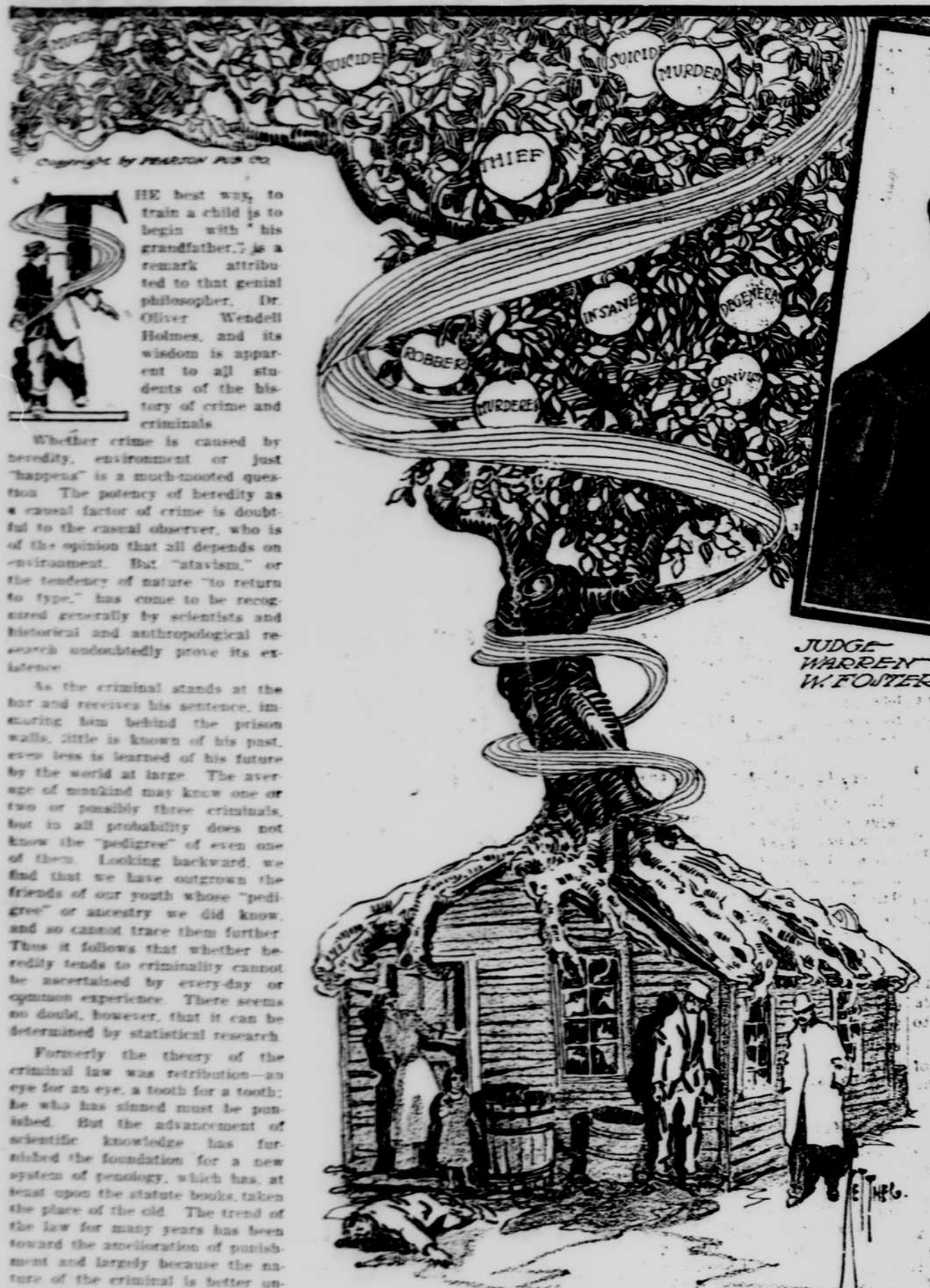


Hereditary Criminality by WARREN W. FOSTER and Its Certain Cure



THE best way to train a child is to begin with his grandfather. As a remark attributed to that genial philosopher, Dr. Oliver Wendell Holmes, and its wisdom is apparent to all students of the history of crime and criminals.

