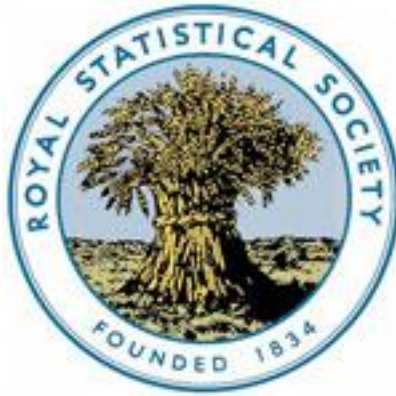


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Author(s): Rosa M. Barrett

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JOURNAL OF THE ROYAL STATISTICAL SOCIETY.

JUNE, 1900.

*The TREATMENT of JUVENILE OFFENDERS : together with STATISTICS
of their NUMBERS. By ROSA M. BARRETT.*

(HOWARD MEDAL PRIZE ESSAY.)

[Read (in the Author's absence) before the Royal Statistical Society, 20th March,
1900. Sir Francis S. Powell, Bart., M.P., Vice-President, in the Chair.]

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“ Le difficile ce n'est pas d'emprisonner un homme, c'est de le relâcher.”

“ The true history of a nation is not of its wars, but of its households.”—
Ruskin.

IN spite of the great changes and improvements in methods of dealing with criminals, especially juvenile criminals, nearly every civilised country is lamenting their increase—more particularly of those criminals who may be called adult-juveniles, from 16 to 21 years of age. As far as I can ascertain, there are scarcely more

than five countries in which there appears to be a true decrease in this class, that is to say, not only a decrease of *prisoners*—because that may only be due to changes of methods, but an actual decrease of *crime*. These countries are New Zealand (15 per cent.), which I have therefore included in my survey, Victoria (39 per cent.), Canada, Ireland, and the States of New York and Massachusetts, and I believe I may add Michigan and South Australia. Therefore the study of methods in these countries is likely to prove the most profitable as regards the best methods of dealing with this difficult class, and for this reason I have given special attention to those places. (Want of space has, however, compelled me to omit parts of this paper when preparing it for the *Journal*.)

The punishment of crime is far older than any attempt to check it—in fact only in recent years does the reformation of the criminal appear to have become an object to be desired—still later were attempts made to *prevent* crime by opening schools to train the young, criminally inclined either from their surroundings, hereditary bad influence, or vicious homes. No institutions have better justified their existence than industrial schools (see p. 191), yet it is evident that much still remains to be done, since there were 60 children under 12 and over 1,400 under 16 committed to prison in 1896 in England, while a third of the burglars were under 21, and a fourth of *all* those convicted of larceny were under 16 (for detailed statistics see pp. 187 and 189). Surely a mere child should not be branded for life by imprisonment: its punishment should be *corrective*. A moment's reflection on a child's heedlessness, imitative faculty, and its malleability, shows that it cannot be the real culprit—the actual culprits are those who have allowed the child to grow up without knowledge of right and wrong, without self-restraint, without good habits. In fact, crime in the young is largely due to a *want* of something—a want of education, of training, of discipline, of industry, of will strength, even a mere want of good food very often, for the inmates of industrial schools have been found to be defective in physical development (see p. 193, also statistics on the same subject on pp. 230 and 257). Dr. Marro, of Turin, also states that he has found nearly all juvenile offenders present abnormal physical and moral characteristics, so that both for the cure and the prevention of juvenile crime, the best medical care is needed to develop and strengthen the body, especially the muscles; this will help to strengthen will power and self-restraint. "The chains of habit are too small to be felt till they are too strong to be broken." Contamination—by contact with adult and hardened criminals—must as far as possible be avoided; yet, though this is self-evident, England is far behind other countries

in checking familiarity with the debasing effects of police courts and cells. Children in custody should be kept and tried apart from adults: such trials should be as far as possible private, to avoid the excitement and notoriety that is such a danger to many youngsters; magistrates, police officers, all officials in fact, or workers among the young, agree as to the importance and benefit of holding separate trials for the young.

Great Britain.

