

INCREASE OF CRIME BY "REFORMATORY" PRISONS.

WHAT would be the result if human laws should undertake to decree that whoever offended against the well-being of the race should be rewarded, not punished? What would be the result if we should inculcate the false idea that ease, not labor, is the law of life and of enjoyment, and should teach men to be lazy by holding them in enforced idleness, and mitigating their *ennui* with entertainments and bouquets? Absurd as this proposition appears when thus baldly stated, it is the alarming fact about our later methods for the reformation of criminals, patent to every one who studies the results we have already attained by our violation of Nature's wise provisions.

Our fathers' methods of dealing with criminals were simpler than ours, and far more effectual; for the great and alarming increase of crime has set in since we forsook their wiser ways, which sought only to imitate Nature, and followed after the strange gods of the professional philanthropist. Our fathers' prisoners never desired to repeat an experience of their punitive processes. Our prisoners voluntarily return a hundred times to enjoy the delights of our reformatory methods. If a man disobeyed the laws our fathers made for the good of society, they, like Nature, inflicted physical pain, and exposed him to shame. Was he lazy, and did he neglect his family? They taught him, as Nature teaches him if we do not interrupt her beneficent processes, that he must expect physical pain, and, like Nature, they continued it until he went to work. Did he beat a helpless woman unmercifully? They taught him how it felt to lie helpless beneath the stinging lash.

Ours is a different method. We strive to prevent brutality and vagabondage by keeping the lazy brute and vagabond in luxurious idleness. We give him a better home than he has ever known, "a fruit collation every Saturday," a "brass band and negro-minstrel show" to amuse his leisure and to keep the idle time from hanging too heavily upon his weary hands. Or, if he desire a higher class of entertainment, we give him an "opportunity to listen to all the best lecturers in the field," and provide musical and literary enjoyments for him, so that he may hear "orchestral selections," "tenor solos,"

"piano solos," a "paper on philanthropy," and one on "Teneriffe;" the whole programme concluding with an "illustrated lecture and a vocal selection by the prison quartette." This is certainly travelling a long way from our fathers' crude methods; but the authority for saying that these benefits all find a place in our prison system is the unimpeachable Official Report of the Massachusetts Commissioners of Prisons, where we learn also that our "unfortunate friends'" bill of fare consists of the "best that the market affords." Some of the articles named in this weekly *menu* are as follows: tomato-soup, beef-soup, clam-chowder, baked fish with sauce, mashed potatoes, corned beef with apple-sauce, roast beef with vegetables, baked beans, brown and white bread with butter, oatmeal and milk, gingerbread, prunes and cheese, tea and coffee with milk and sugar, fruit, and cocoa. And if we turn to the Report of the Young Men's Christian Association, we shall find that he is not wholly dependent on the care of the State for his physical and æsthetic pabulum; for at Christmas and other appropriate seasons the charitable young men go to visit him, and supply him with "appropriate chromo Christmas cards." We read in the official report of the chaplain, that "on the 17th of June a bouquet of flowers was furnished each inmate of the prison by the ladies of the Flower Mission, to the great pleasure of the recipients;" that "generous gifts of fiction and other literature" will be given to the library; and that the officer in charge will request the State to expend thousands of dollars additional to these luxuries, that these "unfortunates"—who have burned dwelling-houses, outraged and violated the chastity of innocent women, broken and entered dwellings at night and put the inhabitants in fear, or by some atrocious breach of trust reduced a hundred widows and orphans to penury—may have further hours in the evening to devote themselves to the proper cultivation of the light and solid literature so kindly given them by the State and by private munificence.

And what, meanwhile, of our "unfortunate friend's" wife and children? Our fathers, on whom the light of the higher philanthropy had not yet dawned, used to take some interest in the prisoner's family. Some of the church societies have taken the matter in hand of late, we understand, and our "friends" may rest tolerably assured that their families will get on moderately well without them. They will not have roast beef and bouquets, to be sure, for they have committed no crimes which entitle them to such luxuries as we lavish on their guilty lords and masters. They have lived hard-working, commonplace, honest

lives; but it is quite proper that this romantic being, whose kind our fathers used to whip until he went to work to win his wife's and children's bread, should be taken away from them, and treated to "the best the market affords," while his innocent family are left to beg or starve. We are not so "barbarous as our less enlightened sires," who whipped the criminal, and made him feed the innocent. "*Nous avons changé tout cela.*"