Whether crime is caused by heredity, environment or just "happenings" is a much-contested question. The potency of heredity as a causal factor of crime is doubtful to the casual observer, who is of the opinion that all depends on environment. But "atavism" or the tendency of nature to return to type, has come to be recognized generally by scientists and historical and anthropological research undoubtedly prove its existence.

As the criminal stands at the bar and receives his sentence, immuring him behind the prison walls, little is known of his past, even less is learned of his future by the world at large. The average of mankind may know one or two or possibly three criminals, but in all probability does not know the "pedigree" of even one of them. Looking backward, we find that we have outgrown the friends of our youth whose "pedigree" or ancestry we did know, and so cannot trace them further. Thus it follows that whether heredity tends to criminality cannot be ascertained by every-day or common experience. There seems no doubt, however, that it can be determined by statistical research.

Formerly the theory of the criminal law was retribution—an eye for an eye, a tooth for a tooth. He who has sinned must be punished. But the advancement of scientific knowledge has furnished the foundation for a new system of penology, which has at least upon the statute books, taken the place of the old. The trend of the law for many years has been toward the amelioration of punishment and largely because the nature of the criminal is better understood and it is felt that he is one who needs not so much punishment as proper instruction, and moreover, because it is now believed that the purpose and intent of our criminal law should be to cure the criminal of his criminal tendencies and to restore him to righteous living.

Under the old theory of "responsibility" whoever or whatever sinned was deemed responsible for it and subject to punishment and in the middle ages even animals were tried and punished. Invertebrates, also, were not exempt from prosecution. Havelock Ellis tells us in "The Criminal" that in 1454 the bishop of Lausanne initiated legal proceedings against the leeches which infested the water at Bern. The "affair" came before the judges at Bern, the bishop being properly represented. A leech was obtained and brought into the presence of the judges and all leeches, present and absent, were warned to abandon the spots they had the temerity to occupy, three full days being allowed them to evacuate, and a guardian was appointed to watch over their interests and take means for their defense in court. The bishop gained his cause, but the leeches having successfully resisted the decree of the court the bishop finally lost all patience and exterminated them.

Formerly, insanity, even with its attendant irresponsibility, was no defense to crime. Before 1789 insanity seems to have been unknown to the French law, although the seventeenth-century rule prohibited that no one in the state of "insane fury" should be punished. The rule, however, proved of little avail. "Responsibility" has since received close attention and study and, through the persistent efforts of men of science, its field has steadily enlarged. Schopenhauer says "responsibility supposes that an individual could have acted differently from the way he actually did act." In a sense responsibility means that man suffers the consequences of his acts. Man becomes responsible because he lives in society. Society has the right to defend and preserve itself. It recognizes the need of suppressing the criminal and preventing his unlawful acts and it exercises its right so to do.

The progressive feature of the age in penology has been to determine not only whether crime was committed, but whether he who committed it was of such an understanding as to be properly punishable thereafter and amenable to disciplinary treatment. Many of the world's greatest minds have studied this problem, but the first beneficent attempt to mitigate to the criminal as one "possessed of a devil" or "mind diseased" was made in the state of New York, when the New York State Reformatory at Elmira was created. There the inmates are kept under the strictest of mental and physical discipline; mental arithmetic and Turkish baths are applied together to create a sane mind in a sound body. They are taught that "honesty is the best policy," the only policy that pays from the practical, worldly point of view. The results have been surprisingly gratifying, only about 29 per cent. of the friends of that institution claim, of the felons therein incarcerated having returned to ways of crime.

Punishment for crime had its origin in the innate savagery of the human race and is but men swore to the truth of his claim. The woman, for some reason, was silent. The cad, unable to say any evidence which corroborated the claim of either of the men, ordered the woman to remain for a time with his own wifes. The next day he handed her over to the scribe and ordered the peasant to be severely bastinadoed. Then the woman broke silence for the first time and praised the just judge.

much about the shambles where her husband, the boy's father, was a butcher, and the sight of the blood having thus worked out in the child. The begetting of children is the highest of all human functions and carries consequences that beggar description. It is well, therefore, to remember that every falling away from health, every new strain or break in man or woman may lay an additional burden on a man or woman yet unborn, perhaps wreck a life or a succession of lives.

