

"Ben" Lindsey, the American Boy's Best Friend

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A COUNTY court judge in Denver, Colo., was recently called upon to address a large meeting of boys whose ages ranged from 9 to 14 years. You might expect a judge under such circumstances to pull a solemn face, call his audience "My dear young friends," and treat them to a long string of copy-book maxims. Not so this judge. He joked with the boys, used their own slang, told them enough of his own boyhood days to show them that he understood and sympathized with them, and then suddenly asked:

"Say, kids, how many of you fellows ever swiped things? Now, everybody who has hold up his hand."

Every little hand went into the air as quick as wink, although the boys knew that the man speaking to them was the judge of the children's court and could have them haled before him and punished if he chose.

The man was Judge Ben B. Lindsey, who presided over the juvenile court in Denver, and who has been selected as chairman of the national committee on juvenile courts by the recent national conference of Charities and Correction held at Portland, Me. Judge Lindsey is the best known and most distinguished of all the "children's judges," and the power which he wields over naughty boys to make them better is simply marvelous.

"Ben" Lindsey, as everybody calls him in Denver, remembers that he was a boy himself once, and that he was as apt to "swipe things" as the next boy. Therefore, he has changed the old system under which youngsters were sent to jail for swiping a handful of peanuts from the "ginney" on the street corner.

For a judge, "Ben" Lindsey has some startling ideas, but they are based on the bed rock of common sense. The cardinal principle on which he administers justice in his court is that "a boy who swipes things is not a thief."

"In some cases it may be well to let the boys think so; in others I would not," the judge said. "In reply to my questions, the boys in the public schools of Denver declared that in their opinion at least one-half of the boys in school would 'swipe things.' Some boys said nearly all, most of them said two-thirds, practically all said one-half. If this be a fact in Denver, it is no less a fact in every other city in this country. Denver boys are the best on earth.

"An intelligent understanding from the boy's standpoint will, I think, convince any unbiased mind that such children are not thieves, yet all must admit that it is such habits persisted in that make thieves, burglars and other criminals. They are persisted in in entirely too many cases, though I believe the majority of such cases are of an isolated or infrequent nature and are checked by proper home training, as they should be, before the intervention of the court becomes necessary.

"Every case against a child must be judged more from the standard of the child than from that of the man. No one can seriously expect a street boy of 12 to respect the law intended for the protection of the fruit vender in the same way that we have a right to expect the adult to respect a law of no higher sanctity or blinding effect for the protection of the banker or the merchant."

These are the principles on which the judge conducts his court. His methods are no less original. He aims to make every little "criminal" who is brought before him an officer of the court.

Nearly all the cases are dealt with by putting the boys on probation for periods extending from two weeks to two years. The judge thus keeps in touch with them without punishing them. Every other Saturday they report to him, some 200 or 300 of them; and he usually talks to them on some subject that immediately gains a boy's heart and attention. His favorite topic is "snitching"—when it is right and when it is wrong. "Snitching," as most boys know, means telling tales, "peaching."

"Now, look here, kids," the judge will say. "Of course, it's mean to be a dirty little snitch. If you saw a pal swipe things you wouldn't call the cop. Quite right. But you know by this time that it's a mistake to swipe things. It's wrong, and, besides, it gets you in trouble; it gets the whole gang in trouble.

"Now, you must all agree that, if a fellow won't leave off swiping things, you can give him fair warning to stop, and be at liberty to snitch on him if he doesn't. It'll be the best thing in the world to have him brought to the court before he becomes a regular crook, because you know we don't want to soak it in to him. We only want to help him."

This reasoning, impressed on the youngsters again and again, appeals to their sense of justice and shows them the way to help their friend, the judge, without violating their code of boyish honor or subjecting themselves to outlawry in the boy world. Thus it is that the graduates of the court enforce the law among their "pals" far more thoroughly than all the policemen and probation officers in Denver could do.



BEN B. LINDSEY, JUDGE OF THE CHILDREN'S COURT IN DENVER.

