

MAKING MEN OVER

BEING THE SIXTY-FIFTH ANNUAL REPORT
OF THE
PRISON ASSOCIATION OF NEW YORK

1910

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Preface.

The sixty-fifth annual report of the Prison Association of New York includes the report of the Executive Committee, transmitted to the Legislature April 13, 1910, and additional matter down to September 1, 1910. As the financial year of the Association corresponds with the calendar year, the record of donations and the Treasurer's report are limited to December 31, 1909. Contributions made during 1910 will be acknowledged in the next annual report.

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The Prison Association of New York.

Officers for 1910.

President.

EUGENE SMITH.

Treasurer.

J. SEELY WARD, JR., 135 E. 15th St., N. Y.

Recording Secretary.

SAMUEL M. JACKSON.

Corresponding Secretary.

O. F. LEWIS.

Vice-Presidents.

WILLIAM P. LETCHWORTH,	FELIX ADLER,
RE. REV. DAVID H. GREER,	EUGENE A. PHILBIN,
ROBERT W. DEFOREST,	JACOB SCHIFF.

Executive Committee.

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

Standing Committees for 1910.

On Law and Prison Discipline.

MESSRS. WILLIAMS, GREGORY, KIRCHWEY, MCKEEN, PAVEY,
PHILBIN and SPERANZA.

On Discharged Convicts and Parole Work.

MESSRS. HADDEN, CHISOLM, GREGORY and SAWYER.

On the Library.

MESSRS. JACKSON and FINLEY.

On Detentions.

MESSRS. WOOD, OSBORNE, MERRILL, SAGE, SHELTON and
WENDELL.

On Honor.
Messrs. HUTCHINSON and FLINT.

On Finance.
Messrs. GOLD, JACKSON, McKEEN, SHELTON and WARD.

The Staff of the Prison Association.
Administration.

O. F. LEWIS, Corresponding Secretary,
D. E. KIMBALL, General Agent,
Miss F. G. AUCHAMPAUGH, Secretary to Corresponding
Secretary, Stenographer,
Miss BEATRICE STECKER, Clerk,
Miss ESTHER MIDLER, Clerk,
Miss BESSIE RATNER, Clerk.

Parole Bureau.

H. B. RODGERS, Parole Agent.
GRANT WILLIAMS, Assistant.
A. G. BENEDICT, Assistant.
T. B. COLLINS, Assistant.
SAMUEL ORNITZ, Assistant.
Miss H. H. LEVY, Stenographer.

Probation Bureau.

D. E. KIMBALL, Probation Officer.
Mrs. EMILY WALKER, Probation Officer.
EDWARD BERMAN, Investigator.
Miss NAOMI RIGBY, Stenographer.

Sage Foundation Study.
February-August, 1910.

A. E. BULLARD, Supervisor.
JAMES FORBES, Investigator.
SAMUEL BLUMENTHAL, Investigator.
SAMUEL ORNITZ, Investigator.
Miss SADIE BURG, Stenographer.

STATE OF NEW YORK

No. 42.

IN SENATE

APRIL 13, 1910.

Sixty-Fifth Annual Report

of the

Prison Association of New York.

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

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

Respectfully,

EUGENE SMITH,

President.

O. F. LEWIS,

Corresponding Secretary.

To the Honorable the Legislature of New York.

FOUR questions relating to the treatment of crime and the inmates of correctional institutions in this State demand the special attention of your honorable body during the session of 1910.

1. Shall boys and young men between the ages of 16 and 21 who have been convicted of misdemeanors continue to be sent to penitentiaries and jails (or in New York city, to the workhouse), or shall there be provided by the State a thoroughly modern reformatory for misdemeanants?

2. Shall tramps and vagrants over the age of 21 continue to be sent to jails and penitentiaries (or in New York city, to the workhouse), or shall there be provided

Four Questions. by the State for such tramps and vagrants an industrial farm colony for their "detention, humane discipline, instruction and reformation?"

3. Shall the county jails and county penitentiaries of this State continue to be mainly centers of idleness and of education in crime, or shall there be introduced into such penitentiaries as do not now maintain industries, and into the county jails, productive industries, the products of which may be used for the benefit of the State or the political divisions thereof, or for the use of public institutions owned or managed or under the control of the State or the political divisions thereof?

4. Shall persons convicted of intoxication continue to be discharged, fined small amounts, or sent to the workhouse, in the city of New York, or shall the city of New York establish a comprehensive system of treating inebriates, with a view to checking the disease and to reforming the inebriate?

Prisons and other correctional institutions should not be primarily places of punishment. Punishment is necessary, but punishment is not all that is necessary.

The Purpose of Prisons. Society requires protection from the acts of evil-doers, but society should not be so much interested in punishing a wrong doer as in making him, through punishment, less likely to continue to do wrong. That society has the best protection that has

learned best how to prevent crime, and how to prevent its recurrence. Obviously it is better to prevent crime than to incur afterwards the very costly expense of treating the criminal.

Yet the State of New York and practically all the States of the Union have developed an expensive system of treating the criminal *after the crime has been committed*. This is a natural development, because the presence of criminals has necessitated measures for their incarceration and treatment.

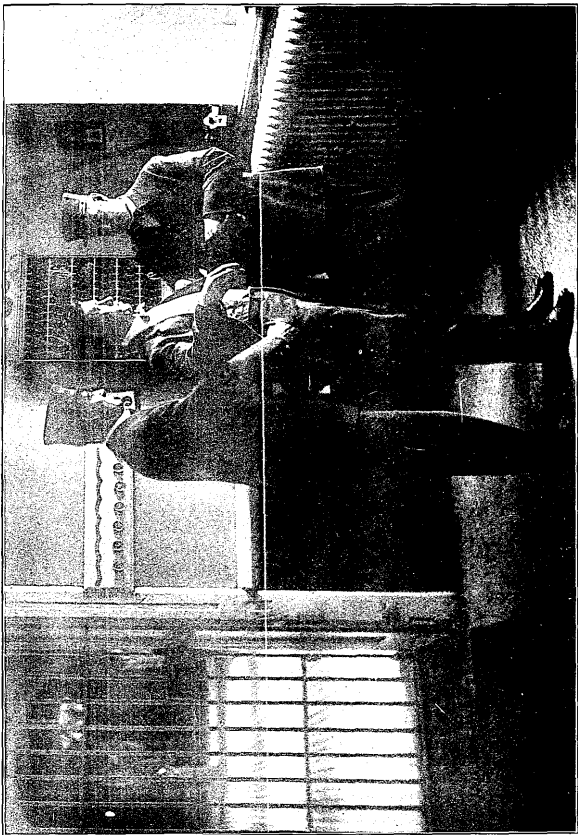
Why not try to prevent many of these more serious crimes by beginning earlier our efforts to check the offender? No one will deny that such a course is reasonable. This granted, the questions proposed above may receive detailed consideration.

I.

“ Shall boys between the ages of 16 and 21 who have been convicted of misdemeanors continue to be sent to the penitentiaries and jails (or in New York city, to the workhouse), or shall there be provided by the State a modern reformatory? ”

Boys between the ages of 16 and 21 are rarely confirmed criminals. They are not regarded by the law of this State as criminals until they are 16. Between the ages of 16 and 21 they are perhaps in the most reformatory years of their life. Until 16 years of age they are regarded by the law as “delinquents,” and are tried in children’s courts, where children’s courts exist. What radical difference is there between a boy of 15 and a boy of 16, 17, 18 or even 19 years? They are all “boys.” Should they, while imprisoned, be forced to associate with hardened criminals?

The sanitary and moral conditions of many of our penitentiaries and jails have for years been graphically described in the reports of the Prison Commission and the Prison Association. Judge Chadsey of Rochester, in a conference of magistrates at Albany last winter, said: “We can send children under 16 years to an industrial school, but what am I going to do with the boy that is 16 years and one day old? I would not send him to the Monroe County jail. In Rochester we do not commit to jail at all. The jail is a worse place than the penitentiary.”



New Prisoner Entering -- Being Searched by Officers

The report of the Prison Association for 1909, calling the attention of the Legislature to the fact that 5,642 boys between the ages of 16 and 21 were confined in jails

Boys in Penitentiaries and Jails. and penitentiaries for the year ending September 30, 1908, said: "It is appalling to think that by a process of legal indifference and neglect, a boy may be sent for six months

or a year to a jail, where he comes in contact with the most degrading society, where he is without schooling or work of any kind except the deplorable schooling in crime furnished by older and hardened criminals."

To do away last year with this condition, which probably no one in the State desires should continue longer than is necessary, a bill was introduced in the 1909 Legislature providing for a State reformatory for misdemeanants between the ages of 16 and 21. The bill passed the Assembly, but was not reported out from the Senate Finance Committee, due to the pressure for funds for other institutions.

During the year ending September 30, 1909, the number of boys between the ages of 16 and 21 in our penitentiaries and jails has increased by 200. Of these boys it is estimated that one-third were committed to county jails, were awaiting trial, or were not convicted of crime. What of the moral responsibility of the State and of its political divisions to boys between the ages of 16 and 21, who are thus forced into close contact and association with older, hardened criminals without labor or employment, in an atmosphere reeking with moral contagion? Is it possible to conceive of an atmosphere more dangerous to these young prisoners?

The reformatory for young misdemeanants is therefore vitally necessary for several reasons.

(a) *To imprison boys among hardened offenders is from an economic standpoint very costly and extravagant.* Society does not expose its members to smallpox. We quarantine cholera, diphtheria, scarlet-fever, and even measles. Why then should the State continue to allow pest-houses of crime to flourish in this State without the slightest social quarantine, and to return to society the inmates of such penitentiaries and jails still more infected with criminal tendencies and with hatred of society?

The simple question is: Why should the State develop criminals in one set of institutions, whom it must later at much

expense confine in another set of institutions, during comparatively long terms, *after serious crimes have been committed at society's expense?* Any business man would declare that this is the worst kind of business management. This fact appears no less serious because the State and society in general are the administrators and the sufferers.

(b) *To imprison boys among hardened offenders without industrial or educational facilities is to lose an important chance to make a workman out of an idler.* The huge army of the unemployed existing in this country is a costly and menacing problem. The old adage that "Satan finds work for idle hands to do" may be restated in the phrase that the unemployed and the unemployable man is a potential criminal. Furthermore, imprisonment seems inadvisable when it takes from a boy his employment, without providing that during his imprisonment he should have the chance to render himself less liable to be imprisoned again. Of all antidotes to crime, the chance to learn and the right to work are among the most important.

(c) *To imprison a boy among older and hardened criminals is to commit a grievous sin against the boy.* What would a community do to a man found guilty of teaching the young of that community debasing practices and wrong-doing? Why should any political division of the State through its penitentiaries or jails continue to do what the community would not tolerate in an individual?

For these and many other reasons the Prison Association again urges the Legislature to provide for the establishment of a State reformatory for misdemeanants between the ages of 16 and 21. In this connection, the Association would cite the action taken by the Conference of City Magistrates held at Albany on December 10, 1909. Twenty-one cities (outside of New York city) were represented by magistrates at the conference.

The following resolution was adopted:

WHEREAS, In the absence of institutions exclusively for the care, correction and training of male misdemeanants between 16 and 21 years of age such misdemeanants, if placed in an institution, must be committed to a jail or penitentiary; and

WHEREAS, A large number of young men between the ages of 16 and 21 are committed each year to jails and penitentiaries in New York (outside of New York), the number of such commitments during the year ending September 30, 1908, being over 4,400; and

WHEREAS, Such misdemeanants while confined in such jails and penitentiaries are compelled to associate with older, hardened and habitual criminals, and the influence of such association is not educational or reformatory, but, on the contrary, frequently injurious;

Therefore be it Resolved, That the city magistrates representing a majority of the cities of the State, in conference assembled, place themselves on record as favoring the establishment by the State of New York of a reformatory for male misdemeanants between the ages of 16 and 21 years; and

Be it further Resolved, That the Legislature be urged to make provision for the establishment of such a reformatory as early as possible.

(Signed)

BERRY F. CONNOR (Utica).
JOHN H. CHADSEY (Rochester).
WILLIAM C. HILL (Elmira).

II.

" Shall tramps and vagrants over the age of 21 continue to be sent to jails and penitentiaries (or in New York city, to the workhouse) or shall there be provided by the State for such tramps and vagrants an industrial farm colony for their detention, humane discipline, instruction and reformation? "

Vagrancy is a correctional and charitable problem, national in its scope, yet its treatment has been heretofore essentially local. Vagrancy is already costly and expensive to society and will continue to become more widespread and more costly unless general and thoroughgoing measures are taken to reduce it.

The State Board of Charities of New York estimates in its current annual report that tramps and vagrants cost the taxpayers of this State two million dollars annually.

Vagrants and tramps prey upon society, form a considerable proportion of the population of charitable and correctional institutions, spread disease, and are thoroughly unproductive from an economic standpoint.

The great majority of vagrants are less than 30 years of age and are criminals in the making. The army of tramps and vagrants is constantly increasing by the influx of young men leaving home to "go on the road." The army is decreased almost entirely at the expense of society, in that thousands of men find their way into correctional institutions, into almshouses, into crime, into hospitals, and into the potter's fields.

Therefore, the press and the public are practically unanimous in desiring that vagrancy shall be reduced. Short sentences to correctional institutions are futile; jail treatment is often a farce; more than one penitentiary in this State has been called a "winter resort for tramps." Charity can do but little at present with this unproductive, anti-social class.

In 1909 a farm colony bill was introduced in the Legislature. Like the reformatory bill, it passed the Assembly, but was not reported out by the Senate Finance Committee. While it was under consideration by the Legislature the bill attracted a remarkable amount of favorable attention from the press throughout the United States. The newspapers pointed out editorially that vagrancy is a blight, and the demand was emphatically made that the vagrant should be made to work, and should be taught that "man should earn his bread by the sweat of his brow."

Such a work colony is provided by the industrial farm colony bill now before the Legislature. It is provided that not only agriculture but industries shall be taught at this colony. The sentence shall be indeterminate, not to exceed eighteen months in the case of a first offense. Through the establishment of such a colony, tramps and vagrants will not only have the chance to learn how to work, but many other tramps will be deterred from entering or staying in the State of New York.

Several arguments are likely to be advanced against the establishment of such a farm colony.

Farm Colonies — Pro and Con. The first argument is that it is an untried institution. This is so in the sense that no similar colony has been established in this country. However, it is a conspicuous fact that wherever in the United States reasonably hard work has been introduced into correctional institutions, such institutions and the locality where these institutions are located are shunned by tramps and vagrants. Furthermore, European countries have for many years maintained similar farm colonies, and have found that a considerable proportion of the inmates have been restored to industrial life.

Another argument is that the establishment of such a farm colony in the State of New York will not cure vagrancy, but simply drive the tramps into other States. In view of the fact that it now costs the taxpayers \$2,000,000 annually for our army of tramps and vagrants, it is doubtful if such an exodus into adjacent States will seem to New Yorkers a serious ethical question. Rather, will not such an exodus tend to stimulate other States to provide similar colonies? New York may well precede other States in the establishment of a farm colony, rather than be forced to establish farm colonies because of the



Clerk — Entering New Prisoner on the Record Book

inundations of tramps from other States where more rigorous measures may in the interval be established.

A third argument is that such a colony is expensive, since there are already facilities for the imprisonment of vagrants and tramps. The answer is that the absence of such a colony is even more expensive, since the present short terms of imprisonment neither deter nor reform. The State should not go on the principle of the tramp himself, namely: to seek to get something for nothing. The State of New York cannot reduce vagrancy and reform the vagrant without expense to itself. If it is argued that the cessation of commitments of tramps and vagrants to jails and penitentiaries will reduce the penitentiary population, it is to be replied that the penitentiary population should be reduced, because a penitentiary should not be a so-called "winter resort for tramps."

Furthermore, such reduction of the penitentiary population would give greater opportunity for the commitment of prisoners to penitentiaries who are now confined in jail. The primary purpose of the county jail is not to serve as a place of imprisonment for convicted prisoners, but as a place of detention for prisoners awaiting trial.

The experience of European countries shows that such labor colonies are maintained at a low per capita expense. We should not deceive ourselves into believing that such institutions in this country will probably be self-supporting. On the other hand, our prison population tends to increase proportionately to the population of the State, and it is far better to establish modern institutions on modern methods than to build additional institutions on ancient methods.

A fourth argument is that such a farm colony may become a prison for penniless wanderers whose only crime is their poverty. But the proposed colony would not be used for the reception of any new class of offenders. The colony would be only a different institution for a certain class of offenders now committed to penitentiaries and jails. Furthermore, it is provided in the proposed law establishing the farm colony that no person shall be committed to such colony who shall satisfy the court or magistrate by evidence, other than such person's own testimony, that he habitually supports himself through lawful employment.

Even if by error an honest unemployed workman, seeking employment, were committed to such a colony, he has the

chance to bring before the board of managers his proof of habitual employment; the said board of managers have power to parole or discharge any inmate at any time. The chance of the commitment of a workman under these conditions is very slight, while the advantages of having such a colony for the compulsory segregation of vagrants and tramps are obvious.

III.

"Shall the jails and penitentiaries of this State continue to be mainly centers of idleness and of education in crime, or shall there be introduced into such penitentiaries as do not now maintain industries, and into the county jails, productive industries, the products of which may be used for the benefit of the State or the political divisions thereof, or for the use of public institutions owned or managed or under the control of the State or the political divisions thereof?"

The Prison Association takes no uncertain stand on the question of prison labor in correctional institutions. The State Constitution of 1904 provides (Art. 3, section 29): "The Legislature shall by law provide for the occupation and employment of prisoners sentenced to the several State prisons, penitentiaries and jails of the State." Under the same section no person in any State correctional institution shall be allowed to work while under sentence thereto at any occupation whereby the product of his work shall be contracted for or sold, except that the products of the labor of convicts may be disposed of to the State or any political division thereof, or to any public institution owned or managed or under the control of the State or any political division thereof.

Today it is seen that this constitutional plan of prison labor, which has now been under trial for some thirteen years, has resulted in compelling penitentiaries to give up their industries, and it has been found that in no prison have all employable prisoners been kept regularly at work at so-called hard labor for eight hours or more per day.

It is not to be expected that this constitutional restriction will be removed at any early date. Nevertheless, it is of vital necessity that prisoners should be employed. A shocking state

of idleness prevails in most of the county jails and in many of the penitentiaries of this State.

If the constitutional provisions cannot at present be changed, a development of the industries in the State prisons and the extension of such industries to penitentiaries seems obviously of great importance. The Prison Association consequently endorses the statement contained in the annual report of the Prison Commission for 1910, that under the present plan governing the use of prison products, probably the best remedy for the existing idleness in the penitentiaries is for the State to take them over and place them under the supervision of the Superintendent of Prisons, who would establish industries and find them a market, as he now does with the products of the State prisons. Until this is accomplished the Prison Association recommends the establishment of industries in the existing penitentiaries, to be under the direction of the Superintendent of Prisons, the products to be marketed by him, some of the simpler industries being transferred from the State prisons to the penitentiaries.

IV.

"Shall persons convicted of intoxication continue to be discharged, fined small amounts, or sent to the workhouse in the city of New York, or shall the city of New York be permitted to establish a comprehensive system of treating inebriates, with a view to checking the disease and to reforming the inebriate?"

In the whole State of New York there is no adequate provision for treating intoxication and inebriety. Throughout the entire United States almost 30 per cent. of the total commitments to penal institutions are for intoxication. Various estimates are made as to the extent to which intoxication is a cause of crime. It is sufficient to say, without quoting statistics, that among the causes of crime, drunkenness is perhaps predominant.

In New York State alone, in 1909, 18,941 men and 3,447 women were committed to jails and penitentiaries and to New York city institutions on the charge of public intoxication, and nearly one thousand more men and women were

committed to institutions on the charge of being drunk and disorderly. As in the case of vagrancy, so with intoxication, no thoroughgoing measures have been adopted in this State for its reduction. The Prison Association, therefore, indorses Bill 259, an act to amend the Greater New York charter in relation to the treatment of public intoxication and inebriety.

This bill embodies a program urged by the State Charities Aid Association, which would provide that first offenders charged with intoxication should be released without their appearance in court, and that all cases of intoxication that are not hardened and fixed in their habits should be released under the supervision of a probation officer. In cases which do not respond to such supervision a fine should be added, to be paid in instalments to the probation officer. No person should be committed to any institution until every means for his reformation has been exhausted. When persons must be removed from their surroundings, they should be committed on indeterminate sentences where they can be isolated from alcohol, and be given medical treatment and care, and be supplied with an abundance of healthful work. The workhouse or any corresponding institution should not be used for the commitment of inebriates until the person shows decided criminal tendencies in addition to his habitual use of alcoholic liquors.

Paroled Prisoners and Discharged Prisoners.

One of the special functions of the Prison Association, as provided by its charter, is the assistance of reformed prisoners, after they are discharged, by affording them the means of obtaining an honest livelihood and sustaining them in their efforts at reformation. The welfare of society demands that the discharged prisoner should not revert to crime. How shall such reversion be prevented, not only on the release of the prisoners, but afterward?

Men paroled from Elmira Reformatory and Napanoch Reformatory must report to their respective parole officers at least once a month for six consecutive months. Men paroled by the Board of Parole from State prisons report by letter monthly to the Superintendent of State Prisons at Albany. In parts of the State, other than New York city, police captains, police chiefs and other individuals frequently act as parole



Physician — Mental and Physical Examination of New Prisoner

agents for Elmira and Napanoch Reformatories. The number of parole agents for reformatory prisoners and State prisoners is far below the number required.

It is a self-evident but important fact that approximately as many prisoners are discharged from correctional institutions as are committed to them. These inmates on release either amalgamate with society and become a part of its army of workers, or else they continue their life of crime. It is futile to expect that even the best system of administration of State prisons or reformatories will accomplish large results in the reformation of discharged prisoners unless the parole system is efficiently maintained, and for a period sufficiently long to achieve real influence with each individual on parole.

The Prison Association would recommend the development of a centralized parole system with a central head and with a sufficiently large number of parole agents to cover the State and give adequate time to the individual cases of the men paroled. This system should supervise men paroled from State prisons and reformatories. This development of the parole supervision of the State into an organized system would entail a considerably increased annual expense for parole officers. Yet, as a leading official of this State recently said, "Why spend \$200 a year on reformatory treatment of inmates and then about \$1.50 for their parole supervision during six crucial months in their lives?"

In short, the Prison Association would call attention to the extremely disproportionate emphasis placed on reformatory influences *within* the prison walls, and the extremely inadequate reformatory influence brought to bear upon paroled men *after release from prison*.

In this connection the Association has pleasure in reporting that through the financial assistance of the Sage Foundation, the Association is now conducting a careful study of the after lives of several hundred men paroled to the Association from Elmira Reformatory. It is expected the results of this study will present in greater detail than has any previous study in the United States the various factors in the after lives of reformatory inmates. The study will show particularly to what extent men released from Elmira Reformatory and living in New York revert to crime.

One important feature of the parole work as conducted by the Prison Association for Elmira Reformatory and Napanoch

Reformatory is the assistance given to the men in finding and helping them to employment. Although the reformatory inmates are obliged to secure promises of employment before being released on parole, such employment is frequently of a temporary nature, and one of the important functions of the Association has been to continue to be of assistance in finding further employment for these young men.

Co-operation.

The field of prison work and delinquency is vast in this State and the agencies are not many in proportion to the extent of the field. The Prison Association can do its best work through cordial, constant co-operation with the other agencies in the State whose efforts make for the rehabilitation of prisoners and the protection of society.

If those agencies seeking the welfare of the prisoner and of society do not co-operate, good results will obviously be lessened or even destroyed. The Prison Association stands for the highest degree of co-operation consistent with efficiency and progress. It recognizes that those in charge of prisoners in this State, particularly those having supervision of the reformatories and State prisons, have difficult tasks, which it is fair to assume they are seeking to fulfill to the best of their ability. They are often hampered by the physical condition of the prisons, as in Sing Sing, or by the crowded prison population, as has been the case for several years, but it is the belief of the Prison Association that year by year the work of the Prison Department of the State and of the Board of Reformatory Managers becomes more far-reaching in its efforts for the proper care of the prisoner, for the protection of society and for the rehabilitation of the prisoner.

This statement does not mean that prison conditions are perfect. On the other hand, the work of the Prison Association itself is still far from adequate. With insufficient funds, the Association devotes itself to its work with earnestness, zeal and persistency. It is our hope that year by year the mutual benefit to be derived from a close and cordial relationship between those entrusted with the work of caring for prisoners and those private agencies which concern themselves with the

welfare of these prisoners, may result in bringing into existence in the Empire State the best and most comprehensive system for the care of the delinquent that the United States can furnish.

