried.....	5 00
Pell, James D.....	10 00
Pennymer, Mrs. Paul Geddes	5 00
Perine, Mrs. William De Nyse.....G. R.	10 00
Perkins, Mrs. Clarence E.....	10 00
Perkins, Miss Emily S.....	10 00
Perkins, Mrs. George W.....	25 00
Perkstein Bros.....	3 00
Perry, Mrs. H. G.....	50 00
Peters, Miss Alice E.....	10 00
Peters, Miss Elizabeth.....	3 00
Peters, Miss Isabel.....	10 00
Peters, Mrs. Samuel T.....	5 00
Pettigrow, Robert H.....	2 00
Pforzheimer, Mr. and Mrs. Carl H.....	10 00
Phelps, Miss Claudia Lea, 3d.....	10 00
Phelps, Miss Lusia James.....	10 00
Phillips, Miss E. M.....C. T.	5 00
Phillips, Miss Ellen A G.....	5 00
Phillips, Mrs. Elliot S.....	2 00
Pierce, Miss Anna.....	5 00
Pierce, Edward Allen.....	10 00
Pierrepont, Miss Julia J.....	15 00
Pierrepont, Mrs. R. Stuyvesant.....	10 00
Pinkerton, Mrs. Robert A.....	10 00
Pitkin, Mrs. Albert J.....	50 00
Plitt, Louis.....	2 00
Polak, Edward H.....	10 00
Polk, Frank L.....	10 00
Polk, Mrs. William M. (1830-1831).....	100 00
Pollak, W. G.....	10 00
Pope, Mrs. Charles Frank.....	25 00
Porter, H. Hobart.....	100 00
Post, Abram S.....	10 00
Post, Mrs. Carroll J., Jr.....	5 00
Post, James H.....	100 00
Potter, Miss Blanche.....	10 00
Potter, William C.....G. R.	100 00
Pouch, Edgar D.....	20 00
Pouch, William H.....	10 00
Powell, Wilson M.....	50 00
Pratt, Charles H.....	20 00
Pratt, Mrs. Charles M.....	25 00
Pratt, Mrs. John T.....G. R.	10 00
Prescott, Miss Mary R.....	10 00
Price, J. Dayton.....G. R.	10 00
Price, Mrs. Benjamin.....	15 00
Prizer, Miss Mary C.....G. R.	5 00
Pruyn, Erving.....G. R.	5 00
Pryor, Mrs. S. Morris.....	3 00
Pugsley, C. A.....S.....	10 00
Pulsifer, Nathan T.....	5 00
Purrington, Mrs. William A.....S.....	10 00
Putnam, Mrs. B. V.....	10 00
Putnam, G. P. Sons.....G. R.	10 00
Putnam, Mrs. William A.....	5 00
Pyne, Mrs. M. Taylor.....	15 00
Pyne, Mrs. M. Taylor.....S.	15 00
Q.	
Quan, Mrs. James.....C. T.	1 00
Quinto, Philip.....	2 00
Quirk, Conal O'C.....C. T.	1 00
R.	
Raeky, Miss Bertha.....	2 00
Radnal, Josef.....	1 00
Randolph, Mrs. Francis F.....	5 00
Rankin, Mrs. Hugh.....S.	5 00
Ransom, Mrs. C. A.....G. R.	3 00
Ransom, Mrs. Paul.....	5 00
Ragnor, Mrs. Forrest.....S.	5 00
Redmond, Miss Emily.....	20 00
Redmond, Mrs. John L.....	50 00
Redmond, Mr. and Mrs. Roland.....	10 00
Reed, Henry Douglas.....	10 00
Reed, Mrs. Henry Hope.....	5 00
Reed, Lansing P.....	25 00
Reed, Mrs. E. W.....G. R.	2 00
Reed, William H.....	5 00
Reese, Miss Margaret M.....	5 00
Regensburg, Mrs. Jerome.....	10 00
Reid, Fernus.....	100 00
Reisinger, Curt H.....	5 00
Rensen, Miss Margaret S.....	10 00
Renton, Stanley H.....	10 00
Reed, Mrs. E. William C.....	2 00
Requa, J. Eugene.....	5 00
Rentler, Mrs. Robert.....	3 00
Reynolds, Miss Emma C.....G. T.	5 00
Reynolds, George G.....	5 00
Reynolds, Miss Kate L.....	5 00
Reynolds, Mrs. R. G.....G. R.	1 00
Rhinelander, Mrs. Thomas	5 00
Rhoades, Miss Nina.....	10 00