"The Huns and Vandals who will destroy our civilisation, are being bred, not in the wilds of Asia, but in the slums of our great cities."—*Macaulay*.

The criminal statistics for 1896¹ for England and Wales, open with the statement of "the extreme difficulty of arriving at any "positive conclusion" as to the increase or decrease of crime—owing in part to changes in the law, increasing efficiency, or otherwise, of the police force, the creation of new crimes—passing of the Summary Jurisdiction Act, &c.

By this Act children under 12 charged with any 'indictable offence except murder can be tried summarily, if the parents consent, as may juveniles under 16 for larceny and certain specified offences, and adults also if they plead guilty, or the value of the stolen goods does not exceed 40s. The Act resulted in an increase of something like 19 per cent. in the number of indictable cases tried summarily. The number of persons tried for indictable offences, and the number of crimes reported to the police, point to a decrease in crime both absolutely and in proportion to the population; both being considerably lower in 1896 than for twenty years, but this decline may not be steady and the decrease is not universal. Begging, for example, shows an increase of 109 per cent. in the same period, the proportion of offences against property increased from 108 in 1836 to 146 per 100,000 of the population in 1896, and of indictable offences from 140·5 in 1836 to 164·9 per 100,000 in 1896. The proportion of *children* convicted of indictable offences has largely increased since 1836. Part of the increase may doubtless be attributed to increased police efficiency: as no doubt there was great laxity so long ago as 1836. On the other hand, imprisonment is now much less used for juvenile offenders than formerly: in 1836 there were 945 prisoners under 12, in 1896 only 60, or respectively 1·34 and 0·04 of the total prisoners. Of the total who were convicted in 1896, 2,877 were whipped, 859 were sent to reformatories, and 535 to industrial schools, and many were discharged under the First

¹ "Criminal and Judicial Statistics for England and Wales."

Offenders Act, whereas in 1836 much the same treatment was awarded to both adult and juvenile delinquents:—

Tried for Indictable Offences.

Age.	1836.		1896.		1896.
	Number.	Percentage to Total Prisoners.	Number.	Percentage to Total Prisoners.	Prisoners at each age.
12 years and under	386	1·84	2,739	6·8	60
12—16	2,037	9·7	5,773	14·33	1,438
16—21	6,092	29·03	7,834	19·45	16,867
21—30	6,592	31·41	9,913	24·62	40,918
Over 30 or not known	5,877	28·01	14,013	34·8	90,152

Note.—The age in 1836 is a year higher always than in 1896; it includes the age named; in 1896 it does not.

		Per 100,000 of the Population of the same age.
Convicted of indictable offences.	Under 12	26
„	12—16	261
„	16—21	330

Recent inquiries show that while, owing to changes of method, juvenile *prisoners* are diminishing in England, in Scotland, and still more in Ireland during the last twenty years, *criminals* from 16 to 21 years old are numerous and increasing, but there is a decrease, fairly steady, in the number of offenders *under* 16, and it is probably minor, not serious, offences that are increasing. The English Prison Commission strongly advised raising the age of committal to a reformatory, and having a special reformatory for first offenders up to 23 years of age, with power of transfer according to conduct:—

Juvenile Offenders Committed to Prison.

	Adults.	England and Wales.			Scotland.	Ireland.
		Total.	Boys.	Girls.		
1853....	—	12,238	—	—	—	—
'56....	—	13,981	11,808	2,173	1,062 in 1860	—
'61....	—	8,801	7,373	1,428	1,212	—
'66....	—	9,356	8,099	1,257	1,061	—
'69....	—	10,314*	—	—	1,138	—
'71....	—	8,977	—	—	1,064	1,336
'76....	—	7,138	6,232	906	1,069	1,125
'81....	—	5,483	4,786	697	857	912
'86....	—	4,924	4,348	576	936	452
'90....	—	3,456	—	—	—	462
'91....	—	3,885	3,456	429	797	452
'93....	—	2,924	—	—	—	372
'94....	—	2,252	—	—	—	302
'95....	141,173	1,968	1,789	179	574 (lowest) Boys, 495; girls, 78	257
'96....	147,502	{ 1,498 (lowest) }	{ 1,336 }	102	618 Boys, 538; girls, 81	{ 210 (lowest) only 20 girls }

* Highest since 1860.