EUGENE SMITH,
President.

O. F. LEWIS,
Corresponding Secretary



Deputy Warden — Giving Prisoner Instructions Regarding Discipline



Warden — Giving New Prisoner Rules and Instructions

The Problem of Crime.

THE problem of crime cannot be ignored. Few people wish to ignore it. It is a national problem. No one can tell how many millions or perhaps billions of dollars a year crime costs the American people; that our "crime bill" is at least a billion dollars annually is probably a conservative estimate. The cost in ruined human lives, in wrecked families, in disease and death cannot be expressed in dollars and cents; each year scores of thousands of families are involved.

The Prison Association of New York has been in existence since 1844. It was founded in that year by men of excellent

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

That was sixty-six years ago. The Prison Association has had an unbroken and useful existence through nearly three score years and ten. To-day its work is extended, not only to meet the modern conditions of city life, but to deal with the probation of offenders of sixteen years and over and with more than a thousand young men paroled each year to the Association from the reformatories at Elmira and Napanoch; to help with material relief and with counsel the families of discharged prisoners; to play an important part in securing good legislation and in defeating bad legislation in connection with the treatment of criminals and the administration of prisons; and to furnish to the citizens of New York State accurate information as to the problems of crime within this State.

In a single phrase, the Prison Association may be said to stand for the "square deal" for the prisoner. The day of

Our Field. gross physical abuses in prisons is over, but the day of poverty, of miserable living conditions, of mental abnormalities, and of crimes is not over. With each year the field of the Association

broadens, limited only by the limits of delinquency in society to-day. This means that the Prison Association is concerned with the whole gamut of human life and of the life of the community, in so far as the problems of delinquency develop within that life. The Association must, however, because of its limited funds, restrict itself to certain definite fields of endeavor, of which the following pages speak in detail.

We are deeply concerned as to each individual delinquent. Equally are we concerned with the crime problems of a whole State. Two illustrations will stand for hundreds.

A man was in Sing Sing Prison. His wife died, poverty-stricken, in New York city, leaving two little children, brother and sister, ragged and forsaken. The poor

Protecting a Broken Family. carrying industrial insurance for \$158, to protect her waifs in case she should die. Was it a coincidence that the besotted brother hired an undertaker who rendered a bill for funeral services amounting to \$154? This Association learned of these two little children, rescued them from their wretched surroundings, and rescued the woman's insurance money also. Brief legal proceedings, undertaken free of charge by a lawyer friend of the Association, reduced the exorbitant bill of the undertaker to \$77; and the Association was able to inform the father at Sing Sing of the existence of the remaining \$81, which, with his consent, we were able to devote to the care of the children in comfortable homes.

That was justice for one broken family, friendless save as we learned of their sad fate. It is the simple story of one prisoner's family among hundreds. Turn now to the following state-wide problem, just as distinctly demanding the attention of the Prison Association.

Revolting conditions of idleness and vice abound in many of the county penitentiaries and jails of this State. At the very moment when this report is being read by

Vice, Idleness and Youth. our friends there are undoubtedly confined in these jails and penitentiaries at least 5,000 boys between the ages of 16 and 21. *Each one of these boys is bound straight toward a criminal life unless checked by powerful influences. Why? For at least three cogent reasons:*

1. In county penitentiaries and jails the population is composed largely of habitual and vicious criminals. With them the boys and young men must mingle. They have no choice. If there are two things in the world that make for crime, they are idleness and vice.

2. Boys between 16 and 21 are in the most impressionable years, most in need of wise guidance, and in this case most unlikely to get it.

3. There are no reformatory influences in county jails and penitentiaries. It is the irony of our laws that a boy must be bad enough to be convicted of a felony before he can be sent to a State reformatory (if he is over the age of sixteen). So the lesser criminal, the boy who has actually not sinned so grievously in a legal sense, is condemned to a county school of crime. This terrible condition, prevailing already for years in our penitentiaries and jails, continues to be a matter of keen concern to our Association.

Co-operating with other societies, we helped last winter to draft a bill providing for a State Reformatory for Misdemeanants. On page 13 of this report will be found our recommendation to the Legislature. The bill was not reported out of committee.

This legal but unjust discrimination, by which schools of crime are maintained for the lesser criminal, and for the greater criminal schools of reformation, is thoroughly

The Story of the Ostrich Feathers. better than a sermon. It is told of a certain man arraigned in court on a charge of grand

larceny (stealing property valued at twenty-five dollars or over), that he was charged with having stolen from a department store ostrich feathers valued at forty-four dollars. This constitutes felony, punishable by imprisonment in State prison. But lo! the prisoner contended that when he stole the feathers, it was bargain day at the department store; that these feathers had been marked down from forty-four dollars to twenty-four dollars; that the theft was therefore only petit larceny; that therefore the prisoner was far less a criminal and should not be sent to State prison, but to a lesser correctional institution, and for a shorter term.

Today it is much more clearly seen than in the early days that the punishment should fit not the crime, but the criminal.

**Shall the
Punishment
Fit the Crime or
the Criminal ?**

Crime is an individual problem, and punishment is not the sole or even the most important purpose of imprisonment. It is not necessarily imprisonment that should follow crime, but certainly justice. To see that justice is done to society, to the criminal, to the criminal's family, is one important function of the Prison Association.

Criminals may no longer be handled like bags of meal or bales of cotton. The science of penology is not a storage-warehouse problem. For a generation the principle has been recognized, each year more widely, that the best thing for society and for the criminal is the reformation of the offender. Elmira Reformatory, established in 1876, was the first of some fifteen reformatories for young men to be established in this country, but these reformatories do not by any means measure the spread of the reformatory principle. Practically all institutions used exclusively for juvenile delinquents are reformatories. In many States the administration of State prisons is also developing along reformatory lines, often hampered seriously by the antiquity of prison buildings, by the small acreage of the plants, by the large population of the prisons and by the lack of sufficient and adequate prison structures.

Since crime is an individual problem, and since this problem recurs in scores of thousands of cases each year in the State of New York, the field of the Prison Association ranges from close attention to the welfare of the individual offender under our care to problems of administration, prison construction and legislation, often not only state-wide, but of national significance. The field of the Prison Association may be briefly outlined as follows:

**Our
" Program."**

1. The reformation of the criminal.
2. Supervision of hundreds of young men on probation or parole.
3. Employment, and when necessary food, tools, shelter and other aid for discharged prisoners.
4. Probation for first offenders.
5. Necessary aid for prisoners' families.
6. Inspection of prisons.
7. Improvement in prisons and in prison discipline.
8. Needed legislation.
9. The protection of society against crime.
10. Protection for those unjustly accused.



New Prisoner Being Photographed in the Bertillon Department

The Reformation of the Criminal.

IMPRISONMENT has been for centuries the principal method of punishing crime. Imprisonment is to-day employed for several purposes:—punishment; the reformation of the criminal; the protection of society against crime; and as a deterrent to others committing crime. Vengeance is futile as a reformatory influence. Mere imprisonment to protect society does not reform the criminal. To deter others from crime does not necessarily deter the criminal himself from further commission of crime. There remains the effort to reform the criminal.

Why Imprison Men?

Reformation should take place for at least three reasons: for the sake of the man himself; for the sake of his family; for the sake of society.

The value of changing the criminal into an honest and self-supporting man is self evident.

The value of saving a man, once a criminal, for his family needs no argument either.

The value to society of changing a destructive force in society into a productive force is likewise obvious.

How can this be done? This has been a vital question, and in reformatories has been a conspicuous effort, particularly in the United States, for more than thirty years. The establishment of several movements looking to the reformation of the criminal are now specially prominent:—probation for first offenders; juvenile courts for children; reformatories and other correctional institutions with reformatory features for convicted prisoners; the indeterminate sentence for all prisoners except those convicted of murder; the parole system for those conditionally liberated as a result of the indeterminate sentence; the after-care of the released or discharged prisoner; reform in criminal law and in criminal procedure.

The first and leading purpose of the Prison Association is the reformation of the criminal. There is no royal road to the rehabilitation of the offender. The

Reformation the Goal.

descent to criminality is easy; the ascent from criminality is hard. In the hour of need, or rather in the months and years of need, the offender, the prisoner, the criminal, requires a strong,

wise and constant friend at the time when he himself is apt to be most friendless. Hence the Prison Association.

A paroled prisoner is one who is allowed to serve the latter part of his sentence outside of prison walls. This seems a very common-sense principle. Parole gives a chance to the convicted offender to make good before his sentence has expired. For months, often for years, the paroled prisoner lives in relative freedom, subject only to supervision by parole agents. It is a period of probation subsequent to imprisonment.

Each year about 1,000 young men are paroled by Elmira and Napanoch Reformatories to the Prison Association of New York. These young men come to our parole bureau in groups of from forty to seventy-five between the twenty and the twenty-fifth of each month. They are just out of prison. They do not look like criminals in the accepted sense. They are largely the products of the city streets. They have been members of street gangs and have grown up largely without good influence. The reformatory has trained them in discipline, in industry and scholarship. Now they are conditionally released and this Association is to be their supervisor for six months or more.

Our Parole Bureau has a staff of five efficient men, acting as parole agents. These men have been carefully chosen because of their wide sympathy, their capacity for sensible, sympathetic supervision and for their integrity. They are the ones who act as the friends, the counsellors and often the disciplinarians of the young men on parole. The paroled men must live upright lives during the parole period; they must keep good habits and good company, and report in writing and in person at least once a month to the Prison Association; must not change their employment without our permission, and in general they must remain under our supervision.

No one can meet these young men as they arrive in New York without being profoundly impressed with the possibilities for good or for evil within them. They are at the critical point of their lives. They are still young, not too old still to make good use of their lives. On the other hand, they have gone a considerable distance along the road of

A Crucial Time.

What Parole is. They are the ones who act as the friends, the counsellors and often the disciplinarians of the young men on parole. The paroled men must live upright lives during the parole period; they must keep good habits and good company, and report in writing and in person at least once a month to the Prison Association; must not change their employment without our permission, and in general they must remain under our supervision.

crime. Not far in the distance looms the State prison, if they are convicted of further offence. The responsibility of this Association for their reclamation and rehabilitation, if possible, is great.

What per cent. of the thousand young men who come to us this year will reform? We cannot tell. For years, we have believed that about seventy-five per cent. of the paroled men passed satisfactorily through their six months or more of parole and received their "absolute release," as it is called, which means that they have completed their parole period properly and are no longer prisoners of the State. To what extent these young men revert to crime in later years, it has been impossible for us to learn with definiteness, because of the absence of funds for such research.

In the winter of 1909-1910, the Sage Foundation appropriated to the use of the Prison Association the sum of \$2,500 in order that the most careful study yet undertaken in the United States might be made of the after-lives of men paroled from prison. This study is now rapidly approaching completion. In this annual report the results of the above-mentioned study cannot be anticipated. It is sufficient to say that at the moment the Prison Association deems it far more necessary to conduct adequately such an investigation that will give for the first time a definite basis of knowledge regarding the value and efficacy of reformatory and parole work, than to make even approximately accurate estimates of the percentage of reformation in the after-lives of paroled prisoners.

Each month each man on parole must report by letter to the Superintendent of Elmira and Napanoch Reformatory.

These letters are presented first to the Prison Association. A typical letter written just before a young man received his absolute release is the following:

What One Boy Wrote. "DEAR MR. SCOTT: This being my sixth report, I hope you will find me worthy of an absolute release. I have been careful in making my reports as well as my behavior and can safely say that I will continue to be so as long as God permits and which can end by him only by death.

I am still working for the same employer. In the following you will find my earnings and expenditures since my last report in April:

Four weeks board @ \$4.50 week.....	\$18 00
Car fare.....	2 40
Barber, tobacco, stationery, etc.....	2 50
Laundry and clothing.....	4 25
	<hr/>
Expenses.....	\$27 15
	<hr/>
Earned 4 weeks salary \$7 week.....	\$28 00
	27 15
	<hr/>
Balance.....	\$0 85
	<hr/>

Hoping this will prove satisfactory I will close, remain-
ing
Yours very truly,
H. F."

If each of the contributing members of the Prison Association could spend an hour in our Parole Bureau (and we most cordially invite each of our members so to do), the intensity and the complexity of the problems there presented would be most evident. Our hearts thrill with gladness when we find the young men coming to their period of absolute release restored to society as good citizens, supporting themselves or helping to support their families or their relatives.

But our Parole Bureau experiences many disappointments. During the year of 1909, we were obliged to return to the Reformatory ninety-two young men for vio-
Failures, Also. lation of parole. That number failed to meet the obligations they agreed to assume when they left the reformatory on parole. Each one of these young men was given while on parole even more than a fair chance to succeed, for we know only too well how difficult are the conditions to which many of the reformatory boys return. But many a young man comes to us believing that the Association is "easy." They confuse long-suffering patience and friendliness with sentimentality.

For instance, one young man presented recently to the Association a most excellent monthly letter, telling in detail of good daily earnings, money given to parents, future pay-



Taking Bertillon Measurements — Search for Past Criminal Record



New Prisoner Being Bathed and Receiving Institutional Uniform

ments to the father for a suit already purchased. "I stay at home nights," continued the young man, in his letter, "except when I go walking with my father."

Yet this letter was practically a falsehood from beginning to end. The lad was but twenty years old and had neverthe-

less shot and killed a young woman while firing with intent to maim a young man of Old, Already whose attentions to the girl he was jealous. a Murderer. Upon being searched after arrest for violation of parole, our parole agent found upon the person of the boy a fully loaded and up-to-date revolver, and also part of the proceeds of a burglary, which were subsequently identified by the occupant of the premises burglarized.

What is the great lesson of this Parole Bureau of ours, where tragedy, ambition, despair, enthusiasm, determination, sullenness and a score of other human

The Lesson attributes are manifested hourly by the of the Parole released prisoners? This—that human Bureau. lives and property, human happiness and human progress are at stake to an extent seldom appreciated by any save those who deal with the young returned criminal.

These young fellows will do one of two things. They will make good, or they will make good "crooks;" that is, they will become upright or they will revert to crime. One criminal may mean in the future the destruction of lives, the theft of valuable property, or the destruction of the property of others amounting to thousands of dollars. Is not this worth preventing? *Must it not be prevented if possible?*

The released prisoner is not as a rule a friend of society. He is in his own language "sore"—anti-social. Often on his release he is forced to meet life again with

How Can We the odds heavily against him. While he Save Them? was in prison, he was not a menace to society, except potentially. But many a

young fellow in prison is biding his time. Now, on parole, he has every temptation to take out of society what he is only too apt to believe society took out of him. It is this conflicting psychological condition in those whose minds are frequently not normal, and generally morbid, that the Parole Bureau

faces. How shall we save these young men from themselves and from crime? The Prison Association is thoroughly convinced that reclamation is possible in a great majority of instances. Recently there came to us a man from one of the central states with the familiar yet ever pathetic tale of a term in State prison. With tears in his eyes, he said that he was on the verge of committing suicide. It was preying upon his mind that one of the lesser prison officials in the State from which he had come had told him upon his release from prison that one of two things remained for him to do in life — to return later to prison as a convict or to commit suicide.

This man was morbid. He claimed to have been unjustly dealt with. He needed a friend and a job. He happened to come to us just as the "Round Table Club"

The "Round Table Club" of Big Brothers. was being organized by the Prison Association. The "Round Table Club" is a kind of big brother movement for big, erring brothers. On the first Thursday of each month some

thirty business and professional men gather at the rooms of our Association. They give their services as the active friends of men paroled from reformatories and prisons. One of the "Round Table" group has four paroled men at work in his factory. Another member of the Club has several law cases pending in behalf of his clients, who are paroled men. Almost any one of the members of the "Round Table Club" can be called upon at once by telephone and will respond in an emergency when asked to do so by our Parole Bureau. One member of the "Round Table," who is head-worker in a settlement house, has at this moment several Elmira boys staying with him while finding work. This Club is but a few months old, yet already we find that our Parole Bureau is acting as a kind of central station for the distribution of the more eligible reformatory boys to the active and sympathetic care of these gentlemen, whose work with the young men is done so quietly that probably their most intimate friends know little or nothing of their practical altruism.

What of the young man who violates his parole? As above stated, we were obliged to return last year ninety-two young men to the reformatory for violation of parole. The progress of each case is practically the following:

Let us suppose that John Smith has not reported during the five days of leeway that he is allowed each month. One of our Parole Bureau staff investigates, and finds that John Smith has failed to appear at work for two weeks. Inquiry at John Smith's home shows that he has disappeared.

John Smith, Violator of Parole. Then one of our parole agents, a very able and sympathetic police sergeant, goes in search of the lad and within a few hours or a few days brings him in. Meanwhile, all information that can be obtained in the case is gathered. The young man, now accused of violation of parole, is given a hearing by three members of the Association's Parole Bureau, who sit as a committee in John Smith's case. The results of the investigation are presented, following which John Smith has the chance to present his side of the case. The three members of the committee are the Corresponding Secretary, the Chief Parole Agent and Sergeant Williams of the Parole Bureau. Two of the three members of this committee must agree whether to return the lad to the reformatory or to release him on further parole. Thus the boy's interests are safeguarded by a group whose first desire it is to save the boy if possible.

In all efforts at reformation, it must never be forgotten that after all, these offenders have committed crime. Rarely is a man sent to prison who is innocent of the **Sense Versus Sentimentality.** offence charged. Frequently the conviction is on a charge far less serious than the crime actually committed by the offender. The

majority of these young men, growing up in the streets of New York, have gained a contempt for the law, a recklessness of spirit, have profited little by the educational facilities of this city, are illiterate, have few home ties, have never been subject to discipline except for their training at the reformatory, and have had little to influence them to lead decent or useful lives. The lessons they must learn are that "man must earn his bread by the sweat of his brow" and that society has rights which the individual is bound to respect. It is a weak and sentimental attitude of mind that coddles the offender, either on trial, in prison, or on parole. The men on parole must learn these lessons; they must take their medicine, but the medicine must be of a kind to do them some good.

The parole system of this State needs wide extension, and it needs general public support. As an effective part of the correctional system of this State, it is still in its infancy. It is the conviction of the Prison

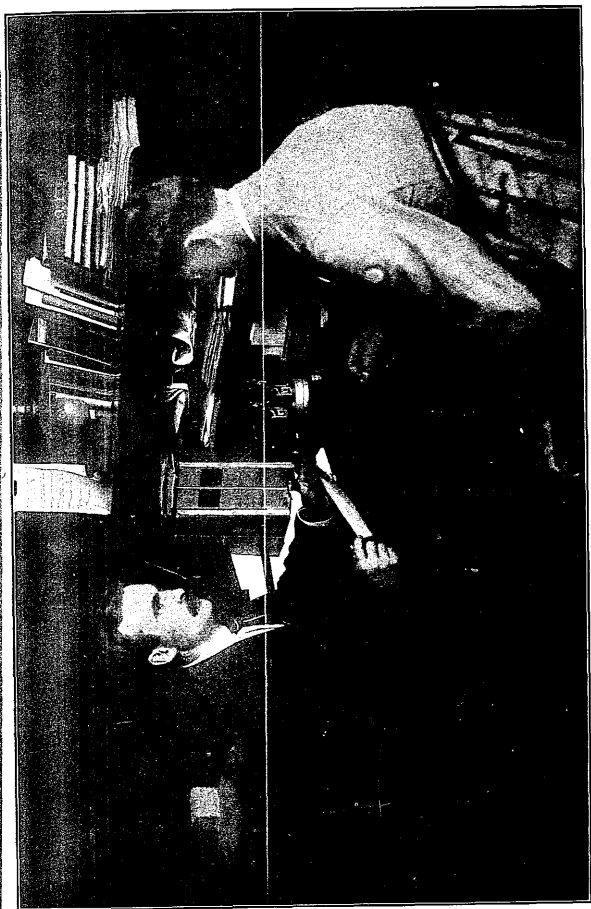
Extend the Parole System. Association that all reformatory prisoners and State prisoners with the possible exception of those convicted of murder in the first degree should eventually have the privilege of a parole period outside of prison walls. Such a parole system, to fit effectually into our modern method of dealing with the offender, must be well supervised and be limited only by the boundaries of the State. Such a parole system must be centralized and thoroughly organized. It should not be left to police chiefs in the country districts to be the only parole agents of conditionally liberated prisoners.

For every paroled prisoner in this State there should be a supervision at least as effective as that now maintained in

Greater New York in the cases of men paroled from the reformatories. There seems

Supervision an Essential of Reformation. to be no intrinsic reason why supervision by the same staff of parole agents should not be exercised over men paroled from the reform-

atories and from the three State prisons. Such a supervision, to be effective, will be a considerable expense to the State, or to private philanthropy. Yet, in the absence of a consistent State-wide parole system, it is undoubtedly true that reversion to crime on the part of men from the reformatories and the State prisons costs the community many times as much as would be expended by the most efficient system of parole.



Prison School — Examination and Grading by the Professor

The Value of Probation.

PROBATION is a most valuable and effective means of reforming offenders. Probation means that a person adjudged guilty of an offence is allowed to remain at liberty under supervision instead of being sent to prison, but with the provision that if at any time

Probation — during his period of probation he conducts a **Necessity.** himself in an improper manner he may be at once brought by the probation officer before the court and by the court sentenced to imprisonment for the original offence.

Probation as a principle seems so full of common sense that it hardly needs argument in its favor. Massachusetts particularly has proved the value of probation. In New York State, the law provides not only that a system of probation shall prevail in each county of the State, but that there shall also be a State Probation Commission, supervising the work of the probation agents throughout the State, gathering data regarding their work and reporting to the Legislature annually upon the probation work of the State.

The difference between probation and parole is frequently misunderstood. The terms when properly used are clearly differentiated. Probation is the term used

Definitions. in connection with the release of an offender under suspended sentence and without imprisonment, but under the oversight of a probation officer for a definite period and for the purpose of reclaiming him from evil courses.¹ Parole is the term used in connection with the conditional release from a penal or reformatory institution after a period of incarceration therein.¹

In short, probation occurs before imprisonment and after conviction; parole occurs after imprisonment and before absolute discharge from the custody of the prison authorities.

¹Definition of State Probation Commission, 1905.

The Prison Association has for many years maintained an experienced probation officer in the Court of General Sessions of New York county. During the year 1909

The Prison Association in Probation Work. the judges in General Sessions referred 589 cases to our Probation Bureau for investigation and report. During 1909, 185 persons were placed on probation in the care of the

Prison Association. These young men, practically all convicted of felony and yet enjoying the privileges of suspended sentence, are carefully supervised by the Prison Association. Each Thursday evening many of them report in person to the probation officer of the Association at the Association's office and during the week others report, also in person. There are those who for one reason or another are allowed to make fewer reports or are allowed to find employment elsewhere than in New York city. They report by letter.

From the journal of Mr. Kimball, the Association's general agent and probation officer in the Court of General Sessions, we would present to you several striking examples of the use of probation in the treatment of crime. They are stories from daily life, known to but few beyond the court-room and the Association's office, yet they often sound the depths of pathos, and sometimes the depths of crime.

A young man, who had been employed as a waiter in a restaurant was tried and convicted of assault in the second

What Would You Have Done? degree, which is punishable by five years in State prison. The conviction was a surprise to everyone in the court-room, with the exception of the twelve men in the box.

The evidence in the case was to the effect that the complaining witness, a negro, ordered some food, complained of the quality, and tried to leave the restaurant without stopping at the cashier's desk to pay the bill. The young girl who acted as cashier sprang from her chair and tried to keep him from going away. Because she was a cripple her efforts were not very successful. The negro kept going, dragging her along with him, crying for help. Annoyed by her persistence, the negro turned on her and began beating and kicking her. Then the defendant, the young waiter, came to her aid with a club, but not until the negro had inflicted serious injuries on the young girl, as a result of which she was confined in the hospital for eight months.

The assault was absolutely justifiable, but the complaining witness swore that the young girl assaulted him with a cleaver, when as a matter of fact she was such a weak little thing she could hardly have lifted it had she tried. When the waiter was convicted she piteously pleaded to be sent to prison in his place, saying that he only did what any man would do to help a crippled girl.

Investigation showed that the boy had always borne a good reputation and business people in the neighborhood were surprised to learn that he had been convicted. He was recommended as a good subject for probation, and Judge Rosalsky kindly released him and placed him in the Prison Association's care.

A young married man was found in the Tombs, charged with Grand Larceny in having stolen a quantity of handkerchiefs from his employer. He sold the goods

Probation vs. Prison. to a number of Syrians at very low prices and used the money to live in better style than his wages permitted him to. Investi-

gation showed that he had never been charged with or convicted of crime before. He had an excellent home where he lived with his wife who was in a delicate condition. During his imprisonment awaiting the action of the court his wife gave birth to a child. His friends and relatives got together and made restitution to the satisfaction of the complaining witness. The Judge suspended sentence and placed him on probation.

