

Nebraska Prison Association.

(Continued from 4 page.)

that several of these southern states have recently given it up. The reformation of prisoners is simply an impossibility under such a system. In all the states of the Union where state boards of charities have been created, everything pertaining to the nature of a lease system in handling the prisoners has been completely, and no doubt forever, abolished.

When I made my annual report to the National Conference of Charities and Corrections in Chicago a year ago last June, I expressed quite fully my views on the condition of our State Penitentiary. A little time in that meeting was set apart to consider the matter. I was called to the platform and questioned concerning the situation in particular. At that time and since then I have received offers from several of the most noted philanthropists in the country to come out to Nebraska if there was anything which they might be able to accomplish in the overthrow of this wicked system which now obtains in our State Penitentiary. I said to them, "I have faith in the people of Nebraska, and have faith in the coming legislature, that a State Board of Charities will be created and that this evil, together with many other evils prevailing in our state, will speedily be done away with."

So I do have faith in our present legislature, that these things will receive attention, and that a State Board of Charities will be created to look after these matters in the future.

In the next place I want to say that the fee system now prevailing ought to be instantly and forever abolished. It seriously interferes with the administration of penal justice in our state. To begin with it is an injustice to the officers who receive fees, because it makes the source of their income a great uncertainty. It also furnishes to them a temptation, in many cases, to make the fee larger than it ought to be; so an injustice is many times done to the parties who are compelled to pay the fees. This system causes the arrest of a great many innocent parties. The statistics of Baltimore show that the very year the fee system in that city was abolished the number of arrests dropped off more than one-third. There is also a temptation in many instances to convict parties who are wholly innocent. The magistrate in many cases is entitled to a fee, whether the man is convicted or not. Yet, in conversation with these magistrates, I have been told by them that, in case the man is convicted, his friends will rally to help him pay the fine and fees, etc., and that the chances are a great deal more favorable for his getting the fee. The magistrates and officers actually find that in very many cases, unless the parties are convicted, they never get their fees.

I have no doubt in my own mind but that if we had a State Board of Charities it would not be long until this evil was corrected in our commonwealth. I want to call your attention also to the fact that in Nebraska, we need a place of detention for preliminary examination, especially in the case of minors and parties who are arrested for the first time. Under the influence of the State Board of Charities in Massachusetts, a place is provided for the preliminary examination of all children and all first offenders, and in hundreds and thousands of cases persons are kept from the disgrace and degradation of being placed behind the prison bars. This is found especially true in cases of the young offenders. More than a year ago I was made to realize the necessity for such a place of detention in Douglas county, when six little boys, all of them under eleven years of age, were arrested for breaking into a store on Sixteenth street. They were locked up in the city jail and then, under the law, were bound over to the county jail and brought in contact with old and hardened criminals. They were kept in that condition for many weeks until the day of trial in the district court. I went into the court and asked the court to turn over to me one of the little boys, named Eddy, and assured him that I would be responsible for finding him a good home in the country. I received a letter a few days ago from the farmer who has this little boy in charge, and he tells me that the boy is the most loving and obedient and truthful child they ever have known. They tell me he never has used an oath, and that he is cheerful and happy and affectionate; in fact they described an ideal boy. Allow me to say that it happened in the case of Eddy that about two weeks before he was arrested for breaking into the store he was driven out of his home one night by a drunken mother, who, as I learned from the neighbors, tried to kill him with a butcher-knife, barely escaping. He got some one to come with him and found me about eleven o'clock that night. I furnished him temporary shelter, and a few days afterwards a farmer came in from a little west of Omaha and wanted to take the boy on trial, hoping to give him a permanent home. I let him go out with him, and it proved to be a mistake, because it was too close to the city and because the mother would work up on the little fellow, and after a few days, he ran away and came back to Omaha. He was ashamed to come to me. He had no home to go to; he slept several nights in an old stable; then got into company with bad boys, and the result was the breaking into the store and then his experience in jail life.

The little fellow never should have been locked up behind the prison bars in company with those old criminals. There are numerous cases similar to this, making a place of detention, for preliminary examination, of great importance.

I want also to say a few words now in regard to the fundamental object in punishing criminals. The primary object should be the reformation of the prisoner. I know that some claim that the primary object in the punishment of crime should be the protection of society. But let me ask you how society can be protected, unless these prisoners are transformed into good citizens. The way it is now, they are, by the methods employed, sunk lower into criminal lives, so that when they get out of the prisons it is almost certain that they will go on as criminals, injuring society more than ever. John Howard, the author of Penological Science, more than a hundred years ago clearly apprehended the reformatory idea. He saw the motto written in letters of gold over the portal of the House of Refuge in Rome. It was, "parum est improbis coercere poena nisi prius efficias disciplina." which translated means, "It is of small consequence to coerce the wicked by punishment, unless you make them good by discipline." The world has been very slow to under-

stand this great truth. Some still cling to the old idea of retributive justice. There are many who insist upon the warning given to others by means of punishment; while there is an element of truth in all these various objects mentioned, that which is primary and fundamental and which is necessary to the accomplishment of all the other ends desired, is the reformation of the prisoner.