Carefully drawn statistics of 4,000 criminals taken from the Elmira reformatory show that drunkenness existed in the parents of 28 per cent, and probably more. Dr. Christian, of the Elmira reformatory, reports that of 8,000 prisoners received there during the last eight years 19.9 per cent. were tuberculous, 43.7 per cent. were affected with some form of mental disease, and that 37.4 per cent. were mentally defective. Marro finds that on an average 41 per cent. of the criminals he had examined had a drunken parent, as against 16 per cent. for normal persons. A large number of criminals investigated by Rossi belonged to criminal families. Dr. Allison, superintendent of the Mattewan State Hospital for the Criminal Insane (New York), is impressed with the frequency with which very serious crimes, especially murder and violent assault, occur in the same family. Morrison reports that among the inmates of English industrial schools 51 per cent. are either illegitimate or have one or both parents dead or are the offspring of criminals.

A further proof of the potency of heredity is shown by the investigations of the Rev. Dr. Stocker of Berlin. He traced 834 descendants of two sisters who died in 1825 and found among them 75 who had served 116 years in prison, 164 prostitutes, 166 illegitimate children, 17 pimps, 142 beggars and 47 rappers.

Assuming it, then, as proved, first that the aim of all criminal law and procedure is public protection against crime, and second, that criminal tendencies as well as virtuous tendencies are transmitted by inheritance, does there not follow, as the night the day, the logical conclusion that criminals ought not to be allowed to propagate their species?

By "criminal" is meant, of course, that class best described as "instinctive criminals," who have an instinctive propensity to crime and to whom many authorities refer as "born" or "congenital criminals" and who are possessed of an ingrained malignity of disposition.

If, then, it has been shown that heredity is the most potent source of crime and that society should protect itself by preventing the further breeding of criminals, how may society accomplish this?

Various methods have been suggested, among them a rigid regulation of marriage, which shall prohibit the original from mating, segregation or colonization of the criminal, and vasectomy. It may be possible by legislation to diminish marriage, but doubtless the effort would be to increase the number of illegitimates, thus augmenting instead of diminishing the mischief. The segregation or "colonization" of the criminal, thus making impossible the commingling of the sexes, is approved chiefly by those who have apparently never known of vasectomy. As a matter of fact, it has been tried by the law for a time to which the memory of man runneth not to the contrary—for what else is it than imprisonment within four walls, and has this not already proved its inefficiency?

Coming, then to vasectomy, a subject in which an increasing number of state legislatures is becoming interested, the physician furnishes a method of sterilizing the criminal.

This method is in actual operation in at least one state. In March, 1907, the Indiana legislature passed a bill authorizing sterilization.

There appears to be a wonderful unanimity of favoring opinion as to the advisability of the sterilization of criminals and the prevention of their further propagation.

Will public opinion justify the use of this remedy in the case of desperate and incorrigible criminals? While scientists have studied this subject, fraught as it is with appalling public importance, popular ignorance touching it is amazing. It certainly deserves the most careful consideration of all who are interested in the diminution of crime and the uplifting and betterment of the human race.

the transmutation of private revenge into public revenge. At one time or another nearly every ferocious cruelty has been tried as a crime cure. "To make the punishment fit the crime," to quote a popular opera, disregarding the idiosyncrasies of the individual, has been the creative principle of much of our penal law, and such even to-day is the common opinion of the masses. History, as Lydston points out, shows that when capital punishment was inflicted for slight offenses, as was once the case, instead of decreasing crime it increased it by brutalizing the people, while the exalt of public executions of the means whereby he too might occupy for one brief moment the center of the stage. Happily the present tendency of the administration of the criminal law is to ascertain first what is wrong with the individual and then to apply a remedy seemingly likely to cure the wrong. "There are no crimes, only criminals," said Lacazez, and that indicates the line along which criminal law and lore must develop if we are to improve mankind.