If the law had been permitted to take its course in the usual way, this young man would have been a State's Prison convict, his wife would have become a charge on the community, the employer would have lost about \$400 in money, and it is just possible that one more professional criminal would have been on the community in a short time. Probation is the best remedy for cases of this kind, as has been demonstrated for some years.

An instance is now given of how probation applies even in the case of a second offender.

Samuel L—, 33 years of age, had been convicted in 1906 of larceny and sent to the penitentiary for a year. In 1909 he

Is It Ever Too Late to Mend?

was again convicted of larceny and sentenced to the penitentiary for a year, and at the time of his arrest on the last charge a cheap watch was found in his pocket for which the detectives found an owner. Therefore a bench warrant was lodged at the penitentiary and on his

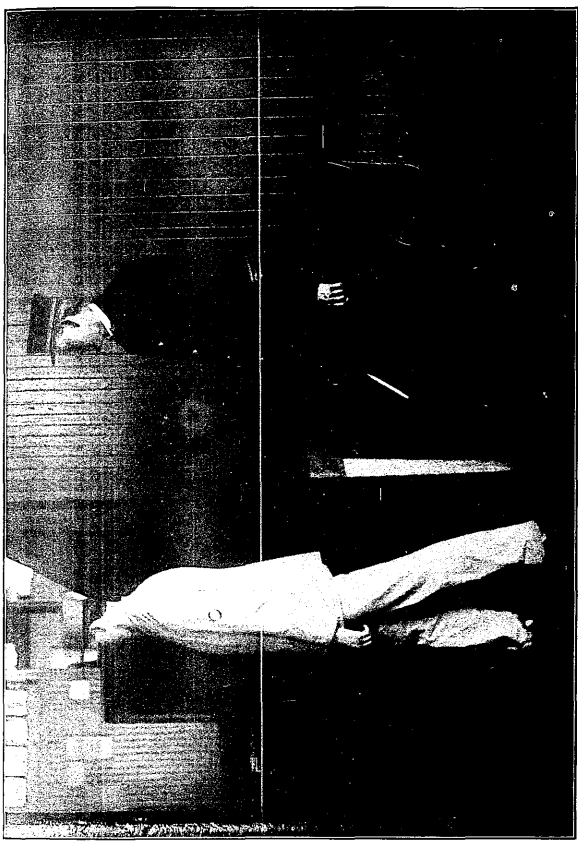
release he was brought to the Tombs to be tried for having stolen property on his person.

He pleaded guilty and the case was referred to the Prison Association for investigation. We found that he had, prior to his conviction, and during the time between the first and second conviction, worked as a restaurant chef, making very good wages and having excellent references from restaurants and hotels. During his idle hours he mingled with a crowd of gamblers and petty thieves who took advantage of his good nature and led him into crime.

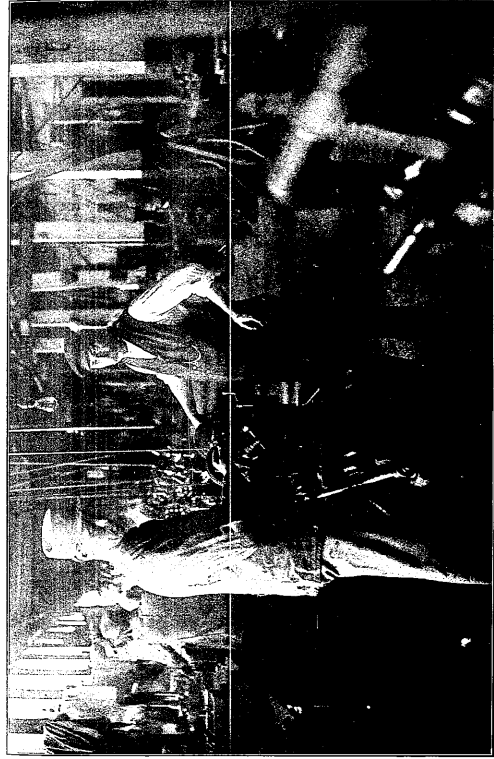
We therefore advanced to the court the argument that he should be given a chance, for the reason that he had been sent to prison, discharged, and without having had any chance to show whether a change in life had been brought about by his imprisonment, was immediately arrested and brought to court. The Judge refused to take our view of the case and sentenced him to a year in the penitentiary. We asked for time to present further argument, which the court graciously granted. Further investigation showed that the owner of the property had no desire to prosecute; a former employer offered him a position in his kitchen, and from almost daily contact with the prisoner, we became convinced that he was not a criminal at heart, but very weak and easily influenced by bad companions.

During his long imprisonment of three months in the Tombs he had a number of epileptic fits. He repeatedly told us that if he was sent back to the penitentiary he would certainly commit suicide. We told him to be patient, but frenzied by the delay he tried to beat his own brains out by butting his head against the Tomb's walls twice before a keeper could be summoned to unlock the cell door and have him placed in a strait-jacket. One of the Prison Commissioners of New York State joined us in asking for mercy, and finally Judge O'Sullivan agreed to revoke the former sentence and let the man have one more chance.

In less than a week he had a place as chef at \$75 a month and is now earning \$125 and leading an exemplary life. The probation period in his case is two years and six months, and if within that time we find that he is consorting with dissolute characters, it is within the court's power to send him to prison.



New Prisoner on His Way to Workshop — Dressed in Prison Uniform?



Foreman—Teaching New Prisoner in Workshop

All that has been said regarding the importance of efficient parole work may be repeated as to the importance of good probation work. The law must not be

**Essentials of
Good Probation
Work.**

held in contempt. Probationers must not be allowed to believe that they have successfully eluded the law by being placed on probation or that they have succeeded in receiving a far slighter punishment than they know they deserve. Effective probation depends upon several things. The court must make a wise choice in those placed on probation; the probation officer must be efficient, sympathetic and wise. The period of probation must be long enough to afford a real trial of the probationer's capacity for reformation; the probationer must be seen and interviewed sufficiently frequently by the probation officer to allow the probation officer to form, in a satisfactory degree, an acquaintance with the probationer; the probationer's home environment and his companions must be known to the probation officer, not at one time, but frequently; the probation officer must render, at least monthly, reports to the court of probationers in his charge. The above features of probation work are characteristic of the supervision exercised by the Prison Association over its probationers.

The Prison Association, though greatly limited as yet in its probation work, stands steadfastly for a wide but wise use of probation in all the criminal courts of the State. At present, the probation work of New York city is to a large degree unsystematized. In the Court of General Sessions, probation officers are maintained by the Prison Association, the Society of St. Vincent de Paul, and by the Jewish Protectory and Aid Society.

In the Court of Special Sessions of the county of New York, the Children's Aid Society maintains a probation officer, who has five assistants assigned by the police department. There is also an official salaried woman probation officer.

In each of the nine Magistrates' Courts of Manhattan and the Bronx, there is stationed a probation officer assigned by the police department and a salaried woman probation officer. The probation work of the Magistrates' Courts has been often severely criticised not only by individuals, but by several commissions appointed by the State to examine into the pro-

bation work of the city of New York. In Brooklyn, Richmond and Queens the probation work in the County Courts and in the Court of Special Sessions, part 2, is done by both salaried and volunteer probation officers.

The history of probation work in New York State is practically but of the last decade. In 1901, the first probation

A Decade of Probation.

law was introduced into the New York Legislature by the New York Prison Association. It provided for the appointment of probation officers by courts of original jurisdiction of criminal actions. In all cities of the State, it outlined the duties of probation officers. Another law passed in 1901 amended the code of criminal procedure so as to authorize the placing on probation of persons over the age of sixteen years. Two years later, in 1903, the proposed law was made applicable to all of the State, and to children as well as to adults. Probation officers might be chosen from among the officers of societies for the prevention of cruelty to children or of charitable or benevolent institutions. The period of suspended sentence was not to exceed one year. In 1905, it was provided by law that the suspended sentence was to be for a period not longer than the longest period for which the defendant might have been sentenced.

In New York city in 1901, a city ordinance provided for police probation officers in the Magistrates' Courts. A State law was passed in 1901 establishing a children's court in New York city, and in the following year this court was actually organized. By 1905 there were one male and one female probation officer in each Magistrate's Court, the male officer being a policeman and rotating with the judges, whereas the women probation officers were each assigned to a separate court and did not rotate. At this time, there were no male probation officers in the Magistrates' Courts of Brooklyn, Queens or Richmond Boroughs. In the Court of Special Sessions there was one male probation officer and one female probation officer in the County Court of Kings County, and in the Court of Special Sessions of Brooklyn a county official, called a county detective, was employed as probation officer.

The city of New York is in a transition period in its probation work. We can look back with satisfaction at the effective work done by the Probation Commission of 1905, under the chairmanship of Mr. Homer Folks; at the organiza-

tion of the State Probation Commission in 1907; at the very effective investigation of the Night Court by the Commission of Accounts in 1909 and at the exhaustive and remarkable report in 1910 of the Page Legislative Commission on the Courts of Inferior Jurisdiction.

The Legislature in 1910 passed a very important bill relating to the courts of inferior jurisdiction in the city of New York. The bill has received the approval

The Reorganization of the Inferior Courts. of Mayor Gaynor and has received the signature of Governor Hughes. By virtue of this bill, on or before the first day of September,

1910, the chief justice of the Court of Special Sessions shall appoint a chief probation officer and similarly the chief magistrate for Manhattan and the Bronx, and the chief magistrate for the Boroughs of Brooklyn, Richmond and Queens shall each appoint a chief probation officer.

A majority of the justices of the Court of Special Sessions shall appoint twelve probation officers, and the Board of Magistrates of the First Division [Manhattan and the Bronx] shall appoint ten male and ten female probation officers, and the Board of Magistrates for the Second Division [Brooklyn, Queens and Richmond] the same number of civilian male and female officers as were employed previous to July 1st, 1910, by the said board.

On and after the first of September, 1910, no police officer shall be designated or act as a probation officer. The bill further provides that a careful and adequate system of records shall be kept by the chief probation officers of the Court of Special Sessions and of the Magistrates' Courts. Probation in the case of adults shall not be for longer than two years, and in the case of a misdemeanor, not longer than one year in the case of an offence of which a magistrate has summary jurisdiction. A child may be placed on probation for not longer than three years.

The above provisions, becoming law through the signature of Governor Hughes, will go far to bring order out of chaos in the probation system of the city of New York. The law will seemingly fall short of general excellence in so far as the positions of probation officers in the Magistrates' Courts are not subject to the rules of civil service and in so far as by law the probation officers in the Magistrates' Courts shall be considered the confidential advisers of the magistrates.

The Prison Association cannot too strongly emphasize the importance of rendering the Magistrates' Courts not only adequate for the transaction of their work, but efficient in giving to the scores of thousands of cases annually coming before these courts of first appeal proper individual attention. The business of these courts is enormous. Cases must with apparent necessity be rushed through on the busiest days. During 1909, the Magistrates' Courts report the following record:

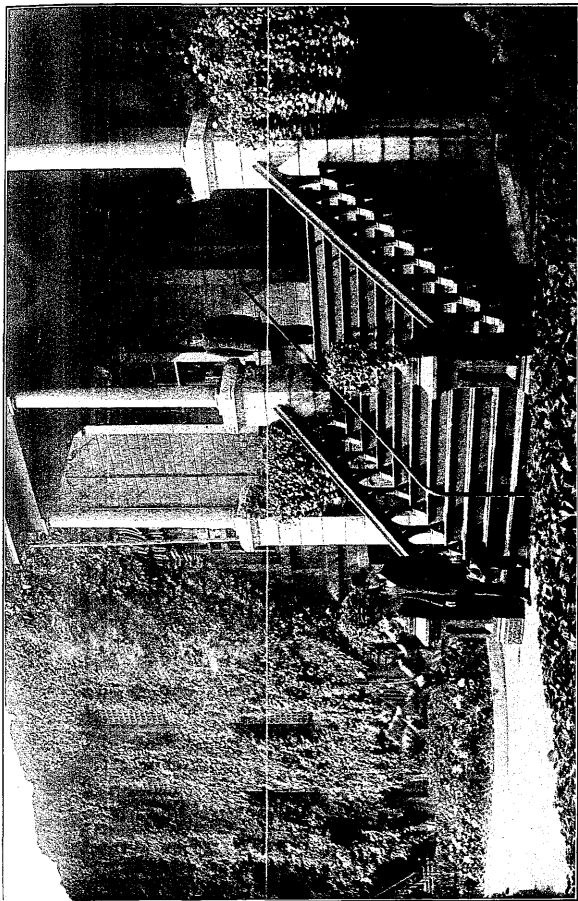
The total number of prisoners arraigned during the year was 158,999 — 135,968 males and 23,031 females, being a decrease, as compared with the preceding year, of 27,781. There were held for trial or summarily convicted 70,392 males and 15,078 females, making a total of 85,470, as compared with 96,875 last year. Two hundred and sixty-four cases were pending when the courts closed December 31, 1909.

Under these circumstances, the necessity of an efficient probation service is clear. With probation officers who are alert, experienced and sympathetic, many cases now disposed of by discharge or fine or imprisonment could be remanded for further investigation with a consequent nearer approach to justice in the individual case.

The Page bill above mentioned provides for two night courts, one for men and one for women. The Night Court established in 1907 at Jefferson Market has proved able to do away largely with the professional bondsman evil, but it has in no important sense contributed a permanent solution to the question of the treatment of the prostitute. These unfortunate women have, it is said, been largely released from the professional bondsman evil whereby they were mulcted, whenever arrested, through the high fees charged for obtaining their temporary release on bail. Furthermore, the women probation officers at the night court, particularly Miss Maud E. Miner, have given subsequent attention to the question of the proper treatment and disposition of women arraigned for disorderly conduct, which in the majority of instances means soliciting on the streets. Through the efforts of Miss Miner, a home for young women, called Waverly House, has been established and is serving as a voluntary house of detention until such times as the city establishes a

**The
Overcrowded
Magistrates'
Courts.**

**Night Courts
and the
Social Evil.**



Leaving the Prison After Discharge, Having Served His Sentence

proper house of detention for this purpose. But the great question of the proper treatment of women arranged for disorderly conduct is still far from solution. Far better results could be achieved, were the magistrates in general disposed to commit the younger and more helpable offenders to the Bedford Reformatory for Women instead of imposing a fine, which leads nowhere except to further business on the street, or to a sentence to the city workhouse, where the associations are such as by no possible means to bring about the permanent reformation to those thus sentenced for disorderly conduct. It is a question whether the time is not ripe for a far deeper study and treatment of the social evil in New York city than has heretofore been attempted. The very commendable report recently published by the Committee of Fourteen on the social evil is in large measure a report of conditions rather than a program for future action. In view of the decades during which the social evil has flourished in this city and in view of the rapidly increasing population of this greatest of all American cities, it may be asked whether the time has not come for the establishment of a large general committee, in which the various organizations, institutions and boards interested in the reduction of the social evil may be grouped, to the end that if possible this cancer on the social body may be checked or reduced.

In 1908, the State Probation Commission estimated that crime costs the citizens of New York State annually several

New York's State for the year ending September 30, 1908,
Toll. of maintaining 8,815 prisoners in penal and reformatory institutions was \$428,484.35.

This did not include the expense of additions or repairs to the institutions. There were in addition 110,463 persons committed to county jails and to New York city institutions. There were also numerous juvenile delinquents committed to various institutions throughout the State. The total yearly cost of such maintenance was computed by the Probation Commission as approximately \$4,000,000.

"Approximately about 15 per cent. of persons convicted in New York city are placed under suspended sentence. The public expense of the probation system for supervising 10,000 or more prisoners on probation in 1908 was about \$62,000. Should a probation officer receiving \$1,200 salary save during

the year five or six boys' commitment to the reformatory, the saving would more than equal the probation officer's salary."

The report of the State Probation Commission for 1909 shows that in that year there were 11,384 persons under probationary supervision, of which 2,795 or 24.5 per cent. were children (under 16 years of age). During the year 7,733 persons passed from probation of whom 1,925 or 25 per cent. were children. Of these, 5,476 or 81 per cent. were reported as having been discharged with improvement, 211 or 3 per cent. discharged without improvement, 722 or 10 per cent. re-arrested and committed, while 322 or 4 per cent. absconded or were lost from oversight.

While the above statistics are based on the opinions of the probation officers, the fact is evident that a very large proportion, both children and adults, profit by probation, in that they complete their period of probation satisfactorily, are not re-arrested, and in the case of adults undoubtedly become self-supporting.

The advantages of probation as outlined by the State Probation Commission are briefly the following:

Investigation of defendant before trial, the facts gathered giving the Court valuable information not otherwise obtainable.

Release of offenders after conviction on suspended sentences, thus giving offenders "another chance" under wise supervision.

**Why
Probation
Pays.**

Avoidance of imprisonment, and of a "prison record," which is so hard to live down.

Saving to city, county or municipality the expense of maintenance of the offender during imprisonment, an expense ranging from \$100 to \$200 a year.

Supervision of offender during period of probation.

Keeping the individual offender separate from other offenders instead of imprisoning him in jails or other penal institutions in company with criminals and degenerates.

Sentence only suspended, not withdrawn, thus enabling the probation officer at any time to bring the probationer before the court in case of unsatisfactory conduct.

Obligation upon parents to safeguard the welfare of the child while on probation.

Opportunity for probationers to pay their fines in instalments under suspended sentence instead of obligating others, per-

haps poverty-stricken themselves, to pay fine of an offender to save him from imprisonment.

Opportunity to require probationer to make restitution from earnings for loss or damages caused by his offence.

Opportunity to require probationer to support wholly or in part his family during period of probation.

The next five years will mark important progress in probation work in this city. The Prison Association will cooperate actively with all movements looking to the extension and systematizing of probation work. Particularly in the case of children, it is the Association's belief that probation work should be strengthened and extended. The Association has heretofore dealt primarily with offenders above the age of sixteen. By the terms of its charter it is not prohibited from dealing actively with persons of any age who are under arrest or who come before the criminal courts. The Association has recently considered the feasibility of undertaking preventive work for children, but feels that before this work should be undertaken, its parole work and probation work should be strengthened along the lines which have been above indicated.

The Employment of Prisoners.

THE day of gross abuses of prisoners in our State prisons is over. That in the past inmates suffered unwarrantably is well known. The Prison Association was established in 1844 largely to check and reduce the wretched treatment of prisoners.

The most serious abuse of prisoners to-day in our prisons is recognized to be their enforced deprivation of adequate employment. A reasonable amount of labor

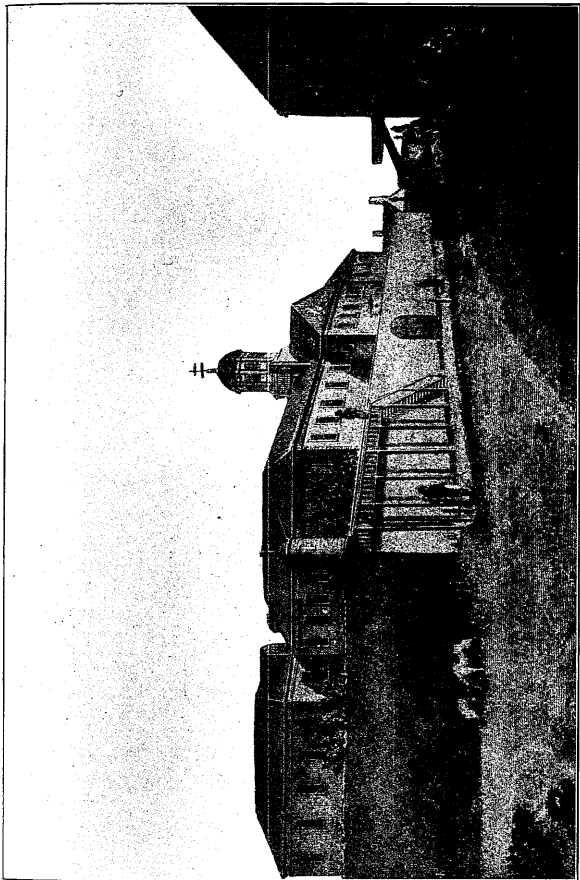
Labor is Life. is the best medicine that can be given a prisoner. It is necessary for his health. It acts as a balance for the mind; it is a training for his life on the outside. It occupies his time, and is not only a means of discipline, but when properly administered is a most salutary diversion. If the State imprisons a man, it owes him the chance to work and also the opportunity to receive a portion of his earnings.

The State Use System, under which the correctional institutions of New York State are administered, forbids the sale of prison-made goods in the open market.

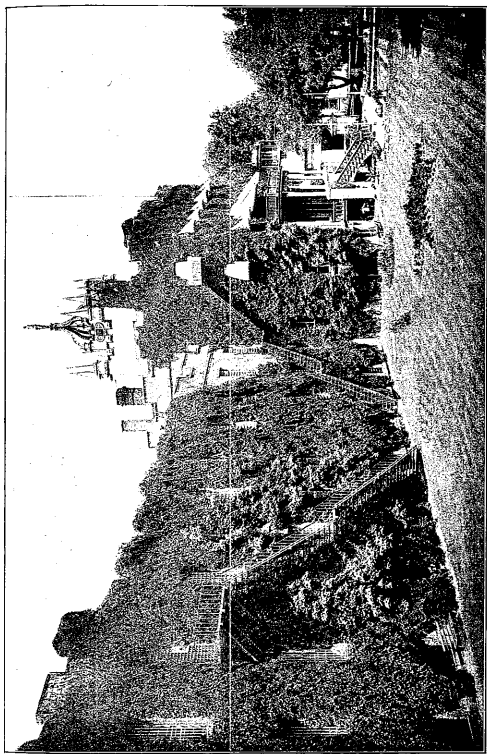
The New York The Prison Department of the State manu-
Prison Labor factured during the twelve months ending
Law. December 30, 1909, over \$850,000 worth of goods, which were sold to the State or to political divisions of the State. Nevertheless the products of the State prisons were but a very small part of the supplies purchased in that year by the State and by its political divisions.

The State of New York is committed by law and by public opinion to the extension of the State Use System. On the one hand, the demand for supplies manufactured in our State prisons should be stimulated, and to the least degree possible should the State and its political divisions be released from their obligations to purchase prison-made goods. The quality and variety of prison-made goods should be such as to obviate the frequent necessity of granting a release from prospective purchases. It is apparent that the shops in the State prisons are not run to their full capacity.

On the other hand, the prison shops in the three State prisons are entirely inadequate to supply even a small pro-



New York's First State Prison, known as Newgate Prison



Exterior, Auburn Prison

portion of all the products which might be supplied to the State and might be requisitioned by the State and its political divisions. In addition, comparatively little work will be found in progress in the shops of the county penitentiaries, in comparison with the number of men imprisoned in the county penitentiaries and in comparison with the possible facilities for manufacturing articles needed by the several counties in which the penitentiaries are situated and by which they are maintained.

The special advantage of the State Use System is that it eliminates the older contract labor system and that it removes from competition in the open market the prison-made goods which in the State of New York the representatives of both organized labor and the manufacturers vigorously oppose. In the present state of public opinion, supported by the constitutional amendment, the State Use System is well established. The great disadvantage of the State Use System is that it very seriously limits the employment of prisoners, unless the demand by the State and by its political divisions for prison-made goods is constant and great.

With a view not only to increasing the employment of prisoners, but also in order to stimulate the demand for prison-made products, a bill was introduced in the Legislature in 1910 authorizing the sale by the Superintendent of Prisons of goods manufactured in the county penitentiaries. This bill failed of passage, not even being reported out of committee. In one county penitentiary of this State one of the prison officials, when asked by the corresponding secretary of the Prison Association what the men did in the shops during the day, replied: "Oh, they play checkers;" this substitute for labor being broken morning and evening by a tedious, monotonous tramp around the prison yard for an hour or so.

This problem of prison labor is highly complicated. The State of New York is a manufacturer of prison goods to the value of nearly \$900,000 a year. The Prison Labor — State Superintendent of Prisons is the general manager of these industries. He is paid a salary of \$6,000 and has multifarious duties of administration, the prison industries being only one part of his many duties. Engaged by the Superintendent of Prisons is the purchasing and sales agent of the

prisons, who devotes himself particularly to the details of the prison industries. This member of the staff of the Prison Department receives a salary of \$4,000 and is expected to furnish service, which, were it given to similar industries in outside commercial life, would probably command a higher salary. The State in short is expecting of its Prison Department supervision and wide extension of its prison industries and seems to be paying comparatively low salaries for the services rendered.