Rice, Jacques B.....	5 00
Rice, William H.....	50 00
Richards, Mrs. Eben.....G. R.	3 00
Richards, Edward A.....	25 00

Richards, Miss Harriet M.....	2 00
Richards, Miss Sarah E.....	5 00
Richardson, Mrs. C. Tiffany.....	25 00
Richardson, Miss Marion.....	10 00
Richardson, Miss Marion.....C. T.	5 00
Richardson, William C.....	2 00
Richardson, Mrs. William J.....	2 00
Riesner, Benjamin.....G. R.	2 00
Riverside Church.....G. R.	100 00
Riggs, Lawrason, Jr.....	1 00
Rinekhoff, John P.....S.	100 00
Ripley, Mrs. Joseph P. G. R.....	10 00
Robb, Mrs. J. F.....G. R.	1 00
Robbins, Mrs. Julian W.....	10 00
Roberts, Miss Josephine L.....	15 00
Roberts, Miss Marion L.....	10 00
Robie, Mrs. John W.....	4 00
Robinson, Charles P.....	5 00
Robinson, Mrs. Franklin W.....	5 00
Roche, James S.....	6 00
Rockwood, Miss Katharine C.....	15 00
Rowdewald, Miss A. Leontine	10 00
Roesler, Mrs. Franz.....S.	50 00
Roesler & Hasselcher Chemical Co.....	4 00
Rogers, Mrs. Francis.....	5 00
Rogers, Mrs. John Leverett.....G. R.	25 00
Rogers, Mrs. Mary Benjamin.....G. R.	5 00
Rogers, Noah C.....	15 00
Roller, Emil.....	5 00
Roll, Charles T.....	10 00
Root, Oren.....	10 00
Roper, Mrs. Langdon H.....G. R.	2 00
Rose, Miss Helen.....G. R.	1 00
Rose, John Henry.....	1 00
Rosenbaum, Arthur A.....	10 00
Rosenbaum, Sol G.....	10 00
Rosendale, William M.....	5 00
Rosenbach, Mrs. W. S. J.....	10 00
Rosenthal, Rudolph.....	2 00
Rosenzweig, Mrs. Joseph.....	3 00
Ross, Miss Ivy M.....C. T.	5 00
Rothbart, Albert.....	50 00
Rowell, Mrs. Ruth F. G. E.....	2 00
Rumery, Ralph R.....	2 50
Runyan, Miss Carrie B.....	2 00
Rusch, Mrs. W. E.....G. R.	10 00
Rusch & Co.....	10 00
Russell, Miss Ella E.....	5 00
Russell, Mrs. Howland.....S.	5 00
Ryle, Arthur.....	10 00
S.	
Sabin, Charles H.....	100 00
Sachs, Barney.....	5 00
Sagan Holding Co.....E. B.	1,000 00
Sagan Holding Co.....A. S.	400 00
Sage, Denn.....E. B.	300 00
Sage, Mrs. Henry W.....G. R.	25 00
Sage, Mrs. William H.....	25 00
Salisbury, Mrs. Lucius A.....	5 00
Salomon, Mrs. Harry.....G. R.	5 00
Sanborn, James F.....	5 00
Sanford, Mrs. Lisa W.....	15 00
Satterlee, Mrs. Herbert L.....	25 00
Satterthwaite, Mrs. P. G. R.....	5 00
Satterthwaite, Mrs. Thomas E.....	15 00
Sattler, Anton, Inc.....	2 00
Saul, Charles R.....	5 00
Saul, Miss Elka.....	2 00
Sawyer, Decatur M.....	5 00
Savage, Mrs. Theodore Fiske G. R.....	10 00
Sawyer, Decatur M.....	10 00
Sayre, Miss Mary Hall.....	5 00
Schaefer, Mrs. J. Louis G. R.....	10 00
Schanberg, Mrs. Lewis M.....	2 00
Schaeffer, Mrs. F. H. G. R.....	5 00
Schefer, Anton H.....	10 00
Schey, Mrs. Max.....	2 00
Schiff, Mrs. Jacob H.....	5 00
Schiff, Mortimer L.....	25 00
Schlesinger, Miss Anna.....	5 00
Schlesinger, Baldwin.....	3 00
Schley, Mrs. Kenneth B.....	4 00
Schlieman, Julius.....	5 00
Schmidlapp, Carl J.....	25 00
Schofer, Hex F.....	2 00
Schoening, Gustave G. R.....	10 00
Schrenk, Otto V.....G. R.	5 00