Is this a fancy picture only, the mockery of a purely philistine mind? It is information drawn not only from the personal observations of the writer in daily attendance upon the criminal courts during more than two decades, but it is vouched for by the Annual Reports of the Commissioners of Prisons made to the Legislatures of Massachusetts for the years 1886, 1887, 1888, and 1890, where all these interesting facts concerning the bodily, æsthetic, and spiritual well-being of the criminal classes of this enlightened Commonwealth, may be found, with the added information that still further work in this direction is done in the State of New York, aided and supplemented by a Ladies' Mission, which is both a "fruit and flower mission." It is interesting to note here that one of the phases of the crime of malicious mischief—the malicious injury of ornamental shrubs—is now indexed in the public statutes of Massachusetts under the head of "Æsthetics," and, until the enlarged and amended index was published, could be found only under that designation.

In justice to the officials who report this state of affairs for us, it should be said that they are in no way responsible for its existence. The philanthropist is abroad in these troubled times, and all must obey him: the official can only execute his will, and record its results.

"The punitive idea" has been scouted off the field as a relic of barbarism, fit only for the dark ages. The philanthropic associations known as "prison associations" constantly boast that they "have abolished the punitive idea;" and here they find their opportunity to realize, to a considerable extent, that dream of the socialist, and to relieve a large portion of the race from the incentives of "material necessity and material ambition."

Let us see what they have accomplished by thus improving on the methods of our wiser mother, Nature, who through these sharp reminders has spurred us on to all our best achievements in every direction.

From the Report of the Attorney-General for the year 1839 it appears that in the dark ages of 1836-38, when the punitive idea was still esteemed as valuable, and in accordance with immutable law,

England and Wales, with a population of 14,000,000, had but 14,771 prisoners, or one to every 948 inhabitants; New York, with a population of 2,200,000, had 1,086 prisoners, or one to every 2,025 (the reformatory was not then active in New York); Massachusetts, with a population of 700,000, had 852 prisoners, or one to every 822 inhabitants. The last Report of the Commissioners of Prisons, which has continued this portion of the reports of the earlier attorneys-general, shows that this proportion of prisoners to population has vastly changed. The population has only trebled; but the number of prisoners has increased fifty-fold. In the county prisons alone, excluding the State Prison and reformatories, this proportion has increased to one prisoner to every 461 inhabitants. The criminal cases in the lower courts during the year ending September 30, 1890, were in the aggregate 81,255, and in the Superior Court 2,158 more; in all, 83,413; and of this number, 33,290 were committed to the county prisons.

The question forces itself home on us here, How long will it be before, under this system of what we may be pardoned for calling "orchestral," as opposed to natural, selection, we shall reduce the proportion as much again, till it reaches a point where every single inhabitant is a prisoner? The problem is simple if the present ratio is maintained; and it is to be noted that it has been an increasing ratio. Briefly stated it is this: if in fifty years the ratio of prisoners to population has been reduced from one in 800 to one in 400, will the next fifty years take off the remaining 400? and shall we become a nation of criminals? In the city of Boston we have already made a vast stride in that direction, for from the official figures it appears that in Boston one person in every 222 was a prisoner.

This is very serious business; and when we reflect, that, with one-seventh of the population of the England of fifty years ago, Massachusetts had last year more than three times the number of prisoners,—that is, 44,908 prisoners to our 2,200,000 population, as against England's 14,771 prisoners to her 14,000,000 population, over 21 per cent more than England,—we can see how fast and how far we have drifted since we cut loose from those safe moorings of Nature, to try to better her punitive methods by something which we are pleased to call "less barbarous and more reformatory."