To these numbers offenders committed to Reformatory schools must be added—1,170 in 1897. The admissions to reformatories in Great Britain (not in Ireland) have been nearly uniform for some thirty years, except for a few years in the eighties, when they rose to over 6,000, and from 1864 to 1868, when under 1,000 yearly were admitted. On the other hand, Industrial Schools show a steady and constant increase from their opening in 1864, when 1,668 were committed, to 1896, when 6,251 boys and 1,083 girls were admitted.² In 1897, there were 24,894 boys and 5,397 girls altogether in all these schools, and of these the industrial schools have 24,705, costing over 550,000*l.* a year. Over 7,000 a year have been admitted since 1889. At the close of 1898, 30,395 were under detention in all the schools. Imprisonment for ten days or more used to be compulsory, but is now no longer necessary, previous to committal to a reformatory (it is in Ireland, however, for first offenders under 12). Under 7 years of age a child cannot be a criminal in England, and from 7 to 14 is presumably irresponsible, but children are still often sent to prison while waiting trial, and an inquiry in 1887 into the condition of court-houses, showed that untried, guilty and innocent, young and old, sometimes even both sexes, were kept together for hours and days, and also during transit to and

² "Reformatory and Industrial School Reports."

from jail. In Dublin (possibly elsewhere in Ireland) young and old are shut up together awaiting trial: they are left without food and caged behind iron bars like wild beasts, while the court yard is a common play ground for all sizes of children. Juveniles are also sent to jail in the common prison van with adults.

A few more statistics must be given:—

*Persons Convicted in England in 1896.**

	Summary Jurisdiction.	Assizes.	Convicted Prisoners.			Percentage of Juvenile Prisoners to Total Prisoners.
			Boys.	Girls.	Total.	
Under 12 years old	2,433	8	59	1	60	0'04
12—16.....	8,920	194	1,336	102	1,438	0'097
16—21.....	45,553	1,529	13,443	2,924	16,367	10'98

* "Judicial Statistics, 1897."

Some Causes of Juvenile Delinquency.

One matter is of grave importance—it is largely the children of drunken parents who people our prisons and institutions (see pp. 207, 210, 230 and 253), and it has been estimated that one-fifth of juvenile crime in England is due to this cause. The arrests for drunkenness³ have more than doubled in the last forty years.

Arrests for Drunkenness.

The Annual Averages during the following Quinquennial Periods are:—

1857-61.	1867-81.	1877-81.	1882-86.	1887-91.	1892-96.	1896.
84,358	121,669	184,099	185,874	176,601	175,628	187,258

Another signpost that shows how crime may be most successfully fought, is found in the fact that of convicted prisoners in England in 1896, only 3,167 could read and write well, 31,221 not at all, and 114,460 very little, so 149,000 were practically uneducated, or, in 1895, 2'96 per cent. prisoners were well educated, while 96'9 per cent. could barely read and write. Still more striking is the fact that while 20,436 prisoners were said to be skilled workmen, 83,299 had no occupation, 14,138 were labourers, &c. Judge Kerr, of Minnesota, said that four-fifths of all the criminals he had tried under 25, and nearly all under 21, had learnt no trade. Few of the artisan class ever become prisoners; probably on an average three-fourths are unskilled labourers or earn their living by

³ "Judicial Statistics."

precarious methods. In one prison, of 100 male prisoners 23 per cent. were skilled, 77 per cent. unskilled labourers—three to four times as many: this is probably true among prisoners in general.

To return to the children: one-third of all burglars are boys 16 to 21 years old, and the proportion of criminals from 16 to 21 is increasing in England as in most countries, and is higher than at any other age;⁴ it is nearly (sometimes over) a fifth of the total criminals. The following table shows that one-fourth of all the convictions for larceny were against juveniles under 16 (1894), while 26 per cent. of crimes against morals are committed by those under 21:—

Percentage of Convictions of those under 16.