This situation seems to lead necessarily to divided responsibilities and divided interests. The State Superintendent of Prisons can give but comparatively little time to the management of prison industries. The purchasing and sales agent is required to give but a certain portion of his time to his duties in the Prison Department. The general attitude of the State toward salaries in correctional and charitable institutions is at present against high salaries for expert service. The problem of the administration of our prison industries, already a complicated one, will become far more complicated with the desired extension of the State Use System. It should be a matter of serious consideration what shall be the best policy in the administration and extension of the prison industries of the State, for it must be noted that in addition to the three State prisons and the five county penitentiaries, the State has two reformatories for men in which the trade-school features predominate, and which are to a very limited extent manufacturing products that are sold to the State and to its political divisions. In the State are more than sixty county jails in which labor at the best is but intermittent and in a number of which idleness practically prevails. In New York city the workhouse is but partially a real workhouse. All of these institutions, in justice to the prisoner, and for the economical administration of the institutions themselves, should be employing their inmates at useful labor, resulting in products which the State and its political divisions could and should utilize.

The State Use System it is said, has never yet had a fair trial in any State. It may be it will in the end prove not a feasible system. It may be that with such

Give the State extension as may occur in New York State, Use System a it will finally be shown that it works unfairly

Fair Trial. upon the prisoner, that it is uneconomical and unhealthy. It may be that in the end it can be shown that the demands of organized labor and of

manufacturers are not to be weighed against the rights of the prisoner to a reasonable amount of work, a reasonable percentage of earnings for his work, and a reasonable degree of health. This has not been proved. The State Use System must be extended sufficiently to give it a fair trial.

In this connection it is to be noted that prison-made goods manufactured in other states are now admitted to the State of New York *ad libitum* without any requirements of a license fee to be paid by the retailer and without the requirement that such goods shall be stamped "prison-made" or "convict-made." The result is that the

State of New York, prohibiting itself from selling prison-made goods in the open market, is forced to admit prison-made goods from other states. Laws passed by the Legislature providing that all dealers in prison-made goods shall be licensed and that such goods shall be stamped "prison-made" or "convict-made" have been declared unconstitutional at different times by the Court of Appeals. At a number of recent sessions of the National Congress bills have been before the Committee on Prison Labor [a sub-committee of the Committee on Labor of the House of Representatives], providing that prison-made goods, when sold in any State of the Union, shall be subject to the laws of the State into which the goods are introduced. This law, if passed by Congress would, it is claimed, entirely prohibit the sale of prison-made goods in New York State. The question arose in the Committee during the recent session of Congress as to the constitutionality of this bill.

Correctional Institutions.

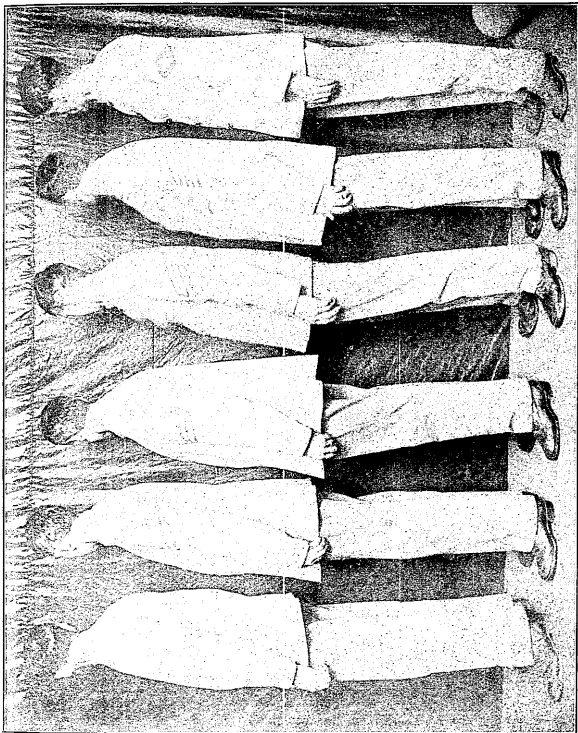
THE inspection of the correctional institutions of the State of New York by the Prison Association is one of its duties, a duty which in recent years has been subordinated to the development of the Association's parole work and probation work. A number of the institutions of the State have been frequently visited, among them the penitentiary and

Visits. the workhouse on Blackwell's Island, the Tombs and some of the district prisons of New York city, Sing Sing Prison, Elmira Reformatory, Bedford Reformatory and Auburn State Prison. In all of these institutions, the Association has found a reasonably efficient administration and in some a noteworthy administration; we have found also an absence of the serious physical abuses formerly practiced upon inmates, reasonably satisfactory food, generally a high degree of cleanliness and generally a fair degree of solicitude for the welfare of the individual prisoner as gauged by the standards of the twentieth century.

At Elmira Reformatory the representative of the Association has been greatly impressed with the high degree of efficiency in the administration of that institution.

Elmira Reformatory. Its discipline is excellent. The industrial instruction is of a high grade, the military and gymnasium work excellently conducted and the educational work of a high order. The spirit of the general superintendent pervades the institution and the Prison Association records with pleasure the fact that among the hundreds of men paroled to it in the course of the last year from Elmira and Napanoch Reformatories, it has not heard a single serious complaint against the general superintendent or his associates. This fact is more remarkable, because the Prison Association acts as the parole agent for Elmira and Napanoch Reformatories for men committed from Greater New York, and receives young men when released on parole at a time when they are apt to be critical and often sullen and anti-social.

The official relations existing between the executive committee of the Prison Association and the board of managers



Honor Bars, New York State Prisons

of Elmira and Napanoch Reformatories are most cordial. Through acting as parole agent for the two reformatories, the Prison Association keeps in daily contact with the reformatories. The board of managers of the reformatories are naturally desirous that the supervision of the reformatory men on parole shall be adequate, because in proportion as the supervision results in permanent reformation, the good results of reformatory treatment are preserved.

The board of reformatory managers has for a number of years made an appropriation of \$1,500 to the Prison Association for its work as parole agent. This appropriation is far from meeting the expenses of its Parole Bureau. Indeed, the salary list of the present parole staff alone amounts to \$4,440, not including the services of a sergeant of the New York police department, a year. The board of reformatory managers approved in the early part of 1910 of an increase in their annual appropriation to the Prison Association from \$1,500 to \$2,400 a year, subject to the approval of the fiscal supervisor and of the salary classification committee of the State. At the time of writing, this appropriation has not yet been granted. The Prison Association would emphasize the fact that it is only fair that the State should meet to a larger extent the expenses of the parole work of the Prison Association.

With the Prison Department of the State, the relations of the Prison Association are also most cordial. In addition to the inspection of the State prisons, the Association is getting more closely in touch with the Prison Department through the extension of our parole work to cover prisoners released on parole from State prisons to Greater New York.

The Association is not the official parole agent of the State prisons. While the Association has always been ready to receive under its supervision men paroled

**Parole Work
for the
State Prisons.**

from the State prisons, it was only in April, 1910, that the Association was invited to be represented at the monthly meetings of the Parole Board, which meets once a month at each of the three State prisons, and determines upon the parole of those eligible for this privilege. The Association is now represented each month at the meetings of the Parole Board.

In May, 1910, four State prisoners were officially paroled to the Association; in June, 1910, nine prisoners were paroled to the Association; in July, 1910, twenty-one.

An apparent gross abuse in New York city of the privilege of supervising paroled prisoners by an individual in this city having been discovered by the Prison Association in the spring of 1910, the Association made a careful investigation, taking stenographic minutes of several hearings at the offices of the Association and forwarding the same to the State Prison Department, with the result that the State Prison Department has discontinued in New York city the parole of State prisoners to the above mentioned person.

The matter of the instruction of officers in State prisons having been broached in conference between the State Superintendent of Prisons and the corresponding

Instruction of secretary of the Prison Association, the Prison Guards corresponding secretary in the early summer and **Keepers.** of 1910 submitted a tentative plan for such a training school for State prison officers, to consist of monthly conferences of prison officers, a conference to be held each month at each of the three State prisons, at which conferences the prison officers themselves would take the most prominent part. This tentative plan has received the approval of the State Superintendent of Prisons and also of the State Prison Commission.

The winter of 1909 and 1910 brought to New York city a change of municipal administration and the appointment of Hon. Patrick Whitney as commissioner of

The New York City Department of Correction. Mr. Whitney has entered a department which has long suffered from the lack of scientific knowledge of the problems of crime and of the treatment of the criminal.

The department in past years has suffered from unfortunate management, and the present commissioner has inherited many adverse conditions in the department, which will require his best efforts to remedy.

He has requested the cooperation of the Prison Association in suggesting reforms and improvements in the city correctional institutions.

The Prison Association commends such elements in the administration of the city's penal institutions as their general cleanliness, the lack of abuses and a generally decent treatment of prisoners. The institutions, however, show few purposes of reformation or of apparent desire to develop better systems for the reclamation of the offender.

The principal correctional institutions of New York city are the City Prison, known popularly as the Tombs, which serves as a detention prison; the Workhouse, which receives misdemeanants from the Boroughs of Manhattan, Bronx and Brooklyn; the

City Institutions.

Penitentiary, which receives misdemeanants and felons from the counties of New York, Kings, Queens and Richmond; the Workhouse at Hart's Island, which serves as an overflow prison for the Workhouse on Blackwell's Island; the Reformatory for Male Misdemeanants at Hart's Island, which receives male misdemeanants between the ages of sixteen and thirty, and was established to serve as a reformatory for the younger and less hardened criminals.

The penitentiary during the year ending December 31, 1909, received 2,464 persons. The bulk of those convicted of serious crimes are sent either to Elmira Reformatory or to one of the three State prisons. The grand total of expenditures of the Department of Correction for 1909 was \$1,585,015.20.

A new penitentiary, to cost about \$4,000,000, is to be provided on Riker's Island by the city, and a new workhouse, to cost at least \$1,000,000. When these institutions shall have been built, the present penitentiary and present workhouse on Blackwell's Island will become the property of the department of public charities, and Blackwell's Island will then become a hospital island.

The Legislature of 1910 passed a bill, since approved by Mayor Gaynor and signed by Governor Hughes, empowering the city to establish a board of inebriety for the purpose of maintaining an extensive probation system for the treatment of inebriates, and also a farm colony and hospital for the more serious cases of inebriety. It is estimated that the farm colony and hospital will cost in the neighborhood of \$1,000,000.

While the Association does not point to any gross sanitary or physical abuses in the correctional institutions of the city, the general statement can be made that sanitary conditions and cell conditions often ought to be far more satisfactory than they are. Practically all of the police stations have detention cells and many of the station houses are in very poor sanitary condition. The Tombs is frequently overcrowded so that prisoners have to be doubled up, which exposes the inmates of the cells to vicious practices.

Several of the prisons connected with the courts are in a very wretched condition, particularly that of Jefferson Market, where the prison pens are but a compulsory gathering place for all sorts of offenders.

City Prisons. The prison pens in the Essex Market Court are not only unsanitary, but are in the cellar under the court house, where little light and air can be obtained. These conditions bid fair not to be rectified until a new Essex Market Court is built. An agitation for a new building at this location has been carried on for a long time, and plans have been drawn, but as yet no appropriation for such a building has been made.

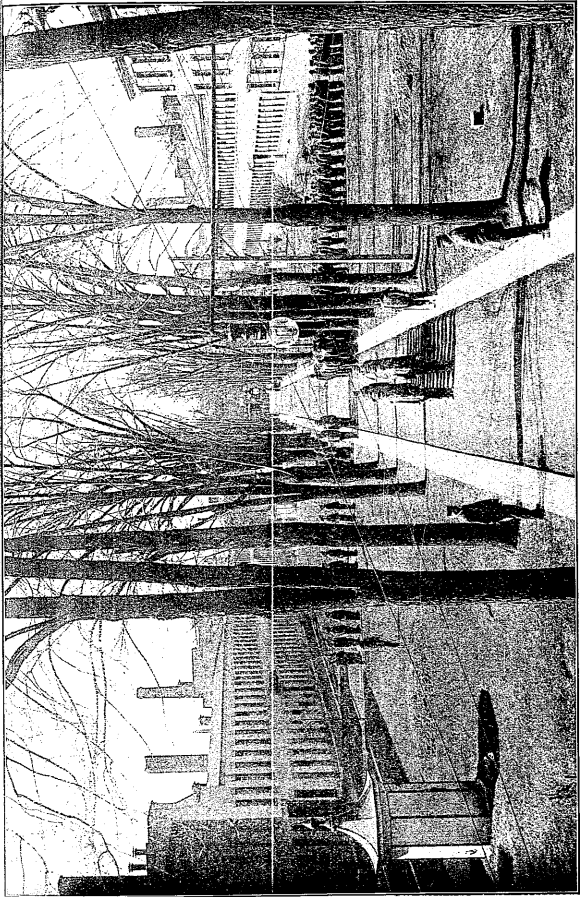
The principal criticism to be made of the penitentiary on Blackwell's Island is the absence of any apparent reformatory principles in connection with the administration. The prisoners are probably worked harder than in any other of the city's institutions and undoubtedly worked harder than in any other penitentiaries of the State. It would be entirely possible to introduce into the penitentiary the elements of a reformatory institution, such as Elmira or Napanoch.

At the workhouse, the amount of work apparently done still makes the name "workhouse" in a large degree a misnomer. A combination of short sentences;

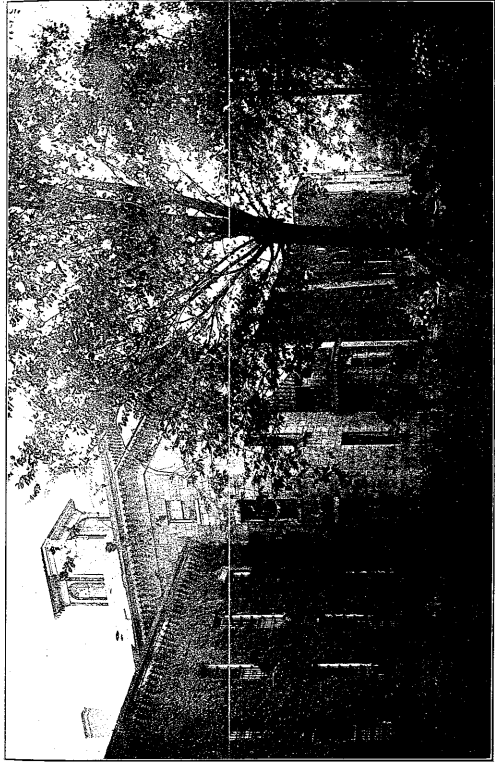
The Workhouse. of a class of inmates in which vagrants and "drunks" are largely represented; of an absence of shop facilities sufficient to give work to all the inmates; of a lethargy that only too often seems to possess the prison officials, all tend to make the workhouse on a par, in many respects, with the jails of New York State. There are a certain number of shops, to be sure, and there is a stone quarry where work is much more active than elsewhere at the workhouse. A fair-minded observer, however, will not fail to decide that in proportion to the male population and to the shop facilities now existent, the amount of work done is comparatively small.

At Hart's Island there was established in 1905, a City Reformatory for Misdemeanants. There are about 150 boys between the ages of sixteen and twenty-one in this institution. At present it is in but a small degree reformatory. The school facilities are quite inadequate, there being but one classroom, and trade instruction is largely lacking. Many of the inmates are occupied with menial

The Hart's Island Reformatory.



Prison Yard, Auburn Prison



Women's Prison, Auburn

tasks which should be done by workhouse prisoners from the workhouse on Hart's Island. The reformatory has been hampered by the lack of a trades school, which was burned down about a year ago. Plans have been prepared for a new group of reformatory buildings at the northern end of Hart's Island. It is to be hoped that when these buildings shall have been completed, if during the present administration, the reformatory at Hart's Island will become something more than a reformatory in name.

The county penitentiaries and the county jails have been since 1844, the foundation year of the Prison Association, objects of the criticism of the Association.

County Penitentiaries and Jails. The penitentiaries and the jails, with the exception of the penitentiary on Blackwell's Island, tend to be centers of idleness and vice.

Through the excellent inspection work of the Prison Commission, many jails have greatly improved in recent years. In a number of counties, new jails have been recently built or modernized.

This is a tax on the State and a great economic burden. The jails should be used only for places of detention for those awaiting trial and for witnesses. Convicted prisoners ordinarily imprisoned in jails should be confined in district workhouses where the industries might be utilized for the profit of the State and its political divisions. The present county penitentiaries should be reorganized as State district workhouses. The prisoners in county penitentiaries and county jails are mainly those who have committed crimes for which the State prescribes penalties. Only when the State takes over the county penitentiaries and develops a system of State district workhouses does it seem possible to expect systematized productive labor on any extensive scale for misdemeanants.

The hundreds of lockups in the rural sections of New York State have but recently come under the inspection of the State Prison Commission. These lockups are used

Lockups. for the temporary detention of those recently under arrest. They serve as over-night detention houses and are often unfitted for the purpose for which they are used.

The State greatly needs several new correctional institutions:—one or more farm colonies for vagrants and tramps, several hospitals and agricultural colonies

New Needs. for the treatment of inebriates, and one or more reformatories for male misdemeanants.

The need for these institutions has already been outlined in detail in the report of the Prison Association to the Legislature, which will be found on pages 11-23 of the present annual report of the Association.

Relief of Prisoners' Families.

WHEN the bread-winner of a family is sent to prison, his family becomes often a greater sufferer than he. The income of the large majority of prisoners' families is dependent upon the earning capacity of the bread-winner. Generally the funds in savings-

A Problem of Relief.

banks are small and the family soon becomes necessarily the recipient of charity, or is forced to go to extreme measures to obtain its sustenance. The question of providing satisfactorily and justly for prisoners' families is undoubtedly capable of solution, but is still a problem. In Washington, gratifying results have been obtained in the case of men sentenced to the House of Correction for non-support. In states where contract labor prevails, as in the State of Maryland, a portion of the earnings are credited to the prisoner. The prisoners are able to earn a certain amount generally through over-time work, which may be paid to their families. This advantage of the contract system is particularly emphasized as an offset to its many serious disadvantages. In the State prisons of the State of New York, the prisoners receive one and one-half cents daily in return for their labor. This sum is practically a gratuity, because the labor of the inmates of our State prisons earns but about one-third of the total annual maintenance cost of the same prisoners.

The inmates of the reformatories have no earnings, nor so far as the Association knows, do the inmates of penitentiaries or county jails contribute by their labor toward the maintenance of their families.

Consequently relief of prisoners' families is a very necessary part of the work of the Prison Association, although it is not as yet maintained on a large scale. The relief disbursements of the Prison Association to discharged or paroled prisoners and to prisoners' families, was for the year 1909, \$1,456.19.

The Association plans to work toward some form of reasonable recompense for men confined in prison in so far as their labor can be utilized to contribute to the support of their families.

The Association at Its Work.

THE Prison Association was incorporated by the Legislature of the State of New York in 1846. It is a charitable organization founded to promote the welfare of the prisoner and the betterment of prison conditions. Its board of managers is the executive committee of thirty members. The executive committee is a self-perpetuating body. The board of managers appoint the corresponding secretary, who is the executive officer of the Association. The late Dr. Samuel J. Barrows was for nine years the corresponding secretary of the Prison Association. His distinguished services as the executive of the Association were heightened by his national and international services in the field of penology.

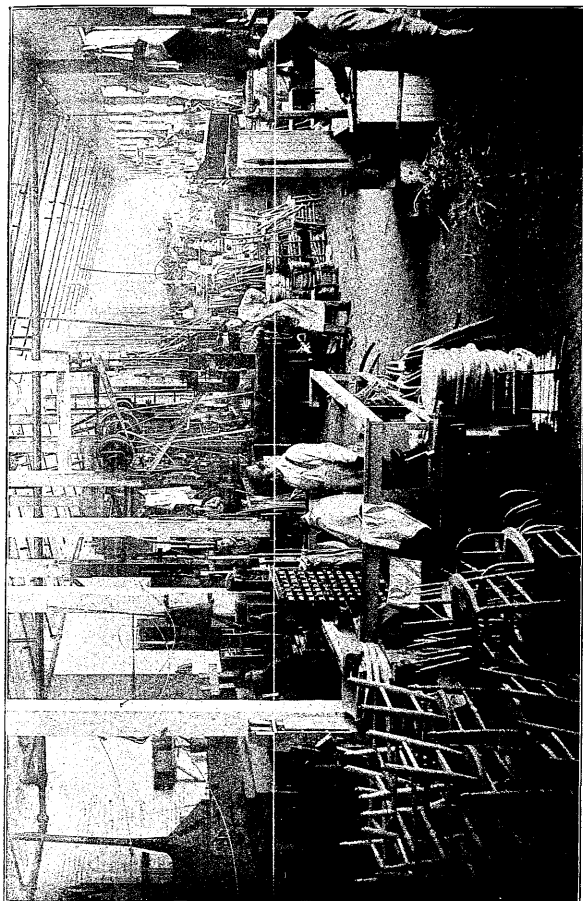
His successor, Dr. O. F. Lewis, was appointed corresponding secretary on January 1, 1910.*

The work of the Association is at present divided into three parts:—the Parole Bureau, the Probation Bureau and the Office.

The staff of the Parole Bureau consists of H. B. Rodgers, Parole Agent, Grant Williams [Detective-Sergeant], T. B. Collins, A. Gardner Benedict, and Samuel Ornitz, Investigators.

Parole Bureau. The Parole Bureau supervises primarily the young men released on parole from Elmira and Napanoch Reformatories, 921 young men being received on parole in the Prison Association in 1909. In addition there applied to the Parole Bureau for assistance and counsel during 1909, 539; discharged prisoners from Sing Sing Prison, 44; from Auburn Prison, 11; from Clinton

* Dr. Lewis graduated from Tufts College, Mass. [A.B., 1895; A.M., 1897]. After several years' study in Europe he took the degree of Ph.D. at the University of Pennsylvania in 1900. From 1900 to 1905 he was Professor of Modern Languages at the University of Maine. His training in social work was had first at the University of Chicago in 1903, then at the School of Philanthropy in New York in the summer of 1905. On August 1, 1905, he became superintendent of the Joint Application Bureau, maintained by the New York Charity Organization Society and the New York Association for Improving the Condition of the Poor. In this bureau are aided annually many thousand homeless persons. In 1907 Dr. Lewis became financial secretary of the Charity Organization Society of New York, holding this position until January 1, 1910, when he became corresponding secretary of the Prison Association of New York. During the five years from 1905 to 1910 Dr. Lewis made numerous special studies in the field of vagrancy and crime.



Chair Shop, Auburn Prison

Prison, 13; from Blackwell's Island Penitentiary, 264; from Blackwell's Island Workhouse, 80; from other correctional institutions in the State, 15. From outside the State there applied for aid and counsel during 1909, 52. A grand total of 1,939 persons aided with relief or counsel or both by the Association.

The members of the staff of the Parole Bureau gather at the Prison Association in the morning, receive their assignments for visits and investigations and return in the latter part of the day for reports and further assignments. On the average from

A Morning Hour. 350 to 400 young men are under supervision at any one time. Between the 20th and 25th of each month a group of young men just placed on parole arrive at the Prison Association from Elmira and Napanoch Reformatories. These young men are divided into approximately equal groups and are assigned for supervision to the various members of the parole staff, thus naturally developing a closer relationship between the members of the staff and the young men than would be possible were no such division made.

When the young men arrive from Elmira, the necessary entries are made upon the records of the Prison Association and to each young man, individually or in a group, are explained the purposes of the Prison Association. It is pointed out that the Association, while acting as parole agent for Elmira and Napanoch, is far more than an official parole agent. It is a sympathetic and consistent friend of each young man. The young men are addressed approximately as follows:

"We want you boys to understand that the Prison Association has only one purpose, to help you. You are young.

Most of the members of the staff of this Association are pretty nearly or quite twice as old as you are. You have most of your life before you. The next six months are going to be very important months for you. They are not going to be easy. Some of you will get among the old associations from which you went at the time of your arrest. We are not only ready, but we want to be one of your best friends during the time that you are on parole. That is why you have been assigned, each of you, to one of the parole staff, who will feel very badly if he does not become such a friend to you that you can gain with credit your absolute release after six months.

"Now if at any time any of you get into trouble; if you think that the police are hounding you; if some one of you has unhappily a father who does not sympathize with your trying to do right; if some of you want to change your job; or if some of you find that your old cronies of the 'gang' are trying to help you back into the life which sent you away, come to us. That is what we are here for. Remember that we do not want to send you back. Remember too that the more you make us your friends, the less likely you are to go back.