But do our newer methods reform? It appears from the last official report, that, out of the 33,290 prisoners committed during the last year in Massachusetts, over 17,667 were known to be recommitments, the State Farm being excluded—recommitments of persons who were so

pleased with our "orchestras," and "chromo Christmas cards," and "bouquets," and "roast beef," and "fruit collations," that they returned to enjoy these delightful reformatory agencies again. Indeed, so fascinating do these rewards of crime become, that the wiser portion, who prefer comfort to freedom, return again and again to obtain these unwanted luxuries. It appears from these official tables, that, not counting the vast number unrecognized, 124 men and 34 women, in all 158 persons, are known to have returned for these blessings more than fifty times, and 397 persons more than thirty times. They have an old gardener at the House of Industry in Boston Harbor who has had himself committed more than a hundred times. He says he "knows when he is well off."

We learn from this same source that the State Prison at Charleston is now "our only punitive institution." This is the institution whose warden reports that the diet is constantly improving and that holiday and other privileges are increasing, as well as expenses, the last in a degree that "alarms" the warden. It is here, too, that the bouquets were "so appreciated by the recipients;" and, according to the chaplain's last report, "the library" (with its 50 per cent of fiction and 5 per cent of religious works) "stands to do its gracious, ameliorating, and helpful work as aforesaid." And it is here, too, that the same chaplain reports, that "after much observation, some of which has been a source of pain, it seems proper to call attention to the fact that many men, mostly young men, acquire the habit of using tobacco after their arrival at the prison. This is not so much because they wish it as because they do not know what to do with the tobacco they have given them each week, and because every one seemingly uses it." "After all," he pathetically adds, "some never acquire the habit." The matter of expenses is assuming proportions, which, with the vast increase of commitments, will soon amount to a burden most grievous to be borne, the mere current expenses of the county prisons alone having increased from \$141,999 in 1862 to \$335,392 in the year 1890. The commitments to the same prison have more than doubled in number in the last nine years, the figures being 8,675 commitments to county prisons in the year 1881, as against 18,222 in the year 1890. In this last year there were also 13,828 persons committed to the Boston House of Industry, and 390 to the State Farm, concerning which we have no means of ascertaining the expenses; but the total cost of maintenance, exclusive of the cost of commitments, is evidently already well above a million dollars yearly. The fact that during the

past year, in a population of only 2,236,943 persons, there were 80,844 arrests and 83,431 criminal prosecutions,—that is, 20,000 more than there were only nine years ago,—is highly significant. Population has increased in that period; but we must not forget that while, in the last fifty years, the population has increased from 737,700 to 2,238,943,—that is, has about trebled,—the number of prisoners has meanwhile increased fifty-fold—852 prisoners in 1838, against 44,908 in 1890.

These are the results of an entire change of system,—a change declared to be "from punitive to reformatory," but which might be more succinctly characterized as "from punishment to bouquets." We can hardly believe that these astounding figures can represent the facts, but they are all from carefully prepared sworn official reports by officers who have no inducement to misrepresent them. When we read in them that "the prison is yet to be built where the men shall earn their living," and that large numbers must be kept in idleness for want of space and opportunities to supply them with work, and when we consider what unusual luxuries roast beef and fruit and flowers are to the persons who inhabit these quiet retreats of elegant leisure, we may feel less inclined to doubt their accuracy.

The friends of the present system agree that "austerity and severity must pervade the prison place," and that "the prisoner must go out persuaded that the way of the transgressor is hard." One cannot but wonder, however, if the 158 persons known to have returned to prison more than fifty times fully appreciate the force of these two admirable statements from their own extended experience of the prison place and of the way of the transgressor.

In this connection the writer must be pardoned for digressing a moment from these formal reports to some facts of his own observation during the last twenty years, in which he has daily assisted in the administration of the criminal law. Taking a warm interest in the abiding welfare of the prisoners who have come before his notice, he has striven to preserve such as he could from the experiences of jail life, and has put forth considerable energies in this direction. Lately he called the attention of three stalwart young men charged with vagrancy to the fact that the effect of their appeal was to double their confinement from four months to eight months. Quick as a flash came back the answer, "Don't you suppose we know what we are about? That is just what we want!" Volumes of commentary could not tell more about the effect of the "bouquet system," if we may be permitted to call it so, though perhaps "roast-beef orchestral" would more