The level of criminality is rising and has been rising during the whole of the present century throughout the civilized world. In France it has risen several hundred per cent.; so also, for several kinds of serious crime, in many parts of Germany, while in Spain the number of persons sent to perpetual imprisonment nearly doubled between 1879 and 1882. In the United States the criminal population has increased within 39 years, relatively to the population, by one-third. Criminality is much like insanity. Among primitive races, like insanity, it is rare. But the rising flood of criminality should not beget pessimism; rather should it spur us on to the great task of social betterment, as a profound thinker has observed. Education will not rid us of criminals, for there are already, as we know, many educated criminals. Punishment alone as a specific for crime is a failure. Both education and punishment are but factors in the reformation of the criminal.

To a large extent the child is molded before he is born. There is no inappreciable fatalism in the influences that work before birth, but it does make a great difference whether a man is well born and starts happily or whether he is heavily handicapped at the outset of the race of life—in a word, whether he is born free from vices of nature or whether the contrary is the fact. There is much evidence to show how greatly the welfare of the child depends on the general physical and emotional health of the parents and that the child's fate may be determined by some emotional trouble at conception or during pregnancy. Take the remarkable case of Jesse Pomeroy, who, as a boy, committed several murders of little children with a brutality that was Gensdich, for which he was incarcerated for life in a Massachusetts prison. It was commonly reported and believed that the bloodthirsty impulses of the boy were the direct result of parental influences, the mother, it is said, having when pregnant been

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JUDGE WARREN W. FOSTER

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This quotation may properly be applied to the lower branch of congress, as Rev. Henry Noble Couden, chaplain of the house, is blind. His popularity with the members of the house is the cause of much comment in Washington. The blind clergyman knows scores of the members by the sound of their voices or a certain pressure of the hand. His prayers are fervent, and as he calls upon the Great Ruler to guide the members in their work for the nation the house is as still as the proverbial graveyard, even though a storm may be brewing which may lead certain members almost to blows. On the morning that the big fight to oust Speaker Cannon from the rules committee was started, Rev. Mr. Couden prayed for divine guidance and called upon God to show the nation's lawmakers the right path.

Rev. Mr. Couden was made chaplain of the house in 1893. He was born in Marshall county, Ind., in 1842. He is a nephew of Noah Noble, a former governor of Indiana. He relates that, although he does not recall the incident, Gov. Noble came up to Marshall county when he (Mr. Couden) was a baby, and insisted that the youngster should be named Henry Clay Couden. But the father of the infant objected and insisted on the name Noah Noble Couden. The wrangle over a name was ended by a compromise which gave the baby the name Henry Noble Couden, the Henry to represent Clay and the Noble to represent the governor.

He served in the Union army from 1861 to 1863, when he was honorably discharged by reason of a wound received in battle which destroyed the sight of both eyes.

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"I frequently thought," he said, "that a man might write a very interesting book, called 'The Curiosities of History,' and if my life is lengthened after I retire to private life, I think I shall try my hand at it. For instance, it has become the common law in the United States that a man shall have only two terms in the White House. There have never been but four men who could have gotten more than two. Washington held two and refused a third, and as good luck would have it, John Adams could not get two.

"Jefferson got two and confirmed Washington's example. Andrew Jackson got two and Theodore Roosevelt got two, and each confirmed that example, and I make the prediction that no man will ever sit three terms in the White House until this republic is on its last legs.

"I believe that the hobbyists, the fanatics, the cranks and even the monomaniacs have been the motive power in the world's progress. I do not care how ridiculous they may seem to us, I believe that to be the truth."

RUSSIAN DUMA'S SPEAKER

The Russian duma has given its speakership into the hands of a practical, hard-working business man in electing Alexander Goutchkoff to that important office.

Speaker Goutchkoff is widely known in commercial circles for his activity in pushing Russian goods into the far eastern market. Especially is he known as the representative of Moscow industrial interests which are finding themselves crowded out by American and Japanese trade aggression.

It is believed, therefore, that he will make it his business to stiffen Russia's backbone in the Manchurian railroad question, and it is conceded that he has both the ability and the opportunity to do so.

As speaker he has the right of direct access to the czar, and it is thought that he has already given the monarch some respectful but aggressive talks.