England and Wales.		1893.	1894.
Class 1 {	Crimes of violence	6·64	7·84
	„ against morals	6·43	5·12
	Burglary, housebreaking, &c.	7·02	7·99
	Robbery	2·42	—
	Larceny from person	10·01	7·47
	„ by servant	13·38	13·46
	Simple larceny	24·58	25·33
	False pretences	2·39	2·39
	Injury to property	14·70	21·39
	Forgery, &c.	1·93	1·42
	Coining, &c.	0·61	—

No corresponding table appears to be given in the 1896 statistics.

Boy criminals are five to six times as numerous as girls; 85 per cent. of juvenile offenders are boys, 15 per cent. girls. Of those under 21 the proportion is 87 boys to 13 girls; of those committed to reformatories there are 88 per cent. boys to 12 per cent. girls, and to industrial schools 76 per cent. boys to 24 per cent. girls (this is in England, not in Ireland, pp. 198 and 199).

Historical Notes.

Consideration for juvenile delinquents began in 1837,⁵ children from 7 years old were then to be found in prison, and lads of 10 in hulks and convict ships. Philanthropy had attempted one or two reform schools, such as Redhill, which has received some 6,000 children, but it was not till 1838 that the first State attempt was made to differentiate the treatment of adult and juvenile offenders, by ordering the latter to be sent to a special place of discipline;

⁴ D. Morrison, "Juvenile Offenders."

⁵ Statistical Society, Ireland. Papers by Mr. Daly, chief clerk, D.M.P. (1891), and September, 1897, and "Chambers's Encyclopædia."

for this purpose Parkhurst was established for boys aged from 16 to 18; it was, however, too much of a prison, and failed; it was closed in 1864. The Reformatory Schools Act was passed in 1854 (not till 1868 for Ireland), and later on the Industrial Schools Act. Whipping was first ordered for certain offences to those under 14 in 1847; in 1850 the first distinction as regards corporal punishment was made between adults and juveniles, and in 1861 whipping was recognised as specially suitable for lads under 16, and is now given to about 3,000 a year, under strict regulations; it is rarely given in Ireland or the Colonies. Since 1874 in England, and 1884 in Ireland, nearly all juvenile cases can be tried by a magistrate and need not be held over for a judge and jury, and since 1879 a fine instead of imprisonment may be given for certain offences by summary jurisdiction: and also since 1879, under the First Offenders Act, the judge may release such on his own recognizances to come up for judgment if called on—and possibly to pay costs—if the offender is young or the offence is an act punishable by less than two years' imprisonment. Owing to these limitations, probation is less employed in England than abroad. The principle, however, has been recognised that reformation, rather than retribution, is to be aimed at with young offenders. Under the Summary Jurisdiction Amendment Act, 1899, whipping may be given to all offenders under 14, but only if the offender so chooses. Unfortunately the Acts are imperfect, reformatories are needed for first offenders over 16, for whom there is no place but prison: the First Offenders Act requires inquiries to be made, but provides no machinery for making them: probation officers do not exist in Great Britain, while juvenile offenders over 16 are treated in the same way as adults (compare Massachusetts and New York methods, pp. 230 and 239). Happily there are but one-sixth as many juvenile prisoners in England now as thirty years ago: for all officials recognise the injurious effect of imprisonment; contamination is unavoidable, and the fear of prison is lost; but being the simplest form of punishment, it is far too generally given, just as hanging used to be a hundred years ago. "The oftener you go, the hardener you get," as one jail-bird put it.

REFORMATORY SCHOOLS are for children from 12 to 16 convicted of any offence punishable by penal servitude or imprisonment, and sentenced to ten or more days' imprisonment (not for crime punishable by a fine). Such may be sent to a reformatory for two to five years, but not beyond their 19th year (if over 14, it must be for a first offence). Those under 12 if previously convicted, and those under 10 if previously charged and sentenced at assizes, may also be sent to reformatories. The average detention is three-

and-a-half to four years, licensing out is little used, though allowable after one-and-a-half years' detention. Five years after the reformatory system was established, juvenile crime, or rather juvenile prisoners, had diminished 50 per cent. INDUSTRIAL SCHOOLS are, roughly, for children under 14 not convicted of crime (or convicted for the first time of a crime punishable by imprisonment, but not felony), and for those under 12, who are uncontrollable, keep bad company, beg, &c. DAY INDUSTRIAL SCHOOLS are for voluntary cases and for offenders under the Compulsory Education Act, as are truant schools; in both these the detention is short, but increases for repeated offences. In England, not in Ireland, supervision may be ordered for two years, or till the child is 18, after its release from an industrial school:—