"Further, if any of you have questions that you want to ask of us, if there are things not clear to you, do not hesitate to come here. Look any one of us up and we will do the best we can to set you straight."

It is through a frank talk of this sort, of which this is but a part, couched pretty largely in the language that the boys can understand best, that we believe we are able to help these boys in a rational manner, without mawkishness, during their parole period.

The Parole Bureau not only helps boys from Elmira and Napanoch, but also acts as a relief agent for discharged and paroled prisoners in general. One of the

Staff Duties.

members of the staff visits the Tombs several times a week; another member of the staff visits the penitentiary and workhouse; the police sergeant on our staff is present at the "line-up" at detective headquarters each morning, and it is unpleasant to report that he frequently finds reformatory boys again in the hands of the law and passing before the detectives for inspection. Once a month the corresponding secretary or parole agent attends the meetings of the State Parole Board at Sing Sing and occasionally will attend the meetings of the Parole Board at other State prisons. Out of the activity of the Parole Bureau has developed the "Round Table" Club, which acts as a distribution agent for many otherwise unemployed paroled and discharged prisoners.

A new system of keeping the records of the Parole Bureau has been organized since the first of January, 1910. Filing cabinets with the loose-folder system of keeping records and correspondence have been installed. The monthly reports of the Parole Bureau to the corresponding secretary, and to the executive committee have been enlarged. A special stenographer, Miss Levy, has been assigned to the Parole Department.

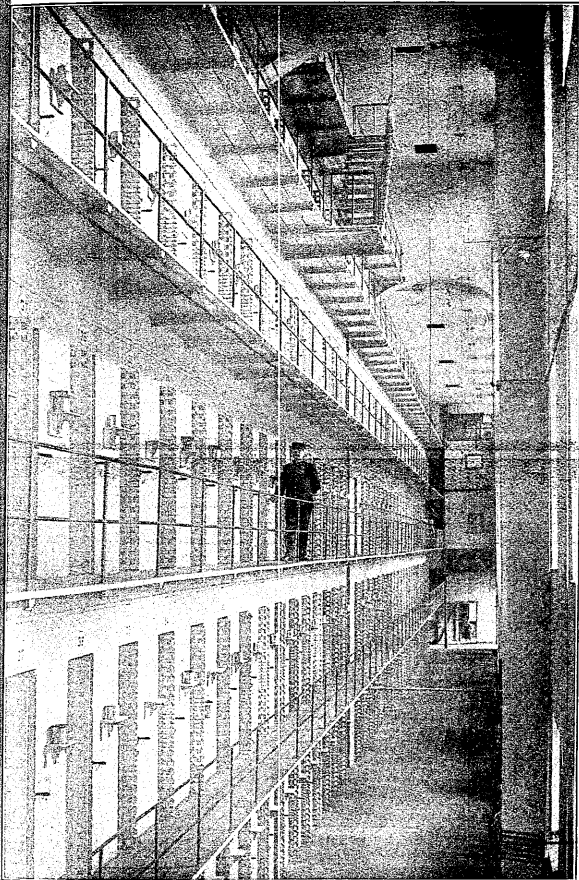
A system of determining the delinquency in the cases of young men who appear to have violated their parole has been

established, and a committee consisting of the corresponding secretary, the parole agent, and the police sergeant detailed by the department of police to the Prison Association decides carefully each case. The work of the Parole Bureau is being steadily increased, through the assignments from the State prisons of men on parole to the Prison Association.

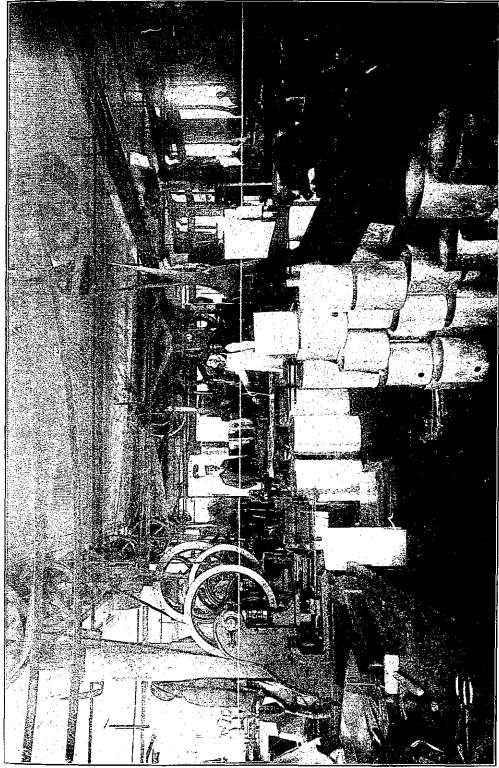
As illustrating the daily work of the Parole Bureau, the following record is printed of the activities of that Bureau on June 27, 1910. This was not an exceptional day. In the case of each person, a personal interview was held.

Prison.	Consecutive number.	Remarks.
Elmira.....	18451	Arrival report; no work.
Elmira.....	18228	Arrival report; no work.
Elmira.....	18457	Arrival report; no work.
Elmira.....	18221	Arrival report; no work.
Elmira.....	17497	Arrival report; no work.
Elmira.....	19097	Arrival report; no work.
Elmira.....	18422	Arrival report; no work.
Elmira.....	18447	Arrival report; no work.
Elmira.....	18410	Arrival report; no work.
Elmira.....	18485	Arrival report; no work.
Elmira.....	18345	Arrival report; no work.
Napanoch.....	1852	Arrival report; no work.
Sing Sing.....	59042	Arrival report; had no position. Sent to Dr. D., East 12th street, for work.
Napanoch....	1936	Found work, Pencil Co., East 14th street. Gave him \$2 cash for necessary expenses.
Napanoch....	1880	Ten-day man. Asks permission to go to Italy.
Sing Sing.....	58490	Sent him to work for the G. Mfg. Co., \$2 per day.
Sing Sing.....	58206	Called for advice about his position.
Sing Sing.....	57489	Reported out of hospital.
Elmira.....	13729	Paroled July 23, 1906. Returned for violation of parole and again paroled June, 1908. Sent to work for St. Luke's church, \$1.75 per day.
Clinton.....	.....	Sent to work on Albany boat, \$30 and board; loaned \$1.50.
Elmira.....	18148	Second monthly report.
Probation....	.....	Reports he is to sail for Buenos Ayres on the 30th. This is the ship that Mr. B. got him position on as electrician.
Sing Sing....	58574	Sent to position in _____, Broadway, and to live at 129 Christie street.

Prison.	Consecutive number.	Remarks.
Elmira.....	17547	First monthly report.
Napanoch....	1949	First monthly report.
Penitentiary..	.....	Gave him shirt, tie and hat; order of Mr. Kimball.
Elmira.....	18161	Third monthly report.
Elmira.....	18199	Third monthly report.
Elmira.....	17460	Mother reports his disappearance after an illness. Notified police headquarters and sent out general alarm for him.
Elmira.....	17539	Was laid off. Had him reinstated at work through personally visiting employer.
Napanoch....	1867	Fourth monthly report; gave permission to spend two weeks' vacation with parents at Atlantic City.
Elmira.....	17976	Fourth monthly report.
Elmira.....	17879	Fourth monthly report.
Elmira.....	18301	Second monthly report.
Elmira.....	17122	Fifth monthly report.
Elmira.....	17922	Third monthly report.
Elmira.....	18087	Fourth monthly report.
Elmira.....	18087	Fourth monthly report.
Elmira.....	18438	Reports no work; has been laid off.
Elmira.....	18158	Second monthly report.
Elmira.....	17545	Sixth monthly report.
Napanoch....	1926	Reported change of position.
Napanoch....	1996	Sent to 298 Willis avenue for work.
Elmira.....	16866	Absolutely released.
Elmira.....	17529	Absolutely released.
Elmira.....	18302	Second monthly report.
Elmira.....	18407	First monthly report.
Elmira.....	17584	Third monthly report.
Elmira.....	18214	Third monthly report.
Elmira.....	1922	First monthly report.
Elmira.....	18483	First monthly report.
Elmira.....	2050	Given permission to live with brother.
Elmira.....	18057	First monthly report.
Elmira.....	18031	Third monthly report.
Elmira.....	16629	Third monthly report.
Napanoch....	1859	Second monthly report.
Elmira.....	18210	Third monthly report.
Napanoch....	1765	Third monthly report.
V. I. P.....	.....	Given three meals, 1 lodging.
W. H.....	.....	Given three meals, 1 lodging.
Elmira.....	15687	Sent record to Mrs. Walker, probation officer.



Cell Hall, Clinton Prison



Tin Shop, Clinton Prison

The Probation Bureau of the Association has also been reorganized during 1910, the staff consisting of D. E. Kimball, General Agent of the Association, who for twenty-five years has been probation officer in the Court of General Sessions; Mrs. Emily S. Walker, appointed in April, 1910, volunteer probation officer, although Mrs. Walker for several years has been a volunteer probation officer in the Court of General Sessions; Edward Berman, Investigator for the Probation Bureau, and Miss Naomi Rigby, stenographer.

The Probation Bureau.

While in the number of persons on probation, the volume of work of the Probation Bureau is not comparable to that of the

Parole Bureau, the work is of equally high importance and requires constant wisdom and supervision of the men and women on probation. To Mr. Kimball were assigned

by the judges in General Sessions, during 1909, 589 probationers. Probationers may report each week day during the day time at the office of the Prison Association, and also on Thursday night from half-past seven to nine. Were the Association able to maintain a larger probation staff, the probationers would be more frequently visited at their homes and at their work.

Filing cabinets have been installed, with a loose-leaf folder system for keeping records and correspondence. The case plan has been adopted for the keeping of case records, and a monthly system of reporting to the judges on all cases on probation has been adopted for the convenience of the judges in General Sessions and for the statistical use of the Prison Association.

The office work of the Association is not unlike that of any of the modern charitable organizations in this city. Members of the office staff are Miss Auchampaugh, secretary to the corresponding secretary, having general supervision over the routine clerical work of the Association; Miss Rigby, stenographer of the Probation Bureau; Miss Levy, stenographer of the Parole Bureau; Miss Middler, summer stenographer; Miss Stecker and Miss Ratner, clerks.

The Association has a very well-chosen and comprehensive library of books and pamphlets on penological and criminological subjects, which is accessible to the

The Library. public. The library is added to from year to year, but not to such an extent as is desirable. The Association would gladly welcome the establish-

ment of a special fund for the purchase of books and pamphlets for the library. Miss Titus is librarian.

The building in which the Prison Association's offices are situated, is at 135 East 15th Street, New York city, and is owned by the Prison Association. It is

Our Building. valued at \$35,000. During the early summer of 1910, the building was thoroughly renovated and is now well equipped for the purposes of the Association. The basement and the first two floors are used for office purposes, the Parole Bureau occupying the basement and first floor, the Probation Bureau and the office work of the Association occupying the second floor. The third and fourth floors are the apartments of the corresponding secretary and his wife.

The International Prison Congress.

IN 1870, it was proposed at the first annual meeting of the organization which is now the American Prison Association, that an International Prison Congress might profitably be held to discuss the problems of crime, which are now world-wide in their significance.

Its Origin. Dr. E. C. Wines, at that time corresponding secretary of the Prison Association of New York, was a leader in the movement in 1870, at Cincinnati, where it received its impulse. In the next year Dr. Wines was appointed a Commissioner by President Grant to secure the cooperation of European governments in the holding of this great International Congress. Dr. Wines visited Europe in 1871 and found that everywhere his proposition was received with favor by the governments addressed.

In the proceedings of the First International Prison Congress in 1872 at London, the part taken by the United States and its Commissioner in the calling together of an organization of that Congress, was generously recognized, as it has been at nearly every meeting of the Congress since held.

In October, 1910, the International Prison Congress for the first time will visit the western shores of the Atlantic, to hold a week's session at Washington, D. C. This

This Year's Congress. will be preceded by a special tour of some 2,000 miles from New York to Chicago and return to Washington, for the purpose of visiting various penal institutions. On this trip, the foreign delegates to the Congress, some 100 in number, will be the guests of the United States.

At the Seventh International Prison Congress at Budapest in 1905, Dr. Samuel J. Barrows was the official delegate from the United States. Dr. Barrows held for many

Dr. Barrows — years this distinguished position, a part of which his incumbency being during the entire period of his connection with the Prison Association

A Leader. of New York as corresponding secretary. Dr. Barrows tendered to the International Prison Congress the invitation of the United States to meet in Washington in 1910. This in-

vation was unanimously accepted. According to custom, Dr. Barrows as the official representative of the United States was elected President of the Commission (the executive committee of the Congress) to carry out the plans of the organization for the meeting in Washington in 1910.

It is a source of deep sorrow to the Executive Committee of the Prison Association of New York that Dr. Barrows has passed away before the great honor could be his of presiding at the coming International Prison Congress, which will probably be in point of importance the greatest Congress yet held. He prepared the general plans for the coming Congress, being ably assisted by his devoted wife, who has been often fittingly honored in the councils of the International Prison Commission.

Following Dr. Barrows' untimely death, in April, 1909, Professor Charles R. Henderson became, by appointment of President Taft, this country's representative on the International Prison Congress, and during the summer of 1909 at the meeting in Paris, Dr. Henderson was elected President of the Commission.

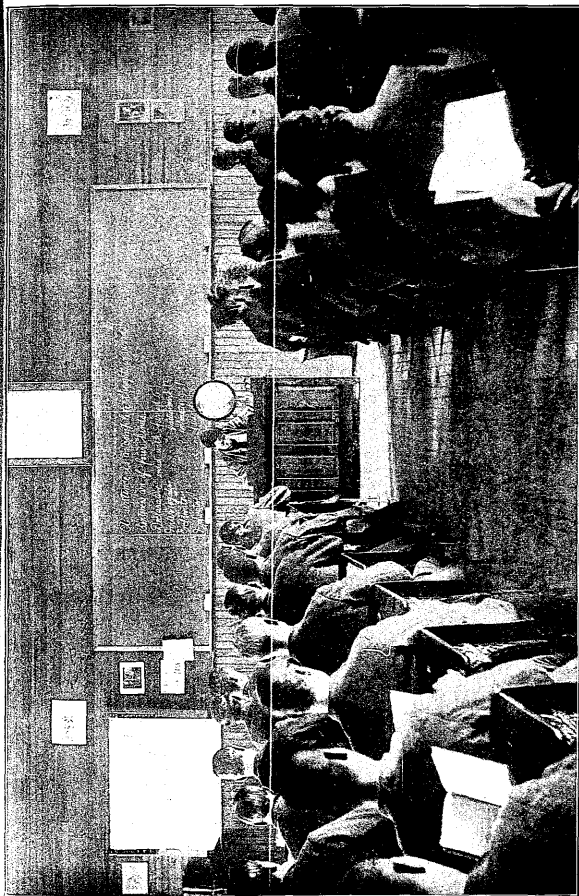
The Prison Association of New York is one of the cooperating committees in completing the plans for the Congress. Many

**The Prison
Association
and the
Congress.**

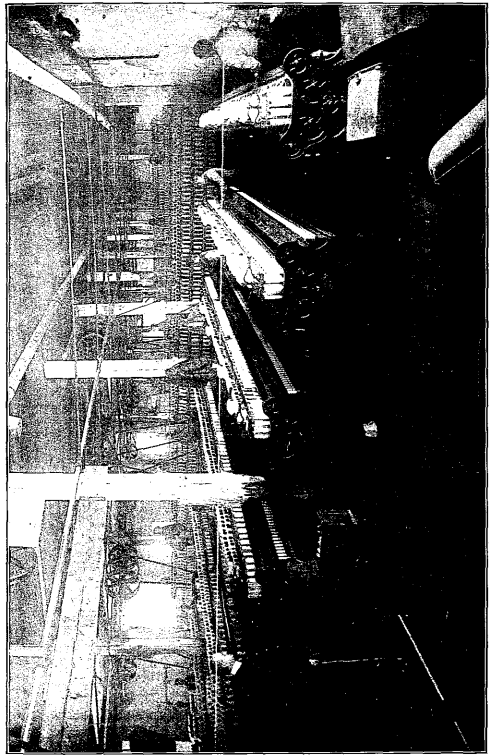
of the members of the executive committee have been appointed members of the General Committee having in charge the arrangements for the Congress. President Eugene Smith of the Prison Association has prepared one of the souvenir volumes now being published by the Russell Sage Foundation to commemorate the Eighth International Prison Congress, Mr. Smith's volume being entitled, "Criminal Law in the United States."

Dr. Lewis, the Corresponding Secretary of the Prison Association, has charge of the publicity work of the Congress. On the local New York city committee, to be charged with the entertainment of the foreign guests while in New York city, the Prison Association will be represented through members of the executive committee.

The great importance of this Congress hardly needs to be emphasized. It will focus the attention of the entire United States in October to the great prison problems of this country. It is confidently to be expected that the problems of delinquency will be given wider publicity during the coming year than they have ever before received in this country.



School Room, Clinton Prison



Cotton Shop, Clinton Prison

The Prison Congress is an international organization against crime. It considers the sources of crime, how crime can be prevented, what measures different nations can take to promote their own security, how the offender can be so dealt with as to correct and reform him, what protection shall be thrown around children and minors. The word "prison" only suggests the name of this Congress.

ORGANIZATION.

The Congress is divided into four sections:

Section I relates to criminal law. In this section are some of the most eminent jurists in Europe. The discussions here are not merely academic. They relate to the fundamental principles of penal law and their practical application. They include the organization and administration of courts, the structure of penal codes, questions of criminal procedure, the classification of offenses, and application of penalties. Questions of extradition, the relation of nations to each other in the suppression of crime naturally fall under this section.

Section II relates to prison administration. It is naturally made up of those who have had experience as directors, superintendents or wardens of prisons or correctional institutions. Everything relating to prison structure, hygiene, prison industries, the classification, organization and education of offenders, to dietaries, medical treatment, the prevention and cure of tuberculosis, and other prison diseases, the study of the criminal, and many other practical questions come under this section.

Section III relates to preventive means. This covers a wide field of sociological inquiry as to the causes and prevention of crime.

Section IV relates to children and minors. Child-saving is one of the most important and absorbing questions of our time. Neglected childhood, whether from neglected homes, neglected schools, or neglected factories, means an increase of crime. This section has given a new impetus to the subject of children's courts and the legal treatment of children accused of crime. Though the Congress has done much to indicate better methods of prison discipline and improvement in criminal codes, it is destined to have a still greater influence in the reduction of crime through the serious study and attention which it is now giving to all preventive influences.

PROGRAM OF THE CONGRESS OF 1910.

FIRST SECTION — PENAL LEGISLATION.

Question 1. Assuming that a rational relation exists between the principle of the indeterminate sentence and the fundamental principles of criminal jurisprudence —

(a) What class of delinquents should be submitted to, and what class excluded from, its application?

(b) How may a sentence of this kind, without minimum or maximum limits, be applied without danger to individual liberty?

If it is not admitted that there is a rational relation between the principle of the indeterminate sentence and the fundamental principles of criminal jurisprudence, is there ground for adding to the definite sentence with respect to a particular individual a restriction in the form of a supplemental penalty; and if so, in what cases, and how is it to be applied?

Question 2. How and in what manner may effect be given to penal sentences pronounced by foreign tribunals, especially with reference to habitual criminality and legal incapacity?

Question 3. To resist the tendency of criminals to band themselves together is it not desirable to make participation in criminal acts or agreements a distinct crime, or at least to make all such complicity a legal aggravation?

Question 4. What part does the death penalty play in the penal system of the different countries?

SECOND SECTION — PRISON ADMINISTRATION.

Question 1. What are the essential principles of a modern reformatory system, and upon what rational methods should it be based? Should its application be limited by age, or other classification? If so, under what limitations?

Must we not admit the necessity of special treatment for youthful criminals and even recidivists from 16 to 21 or 23 years, recognizing the plasticity of that age and the possibility of curing by special methods physical, moral and intellectual, the perverted instincts of young offenders? In that case, is it not desirable to give to the courts the power of imposing a special penalty:

(a) Sufficiently long to permit the full application of all means of reformation?

(b) Permitting the free application of conditional liberation?

Question 2. What improvements may be made in the parole system or the system of conditional liberation already existing in certain countries?

Question 3. What are the best means of assuring productive work for prisoners in small prisons?

THIRD SECTION — PREVENTIVE MEANS.

Question 1. What is the effect upon criminality of the legal measures taken in different States in the form of probation or suspension of sentence, etc., to avoid the necessity of imprisonment, especially at the time of first convictions, taking account of the age, character and antecedents of the person? And is it desirable that these and similar laws should be extended?

Question 2. What measures should be taken for the suppression of mendacity and vagabondage, especially in view of modern criminal tendencies?

What rules should be adopted for the organization of work-houses for mendicants and vagabonds?

Question 3. How is it possible, while paying due attention to the correction of the offender, to lighten the heavy economic burden falling upon families owing to the imprisonment of those upon whom they are dependent?

Question 4. Have the experiments of the last ten years made in certain countries, providing special establishments for the detention of inebriate criminals, even recidivists, for long periods (two or three years) been successful or not?

Is it necessary to complete the penitentiary discipline of these establishments by special medical treatment?

FOURTH SECTION — QUESTIONS RELATING TO CHILDREN AND TO MINORS.

Question 1. Should young delinquents be subjected to the penal procedure applicable to adults? If not, what principles should guide the procedure applied to children and youthful offenders?

Question 2. Should special establishments be maintained for abnormal, backward and feeble-minded children showing dangerous moral tendencies?

Question 3. What measures should be taken to correct the idleness and vagabondage of children in large cities?

Question 4. Is it desirable to take special measures for the protection of children born outside of wedlock; and if so, what measures?

A QUESTION FOR INVESTIGATION.

How should local prisons, jails and lockups be constructed and organized?

The Future.

A far larger field of activity is open to the Prison Association than it has so far been able to occupy. There is no similar organization in the whole State of New York.

A Larger Field.

Wholly because of restricted funds, the Association has in the past been compelled to give its attention largely to New York city alone.

Has not the time come for an important extension of the Association's work? The sum of \$75,000 could be expended by the Association annually in work throughout the State, work which would undoubtedly result in an important reduction in the amount of crime committed by those who have already served prison sentences. A state-wide activity of the Prison Association would also embrace frequent and thorough inspection of the State institutions throughout the State, the developing of opportunities of employment for discharged

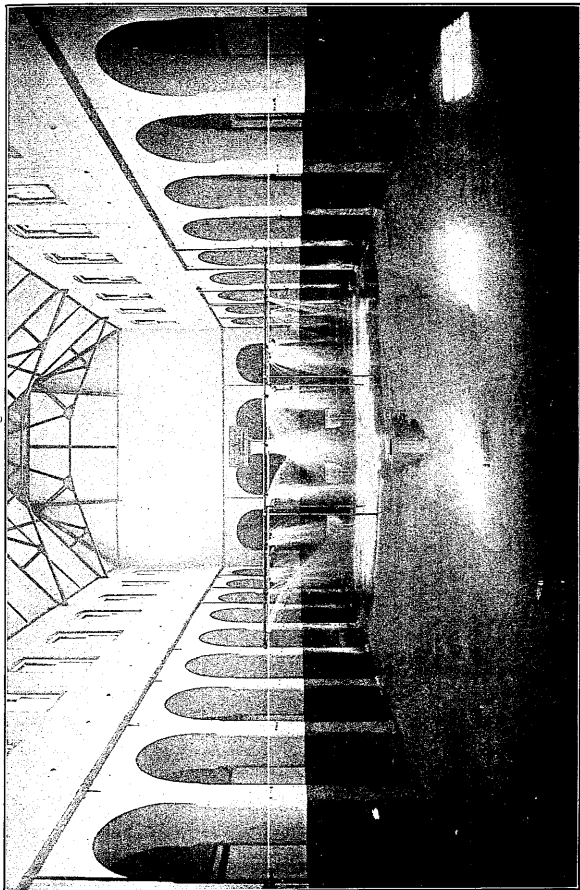
prisoners, the extension of much-needed aid for prisoners' families and for discharged prisoners, and the development of general information regarding crime and its problems in this State, which the Association is now not able to develop for lack of funds.

The following table indicates the estimated cost of the development above outlined:

A Possible Budget.	1. State-wide parole work, 20 parole agents.....	\$20,500
	Expense of three parole bureaus in the State	5,000
	Traveling expenses of agents.....	2,500
		\$28,000
	2. Bureau of inspection of institutions, 3 inspectors..	\$4,500
	Office expenses	1,500
	Traveling expenses.....	2,000
		\$8,000
	3. Relief work — for prisoners and prisoners' families.....	\$15,000
	4. Employment bureau.....	3,000
	5. Publicity	2,000
	6. Administration, including salaries — secretary, assistant secretary, clerks, stenographers, etc...	23,000
		\$79,000
	Grand total.....	\$79,000

Such a development of the work of the Association may easily take a decade to bring about. That the work is necessary, the Association does not doubt; that the State should lend a generous hand in subsidizing the state-wide parole work of the Association seems obvious.