Four boys were brought before the judge for swiping things from back porches. They were not criminals; they simply had a craving for excitement and adventure. The judge talked to them in a way they could understand, put them on probation and made them promise that if any one of their "gang" should offend against the law they would warn him, and then, if he persisted, "snitch."

Those four boys did not offend again, but in less than a year they brought to the court no fewer than forty recalcitrant youngsters who refused to leave off swiping. Those boys were also dealt with by Judge Lindsey and sent away sworn friends of law and order.

"I generally find that one care leads to many. If a boy has committed an offense it is a pretty sure thing that somebody else is to blame as well as himself," said the judge.

"Take the case of that little fellow of 10, who had held up another boy in an alley and robbed him of \$3. I find that he has read dime novels since he was 7, and is particularly interested in Jesse James, about whom he knows much more than he does about George Washington. His mother has had knowledge of his course of reading. She must be brought in for contributing to the delinquency of her child. I believe this cannot be done under the law of any other state except Colorado.

"I find that the mothers of two other boys brought before me are in the habit of drinking beer and sending them to the saloon. One of the boys has already acquired a liking for liquor. He led a raid on a bottled goods wagon and swiped a lot of beer for the rest of the gang, none of whom was over 13. His mother must also be brought in. I have known boys who did this very thing to wind up in tapping tills.

"The drug store man on the corner, notwithstanding the rigid enforcement in Denver of the law against selling tobacco to minors, has persistently sold cigarettes to some of the boys who appear in my court. He must be brought in.

"One boy lives near the railroad tracks and habitually wanders in the yards. He has already barely escaped serious accident and has committed one theft of a brass appliance on a freight car, which he sold to the 'rag sheeny' for 75 cents. So the ragman and the mother who permitted the boy to go on the railroad tracks, which of itself made him a delinquent, are brought in."

The judge has a wonderful influence over all the boys with whom he comes in contact. This was shown some time ago when crap shooting became a nuisance in one of the principal streets of Denver. The storekeepers complained that the street boys swore viciously and obscenely when engaged in this game, to the annoyance of their customers.

One of the leaders of the boys heard of these complaints, and went straight to the judge about them. He had graduated from the juvenile court.

"Say, judge, I'll get de kids together an' you can give dem a talk," he proposed.

"If you want 'em to stop shootin' craps, I guess dey'll do it. Th' cops won't never stop it. You see, judge, it's this way, if dem cops tink dey're goin' to stop it, dey musn't come behind us."

The judge attended a meeting got up by his young friend at a newspaper office that night, and the result was the formation of an anti-crap shooting union by the boys themselves. Now they are enforcing the law, and crap shooting is no longer a public nuisance.

In the winter of 1902-03 Judge Lindsey fought a hard battle until he persuaded the Colorado legislature to pass a law that no children under 14 should be sent to jail. In the worst cases they are sent to a special "detention home." His most ardent supporters in that fight were the street boys of his acquaintance, who had been the victims of the jail system. They collected evidence for him and testified before the governor, the legislature, the police board and other authorities.

Chief among these boys was one named Mickey. Later on he was threatened with arrest by a policeman, and he went to the judge about it.

"Judge, de cop says he's goin' ter shag me," said he. "Didn't I help you get this law through?"

"You did, Mickey; you rendered noble service."

"Well, where does I come in? Didn't I tell you some time back dat I was 15?"

"Yes, Mickey, you did."

"Say, judge, forget it! I'm 17teen from now on. I've been pinched so much when I haven't done nothin' dat I ain't goin' ter take no more chance. If dis 'ere legislatur' will keep kids out o' joll under 14, you can set me back two years."

Charley is another street arab who is an intimate friend of the judge's. He told him that "he never told de trut' to de cop, because it wouldn't do a ting but git you inter trouble." But he always tells the judge the truth, "because I never been able ter keep out o' trouble until I run up against you."

Charley is a "sport." He went to the judge once in deep distress. A Denver newspaper had printed a story about him which he contended was a gross libel. He "didn't mind that so much. What hurt him was that 'they's done gone an' put it in on de sportin' page, where all me fren's from Cheyenne to Albuquerque'll read it before night."