Schroeder, Mrs. Henry.....S.	2 00
Schuchardt, Mr. and Mrs. Frederick S.....	5 00
Schulte, Mrs. David A.....	15 00
Schulte, Mrs. Joseph M.....	5 00
Schultz, Mrs. Albert B.....	5 00
Schwab, Mrs. Max.....	20 00
Scognamillo, Mrs. Rose B. G. R.....	3 00
Scoles, Mrs. Richard J.....	5 00
Scott, Henry L.....	15 00
Scott, Henry L.....	5 00
Scott, James E.....G. R.	1 00
Scott, Miss Mary Evelyn.....	50 00
Scott, Miss Margaret.....	10 00
Seabrook, Mrs. H. H.....	10 00
Seabrook, Mrs. A. J.....S.	5 00
Seelig, G. A. F.....	1 00
Seem, Mrs. Samuel H.....	10 00
Seeman, James.....S.	20 00
Seibels, Mrs. Robert E.....	10 00
Seibert, Jacob, Jr.....	5 00
Seligman, Mrs. George W.....	2 00
Seligman, Mrs. Isaac N.....	10 00
Seligberg, Alfred F.....	5 00
Shattuck, Mrs. Jane M.....S.	5 00
Shaw, Mrs. Jennie C.....	3 00
Shaw, Mrs. Samuel T.....	2 00
Sheafe, Mrs. Charles M., Jr.....	5 00
Sheldon, Miss Edith.....	1 00

Shepard, Finley J.	G. R.	50 00	Stein, Miss Helen A.	2 00
Sherman, Miss Dorothea	5 00	Steinbrugge, Mrs. Lucien H. . . .	5 00	
Sherman, Mrs. Gordon E.	5 00	Stevens, G. R.	10 00	
Sherrill, Miss Helen L.	2 00	Stephens, T. W.	10 00	
Shriver, Alfred	5 00	Sterling, Nelson D.	10 00	
Sibley, Mrs. Hiram W.	20 00	Starr, Benjamin	10 00	
Sidman, Edgar N.	5 00	Sternberg, Louis G. R.	5 00	
Siegmán, M. B.	10 00	Stetson, Miss Ethel	2 00	
Simmons, Joseph Ferris	S. 10 00	Steuér, Mrs. Max D.	5 00	
Simon, A. L. & L. L.	5 00	Stevens, Miss Mary Olin	5 00	
Simonds, Mr. and Mrs. R. G. . . .	10 00	Stevens, Mrs. Richard T.	5 00	
Simonds, Samuel S. G. R.	10 00	Stevens, Mrs. Robert S.	2 00	
Simons, Isaac	2 00	Stevenson, Miss Marion V.	10 00	
Simpson, Miss Jean Walker	50 00	Stewart, Mrs. A. A. S.	5 00	
Simpson, Mrs. Mabel E. S.	1 00	Stielzel, Mrs. Albert	5 00	
Sinclair, Mrs. Donald B.	5 00	Stieglitz, Mrs. Albert	5 00	
*Skougaard, Jens	50 00	Stieglitz, Leopold	5 00	
Slade, Miss Augusta P.	10 00	Stillman, Miss Charlotte R.	100 00	
Slade, Francis Louis	5 00	Stimson, Henry A.	5 00	
Slade, George T.	25 00	Stimson, Henry L.	25 00	
Slimmon, Robert	1 00	Stires, Ernest M.	5 00	
Sloan, Samuel	10 00	Stokes, Harold Phelps. G. R.	25 00	
Sloan, Mrs. William S.	10 00	Stokes, John W.	10 00	
Sloane, Mrs. John	30 00	Stone, Herbert F.	15 00	
Sloane, Mrs. William	25 00	Stone, Junius H.	5 00	
Smith, Miss Elisabeth Morehouse	20 00	Stone, Samuel H.	50 00	
Smith, Miss Fanny A.	5 00	Stone, Wilbur M.	15 00	
Smith, Mrs. Fitch W.	10 00	Storer, Albert H.	10 00	
Smith, George C., Jr.	20 00	Stout, Harry A.	10 00	
Smith, Miss Madeline Denton	10 00	Stout, Mrs. Lewis A.	10 00	
Smith, Mrs. E. Penn, Jr.	25 00	Strauburger, Mr. and Mrs. Irwin	10 00	
Smith, Roy C. G. R.	5 00	Stratton, Albert Elbridge	3 00	
Smith, Mrs. Spencer C.	10 00	Stress, Herbert N.	25 00	
Smithers, Christopher	10 00	Straus, Marcus G. R.	10 00	
*Snow, Frederick A.	25 00	Straus, Mrs. Daisy	5 00	
Solomon, Mrs. Stella	2 00	Straus, Frederick C.	10 00	