happily describe some features of our present method. Several times the prisoners have complained to the writer that the officers have made a mistake in copying their *mittimus*s, and not given them time enough. Here is a complaint of this character last made to him: "I have got but two months, and I am entitled to four. Please have it altered for me: I want all four months that I was sentenced for." Again: meeting in a county prison a physician sentenced for two years for malpractice, the writer was astounded with this conversation. The prisoner was a man who had been noted for his enjoyment of the luxuries of existence. He said, "It is a great mistake you fellows make in thinking you are inflicting punishment when you send men here. I have been here a year, and can truly say I have enjoyed it so much that I shall not feel sorry if my pardon is not obtained. You see, it has been vacation, with just enough to do to amuse me. The novels in the prison library are entertaining, and I am very fond of dominoes and checkers, and find some first-rate players among the men. Now, if it strikes me in this way, who have been accustomed to every luxury, how must it be to the poor devils who never have a square meal outside? Do you wonder that they flock by hundreds and thousands to the jails in winter? My only surprise is, that you can keep any of them out at all." This is the opinion of an educated man who has experienced the benefits of the system in his own person, and finds them "delightful,"—a life from which he is loath to part. But it is evident that it is far from the "austerity and severity" which once did "pervade the prison place;" and it will be hard from this to realize the good man's desire of "impressing the prisoner with the idea that the way of the transgressor is hard."

We have confined our attention to the working of the "reformatory system" as opposed to the "punitive system" in Massachusetts, because the tendency is here perhaps the most apparent, though the good chaplain of "our only punitive institution" regrets that we cannot extend our missions to the prisoners from flowers to fruit as well, on the New York principle. But at another time we may find opportunity to compare the work and results in New York, which are very similar to the state of affairs criminal in Massachusetts, with the results of the older system in Delaware, where they still believe in applying the methods of Nature,—the gospel of hard work and the infliction of physical pain on the wrong-doer until he learns to care for the helpless innocents who should be dependent upon his manly exertions, rather than leave them to the choice of starvation or the poor-house, as is

now too often the pitiable lot of the women and children from whom we take the bread-winner for seclusion and reformation.

Not that the reformatory idea is by any means to be derided. The Massachusetts Reformatory and the parent institution at Elmira, New York, are doing a great work in their systems of compulsory education, especially in the direction of industrial education; and the Massachusetts Reformatory is in very able hands, but it is evident from the official reports of the institution that the "austerity and severity," which the superintendent truly says should "pervade the prison place," are not as yet its distinguishing features. Amusements and better food than the prisoner can obtain by his own exertions, little or nothing to do, and entire freedom from the struggle for existence—these are the features which make the prison place an asylum already eagerly sought by thousands every year. If these attractions continue to increase as they have during the last two decades, we may find that it will not take another fifty years to reduce the remaining half of that ratio of prisoners to population, half of which ratio, as we have already seen, has disappeared in the preceding fifty years.

Thus by this strange road we may arrive at that goal of our Nationalist friends. The State will have acquired complete control of all our persons and actions, and we shall no longer struggle for existence, because the State will supply all our wants. For how large a proportion of the population it has already done this, we have seen. In spite of all the lingering prejudice against prison life, one man in every 222 in Boston is philosophic enough gladly to accept the blessings already offered him. The inmates of the so-called "Boston House of Industry" are taught to join in a song aptly expressing a sentiment that soon must have universal application; for at the rate at which we are now progressing we shall in time all seek this socialistic heaven, and resign our responsibilities to the fostering care of "our country:"—

" Upon thy mighty faithful heart
We lay our burdens down;
Thou art the only friend who feels
Their weight without a frown."

The prisoners sing this degrading sentiment with great gusto, as if they appreciated its force as applied to themselves; and they may well do so. It is the lesson our whole system best inculcates. Are the manly duties of life a burden? Lay this burden down upon the country. You have but to disobey her laws, and your country will assume your obligations, clothe and feed you, as you have never been fed be-

fore by your own exertions, on roast beef and gingerbread, and supply you with "the best the market affords," free of charge. Meanwhile you will be excused from all labor, or given only enough light work to entertain you; and the Society for Aiding Prisoners' Families will take care of your wife and children, or, if they are in danger of starving, the town will take care of them.