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With the czar the new speaker's relations are said to be cordial, although it was he that denounced the grand dukes so scathingly in the duma and caused their resignation from important military commands.

WILLING TO TAKE CHANCES

Burden of Responsibility That Comes with Great Wealth Seemingly Had Few Terrors.

Here the lecturer threw upon the screen the portrait of a man well known in the financial world. "This," he said, "is one of the great captains of finance. I do not need to mention his name. His face is familiar to all of you. Look at his corrugated brow, the furrows in his cheeks, the pouches under his eyes, the deep lines about his

mouth. That face, my friends, bears the unmistakable and ineffaceable stamp of care. Anxiety has marked it indelibly. It shows the traces of sleepless nights, weary days and bitterly-fought campaigns, with millions of dollars at stake. Success brings such a man no happiness. Look at him! How many of you, my friends, would change places with him? How many of you would be willing to take his wealth if compelled to assume the terrible burden of responsibility that goes with it?" His hearers rose en masse.

IN THE PUBLIC EYE

HOT CLASH IN THE D. A. R.



Joseph G. Cannon of Danville is not the only Illinoisan in Washington who has a fight with insurgents on his hands. The anti-Cannon revolution had just boiled down to a near normal stage when the rebellion against the other distinguished representative of the Sucker state broke forth with renewed activity.

It is Mrs. Matthew T. Scott of Bloomington, which is not so very far from Danville, as the crowd files, who has a battle on her hands, and from the way women fight when they once get started Mrs. Scott seems to be in for a real war.

Mrs. Scott is the president-general of the Daughters of the American Revolution, an organization which includes in its membership some of the best women in the United States. No feminine society has a handsomer lot of members and none of them have shown in days gone by that they will fight hard for what they think is right.

Mrs. Scott succeeded Mrs. Donald McLean as president-general. Mrs. McLean ruled the daughters with an iron hand. Mrs. McLean was the sort of woman who could do such a thing with the nicest show of grace.

Some time ago Mrs. Scott wrote a letter to Mrs. Martha R. Wilcox, recording secretary general of the D. A. R., and instructed her to discharge Miss Agnes Gerald, a clerk in her department. Mrs. Scott charged that Miss Gerald was unobedient.

Mrs. Wilcox, in the politest of terms, replied that Miss Gerald would not be discharged, and she questioned the president-general's right to order the cutting off of the young clerk. That was all that was needed. The D. A. R. will be in session before long in its handsome new building in the capital. Some members of congress say they intend to attend the sessions to see what a real fight is like, as they predict, the recent battle against Cannon will rank as a mere "tea party" in comparison with what will happen when the Gerald matter comes up for adjudication.

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PREPARED AT HOME

HOW PLANKED STEAK SHOULD BE FIXED UP.

Sirloin Cut, About Two Inches Thick, Rubbed with Lemon and Butter and Tacked to the Heated Board, is Necessary.

It is no longer necessary to go to some famous restaurant or popular grillroom to enjoy that almost mysterious, yet artistic dish that is the delight of every professional chef—a planked steak. With the purchase of a plank sold for the purpose and the services of a good all-round cook, planked steak can be served at home.

The steak ought to be a sirloin—a porterhouse is not fat enough—and cut about two inches thick. Rub it over with lemon juice and butter, tack it to the heated board and place in a very hot oven.

After leaving ten or twelve minutes, draw the tacks, turn and tack it again in place, returning to the oven for another ten minutes' cooking. This can be garnished with rice or potato cakes, latticed potatoes, little string beans or peas. Lamb or mutton chops can be cooked in the same way as the steak, an added savortiness being given by basting them quite often while cooking with a well seasoned tomato sauce.

Tacking meats to the board is not really necessary when the cooking takes place in an oven, but it is pleasantly reminiscent of the days when the board was propped before the open fire and the food had to be tacked to keep it from slipping off.

Now for our bonne bouche—poached eggs. Prepare the necessary amount of well-seasoned, creamy mashed potatoes. With a pastry bag and tube cover the board with wreaths of potato puree. Brush with melted butter, make slight depressions and into each break an egg. Dust with pepper and salt and place in the oven until the eggs are cooked and the potatoes lightly browned.