	Reformatory Schools, England.			Industrial Schools.		Industrial Schools.	
	Total.	Boys.	Girls.	Boys.	Girls.	Truant.	Day.
Committed in 1898...	1,476	1,309	167	3,319	920	2,297	2,901

In 1897, 1,153 out of 1,170 were committed to Reformatories without imprisonment. The cause of committal is generally larceny, vagrancy, &c. Most had been previously convicted, some over six times. 70 per cent. girls, and 71 per cent. boys who had left were said to be doing well and in regular occupation, although about a sixth are re-convicted after their discharge, and in Scotland a fourth. From the industrial schools nearly the whole of those discharged had completed their sentence, so little is licensing-out used; 78 per cent. of those discharged are said to be doing well, and from day industrial schools 63 per cent. In 1898 nearly three-quarters of a million children, or one-eighth of the entire child population in England were not attending school.⁶ A large proportion of juvenile criminals come from street hawkers, and those allowed to sell in the streets, those so employed rarely taking to a regular occupation in later life. Though all truants are not criminals, yet truants have a tendency towards criminality and lawlessness. "Truancy," says Mr. Drew, of the London School Board, "is to be credited with nearly all juvenile crime." This statement is confirmed elsewhere. In Manchester 67 per cent. of the children committed to industrial schools had previously been street hawkers, in Leeds 60 per cent. Another great evil, untouched as yet even by the Compulsory Education Act, is the great increase of *tramps* and *tinkers*; in the last six years they have doubled, and, according to the Local Government Board

⁶ H.M. Commissioners of English Prisons. "Judicial Statistics," 1897.

returns, from 30,000 to 50,000 of these vagrants are children, growing up vicious, ignorant, and without education. Imprisonment for begging is often the beginning of a life of crime.

LOCAL REPORTS. Juvenile crime is not now increasing in *Manchester*. The First Offenders Act is here supplemented by private philanthropy. The Superintendent of the Police Courts Mission to lads attends the Court daily. Both *Manchester* and *Liverpool* have now passed bye-laws under which no children may be employed as street sellers without a badge and license, and the hours are restricted; none under 11 are to be so employed, and all must be decently clothed. *Liverpool* has long held a notorious position with regard to crime in general, and especially juvenile crime. About fifty years ago the population was 300,000, and there were 51,000 criminals in seven years, one-tenth of whom were under 17, and one-fifth were convicted five times in three years. At the present time, one-ninth of all the prisoners in England are in *Liverpool*,⁷ one-seventh of all those from 16 to 29 years old; one-third of the whole reformatory population, and nearly one-third (29·1 per cent.) of all reconvicted ex-reformatory inmates. Captain Nott-Bower⁸ says no city can compare with it in juvenile crime; in 1898 there were 194 arrests of children under 10 for indictable offences, 36 for non-indictable, and 699 and 373 respectively of children from 12 to 16. Great attempts are now being made, however, to stem the tide. Whipping is said to prove successful; in five years 489 boys were whipped, and only 135 again convicted; of these 44 were again whipped, and only 10 of these were subsequently reconvicted—a moderate proportion of cures. The School Board officers take up cases of juvenile offenders for inquiry, &c., when so recommended by a stipendiary magistrate, and make contracts with industrial schools for their admission.

In *Cheltenham*⁹ up to 1856 juvenile crime was rapidly increasing, then by the remand of boys to schools on a second conviction, the gangs were broken up, and hardly a single habitual thief was left; only 13 were so committed in 1896.