There is no doubt but that much can be accomplished in this direction. Much has been accomplished at the Elmira Reformatory, New York. In that institution an average of more than one thousand prisoners are dealt with on principles of the indeterminate sentence, the marking system and the parole in discharge. Humane and Christian methods are employed, upon scientific grounds in dealing with these inmates. The results are wonderful. The records for the past eighteen years show that an average of over eighty per cent of the inmates are lifted up into good lives, and become good citizens. Many come into that prison, as into other prisons, who are sluggish and stupid and exceedingly ignorant. Sometimes they are put into workshops where it is found they can make no progress whatever. They are then taken out and put through severe and rigid treatment, by means of Turkish baths, massage, special diet, gymnastic training, military exercises, etc. By and by they wake up and are taken into the school room and into industrial lines of training and into the workshops again and are found to be able to make the average progress which is made by the more intelligent. It is certainly a wonder that over sixty per cent of the dull, stupid, prisoners are thus transformed and lifted up into good lives and become self-supporting citizens in the communities where they live. It is recognized in that institution that labor is a necessity in the reformation of the lives of prisoners. Labor is made use of, with that end in view. Idleness causes degeneration. It is found also, that intellectual training is necessary. We know that statistics show that seventy-five per cent of all criminals are grossly ignorant. There can be no doubt but if we had a State Board of Charities there would soon be introduced into Nebraska, methods looking to the reformation of the prisoners; methods which should take the place of those that are now in operation in the state.

In the next place, allow me to call your attention to the question, as to whether crime is upon the increase in America. F. H. Wines of Illinois, the noted statistician says, "There can be no question, but that crime is upon the increase in this country." The statistics gathered by the bureau of information at Washington show that thirty years ago there was only one prisoner to about three thousand of the population, and that now there is one prisoner to about every eight hundred.

I would not be understood as advocating that the world is growing worse, but upon careful examination of the statistics as compiled in this country, I am compelled to agree with the penologists of this country that the number of arrests year by year, has been steadily increasing beyond the increase of population. Just the opposite facts are clearly shown in England and Wales. Mr. Greene, late judge of the supreme and circuit courts of Michigan says: "We are half a century behind England in methods of the treatment of crime and in prison reform." The English records show that crime has been steadily decreasing in England and Wales for many years past. The actual number of arrests and imprisonments have been steadily becoming smaller year by year, whilst in this country they are steadily growing larger. In England and Wales, eleven years ago, there were 31,504 prisoners locked up in their prisons. Last year there were only 21,277, showing a decrease of 10,227. This condition of things in our country as compared with England is very largely due to the bad methods in operation here. In England the administration of penal justice is wholly removed from politics. We know that this is not always the case in this country. Sometimes the warden of a penitentiary is appointed merely upon political grounds, when in many cases he is totally unfit to fill such an important position. A man who is to have the responsibility of handling several hundred prisoners to the best advantage, with a view to the reformation of their lives, should be a man of the broadest education and a man thoroughly fitted to fill the position. There ought to be opened in our State University a department for the training of men and women to fill these various positions of responsibility in our correctional and charitable institutions. In England officers enter the service in the prisons first in the lowest position, and after successfully passing the examination before the Civil Service Commission are promoted to a higher and more responsible position. In all cases they are promoted strictly according to merit, and, step by step, rise from one position of responsibility to another until they reach the highest position. During all this time they are not in the least danger of losing their positions unless they deserve it. In this way good officers are secured, men who are adapted to the work, men who make it their life work; and the law provides that after ten years of service these officers are entitled to a pension of one-sixth of their salary. In 1873 the control of all local prisons of England and Wales was transferred to the general government. These prisons at that time numbered 113; within a few weeks after the transfer, fifty-four of them were discontinued altogether. Since that time there has been a saving to the government on an average of \$420,000 annually. The most important advantages, however, of the change have been the great improvement in the prison discipline, as well as uniformity. In many of the states in this country great improvements have been made in the methods of dealing with the criminals under the influence of the State Boards of Charities: As soon as we have such a board created in our state we shall look for greater changes and greater improvements, which will result in the reformation of many lives.

Allow me, in conclusion, to appeal to you for co-operation in the efforts which are made to bring about a better condition of things in our state. I make this appeal on the ground of Christianity. I make it in the interest of humanity. I make it on the ground of patriotism. We love this state of ours. We have chosen this commonwealth for our homes. "Breathes there a man with soul so dead that never to itself hath said, This is my own, my native land?" Moved by the highest spirit of patriotism, let us do all that we can to correct the abuses which are now prevailing in this loved state of ours. Let us combine

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