NOVEL GARNISHINGS.

When making fritters cook sections of orange in water and sugar until it begins to thicken like a slurrp. Dip each piece of orange into a delicate batter and fry in boiling lard to a golden brown. Dust with powdered sugar and serve in a ring around orange marmalade.

Roll slices of calf's liver in a thin slice of bacon, hold together with a silver skewer, flour and cook a delicate brown. Serve on chop dish with garnishings of cress. Pass a thick creamy gravy in silver sauce boat.

Instead of cold deviled eggs try these: Stuff in usual way, put two halves together, dip in egg and bread crumbs and fry at the last minute in boiling fat. Serve on round silver platter with a center of green peas and a border of thick tomato puree.

A refreshing drink at afternoon card parties is made from equal parts of ginger ale and grape juice. Serve in straight, thin glasses with a maraschino cherry floating on top.

A Casserole of Left-Overs.

Cut bits of cooked beef, veal or lamb into neat dice. Mince fine a small white onion. Partly a green pepper and mince a section of it. Have ready a cupful of stewed tomatoes or a whole raw tomato. Heat some stock or gravy and thicken slightly. Mix all these ingredients and season to taste. Put into a covered casserole and simmer for an hour in a slow oven. Then sift finely rolled crackers over the surface and stick bits of butter in the cracker dust. Shut up again in the oven and brown, uncovered.

This will be a nice family luncheon served with sweet pickles.

Woman's Opinion of Her Lawyer.

A woman accused at Kent Assizes of obtaining credit by false pretenses was defended at the request of the court by one of the junior members of the bar. Asked in cross-examination why she had not put certain questions to one of the witnesses for the prosecution, she replied: "I have counsel appearing for me, or I should simply have pulverized the witness."

"I mean no disrespect to this young gentleman (indicating her counsel), and I believe he will be a very clever man presently." She was acquitted.—London Evening Standard.

To Remove Stains.

Ink, fruit or vegetable stains on fingers are inexcusable, as they can be easily removed.

The quickest eradicator is a piece of pumice stone kept on the washstand. Wet before using and rub steadily, but not vigorously, or the skin may suffer.

A stain remover that has proved successful with fruit and vegetable discoloration is made by adding four drops of carbolic acid to a half pint bottle of glycerin and rosewater.

Chocolate Cream Filling.

Melt a square and a quarter of chocolate in the oven or over the tea kettle; mix together one cup of sugar and three-quarters of a cup of flour and a pinch of salt; add two eggs slightly beaten, with two cups of milk and cook in a double boiler until creamy and thick; add the melted chocolate and a teaspoonful of vanilla and when cool spread between layers.

Charlotte Russe Without Gelatine.

Whip one pint of rich cream to a stiff froth, flavoring with either wine or vanilla to taste. Beat well the whites of two eggs, add a cup of powdered sugar. Mix into the cream and set on ice until it stiffens. When ready to serve line a bowl with sponge cake or macaroons soaked in sherry and fill in with the whipped cream.

Horseshoe Butter.

Pound a teaspoonful of grated horseradish in a mortar with an ounce of butter and a tiny pinch of red pepper. Rub it through a sieve and it is ready for use. It will keep for some time if you put in a cold place. Bottled horseradish may be used if it is very carefully drained.

Olecloth Apron.

A little white olecloth apron can be worn while giving children their bath. It is also useful in washing dishes. Bind the edges with white tape.

Wisdom of Persian Judge

Common-Sense Methods Successfully Employed by Eastern Occupant of the Bench.

There is a story of a Persian cad, or magistrate, who exercised a Sherlock Holmes-like acumen in deciding a curious case.

A woman was claimed by two men as wife; one a peasant, the other a mirza, or scribe. Each of the two

men swore to the truth of his claim. The woman, for some reason, was silent. The cad, unable to say any evidence which corroborated the claim of either of the men, ordered the woman to remain for a time with his own wifes. The next day he handed her over to the scribe and ordered the peasant to be severely bastinadoed. Then the woman broke silence for the first time and praised the just judge.

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