Judge Lindsey says his one great interest in life is working to make fine men out of the street boys who are brought before him for trial. No trouble is too great for him.

In the evening, at the end of a busy session in the civil court, the other judges go home. "Ben" Lindsey stays behind. He finds eight or a dozen boys waiting for him. They may have been arrested, or they may merely have come for advice. Anyway, he usually gets home late for dinner; and before he is through with the meal there is a boy to see him.

If he knows there are any boys confined at the police station he pays a surprise visit to see that they are being properly

treated. He has organized a football team, a baseball team, and three boys' clubs out of the little rascals brought before him in court. There is not a moment of the day he can really call his own. It is all given to his boys. Even his noon recess, when he is sitting in the civil court, is spent dealing with a batch of juvenile offenders brought in by his probation officers.

"Above all things, get the truth," said the judge, when discussing his methods of handling the boys. "Never let a boy get away from you with a successful lie on his soul. You have lost the battle if you do."

He has got his system down to such a fine point that it is now quite common for street arabs to come and tell him when they have swiped things, or committed other offenses. Here is a typical case, told in Judge Lindsey's own words:

"Four boys came to my chambers late one night to 'snitch up'—tell on themselves. They had never been in court, never been detected. They came to me through the influence of a boy who had been in court and whom I had befriended.

"This boy would never 'snitch.' I would not ask him to. Yet he learned the lessons of the juvenile court. He had induced these boys, without my knowledge, to come to me and 'snitch up.' They told me they knew it would not be long before the cops got them if they went on swiping things, and they had decided to reform on our probation system. This happened two years ago. Every one of those four boys is a promising fellow today.

"The lads confessed thirteen burglaries and thefts, including a number of bicycles. Curiosity directed me to the police department to see just how many of their confessions would tally with the complaints there. I found every bicycle stolen listed at headquarters.

"The officer in charge did not care at first to enter into my plan of getting at these boys, because it did not involve the recovery of any of the property. I knew this was hopeless. I was met with a rather stern and determined argument that citizens who had lost their property in this way would insist on having it returned. I even stood in the way of being convinced that I was about to commit a felony.

"It did not take me long, however, to convince the officer—a well-meaning man—that these four boys and their redemption were more important to the state of Colorado than the recovery of a few bicycles and small trinkets—even to the unfortunate citizens."

Judge Lindsey does not despair of even the worst boy. Once he was importuned by the police to send two youngsters to the reformatory. They had a bad record, having been imprisoned several times before. The judge figured it out that each boy had cost the state about \$1,000 in actual cash, not allowing for their share of the cost in the upkeep of the jails.

"I knew the police department would laugh at me if I let these boys out of jail and they did not return to report—if, as the policeman expressed it, I 'patted them on the back and let them go.' Of course, I never did such a foolish thing in the case of any boy.

"After spending twenty-six solid hours in personal work with those two boys on Sundays and evenings behind the bars, I allowed them to go. They met faithfully every engagement they had made with me.

"Of course, I had difficulty in getting them to keep employment, but I also had patience, and today one of them, after eighteen months, is absolutely redeemed, as steady a workman as any average boy. Neither has returned to his evil ways. I have hope for the others, though I am not so sure of success.

"From the police standpoint the experiment has more than succeeded. They have neither been in jail nor pursued by the police. Before, this was constantly the case. I have had the help and sympathy of the police department in this experiment, though they regarded it suspiciously at first."

These are only two out of hundreds of boys who have been reclaimed from what bid fair to be a life of crime and race over into good citizens by "Ben" Lindsey. He is the best friend of the street boys of Denver and is more popular among them than even the local base ball champions and pugilists. His work, more than that of any other judge in the country, has justified the experiment of the "children's court."

"The criminal court method of handling juvenile offenders used to cost our country an average of \$42 for each case handled in court," said the judge. "It now costs about \$10. The criminal court convicted and sentenced nearly all for crime and sentenced 75 per cent to jails and reformatories. The juvenile court convicts no child for crime and is compelled to send only about 5 per cent of probationers to the industrial school. It sends none to jail. In my own experience it really is wiser and less expensive to save children than punish criminals."

WILLIAM THORP.