The Prison Association of New York was chartered to be The Prison Association of the State, not solely of New York city. The cost of the program outlined above is naturally approximate. During the next decade the progress of the Association will probably be along the lines indicated above. To make this progress possible, the Association depends upon the interest of the whole State and not on those residing in New York city alone.



Bath Room, Clinton Prison

The Indeterminate Sentence for Crime.¹

BY EUGENE SMITH,

President of the Prison Association of New York.

The indeterminate sentence had its origin in this country as a legal measure in an act, passed by the Legislature of the State of New York in 1877, relating to the State Reformatory at Elmira. The plan embodied in the act was devised by Z. R. Brockway who was the founder and for many years the Superintendent of the Elmira Reformatory. The unparalleled success attained by this reformatory through original methods of training and discipline has attracted wide attention both in this country and abroad. Its convicts are held under the indeterminate sentence, and, when released, are sent to some place of employment secured for them; the release is conditional and they are kept under surveillance for at least six months. A convict who sustains himself and lives an honest and industrious life, avoiding evil associations during this probationary period, receives his final discharge. His subsequent career is not under official tutelage. Of course, the first six months after leaving the prison are the most critical ones in the life of the ex-convict; if, during that period, he has become established in industrial occupation, has lived honestly and manifests a real purpose to live within the law, there arises a fair presumption that he has begun a new career and will not return to a life of crime. The statistics of Elmira Reformatory show that 80 per cent. of its convicts have given this fair presumption of reform. A considerable number of reformatories, adopting measures of treatment similar to those at Elmira, are now established in different States of the Union; and, from its beginning at Elmira, the indeterminate sentence has thus grown in public favor until it is now firmly established in American jurisprudence.

The indeterminate sentence arose from revolt at the injurious results of the old system which made retributive punishment its end in the treatment of convicts. From time immemorial,

¹A paper prepared for the 1910 International Prison Congress.

the criminal law was contained in penal statutes each of which defined a crime and declared its punishment; and the sum of these statutes in each State constituted its penal code. The punishments of the different crimes varied in severity according to the supposed degree of guilt involved in each. This is the system which has prevailed for centuries in all civilized countries. Prison reform, as advocated by John Howard and other humanitarians, aimed to alleviate prison conditions but did not greatly concern itself with the organic law relating to crimes and criminal procedure. The penal codes remained unchallenged; new crimes arose and new laws were passed with new definitions and new penalties, but the essential structure of the codes, defining crimes and proportioning punishments to guilt, underwent no modification.

The system embodied in the penal codes is built upon the basis of certain elementary propositions upon the correctness of which depend the stability and the success of the system. The most fundamental of these propositions or dogmas are: that the duty of the State toward the criminal is discharged by placing him in confinement and subjecting him to the pains and penalties of imprisonment under a regimen of severity and hardship and that the end to be gained by such imprisonment is the infliction of retributive punishment; that this treatment is to continue for a longer or shorter period according to the degree of guilt involved in the commission of the particular crime of which the prisoner has been convicted; that the period is to be fixed in advance and included in the sentence of conviction in each case, at the time of trial, by the presiding judge, within the limit of time named in the code; and, finally, that, when the prisoner has served the full term of his sentence, he has atoned for his crime and is entitled to be restored to freedom, wholly without regard to his character, purposes, or condition at the time of his discharge. This is the scheme of the penal codes for the attainment of ideal justice; every offender to be punished, and the punishment to be graduated according to the offender's guilt.

These propositions involve certain corollaries of great importance, such as these; that the graver the crime, the greater is the degree of guilt in the person committing it; that the guiltiness of an offender as well as the comparative guilt of different offenders can be gauged by the judge at the trial; that the same sentence pronounced upon two offenders inflicts

the same punishment upon each. To apportion punishment according to guilt is absolutely essential to the realization of that ideal justice which is the aim of the penal codes; and at this point the system of the codes is, and always must be, an utter failure. No two crimes are exactly alike; no two offenders and no two judges are exactly alike. To measure the guilt of any person convicted of crime presents a problem, complex and hopelessly insoluble. Upon a criminal trial, the rules of legal evidence rigorously exclude testimony outside of the *res gestae*. What human intelligence can estimate how far the act of the prisoner was affected by vicious heredity, by defective education, by constitutional weakness of mind or of character, by misapprehension or mistake of facts, by long accumulated provocation, by sudden overwhelming passion or by cherished intention? But these are but a few of the essential elements of guilt, unknown to the judge and unfathomable. How can judges, widely differing in temperament and sagacity, administer the codes with any approach to consistency or equality?

There is no possible standard by which either legislatures or judges can measure the relative gravity of different crimes or declare that the commission of one certain crime involves greater guiltiness than the commission of a certain other crime. Notwithstanding the centuries during which the common law has aided in the harmonizing of the penal codes, there is absolutely no consensus of opinion about the relative enormity of the most common crimes nor about the proper punishment of any single crime. Convincing evidence in support of this statement is found in a comparison of the penal codes of the various States of the Union.

Take the crime of incest; the highest punishment provided for this crime by the Code of Virginia is imprisonment for six months; by the Code of Kentucky, imprisonment for twenty-one years;

For bigamy the highest punishment in Delaware is six years imprisonment and a fine of \$2,000; in Tennessee, twenty-one years imprisonment:

For grand larceny, imprisonment for two years in Louisiana and for twenty years in Connecticut.

For perjury, five years in Connecticut, twenty years in New York, imprisonment for life in Maine, death in Missouri, and imprisonment for ten years with a fine of \$500 to \$2,000 and whipping with forty lashes in Delaware.

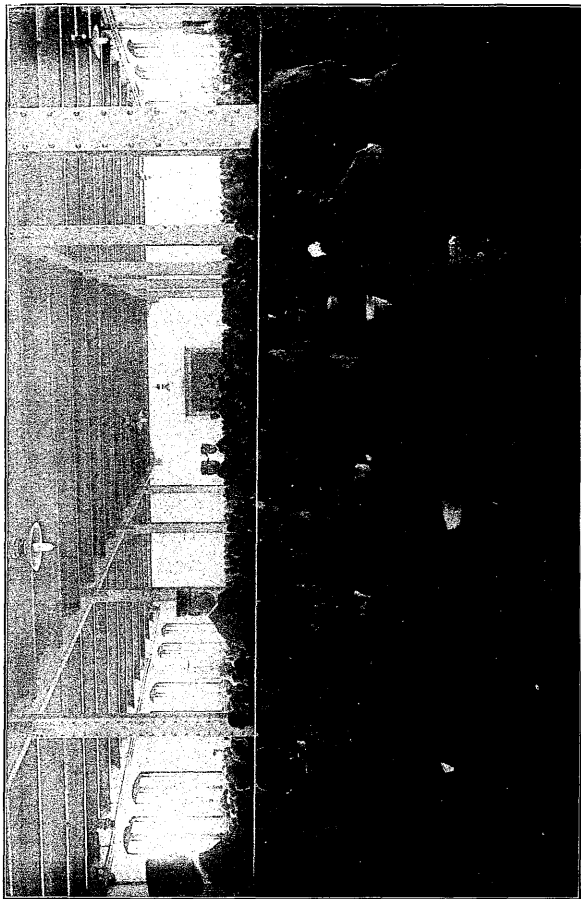
These are instances showing the wide diversity of judgment and of legislation about the proper punishment for the same crime and the same diversity is found through the whole catalogue of the codes. But when we come to examine the codes of the several States fixing the comparative gravity of different crimes, the result is even more startling.

The guilt of burglary in Connecticut is twice that of arson, but in Pennsylvania the guilt of arson is twice that of burglary.

So, the guilt of forgery in Kansas is four times that of larceny while in Connecticut the guilt of larceny is four times that of forgery.

The guilt of counterfeiting in Ohio and Minnesota is twice that of perjury but in Rhode Island and Alabama the guilt of perjury is twice that of counterfeiting.

What, now, is the practical result of these discrepancies and inequalities that pervade the penal codes from beginning to end? They prove, beyond dispute, that the aim of the codes to dispense even-handed and equal justice is a deplorable failure; more than that, the failure of the system of the codes is, and must always be, inevitable. The system attempts to do what is, in the nature of things, impossible; it assumes to apportion punishment to the desert of the offender, while that desert depends upon elements that are unknown and inscrutable; and it assumes to measure the inscrutable without even a standard of measurement. Criminal law, administered upon principles and methods so irrational, cannot fail to bring the law itself into popular disrepute and contempt; and the law loses that moral support in an intelligent community which ought to be its strongest bulwark. The convict, comparing his case with that of others, suffers a rankling sense of injustice which intensifies his hatred of the law. The system has failed to repress crime and has failed to protect the public against crime. Every year it discharges from the prisons thousands of convicts simply because they have served their term. The vast majority — nearly all — of these resume the criminal life; they form the most dangerous class of criminals in the country, they become the expert leaders in criminal enterprises and, probably more than any other agency, they serve to increase the prevalence of crime. The punitive system has thus tended positively to augment, instead of diminishing, the volume of crime in all civilized countries.



Mess Hall, Clinton Prison

The defects of the penal codes already mentioned are those which appear on the surface and are known to all; the vital objection to them lies deeper and is radical. The conception of the relation of the State to crime and to criminals, which underlies the system of the codes, is wholly indefensible. The legitimate object of all laws, civil as well as criminal, is the protection of the people and the promotion of public welfare. The duty of the State toward crime is the same as toward lunacy, contagious disease, tuberculosis, vagrancy, impure foods; the duty to repress and to cure. Mere imprisonment of the criminal without an effort toward his reformation is not less futile than to confine a diseased patient in a hospital without medical treatment. It is worse, because such imprisonment has an affirmatively demoralizing effect which tends to make the criminal more dangerous to the community after his discharge than he was before his commitment. It is the duty of the State to conduct its prisons with a curative mode of treatment, as it does its hospitals and asylums; to establish there such a system of discipline and training as may arouse in the prisoner new hope and new motives, develop self-control and self-respect, give him skill in industry, awaken in him the desire as well as the ability to earn an honest living, to send him out rehabilitated, fitted for freedom. It is in this way only that the State can discharge its duty of giving the people effectual and lasting protection against crime. Reformation is the real and only legitimate aim of the State in the treatment of criminals and every prison should be operated as a moral sanitarium. This is the purpose of the reformatories in the United States toward the realization of which they are making most hopeful progress.

But, someone will say — the criminal ought to be *punished*. There are two answers; the discipline to which prisoners are subjected in these reformatories is so exacting and the life they lead so strenuous that convicts generally deplore being sentenced to a reformatory; they prefer the old punitive prison because they regard the punishment there lighter than in the reformatory. The other answer is that whether any prisoner receives adequate punishment or not only omniscience can decide; the practical thing to do, from the view of humane as well as governmental policy, is to convert the criminal into a law-abiding citizen if possible, and leave the matter of punishment to the Omnipotent. Public protection demands that no

convict should be discharged from prison unless he is fit for freedom. Not retribution, but fitness for freedom is the only legitimate end of imprisonment.

Probably all will agree that if the reformatory treatment can reform the convict and make him a useful citizen, he shall by all means be sentenced to the reformatory. Reformation, fitness for freedom, is then the aim of the sentence; but it is manifestly impossible to predict in any case the *term* of imprisonment and treatment that may be required to accomplish the aim. That depends on the response the convict himself may make to the scheme of discipline and reformative influences to which he is subjected. He enters the prison hating the scheme, hostile to reform, and it is certain that every beneficent agency that may be employed will prove futile unless the prisoner can be led to accept and heartily co-operate with the reformative discipline and training. The prisoner's desire for freedom is the strongest motive to which appeal can be made; and when his discharge from the prison is conditioned upon his falling in with the system and yielding himself to the treatment, there can be no more powerful incentive to submission. This incentive the indeterminate sentence enforces. It makes the prisoner the arbiter of his own destiny; it constrains him to co-operate with the reformative treatment and fit himself for freedom before he can hope for release.

There are certain accompaniments that are indispensable to the success of the indeterminate sentence. It is essential that an accurate record should be kept for each convict, showing the progress he has made and the lapses he has suffered, detailing such occurrences as may throw light upon his character and such tests as may be applied to indicate his power of self-control and the sincerity of his motives. This record, in connection with the probing methods of treatment, is essential both to detect shams and false pretences and to aid the final judgment whether he has become fitted for freedom. A further means to avoid mistaken judgment is afforded by conditional release on parole, providing the ex-convict with a place of employment, which is a part of the reformatory system.

The value of the indeterminate sentence consists in four main results effected by it. (1) It is a potent auxiliary to reform by applying to the convict the strongest possible incentive to use the means provided by the reformatory system to assist him in fitting himself for freedom. (2) It obviates the

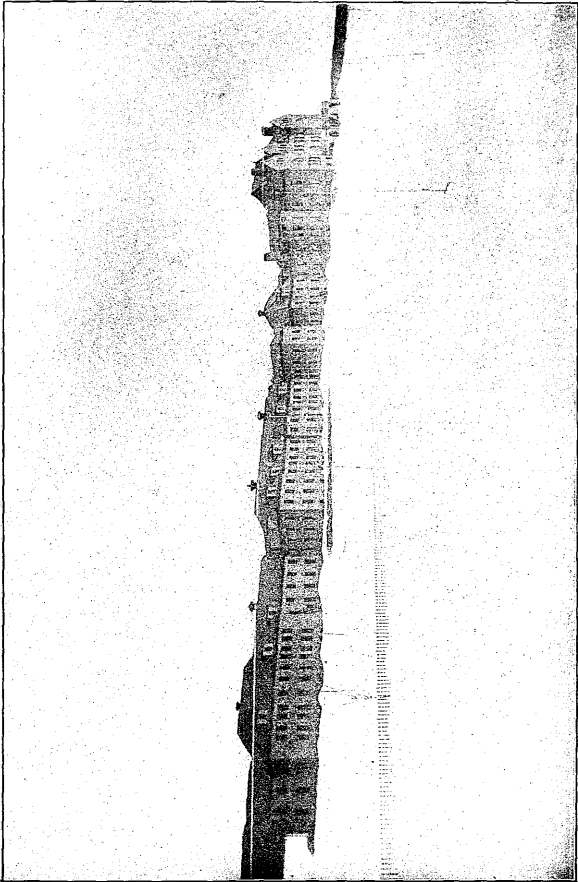
inequalities and injustices of the old punitive system by a perfectly just and logical method, which places all its convicts on the same footing and gives to all the same opportunity of winning release. (3) It reverses the attitude of the State toward the convict, from that of a vindictive enemy to that of a benefactor. Under the punitive system, the convict regards the State as an avenger, dealing him a return blow and inflicting on him, as compensatory retribution for his crime, pain and hardship which he endures with angry defiance and hatred. Under the indeterminate sentence, the convict finds the State striving to rehabilitate him and aiding him by every influence and incentive to fit him for freedom and so to gain an early discharge from prison. And finally (4) it tends to secure permanent protection to society and to diminish crime by relieving the public from the terrible incubus of the unregenerated ex-convict.

An objection has been made to the indeterminate sentence that, as the imprisonment of the convict is under a decree of court, he should be released only under the decree of a court. This objection does not affect the general scheme of the indeterminate sentence but relates only a detail in its administration. As how practiced in this country, the fitness for release is generally determined by an appointed board, often called a Board of Parole. This board performs a quasi-judicial function in passing upon each case that comes before it. It might well be called in the statute creating it a "Court of Parole," the legislature having the power to erect new courts. The only practical question is — who should be made the members of such a court? Many think that it should be composed, in part or in whole, of judges of the criminal courts. The wisdom of such a course may well be doubted. It would seem that laymen who have had practical experience in dealing with convicts and have come into personal contact with them both in prison and after discharge would be apt to form a more sagacious and correct estimate of a prisoner's character and fitness for freedom than the judge of a criminal court; for, as already suggested, the rules of legal evidence offer to the criminal judge only the most meagre and superficial data upon which to form any acquaintance with the real character of the prisoners brought before him for trial. The experience of a judge in conducting criminal trials would not, apparently, tend to fit him in any peculiar way for the Court of Parole:

indeed, there is reason to fear that it might prove to be a positive disqualification. By whatever tribunal the release of the convict is granted, the decision, under the indeterminate sentence, rests in every case upon real personal data, revealing with more or less certainty the prisoner's character and purposes. There is a rational basis for judgment which is wholly lacking in a sentence pronounced in advance.

The condition of release under the indeterminate sentence, as expressed in the New York statute, is "a reasonable probability that the applicant will live and remain at liberty without violating the law." Surely no prisoner is entitled to a discharge from prison who is not able to meet this reasonable condition; and, logically, the indeterminate sentence admits of no specified minimum or maximum limit. But the sentence, in such unlimited form, has never, it is believed, been used in this country; whenever adopted, it has been restricted by a minimum or maximum limit or both. These limitations of course impair the efficiency of the sentence as an incentive; but strong prudential arguments may be urged for the retention of the maximum limit, at least for the present. In the absence of a maximum limit, the sentence might result, in any case, in a life sentence. The time may come when the reformatory system will become so perfected by scientific experiment as to afford a practically infallible test of a convict's fitness for freedom; the system now is comparatively new and has had but limited development. It must secure more general adoption, must be more widely known, must gain the approval of the common people and popular faith in its merits, before juries can be found who will render a verdict of guilty which may be followed by a life-sentence.

The indeterminate sentence is not presented as a panacea for crime nor is it suited for universal application. The fact has sometimes been disregarded that the indeterminate sentence is only an auxiliary — a most powerful auxiliary — to a reformatory prison system. In some of the States, the opinion seems to prevail that this form of sentence can be successfully administered in all prisons and upon all prisoners. This is a deplorable error. The indeterminate sentence should be strictly excluded from all prisons that are operated under a system the aim of which is purely punitive and which uses no effective means of reformatory training. In such prisons, the indeterminate sentence has no meaning and can serve no purpose.



Dannemora State Hospital

THE INDETERMINATE SENTENCE FOR CRIME.

It is a cruel satire to condemn a convict to a prison that presents him with no uplifting experience or influence, there to remain until he has *fitted himself* for freedom. Mere confinement and restraint exert a distinctly demoralizing effect and the criminal, shut in upon himself, sinks downward from the natural gravitation of crime. There is for him no beneficent *viz curatrix naturae*; his only hope rests in some positive reforming influence coming from outside himself.

The adoption of the indeterminate sentence among the States of the Union has outrun the establishment of reformatory prisons. In this fact lies the greatest danger of the indeterminate sentence at the present time; the danger that the failure of the sentence, when applied under conditions to which it is not adapted, may bring the sentence itself into disrepute.

But even with a reformatory system, however effective, the indeterminate sentence is not applicable to the greatest crimes. The question has lately received considerable discussion whether this form of sentence should be applied to *life-prisoners*, that is, to convicts whose crime is made by the penal codes imprisonment for life. One of these crimes, for instance, is the intentional killing of a human being, but "without deliberation and premeditation." The decision, under the indeterminate sentence, that a prisoner has become fitted for freedom, by whatever court or board rendered, is based upon evidence furnished by the prisoner's life and record before and during his imprisonment; the decision may be attended with a degree of certainty that is free from doubt. But, after all, the prognosis that the prisoner is so cured that he will not again commit crime is a human judgment, *probably true*. On the other hand, the fact that the prisoner has wantonly committed murder in a sudden outburst of passion gives good reason to fear that, under the same or a greater provocation, he may repeat the crime; and it is a crime of such frightful and irreparable injury that the public ought to be guarded, as far as may be, from even the *possible danger* of it. The *possibility* of its repetition by the prisoner outweighs the *probability* of correctness in the decision of the Court of Parole. The risk is too great to be prudently taken.

But aside from these gravest crimes which the codes punish with death or imprisonment for life, the indeterminate sentence seems adapted to nearly all offenders; incorrigible offenders especially, should never be set free without offering adequate

protection to society. It may be affirmed of all convicts, great and small, that they ought to receive when in prison the benefit of the reformatory system; earnest effort should be expended to rehabilitate them and they ought not to be discharged upon the community until there is "a reasonable probability that they will live and remain at liberty without violating the law." Their release should not depend upon an arbitrary term fixed in advance and based upon no defensible ground of reason or of justice; it should depend upon their purpose and ability to lead a law-abiding life. To determine when the release can be given with safety to the public, no scheme has yet been devised except the system of reformatory treatment, enforced with the indeterminate sentence. This scheme is but a generation old in the United States and has secured, so far, limited scope and adoption. It is susceptible of indefinite expansion and development; and it gives promise of becoming in this country the most effective means ever yet devised of both reclaiming the criminal and protecting the people against crime.

Penal Statistics.

PRISON STATISTICS FOR THE YEAR ENDING SEPTEMBER 30, 1909.

	Auburn, man.	Sing Sing.	Clinton.	Auburn, women.	Total.
Prisoners in custody September 30, 1908...	1,246	1,500	1,227	96	4,069
Prisoners in custody September 30, 1909...	1,282	1,792	1,240	119	4,439
Received October 1, 1908, to September 30, 1909.....	569	1,114	517	71	2,271
Discharged, same period.....	523	822	492	48	1,885
Transferred to State hospitals.....	15	16	10	6	47
Died.....	13	15	14	1	43
Daily number in custody.....	1,197	1,785	1,308	115	4,533
Paroled.....	227	247	145	13	532
Returned for violation of parole.....	22	4	14	.....	40
On parole, not discharged, September 30th.....	108	149	105	20	382
United States Prisoners received.....	5	2	.....	3	10
United States prisoners discharged.....	9	21	3	.....	35
United States prisoners in custody, September 30, 1909.....	11	10	4	2	27
Life prisoners, September 30, 1909.....	59	11	73	2	145
Electrocuted during year.....	4	3	1	1	9
Previously confined in other institutions.....	522	879	947	57	2,405
Married, admitted during year.....	192	430	184	40	846
Single, ".....	377	698	313	25	1,413
Can read and write, admitted during year.....	492	816	450	64	1,822
Can read only, ".....	3	.....	.....	.....	3
Cannot read or write, ".....	74	298	27	7	440
Temperate, ".....	148	270	181	38	637
Intemperate, ".....	424	844	310	23	1,604
White, ".....	521	961	443	44	1,969
Colored, ".....	45	153	74	27	302
Foreign born, ".....	157	450	128	18	759
Native born, ".....	415	658	359	53	1,515
Roman Catholic, ".....	288	360	249	21	1,118
Protestant, ".....	249	404	288	49	990
Jewish, ".....	29	149	38	.....	217
No religious belief, ".....	3	1	2	.....	6
Cases of insanity during year.....	21	10	10	.....	41

STATISTICS OF REFORMATORIES—YEAR ENDING SEPTEMBER 30, 1909.