How many good children should we have in the family if we gave a child a piece of gingerbread every time it was naughty, in the hope that it would be touched by our kindness, and become good? Yet this is literally what we do in our present "penal" system. We have softened our penalties until they are rewards of demerit. If a man is naturally lazy, we make him lazier by supporting him in idleness. Is he vicious, we give him gingerbread and a brass band as a reward for his viciousness. The only penalty which he still feels as a penalty is a fine, which his family feel more than he feels; and many men escape this by serving time in jail in preference to paying the fine. We talk of the disgrace of going to jail, and the loss of freedom; but the sense of disgrace vanishes with the first imprisonment, and the loss of freedom is not felt, accompanied as it is with unusual luxuries. "Four months," exclaimed a prisoner on being sentenced: "what's that? Why, it is less than a salt-voyage, and a great deal easier." "I would gladly go to jail for ten days," said a gentleman who knew of the management of our prisons, "if by so doing I could find myself in Europe. I should infinitely prefer it to the confinement and disagreeable features of a sea-voyage." Many men every year, finding themselves in need of quiet and medical aid, voluntarily seek the seclusion that the jails afford. And for a host of vagabonds it has already become a winter palace, where they regularly hibernate till it is more agreeable out of doors again. A country justice whom the writer knew had a regular *clientèle* of some forty of these wise animals, who, as soon as they were recognized and turned out of snug harbor, would return, and swell his revenue by obtaining a new commitment. One epicurean philosopher, who once characterized himself on leaving the dock as "a thief and a murderer," has for twenty years laid the whole burden of his miserable existence upon the faithful heart of the country, and not once experienced a frown. His ideal of happiness is a wild debauch, for which his pension supplies the funds, and which he keeps up until he is exhausted, and needs rest and medical aid, when the county takes the burden off the hands of the State and of the United States, and neatly cleans and puts away his "batting suit,"

his only property, till he is ready to go on another spree. Meanwhile he is cosseted and patched up again, and clothed and fed and doctored, till the funds at his disposal enable him to enjoy his liberty, when the same round continues. Thus we foster his vicious propensities to the utmost, and it is a striking example of the tendency of our present system. We reward crime and constantly encourage it, instead of punishing and sternly repressing it, as our fathers did; and this enormous increase of fifty-fold, while the population has only trebled, is the natural result. We have spared the rod, and substituted the piece of gingerbread. Our fathers' homely proverb warns us that this is the way to spoil the child; and the truth of their pregnant maxim is but too painfully apparent in our gorged jails, to which hundreds of the same prisoners return voluntarily and delightedly for thirty, fifty, or a hundred times.

Shall we, then, punish crime? or offer rewards for it? Is it either wise or safe to continue on the path which is so swiftly leading us to destruction?

WILLIAM P. ANDREWS.

AGRICULTURAL DEPRESSION AND WASTE OF TIME.

"THE gods for labor give us all good things." This was part of the philosophy of the ancient Greeks. They learned it as a fact of experience long before Epicharmus first put it into words. Over and over again each generation of men tries its own experiments, and comes back to the same unvarying conclusion. In a thousand forms in all languages, this idea has found its way into the wisdom of men. It is a part of the same experience, that the gods never give any thing worth having for any other price. In their dealings with men they have no other coinage: they know no other measure of value. Temporary loans they sometimes grant; but, when the day of payment comes, they do not fail to charge their due rate of interest. They never change their valuations, and they never forget.

"By their long memories, the gods are known." This proverb, like the other, has its source in a universal experience. Taken from the forms of classic poetry, and cast in the language of to-day, it indicates simply the universality of law. When they spoke of the gods in phrases like these, the Greeks meant what we in a different way personify as "the forces of nature," the powers about us which act unceasingly, and in ways which never change.

Human knowledge consists in the recognition of these ways and forces. Human power depends on acting in accord with such knowledge. In this lie the possibilities of man. He who knows the truth can trust all, and fear nothing. There is no treachery in Nature's laws. He who strikes as the gods strike has the force of infinity in his blows. He who defies them wields a club of air. These laws are real and are universal, and no man or nation has ever actually accomplished any thing which the gods have decreed that he should not.

The existence of the simplest of these laws, those which, like the law of gravitation, can be mathematically determined, people in general now readily admit. The man who leaps from a precipice does not expect to avoid contusion when he comes in contact with the earth at the bottom. The law of falling bodies is too easily seen to leave any room for doubt. But the laws of organic life are less simple than