Solot, Max	1 00	Straus, Joseph	2 00	
Spahr, Mrs. William	10 00	Strauss, Nathan	2 00	
Spalding, A. G. & Bros.	10 00	Stricker, Mrs. Hans G.	1 00	
Spalding, Mrs. George A.	5 00	Strickland, Miss Florence E.	G. R.	3 00
Sparks, Miss Eleanor. G. R.	3 00	Strong, Mrs. J. R.	35 00	
Sparks, T. Ashley	20 00	Strong, John R.	5 00	
Spaulding, S.	25 00	Strong, Miss Mary B.	5 00	
Speir, Mrs. Louis D.	1 00	Stuart, Mrs. Malcolm. G. R.	5 00	
Speir, Louis Dean	1 00	Sturges, W. W.	5 00	
Spellman, Louis E.	5 00	Sturjis, William C.	5 00	
Speranza, Mrs. Gino	25 00	Stuyvesant, A. Van Horne	25 00	
Speyer & Co.	10 00	Stuyvesant, Miss Anne W.	25 00	
Spool Cotton Co.	25 00	Styles, Mrs. Frederick E.	3 00	
Sprague, Seth	20 00	Strong, Miss Martin B.	5 00	
Stabler, Edward	2 00	Sullivan, William Mathews.	10 00	
Stafford, Mrs. William F.	10 00	Sumner, Mrs. Ernest. G. R.	2 00	
Standish, Mrs. Myles	10 00	Sutthiff, Miss Mary L. G. R.	2 00	
Stark, Theodore H.	1 00	Sutton, J. Wilson	1 00	
Stebbins, Charles	3 00	Swallow, Mrs. A. G. G. R.	10 00	
Stebbins, E. Vail.	60 00	Swan, Miss Harriet S. G. R.	3 00	
Steele, Charles	10 00	Swan, Mrs. Joseph Rockwell	3 00	
Stein & Blaine	2 00	Swan, Mrs. Lynd M.	3 00	
Stein, Mrs. Gerda	5 00	Sweet, Mrs. Paul F. S.	5 00	
Stein, Mrs. Gerda	10 00			

* Deceased.

Sweeney, Arthur M. G. R.	5 00	Truslow, Arthur	2 00	
Swift, Miss Georgia E. G. R.	2 00	Tuckerman, Mr. and Mrs. Paul	25 00	
		Tullipan, Mrs. Morris	2 00	
		Turnbill, Miss Ethel.	20 00	
		Turner, Mrs. Henry Chand-lee	5 00	
		Turner, Miss Mary A. G. R.	1 00	
		Tuttle, Miss Fredericks S.	25 00	
		Tweed, Miss Mary W.	5 00	
		Twitchell, Mrs. Burton F.	50 00	
		Tyler, Mrs. Walter L.	5 00	
		U.		
		*Ujffy, M. S.	10 00	
		Ulman, Mrs. Morris S.	5 00	
		Underhill, Miss Caroline and Miss M. B. LaMont	G. R.	3 00
		Underhill, William P.	10 00	
		Union Towel Supply Co.	30 00	
		United Piece Dye Works.	25 00	
		United Retail Grocers' Assn	10 00	
		Utilities Sales Corp. G. R.	1 00	
		V.		
		Vaillant, Mrs. Abby A.	10 00	
		Van Aalstye, Mrs. David.	3 00	
		van Beuren, Mrs. M. M.	10 00	
		Van Brunt, Jeremiah R.	10 00	
		Vanderpool, Mrs. John A.	15 00	
		Vanderpool, Albion A. G. R.	5 00	
		Van De Water, William G.	10 00	
		Van Gerbig, Mrs. Barend.	200 00	
		Van Sinderen, Mrs. Arthur. S.	5 00	
		Van Rensselaer, Mrs. William B.	5 00	
		Van Santvoord, Seymour	10 00	
		Van Sinderen, G. R.	10 00	
		Van Sinderen, Howard.	10 00	
		Van Valkenburg, Mrs. Carlton	2 00	
		Van Vechten, F. R.	50 00	
		Von Vechten, Mrs. Schuyler.	2 00	
		Van Wageningen, Mrs. H. W.	G. R.	20 00
		Van Wessel, Marcus S.	5 00	
		Van Winkle, Miss Mary Starr	2 00	
		Varnum, Mrs. James M.	G. R.	25 00
		Vermeer, Albert	G. R.	25 00
		Vernam, W. B.	G. R.	2 00
		Ver Planck, Mrs. William G.	10 00	
		Willard, Oswald G. R.	10 00	
		Voelker, Louis A. C. T.	2 00	
		Voislavsky, Antonie P.	5 00	
		von Bernuth, Mrs. Louis.	G. R.	5 00

* Deceased.