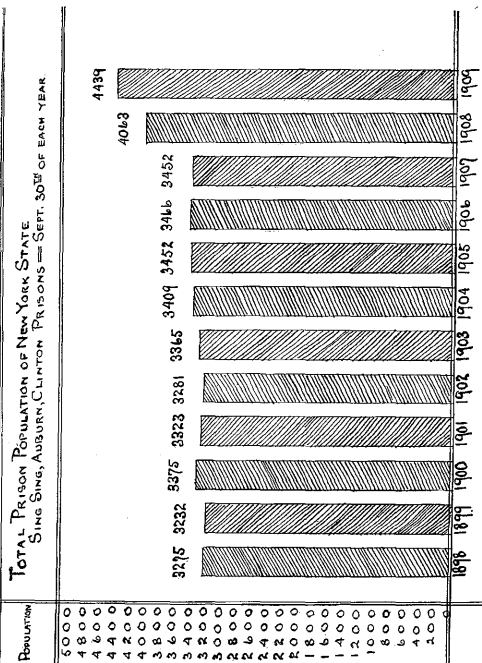
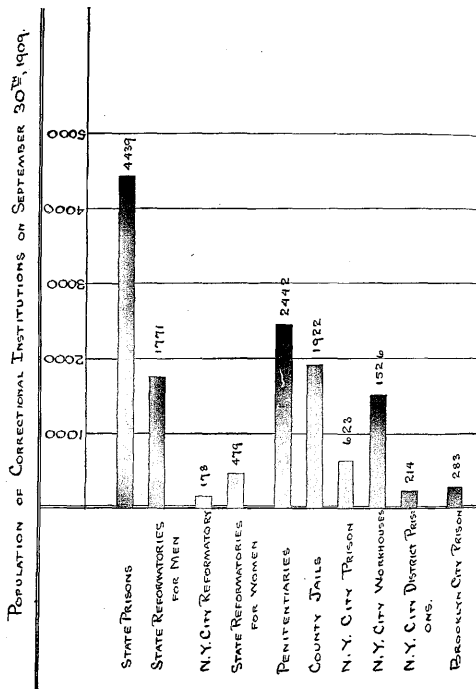
	Napanoch.	Elmira.	Total.
Prisoners in custody, September 30, 1908	478	1,436	1,914
Prisoners in custody, September 30, 1909	477	1,771	2,248
Received during year ending September 30, 1909	378	1,419	1,797
Discharged " " " "	426	1,111	1,537
Paroled " " " "	354	1,097	1,451
Returned for violation of parole during year	98	313	411
On parole, not discharged, September 30, 1909	163	561	724
Transferred to State hospitals during year	12	47	59
Died during year	6	24	30
Average daily number in custody	449	1,292	1,741
United States prisoners received	34	34	68
United States prisoners discharged	81	81	162
United States prisoners in custody September 30, 1909	23	23	46
Number of cells—single	496	960	1,456
" " " " double	1	1	2
" " " " triple	1	1	2
Previously confined in other institutions	10	68	78
Cases of insanity occurring during year	11	24	35
Married, admitted during year	70	113	183
Single, " " " "	349	8,241	8,590
Cannot read or write, " " " "	349	1,280	1,629
Temperate, " " " "	117	161	278
Intemperate, " " " "	29	132	161
White, " " " "	330	1,317	1,647
Colored, " " " "	48	109	157
Foreign born, " " " "	18	138	156
Native born, " " " "	200	995	1,195
Roman Catholic, " " " "	193	713	906
Protestant, " " " "	37	472	509
Jewish, " " " "	1	9	10
None and miscellaneous, " " " "	7	7	14

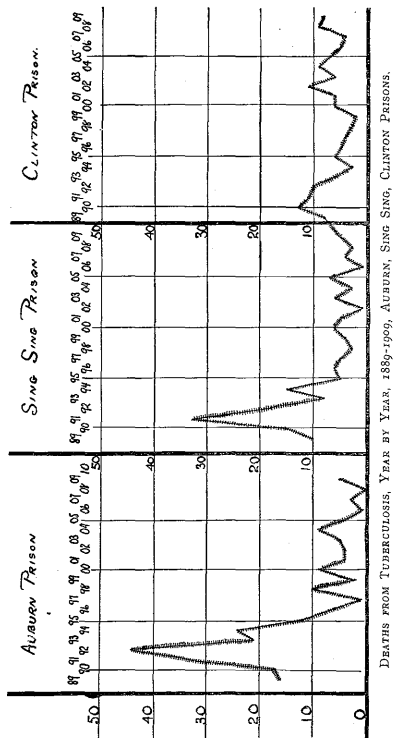
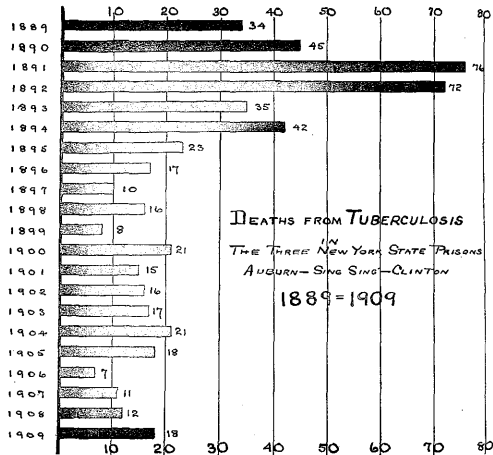
PENAL STATISTICS.

PENITENTIARIES. STATISTICS FOR YEAR ENDING SEPTEMBER 30, 1909.

	ABSENY.		BRIE.		HONOR.		NEW YORK.		OWANDA.	
	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.
In custody, September 30, 1908	350	15	341	15	440	45	991	16,097	392	23
Prisoners in custody, September 30, 1909	1,450	55	1,403	47	2,044	204	1,814	17,279	1,015	51
Received during year, 1909	1,656	54	1,720	43	2,334	234	2,102	20,500	1,215	65
Discharged during year, 1909	1,771	57	1,828	43	2,547	254	2,293	21,310	1,300	74
Paroled during year, 1909	32	15	35	12	405	10	1,050	10,111	197	15
Returned for violation of parole during year	112	3	115	3	169	10	319	3,838	238	14
On parole, not discharged, September 30, 1909	174	10	174	10	246	12	524	5,371	317	16
Transferred to State hospitals during year	112	3	115	3	169	10	319	3,838	238	14
Died during year	24	1	25	1	35	2	65	650	35	2
Average daily number in custody	1,315	50	1,265	43	1,799	174	1,625	15,585	874	45
United States prisoners received	424	15	439	12	609	50	1,119	10,511	554	26
United States prisoners discharged	1,090	40	1,130	36	1,604	89	1,515	14,159	941	47
United States prisoners in custody September 30, 1909	1,311	58	1,253	50	1,859	191	1,668	15,614	941	51
Number of cells—single	1,131	8	1,139	8	1,710	39	1,749	16,811	1,042	58
" " " " double	113	14	113	14	1,656	47	1,642	15,371	1,029	59
" " " " triple	174	33	174	33	246	27	324	3,124	195	16
Previously confined in other institutions	241	13	254	13	354	21	524	5,244	317	17
Cases of insanity occurring during year	24	1	25	1	35	4	65	650	35	2
Married, admitted during year	210	52	262	36	366	131	471	4,538	80	76
Single, " " " "	1,450	55	1,403	47	2,044	173	1,871	17,279	1,015	51
Cannot read or write, " " " "	1,211	27	1,238	24	1,699	139	1,838	17,174	974	46
Temperate, " " " "	9	1	10	1	40	4	44	440	12	1
Intemperate, " " " "	1,677	57	1,734	36	2,409	125	2,284	19,739	1,003	45
White, " " " "	1,307	41	1,266	35	1,850	130	1,720	16,014	941	51
Colored, " " " "	370	16	367	11	559	41	514	4,725	63	4
Foreign born, " " " "	49	3	52	3	186	8	194	1,848	107	6
Native born, " " " "	1,309	29	1,287	28	1,664	83	1,566	14,166	834	45
Roman Catholic, " " " "	1,150	23	1,173	21	1,645	79	1,566	14,166	834	45
Protestant, " " " "	144	6	148	6	219	4	210	1,982	107	6
Jewish, " " " "	14	1	15	1	21	1	22	210	10	1
None and miscellaneous, " " " "	14	1	15	1	21	1	22	210	10	1

* No record.





The Prison Association of New York.

Treasurer's Report

of the

RECEIPTS AND EXPENDITURES

For the 12 months ending December 31, 1909.

CURRENT FUND.

Balance, January 1st, 1909:		
In Mechanics National Bank.	\$3,619 66	
In corresponding secretary's hands.....	182 44	
		\$3,802 10

INCOME.

Donations received (12 months).	\$15,892 65	
New York State Reformatory,		
Elmira.....	1,200 00	
Napanoch Reformatory.....	300 00	
Rents.....	451 00	
Gas rebates and refunds.....	78 45	
		17,922 10
		\$21,724 20

EXPENDITURES.

Salaries.....	\$7,203 10
Special payments to Mrs. Isabel C. Barrows.....	750 00
Office expenses.....	474 03
Stationery and printing, including cost of replacing typewriter...	856 38
Postage.....	1,063 27
Prisoners (relief).....	1,473 44
State work and corresponding secretary's expenses.....	187 98
Car fare and agent's expenses...	337 19

90

TREASURER'S REPORT.

91

Office furniture and fixtures purchased.....	\$53 25
Library.....	283 55

Real estate expenses (135

East 15th st.):		
Taxes and water rates.....	\$100 90	
Repairs and maintenance.....	84 55	
Janitor (12 months)...	429 00	
Miscellaneous supplies, etc.....	62 57	
		677 02
Transferred to reserve fund.....	3,750 00	
		\$17,109 21

\$4,614 99

Balance on hand, December 31, 1909:

In Mechanics National Bank...	\$3,766 76	
In corresponding secretary's hands.....	848 23	
Bank of Metropolis...	\$835 82	
Office.....	12 41	
		\$4,614 99

THE PRISON ASSOCIATION OF NEW YORK.

Treasurer's Report

Of the Financial Condition at December 31, 1909.

STATEMENT OF THE "RESERVE FUND."

Balance on hand at January 1, 1909.....	\$2,551 31	
Transferred from "Current Fund".....	3,750 00	
Interest to December 31, 1909, allowed by New York Life Insurance & Trust Co.....	110 96	
		\$6,412 27

STATEMENT OF "ENDOWMENT FUND."

Balance on hand, January 1, 1909.....		\$3,000 00
Received—legacy of Letitia Hanson.....	\$1,000 00	
Received—legacy of Winfield Tucker.....	5,000 00	
		6,000 00
Interest to December 31, 1909, allowed by United States Trust Co.....		108 66
Balance at credit of fund, December 31, 1909.....		\$9,108 66

STATEMENT OF "ASSETS AND LIABILITIES."

Assets.

Cash on hand:			
Mechanics National Bank....	\$3,766 76		
Corresponding secretary's hands	848 23		
N. Y. Life Insurance & Trust (Reserve Fund).....	6,412 27		
U. S. Trust Co. (Endowment Fund).....	9,108 66		
		\$20,135 92	
Real Estate:			
House and lot No. 135 East 15th St.—at cost		22,500 00	
		\$42,635 92	
<i>Liabilities.</i>			
Reserve fund.....	\$6,412 27		
Endowment fund.....	9,108 66		
		15,520 93	
<i>Excess of assets over liabilities—net capital.....</i>			\$27,114 99

We hereby certify that we have examined the books, accounts and vouchers of the Prison Association of New York for the fiscal year ending December 31, 1909, and that the above statement is correct in all respects.

TOWNSEND, DLX AND YALE,
Certified Public Accountants.

Honorary Corresponding Members.

UNITED STATES.

Alabama—R. H. Dawson, Montgomery; Miss Julia S. Tutwiler, Livingston; Mrs. R. D. Johnston, Birmingham.
California—Brainard F. Smith, Repres. Sacramento county, Cal.; Earl M. Wilbur, Berkeley.
Colorado—William F. Slocum, Colorado Springs.
Connecticut—John C. Taylor, Hartford.
Florida—L. B. Wombwell, Tallahassee.
Illinois—Prof. C. R. Henderson, Chicago.
Indiana—Thos. E. Ellison, Fort Wayne.
Kansas—John D. Milliken, McPherson; R. W. McClaughry, Fort Leavenworth.
Louisiana—Clarence F. Low, New Orleans.
Massachusetts—W. F. Spalding, Boston; P. B. Sanborn, Concord.
Michigan—Levi L. Barbour, Detroit
Minnesota—Samuel G. Smith, St. Paul; Austin H. Young, Minneapolis.

Missouri—Thos. P. Haley, Kansas City.
New Jersey—E. J. Anderson, Trenton.
New York—Z. R. Brockway, Elmira. H. H. Hart, New York.
North Carolina—Col. W. F. Beasley, Plymouth.
North Dakota—N. F. Boucher, Bismarck.
Ohio—Gen. R. Brinkerhoff, Mansfield.
Oregon—Rev. Thos. L. Eliot, D. D. Pennsylvania—I. J. Wistar, Philadelphia.
Tennessee—Rev. P. L. Cobb, Rev. A. L. Phillips, Mrs. Z. N. Williams, Nashville.
Texas—John N. Henderson, Dallas; L. A. Whatley, Huntsville.
Vermont—L. D. Hazen, St. Johnsbury.
Wisconsin—Clarence Snyder, Hon. James E. Heg, A. O. Wright, Madison.
Washington—John B. Catron, Walla Walla; Hon. Ernst Sister, Tacoma.

Foreign Countries.

AUSTRALIA.

Mrs. Stafford Bird, Hobart, Tasmania.
Sir John Dodds, K. C. B., Lieutenant-Governor, Hobart, Tasmania.

BERMUDA.

J. H. T. Jackson, Hamilton.

FRANCE.

A. Rivière, formerly Secretary Société Générale des Prisons, Henri Prudhomme, Secretary Société Générale des Prisons, 14 Place Dauphine, Paris; Mons. Bonneville de Marsangy, No. 7 Rue Pen-thièvre, Paris; Dr. Paul Baillière,

128 Boulevard Haussman, Paris; R. Brénger, Vice President du Sénat, 11 Rue Portalis, Paris.

GERMANY.

Johann Wichern, Raube Haus, Horn bei Hamburg; Herr Heinemann, 250 Hammer Landstrasse, Horn bei Hamburg; Dr. Föhring, President Tribunal of Justice, Hamburg; Pastor Winkelman of the Prison Association of Saxony; Dr. Paul Herr, Rechtsanwalt am Oberlandesgericht, Hamm, Westfalen; Dr. A. Hartmann, Amtsgerichtsrath, 6 W. Courbiere St., Berlin, Germany; Dr. B. Freudenthal, 51 Leerbachstrasse, Frankfort am Main, Germany.

GREAT BRITAIN.

Alfred Davis, 13 St. Ermins Mansions, Westminster, London, E. C.; Dr. Maurice Davis, 11 Brunswick square, London, W. C.; J. J. Henley, Local Government Board Inspector, New Government office, Westminster, London, Eng.; Johanna Margaret Hill, 62 Hagley road, Birmingham, Eng.; Thomas Holmes, Secretary of Howard Association, 43 Devonshire Chambers, Bishopsgate street Without, London, Eng.; Walter R. Crofton, Calmore Croft, Totton, Hampshire, Eng.; John Macdonnell, London, Eng.; Lord James Hereford, London, Eng.; Leslie Scott, Esq., Liverpool, Eng.; Sir E. Ruggles-Brise, K. C. B., Chairman of Directors of Convict Prisons, Parliament street, London, Eng.; Rev. Canon Horsley, St. Peter's Rectory, Watworth, S. E., Eng.; Arthur Maddison, Secretary, Reformatory and Refuge Union, London, Eng.; Sir John Scott, Malabar House, St. Albans, Eng.; Rev. Dr. W. Douglas Morrison, Marylebone Rectory, N. W., London, Eng.

HOLLAND.

J. J. Gockinga, Arnhem, Province Guelderland; J. Bruinwold-Riedel, Amsterdam.

INDIA.

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Gold, Mrs. Cornelius B.
Lewisohn, Misses Alice and Irene.
M. G. S.

* Deceased.

McHarg, Henry K.
Rhineland, Miss Serena.
Scott, William H.
Schiff, Jacob H.
Stewart, Lisenpard.
Woerishoffer, Mrs. Anna.

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Gilman, Winthrop S.
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Billings, Mrs. Frederick	5
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Bradford, Mrs. W. H. Sr.	20
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Brannan, John W.	5
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"C. C."	100
C. S.	5
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Cahn, Jacob	5
Calman, Mrs. Emma	5
Cammann, Miss K. L.	5
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Clarkson, Matthew	1
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Curtis, Eugene J.	5
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Freund, John C.	10	H	
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" " " " "	25	Hasslach, Jacob.	5
" " " " "	6	Haidden, Mrs. Harold F.	5
" " " " "	5	Haiger, Stansbury.	10
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Funch, Edye & Company.	25	Hall, J. P.	5
Furniss, Miss C.	20	Hall, Thomas R. A.	10
		Halsey, Mrs. E. D.	5
		Halsey, Mrs. Mary D.	5
		Halsey, Mrs. Silas C.	5
		Halsted, Miss Anna B.	15
G		Halsted, Miss Laura P.	5
Gallagher, E. H.	10	Halsted, Mrs. M. M.	10
Gannett, W. G.	5	Hamm, James M.	5
Garettson, Francis T.	5	Hammersley, Miss Catherine L.	5
Garrigues, W. A.	10	Hampton, Theodore.	1
Geardis, Donald G.	10	& L. Gordon.	10
Geer, Mrs. Walter.	50	Hare, J. Montgomery.	5
Gery, Elbridge T.	5	Harkness, Edward S.	125
Gerry, Peter G.	100	Harkness, L. V.	25
Gerry, Robert L.	25	Harkness, Mrs. S. W.	25
Gibson, Mrs. Henry S.	2	Harmon, Mrs. William E.	10
Gillette, Willis K.	5	Harper, Mrs. Joseph W.	5
Goddard, Ira.	5		

Harras, Charles J.	25	Hoppin, Miss Frances	2
Harris, Mrs. William H.	5	Howps, Mrs. L. W.	1
Harrison, Mrs. Rachel C.	15	Howe, J. Morgan	5
Hartwell, John A.	50	Howells, Miss G. I.	5
Haskell, Mrs. J. Amory	3	Howells, Mrs. H. C.	25
Havemeyer, John C.	5	Howard, Mrs. Joseph	5
Hawley, John S.	50	Hoyt, Miss Gertrude L.	10
Hayden, Mrs. H. J.	10	Hoyt, John Sherman	25
Hayes, Patrick	10	Hubbard, Thomas H.	50
Haynes, Miss Cary A. C.	2	Hungerford, R. S.	5
Haynes, Miss Louise de F.	5	Hudson, Mrs. Adelaide	10
Haynes, W. de F.	5	Hudson, Paul H.	10
Hays, Mrs. Charles M.	2	Hun, Marcus T.	10
Healy, A. Augustus	25	Hunter, Charles W.	25
Heide, Henry	10	Hunt, Richard M.	5
Heilner, Percy B.	5	Husted, A. N.	5
Heilprin, Louis	4	Husted, Miss M. K.	5
Heinmann, Julius	10	Hutton, Walter	5
Heinemann, Herman	5	*Huyler, John S.	10
Heiser, Miss Rosalie	1	Hyatt, A. M.	5
Heissenbuttel, Frank H.	1	Hyde, A. F.	10
Heller, Miss Eugenie M.	10	Hyde, Mrs. Clarence M.	20
Heller, L. & Son	5	Hyde, Frederick E.	5
Hencken, Albert C.	50	Hyde, Mrs. Henry B.	25
Hencken, Hancke	5	Hyde, Samuel M.	10
Henderson, Miss M. W.	5		
Hendricks, Mrs. Edgar	5		
Hendrix, Miss Emma	5		
Henriques, Mrs. C. A.	10		
Henry, William	10		
Hense, Charles	10		
Hentz, Henry	10		
Hentz, L. S.	10		
Hepburn, W. M.	5		
Hepner, Miss Jeanette S.	125		
Herrman, Arnold	5		
Herrman, Mrs. Esther	5		
Hewitt, Mrs. Abraham	20		
Hewitt, Mrs. Peter Cooper	35		
Hewlett, Mrs. J. A.	5		
Heywood, Bertha S.	15		
Heywood, Miss Edith	2		
Higbie, James S.	5		
Higgins, Charles M.	5		
Hilbard, George D.	5		
Hitch, Mrs. Frederick D.	10		
Hoar, Mrs. E. H.	5		
Hoe, R. & Company	25		
Hoe, Mrs. Robert	5		
Hoffman, Mrs. E. A.	20		
Hoffman, F. B.	50		
Hoffman, Joseph E.	5		
Hoffman, Samuel D.	5		
Hoffman, Mrs. William B.	10		
Holmes Electric Protective Co.	10		
Holt, Henry	10		
Holt, Mrs. L. Emmet	10		
Holt, Robert S.	10		
Holter, Mrs. E. O.	10		
Homans, Howard P.	5		
Hopkins, J. A. H.	10		
Hopper, Arthur J.	5		

* Deceased.

Johnson, Gilbert H.	25	L	
Johnson, D. V. R.	10	L. R.	5
Johnson, Edward	5	L'Amoreaux, S.	5
Johnson, Mrs. W. J.	5	Land, Joseph F.	5
Johnston, William G.	10	Landon, Mrs. Henry H.	5
Johnstone, Mrs. F. U.	10	Lane, Francis T. L.	5
Jonas, William	5	Lane, Wolcott G.	5
Jones, Andrew B.	5	Langdon, Woodbury G.	10
Jones, Mrs. M. R.	5	Langdon, Woodbury G., Jr.	15
Jones, Paul T.	1	Langhaar, H. L.	5
Jones, W. S.	5	Langton, John P.	50
Juddins & McCormick Co.	5	Lanman and Kemp	5
Judson, Edward	5	Lapsley, Mrs. Howard	5
Judson, Henry I.	10	Lascofi, J. L.	1
Jungbluth, Karl	25	Lasher and Lathrop	5
		Lathers, Miss A.	10
		Lawrance, Miss Sara S.	10
		Lawrence, Mrs. Arthur W.	5
		Lawrence, Miss Caroline T.	5
		Lawrence, John Buting	10
		Lawrence, Mrs. Samuel	5
		Lee, Miss Alleine	10
		Lee, Mrs. C. G.	1
		Lee, John Lorton	5
		Lee, Samuel	5
		Lee, W. H. L.	10
		Leech, Mrs. John B.	5
		Lechmaier, James M.	10
		Leland, Mrs. Charles H.	5
		Lemlein, Asa	5
		Lenox Ave. Unitarian Ch. Mrs.	
		Wright's Class	5
		Lent, W. D.	10
		Lester, Miss Elizabeth	5
		Lewin, William P.	5
		Lethbridge, Arthur E.	1
		Leverich, Miss Eliza J.	3
		Levi, Sondheimer & Company	5
		Lewis, Mrs. Edwin A. S.	1
		Lewis & Conger	10
		Lewisohn, Mrs. Albert	10
		Lewisohn, Miss Alice and Irene	300
		Liebman, Mrs. Adolph	5
		Lie, Mrs. S. J.	5
		Lincoln, F. D.	2
		Lincoln, Lowell	5
		Lincoln, Miss A. S.	1
		Lion Brewery	10
		Livingston, Miss Julia	10
		Livingston, Philip	10
		Lloyd, Mrs. D. Herbold	5
		Lovebstein, William C.	20
		Locke, John M.	3
		Lockwood, John T.	5
		Lockwood, Mrs. Frederick W.	5
		Lockwood, Homer N.	10
		Lockwood, Mrs. I. Ferris	5
		Lockwood, Railroad Company	10
		Locomis, Mrs. Julia S.	5
		Long Island	5
		Long, Sherman	5
		Lord, Mrs. Daniel	5
		Lord, George de Forest	10

K

Kable, M.	5
Kable & Company	5
Kane, Mrs. John Innes	5
Karelsen, Adolphus E.	5
Kaufman, Mrs. L.	5
Kayser, Julius	20
Keeler, Edward R.	5
Keller Printing Company	5
Kellogg, Mrs. Charles	10
Kellogg, Herbert S.	5
Kelsey, C. H.	25
Kendall, The Misses	10
Kendall, William S.	10
Kent, Miss Ruth	1
Kernochan, Mrs. J. Frederic	5
Kerr, Mrs. Walter S.	30
Kesteltas, Miss Alice	30
Keyes, E. L.	10
Keyser, Mrs. Samuel	10
Kidder, Mrs. A. M.	25
Kilbourne, C. T.	10
King, Elliott H.	1
King, Miss Mary R.	5
King, Mrs. Willard V.	5
Kingsland, Mrs. W. M.	5
Kissel, Gustav E. D.	10
Kittredge, S. D.	10
Klapp, Mrs. Eugene	5
Knauth, Nachod & Kuhne	20
Knopf, Samuel	5
Knothe, A. C.	5
Knox, H. H.	5
Knos, Miss M. J. H. and Miss Olivia B. Vandenburg	2
Kobbe, George C.	5
Koerber, Paul C.	5
Kornfeld, Alfred E.	5
Koster, C. H.	5
Kraushoven, Peter	5
Kraus, Samuel	5
Krauskopf, David	5
Kreischer, J. B.	5
Kunhardt, W. B.	10