In *Wakefield* prison, attention was drawn to the fact that of 840 prisoners 112 could not read or write, or 13·3 per cent.; and 35·7 per cent. had been mining since they were 10 years old. In *Wandsworth* prison on a certain day 23 per cent. of the prisoners 16 to 19 years old called themselves skilled workmen, probably nearly 77 per cent. had never learnt any trade. Education,

⁷ Mr. Thomson, deputy governor of the prison.

⁸ Late chief constable of *Liverpool*.

⁹ Howard Association.

especially trade education—one by which a living can be earned—is a great preventive of crime, as are habits of industry.

The conclusion that may be plainly drawn from all the foregoing statistics is, that crime decreases in proportion to the amount of care taken of the young, and this care, if an apparent expense for the moment, saves in the long run. Our criminals cost some 35*l.* a year each (apart from the heavy judicial expenditure). To repress crime we spent in 1867,¹⁰ 2 to 3 million pounds, on primary education less than one; at the present time 10 million pounds is spent annually on crime, and on elementary education some 8 million pounds. A reformatory school inmate costs annually from 15*l.* to 28*l.* in England; in Scotland 16*l.* to 26*l.*; industrial school inmates from 13*l.* to 28*l.*, or for the ships 32*l.*; in day industrial schools (2,804 inmates) the cost is 10*l.* 15*s.*: truant schools 19*l.* Part of this, about 1*s.* in the £, or one-twentieth of the actual cost, is paid by the parents. More might be paid were the recovery of debt simplified, but the cost might be immensely reduced by the wider application of the licensing-out system. To carry this out funds are required for officers to supervise those licensed out, and also power to renew the Government grant for any recalled children (as in Australia). In England 15 per cent. of the boys and 9 per cent. of the girls are licensed out; in Victoria 70 per cent. and 54 per cent. respectively. The return of industrial school children to relatives is generally a great mistake—only one-fourth as many of these turn out well as a rule, as is the case with those otherwise disposed of. In one school, where 70 per cent. did well, not one did so who returned to relatives; in another, 77·8 per cent. did well, including those returned to relations, compared with 86·8 per cent. of those not so returned.

It is worth noting that the children admitted to industrial schools are below the average physically¹¹ in height, weight, &c., and their mortality is above the average; they are also more abnormal—29 per cent. were found to be physically or mentally defective as compared with 17 per cent. in ordinary day schools, and this statement holds true of those sent to prison or reformatories, while one-third of the juvenile criminals are below the average in mental power. Hence treatment of these classes should be largely regenerative.

Scotland.

There is some decrease in the number of criminal offences

¹⁰ D. Morrison, " Juvenile Offenders."

¹¹ Sir J. Hibbert.

during the past ten years, but a great increase in the prisoners, since 1850.

Annual arrests of those under 12 years old were 157 per 10,000 of the population in 1898, or 2·3 per cent. of the total, and of those under 16, 862 per 10,000 of the population, or 5·8 per cent. Average during periods of five years :—

*Prisoners. Yearly Average.**

	Number.	Ages.			Criminal Offences, 1896.	
		Under 16.	16—18.	18—21.		
1851.....	24,311	2,376	1,424	3,688		
'61.....	19,525	1,224	982	2,357		
'71.....	27,948	1,141	1,351	3,287		
'81.....	49,588	1,090	1,976	5,836	Under 12 years old	7
'86.....	44,647	936	—	—	12—16	65
'91.....	51,774	861	1,463	4,392	16—21	375
'96.....	57,055	670	1,410	4,151		

* "Judicial Statistics, Scotland."

There is a marked decrease in the number of prisoners under 16 years of age—those from 16 to 18 increased up to 1881, but have now fallen to much the same number as in 1851; while those from 18 to 21 have increased decidedly; here again 1881 marks the maximum, and the numbers are beginning now to decline again.

Whipping was ordered for 422 juveniles. The cost of a prisoner is 22*l.* 1*s.* 5*d.*, or 19*l.* 17*s.* 8*d.* net, except at Peterhead Convict Prison, where it is 34*l.* 19*s.* 2*d.*

An Industrial School Act for Scotland was passed in 1854. In Aberdeen juvenile crime has been reduced 50 per cent. since the establishment of a day industrial school there.