Lorsch, E. S.	10	Massey, George.	5	N	Parsons, Mrs. F. T.	10	
Low, Seth.	2	Mathewson, Mrs. Douglas.	1	Nadoleck, Miss Malva.	2	Parsons, William Barclay.	10
Low, William G.	2	Matzner, Mrs. A.	2	Nagel, Conrad F.	2	Parsons, Miss S. K.	5
Lowell, Miss Carlotta R.	25	Maurice, Miss Marian.	5	Nash, Arthur C.	1	Partridge, John N.	5
Lowengard, Otto.	5	Maxwell, Mrs. Robert M.	10	Nathan, Harmon.	5	Passavant & Company.	5
Ludlum, George P.	10	Mayer, Abraham.	10	National Humane Alliance.	50	Paventstet, Adoly.	20
Ludlow, Edward L.	20	Mayer, Edward L.	10	Neave, Charles.	5	Peck, Miss Ellen.	5
Ludlow, William O.	2	Mayer, Rachel.	2	Nelson, Charles N.	50	Pearl, Mrs. Frederick W.	50
Lusk, W. C.	5	Mead, Mrs. Frederick G.	10	"Nemo".	5	Pearson, Mrs. Frederick.	25
Lydie, David.	10	Meighan, Burton C.	10	Neustadter, Mrs. Caroline.	25	Pearson, Miss Josephine S.	2
Lyford, Mr. and Mrs. O. S., Jr.	10	Meigs, Mrs. C. H.	1	New Home Sewing Machine Co.	10	Peck, Miss Edith.	5
Lyman, Samuel H.	10	Meigs, Ferris J.	10	Newton, Albro J.	10	Pedersen, Dr. James.	1
		Meigs, Mrs. Titus B.	10	Nicholas, William H.	10	Pegram, G. L.	5
		Melcher, John S.	10	Nichols, William W.	5	Fell, Alfred D.	5
		Mendelson, Simon.	10	Northrup, Mrs. William Perry.	2	Peltreast, Vernetta P.	5
		Menocal, L. W.	5	Nielsen, S.	5	Penfold, Miss Josephine.	25
M. A. R.	M	Merriman, Miss Annie L.	5	Noyes, Mrs. Henry D.	5	Perkins, Mrs. Edward H.	10
MacBain, Walter.	5	Meserole, Mrs. Catherine M.	10			Perkins, Mrs. Gilman H.	2
MacBee, Silas.	10	Meserole, A.	1		O	Perry, W. Herbert.	5
MacBarney, Charles C. S.	10	Metzger, Mrs. Jacob.	2	O'Connor, Thomas H.	25	Peters, Mrs. Charles G.	5
McCagg, L. B.	25	Metzger, Mrs. Jacob.	2	Odell, C. Fred.	2	Peters, Mrs. Edward McClure.	5
McCain, J. F.	5	Metcalf Brothers & Company.	10	Ogden, Mrs. Charles W.	10	Peters, William R.	5
McClymonds, Mrs. L. K.	100	Meyer, John H., Company.	25	Ogden, Miss Mary F.	5	Peters, Mrs. William R.	5
McConnell, Frank W.	5	Meyer, Max.	5	Ogilvie, J. S.	10	Peterson, Mrs. Wilson.	5
McCook, John J.	10	Meyer, William & Company.	10	Olcott, Dudley.	25	Pfeizer, Charles.	10
McCord, William H.	35	Middlebrook, Mr. and Mrs.	2	Olcott, Mrs. E. E.	5	Phelps, Mrs. Charles.	7
McCreevy, Mrs. James M.	10	Middleton & Company.	10	Olcott, George M.	15	Phibbin, Eugene A.	25
McCutcheon, James & Co.	5	Milbank, Mrs. Joseph.	50	Olmsted, Mrs. Charles P.	5	Phibbrick, Edwin C.	5
*McEwen, Daniel C.	5	Miholland, John E.	10	Olney, Mrs. Peter B.	5	Phlips, Henry.	100
McEwen, Thomas, Jr.	2	Millard, Nelson.	1	Olyphant, F. N.	5	Phlips, Miss Sarah M.	5
McGeoch, Arthur.	10	Miller, Mrs. Alexander.	10	Olyphant, Robert M.	10	Pilot, Miss Clara.	15
McKay, C. W.	5	Miller, Mrs. Charles Wooster.	5	Olmsted, Mrs. Hugh.	10	Pinkerton National Detective Agency.	10
McKay, Henry.	10	Miller, Miss Louise.	5	Ooothout, Mrs. Jane E.	5	Pinkerton, John R.	10
McKiernan Drill Company.	5	Milligan, Charles.	2	Opdycke, Mrs. Emerson.	10	Plaut, Albert.	5
MacKinn, Thomas H.	5	Millis, Mrs. Mountford M.	3	Opdycke, L. E.	5	Pollhemus, Miss R. A.	3
McLanahan, Mrs. C. S.	5	Mintun, Mrs. John W.	10	Opdycke, W. W.	5	Polk, Dr. and Mrs. William M.	10
McLane, Mrs. Adelaide L.	5	Mintun, Mrs. John W.	10	Oppenhy, Mrs. Adolphe.	5	Pollak, Mrs. Gustav.	5
McLane, Guy R.	25	Mitchell, Mrs. Edward.	10	Oppenheimer, Henry S.	10	Pomroy, Mrs. H. K.	25
McLean, John S.	10	Mitchell, Mrs. John M.	10	Orr, Alexander E.	10	Poor, Mrs. Charles L.	5
MacLaren, Mrs. F.	25	Mitchell, Mrs. Sarah L.	10	Orth, Charles D.	10	Poor, Mrs. Edward E.	10
MacLaren & Gentles.	10	Moffett, Mrs. Cleveland.	10	Osborn, Mrs. George W.	1	Pope, Miss Theodate.	5
McMillin, Miss Maude.	10	Molincaux, Roland B.	14.05	Osborn, William Church.	25	Porter, Mrs. Clarence.	5
MacMurray, Mrs. J. W.	5	Mollar, Edwin Clarence.	10	Osborne, Thomas Mott.	5	Porter, Mrs. Edward E.	10
Mack, Marc H.	25	Moutent, Miss Sara L.	10	Ostron, Mrs. H.	5	Post, A. S.	10
Macy, V. Everit.	25	Moore, Miss Katherine T.	10	Otterson, Mrs. Lucy.	5	Post, James H.	25
Macy, William H., Jr.	10	Moore, Mrs. William H.	25	Ottley, James H.	5	Potter, Miss G. H.	5
MacDodd, Sidney.	5	Moran, Mrs. D. E.	5	Owens, Samuel.	5	Pouch, F. E.	5
Magen, James.	5	Morgan, Miss C. L.	2	Owens, W. W., Jr.	5	Powell, Bradford.	10
Main, William.	5	Morgan, Mrs. David P.	100			Prall, John H.	10
Major, Miss Maria T.	5	Morgan, George H.	15		P	Pratt, Mrs. Charles M.	25
Manierre & Manierre.	5	Morgan, Mrs. J. B.	25	Palmer, Noah.	10	Pratt, Mrs. George Dupont.	10
Manning, W. T.	5	Morgan, Mrs. I. Pierpont.	10	Parish, Henry.	50	Pratt, S.	5
Mansfield, Howard.	5	Morgan, Mrs. W. Fellows.	5	Parish, Miss Susan D.	10	Presbrey, Clifton H.	5
March, Miss Virginia A. & E. G.	5	Morgan, William Fellows.	10	Parker, Mrs. A. W.	5	Preston, Miss Alice.	10
Marie, Mrs. S. S.	5	Morgenstern, Mrs. E. M.	5	Parker & Graf.	5	Price, Mrs. Bruce.	10
Marlow, H. S.	5	Moses, Mrs. Charles.	2	Parker, R. M.	5	Prime, Miss Mary K.	10
Marre, Mrs. Mary M.	5	Mott, Lewis F.	5	Parlin, The Misses.	10	Prindle, Frank M., & Company.	20
Marrow, I. L.	1	Mott, W. F.	10	Parsons, Mrs. Charles.	10	Proudfit, Mrs. Alexander.	3
Martin, Alfred W.	10	Munger, Harry C.	5	Parsons, Mrs. Edwin.	10	Fruyn, Mrs. Charles L.	10
Martin, Bradley, Jr.	10	Munn, C. A.	5				
Martin, James.	5	Munroe, Mrs. Chester.	5				
Martin, John.	5	Munroe, Henry S.	20				
Martin, William V.	5	Murray, Miss Catherine.	20				
Marvin, D. M.	5	Murray, Miss S. S.	5				
Marwick, James.	5						

* Deceased.

Pruyn, Mrs. Robert D.	5	Rosenbaum, Solomon G.	10
Pulitzer, Miss Constance	5	Rossiter, Mrs. Arthur V.	5
Pumpkin, Raphael	5	Rothschild, Brothers & Co.	5
Purcell, Thomas	2	Rusch, & Company	10
Putnam's Sons, G. P.	10	Rushmore, J. D.	2
		Russell, James W.	2
		Ruttenau, Maximilian M.	1
	Q		
Quinby, Franklin	5		
	R		
R. & G. Corset Company	5	"S. F. H."	10
Radley, John J.	10	Sabin, Charles H.	10
Raleigh, Charles J.	5	Sachs, Edward	2
Rampersper, Gustav	2	Sachs, Paul J.	5
*Rand, William W.	2	Sachs, Mrs. Samuel	10
Raven, Anton A.	10	Sackett, Henry W.	5
Raymond, R. W.	10	Sage, Dean	100
Read, William A.	25	Sage, Mrs. Dean	50
Redmond, Miss Emily	20	Sahler, Mrs. A. F.	5
Reed, Miss Elizabeth E.	2	Sahler, Miss Helen G.	5
Rees, Louis J.	10	Saltonstall, Miss Grace M.	1
Renshaw, Mrs. A. H.	5	Sampson, Mrs. E. Pope	5
Requa, Mrs. H. M.	10	Samuel Brothers	5
Reutter, Mrs. Robert	10	Sanford, Edward T.	5
Rhoades, Miss J. H.	5	Sard, Grange	5
Rhoades, Miss Nina	35	Saul, Charles R.	5
Rice, Ignatius	15	Saunders, Arthur C.	5
Rich, B. A.	50c	Savre, Miss Mary Hall	10
Richard, Mrs. Auguste	25	Schenck, Frederick B.	10
Richard, Miss Elvina	5	Schenck, Miss H. Wilhelmina	2
Richards, Mrs. Eben	10	Schermerhorn, Edwards F.	10
Richardson, Mrs. William J. and Miss Bertha	3	Schieffelin, William Jay	20
Richmond, Mrs. David	5	Schieffelin, Mrs. William Jay	5
Riggs, George C.	5	Schieren, Mrs. Charles A.	5
Riker, Samuel	10	Schiff, Jacob H.	25
Ripley, Miss Susan S.	5	Schiff, Morton	10
Risley, G. H.	50	Schley, Mrs. J. Montfort	10
Rives, George L.	10	Schmidt, F. Leopold	5
Rives, Mrs. Reginald W.	5	Schmieding, Heinrich Jr.	10
Robb, J. Hampden	10	Schoverling, Dalz & Gates	5
Robbins, Chandler	10	Schultheis, Henry	2.50
Robbins, Mrs. Henry	5	Schuyler, Miss Georgina	5
Robbins, Percy A.	15	Schuyler, Miss Louisa Lee	5
Robbins, R. H.	11	Schwab, Miss Emeline	10
Robbins, W. H.	10	Schwab, Mrs. Lawrence H.	5
Roberts, John E.	5	Schwab, Mrs. Theresa	5
Roberts, Mrs. M. L.	5	Schwartz, Louis	10
Robin, Joseph G.	10	Scott, Henry	5
Robinson, Eli K.	25	Scott, George S.	50
Robinson, Mrs. Kenneth D.	5	Scott, Miss Louise B.	10
Robinson, Mrs. Thomas D.	5	Scott, Walter	5
Rockwell, Miss Hannah M.	5	Scribner, Mrs. J. Blair	5
Roadward, Miss A. L.	5	Seager, Henry R.	5
Roesler & Handlicher Chemical Co.	10	Seaman, F. A.	5
Rogers, Francis	5	See, A. B., Electric Elevator Company	15
Root, Charles T.	10	Sealey, Mrs. Nathan	10
Rosenbaum, Selig	10	Seaman, Daniel W.	10
Rosenwald, E. & Brother	1	Sellierr, Baroness	50
Ross, A. E.	2	Selden, A. K., Jr.	1
Rossbach, Jacob	5	Seligman, Edwin R. A.	5
		Seligman, George W.	10
		Seligman, Isaac N.	25

Seligman, Miss Madeline	10	Stein, Paul F.	1
Sellew, F. G.	5	Steinway, Frederick T.	5
Shaw, Samuel T.	5	Stern, Benjamin	10
Shedd, Mrs. W. W.	2	Stern, Mrs. Leopold	5
Sheldon, Clarence D.	5	Stetson, Francis Lynde	25
Sheldon, E. B.	10	Stettheimer, Mrs. R. W.	1
Shelton, George G.	10	Stevens, Mrs. Byam K.	15
Shepard, Edward M.	10	Stevens, Miss Josephine L.	10
Shepard, Mrs. Elliott	25	Stevens, L. Richard	3
Sherman, Mrs. Charles E.	5	Stevenson, Mrs. R. W.	10
Sherman, Mrs. Frederick D.	5	Stewart, Lispenard	25
Sherrill, Frederick T.	5	Stewart, Mrs. Louis	5
Sherrell, Miss Helen L.	3	Stewart, P. H.	10
Sibley, Mrs. H. W.	5	Stewart, W. R.	5
Sichel, Rene A.	5	Stillman, Miss C. R.	50
Silberstein, Abraham	2	Stimson, Henry L.	10
Silliman, H. B.	25	Stinson, L. Richard	5
Sills, J. Stanley	5	Stine, J. R. & Company	10
Simmons, J. S.	5	Stirn, L. & E.	10
Simon, A. L.	5	Stokes, Anson Phelps	10
Simons, Charles D. Jr.	5	Stokes, J. G. Phelps	5
Simpson, Alexander	5	Stone, Miss Annie	10
Simpson, Mrs. W. K.	2	Stone, Miss Ellen J.	50
Skiddy, Mrs. W. W.	5	Story, Miss Lydia M.	5
Skolney, Joseph & Company	5	Story, Mrs. Marion	20
Skougaard, Jens	25	Story, Mrs. M. H.	5
Slade, Francis Louis	5	Straus, Percy S.	10
Slee, J. Noah	5	Strauss, Albert	10
Slicer, Mrs. Thomas R.	10	Strong, Henry M.	2
Sloan, Miss Mary A.	5	Strong, Mrs. J. R.	6
Sloan, Mrs. William S.	5	Strong, Selah B.	5
Sloane, Mrs. William D.	50	Strong, Mrs. Thomas S.	5
Smidt, Thomas	5	Stuyvesant, Miss Anna W.	10
Smith, A. H.	5	Sullivan, Miss Isabella	10
Smith, Mrs. Alfred	5	Sullivan, Mrs. James	3
Smith, Mrs. Andrew A.	5	Sullivan, Miss F. M.	5
Smith, Corneil B.	5	Susquehanna Silk Mills	10
Smith, Eugene	25	Swan, Mrs. J. R.	5
Smith, George C.	10	Swayne, Francis B.	10
Smith, George H.	5	Swezey, Mrs. Christopher	5
Smith, James Rufus	5	Sworder, Miss P. C.	5
Smith, William Alexander	40	Sylvester, Isaiah W.	1
Solmann, Edward G.	10	Symmes, William B.	5
Solomon, George	25		
SooySmith, Charles	5		
Sparks, T. Ashley	5	Tack, Theodore E.	5
Spencer, Miss Gattus	5	Tailer, Edward N.	10
Spencer, Charles H.	5	Tapley, Jesse F.	1
Sperry, W. M.	10	Tappin, Charles L.	10
Speyer & Company	10	Tappin, J. C.	10
Spool, Cotton Company	5	Tate, J.	10
Spring, Miss Anna Riker	5	Tatlock, John	5
Squire, George H., Jr.	15	*Taylor, Lloyd	25
Stammer, George	5	Taylor, S. Frederick	15
Starr, Louis Morris	5	Tracher, Thomas	10
Stebbins, E. Vail	1	Thomas, Mrs. Seymour P.	10
Steele, Charles	10	*Thomas, Mrs. T. G.	5
Steers, James R.	10	Thompson, Mrs. F. F.	35
Steers, Lawrence	10	Thorn, Morris S.	10
Stein, Miss Helen A.	2	Thomson, John W.	10
		Thorn, William E.	25

* Deceased.

Thornike, Mrs. Edward.....	2	Von Grimm, Andrew.....	5
Thorne, Henry.....	5	Voorhees, James D.....	2
Thorne, Jonathan.....	25	Vorhaus, Louis J.....	5
Thorne, Samuel.....	25		
Thorne, W. V. S.....	5	W	
Thorne, Mrs. William.....	10	W. W. A.....	10
Tiebout, C. H.....	5	W. W. S., In Memory of.....	5
Tiffany & Company.....	20	Wakelo, F. W.....	5
Tilley, John.....	5	Walker, F. W.....	5
Tilney, Mrs. I. Sheldon.....	10	Walker, Mrs. S. King.....	10
Titton, Edward L.....	10	*Waller, Mrs. Anna.....	3
Timpson, Mrs. James.....	10	Wanamaker, John.....	5
Titus, Henry.....	5	Warburg, Paul M.....	5
Toch Brothers.....	5	Ward, Artemas.....	10
Todd, Mrs. Henry A.....	5	Ward, C. S.....	10
Todd, W. Parsons.....	2	Ward, Miss Caroline C.....	5
Tompkins, Mr. and Mrs. Calvin.....	5	Ward, Mrs. Charles H.....	2
Tompkins, Hamilton B.....	10	Wardwell, Allen W.....	10
Tompkins, Kilbourne.....	5	Wardwell, W. T.....	10
Townsend, F. C.....	10	Warning, Mrs. George E. Jr.....	2
Townsend, Isaac.....	25	Warner, Charles H.....	25
Tracy, Mrs. M. M.....	10	Warner, Miss Florence.....	5
Trempier, Mrs. Clara A. F.....	5	Warren, Walter H.....	5
Trowbridge, James A.....	10	Wasburn, William Ives.....	5
Truslow, John.....	5	Watrous, Mrs. Charles.....	5
Tuck, Mrs. Henry.....	5	Watson, J. H.....	10
Tucker, Mrs. S. A.....	15	Watson, Mrs. James S.....	25
Tuckerman, Alfred.....	10	Watts, Mrs. George B.....	5
Tuckerman, Bayard.....	10	Webster, Mrs. Hamilton F.....	10
Turnbull, Mrs. Ramsay.....	5	Weidenbach, Edward.....	5
Turner, Mrs. Herbert B.....	10	Weil, Isaac.....	5
Tuttle, George M.....	10	Weil, S. M. & Company.....	10
Tyler, Mrs. Augustus C.....	5	Wellington, W. F. Company.....	5
Tyler, Mrs. Nathaniel, Jr.....	3	Wellington, Mrs. A. H.....	10
		Wells, Henry C.....	5
U		Wells, Judd E.....	10
Ughetta, Henry L.....	5	Wells, Ferge & Company.....	10
Ullman, E. S.....	5	Wemple, Mrs. Susan J.....	10
Ulmann, Carl J.....	10	Werbelovsky, Jacob H.....	5
Ullman, Mrs. Morris S.....	4	Wesley, Joseph J.....	5
Underhill, A. O.....	2	Weston, Mrs. T.....	5
Underhill, W. P.....	5	Wheeler, Miss Emily M.....	10
Unz and Company.....	5	Wheeler, Edward J.....	2
Upham, Mrs. Elizabeth K.....	10	Wheeler, Frederick Meriam.....	5
		Wheeler, Miss Mariana.....	5
		Wheeler, Miss Laura.....	10
		White, Alexander M.....	10
Vail, Mrs. D. O.....	2	White, Alfred T.....	10
Van Beuren, Michael M.....	5	White, Miss Caroline.....	10
Vanderbilt, John L.....	5	White, Miss C. Le Roy.....	5
Vanderpoel, Mrs. John A.....	5	White, Miss Frances E.....	10
Van Gerbig, Mrs. B.....	25	White, Hance.....	20
Van Hoora, G. E.....	5	White, Mary.....	5
Van Ingen, Mrs. E. H.....	10	White, R. Tyson.....	1
Van Nest, Mrs. Franklin R.....	5	White, William A.....	10
Van Nordan, Warren.....	50	White, Mrs. William P.....	3
Van Raalte, Z. Warren.....	5	Whitehouse, Mrs. J. H.....	10
Van Santvoord, Miss A. T.....	20	Whitlock, Miss M. G.....	10
Van Winkle, Miss Mary D.....	10	Whitney, Joseph B.....	5
Vardi, Mrs. C. M. de S.....	5	Whitney, J. F. & Company.....	2
Vernon, Harold.....	5	Whitney, Mrs. Stephen S.....	5
Villard, Mrs. Henry.....	25	Wicke, William.....	10
Villard, Oswald G.....	10	Wiener, Mrs. Charles.....	5

* Deceased.

DONATIONS OF CLOTHING, READING MATTER, ETC. 109

Wilcox, Ransom E.....	5	Witherbee, Mrs. F. S.....	15
Wilkin, Mrs. William Porter.....	5	Woerishoffer, Mrs. Anna.....	25
Wilkinson Brothers & Company.....	5	Woerishoffer, Miss Carol A.....	6
Willcox, William C.....	5	Wolff, Lewis S.....	10
Willenborg, C. & Company.....	5	Wolfe, S. Herbert.....	5
Willetts, John T.....	15	Wollman, Henry.....	1
Willetts, Miss Martha T.....	10	Womrath, Andrew K.....	5
Williams, Frank D.....	5	Wood, Henry F.....	1
Williams, Mrs. W. B.....	2	Wood, James.....	10
Williamson, F. Stuart.....	2	Woolley, Mrs. A. E.....	2
Willis, W. P. & Company.....	25	Woolley, Mrs. George I.....	2
Wills, Charles T.....	5	Wormser, Mrs. Isidor.....	10
Wilmer, Mrs. J. R.....	2	Wright, Albert S.....	2
Wilson, Mrs. H. S.....	10	Wright, Miss E. J.....	5
Wilson, Orme, Jr.....	25	Wyckburger, Adolph.....	5
Wilson, Samuel M.....	50	Wurzoff, Mrs. Peter B.....	5
Winthrop, Egerton L.....	25		
Winthrop, Miss Marie.....	25	Z	
Wise, Edward H.....	10	Zabriskie, Mrs. George.....	10
Wisner, Miss Elizabeth H.....	10	Zabriskie, Mrs. Titus.....	10
Wisner, Charles.....	10	Zehnder, Mrs. C. H.....	10
Wisner, Miss Josephine.....	10	Zimmerman, Mrs. J. E.....	10
		Total.....	\$15,892.65

Donations of Clothing, Reading Matter, Etc.

All Souls Parish House.....		Kellogg, Mrs.....	
Birnstock, D. A.....		Kendall, Miss.....	
Blanchard, P. L.....		Kunhardt, W. B.....	
C. E. Society.....		Lawrence, John B.....	
Clark, Mrs. Cyrus W.....		Lincoln, F. W.....	
Cummings, Mrs. J. B.....		Lindenmeyer, Henry & Sons.....	
Draper, Mrs. Henry.....		Ludlani, George P.....	
Dreyfuss, Mrs. L.....		Lydig, David.....	
Dutton, E. F. & Co.....		Machen, Mrs. C. V.....	
Emerson, Dr. J. H.....		Miller, Mrs. A.....	
Enhaus, W. H.....		Nathan, E. J.....	
Flower Mission Society.....		Needlework Guild.....	
Frank, Mrs. E. E.....		Opdycke, Mrs. Emerson.....	
Gorham, E. S.....		Parker, Mrs. A. W.....	
Hadden, Mrs. H. F.....		Place, Mrs. George.....	
Hospital Book and Newspaper Society.....		Schub, Mrs. N.....	
Howell, L. C.....		Schermerhorn, Mrs. A. E.....	
Howell, William P.....		Smith, Mrs. Eugene.....	
Howson, Mrs.....		Stark, M. M.....	
Ingersoll, Mrs. W. H.....		Stebbins, Mrs. E. Vail.....	
Jackson, Mrs. George T.....		Steers, James R.....	
Jacquelin, Mrs. John H.....		Stout, Mrs. Joseph S.....	
Kappel, R.....		Vail, Mrs. O. W.....	
Kaufman, S. Walter.....		Yewell, George Henry.....	

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:

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

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

Article First.

The objects of the association shall be:

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

Article Second.

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

Article Third.

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

Article Fourth.

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

Article Fifth.

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

Article Sixth.

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

Article Seventh.

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

Article Eighth.

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

Article Ninth.

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

Article Tenth.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Any uninvested balance of the endowment and reserve funds shall be kept each in separate trust companies in the name of the association, subject to check of the treasurer, and shall, whenever possible, bear interest. All income from the endowment and reserve funds may be transferred to the general fund as soon as received.

No part of the reserve fund shall be used for any purpose except by resolution of the executive committee, and whenever

any part shall be appropriated by the executive committee it shall immediately be transferred to the general fund.

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

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

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

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

All donations received by the corresponding secretary shall be entered by him upon the proper books of the association and 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