In 227 cases out of 242 committed to reformatories in Scotland no imprisonment was given.

*Ireland.*¹²

While the number of adult criminals in Ireland has increased (it was lowest in 1872, highest in 1879, and has been falling somewhat since then; it was 16 per cent. higher in 1883 than in 1872), there has been a marked and continuous decrease of crime among *juveniles*, no less than 39 per cent., and this drop, that is of

¹² Judicial and Criminal Statistics, Ireland.

those committed to prison, is fairly regular. The committals to reformatories are also decreasing; they rose from 1859 to 1875 (the highest number was reached then, and again in 1880), but are now falling, while the industrial school numbers fluctuate (see tables p. 198). In 1853 18·3 per cent. of the total offenders were juveniles, in 1883 1·5 per cent. Unfortunately imprisonment for fourteen days is still compulsory in Ireland previous to committal to a reformatory in the case of first offenders under 12, hence some quite young children are sent to prison still, but the judicial statistics for 1895 give no ages in many of their lists, though promising to give them in future. In 1896, 562 children under 10 and 1,678 under 15 were committed in the Dublin Metropolitan Police Court alone. The total offenders are 3,995 per 100,000 of the population; there was an increase in 1896 both of indictable and non-indictable offences. The estimated population is four and a half millions; the indictable offences were 19·3 per 10,000 of the population.

The report of the General Prisons Board, 1897-98 (received since the above lists were compiled), states that while the proportion of prisoners per 100,000 of the population is less than it was in 1854—there has been no regular decrease since then—it is a fluctuating proportion. Prisoners, however, decreased 23·8 per cent. (and the population 13 per cent.) between 1876 and 1895.

There is, however, a great and steady decrease of *convicts*, their number has been reduced by one-half since 1883, and in 1897 only 1 female was sentenced to penal servitude in the whole of Ireland; there are now only 17 female convicts in custody, in 1865 there were 504. There is a marked diminution of serious crime among females, in part surely due to the many industrial schools for girls. In five years only 1 female convict was sentenced to penal servitude who was previously a reformatory school inmate. 36 per cent. of the prisoners were quite illiterate, as compared with 16·8 per cent. in the general population. The total convicted prisoners in 1895 were 26,047 (1898, 38,383). Of these there were:—

		Under 12.	12—16.	16—21.
1895 {	Number	20	190	2,880
	Proportion to the total	0·1 per cent.	{ 0·9 per cent. boys 0·3 „ girls	{ 13·6 per cent. boys 6·5 „ girls
1896 {	Number	16	147	{ 3,021 (2,322 males, 699 females)
	Proportion to the total	0·1 per cent.	{ 0·7 per cent. boys 0·1 „ girls	{ 12·2 per cent. boys 6·8 „ girls

*Ireland.**

Year.	Habitual Criminals.	Proportion of Prisoners per 100,000 of the Population.	Year.	Convicted.				
				Under 12.		12—16.		Total under 16.
				Male.	Female.	Male.	Female.	
1854....	—	93 (highest)	1853....	—	—	—	—	12,238
'60....	—	43	'54....	—	—	—	—	10,786
'70....	907	42 (lowest)	'56....	—	—	—	—	12,268
'71....	1,058	—						
'72....	840	—						
'73....	1,118	—	1860....	—	—	—	—	1,429
'74....	1,062	—	'61....	—	—	—	—	1,345
'75....	986	52	'66....	—	—	—	—	976
'76....	964	—	'69....	—	—	—	—	1,020
'77....	609	—						
'78....	272	—	1870....	—	—	—	—	1,186
'79....	365	—	'71....	—	—	—	—	1,083
			'72....	—	—	—	—	1,200
1880....	285	50	'74....	—	—	—	—	1,190
'81....	224	—	'76....	—	—	—	—	1,065
'82....	189	—						
'83....	164	—						
'84....	172	53	1880....	—	—	—	—	1,052
'85....	208	—	'81....	—	—	—	—	1,053
'86....	250	—	'83....	—	—	—	—	803
'87....	155	—	'86....	—	—	—	—	452
'88....	160	53	'89....	63	4	330	66	463
'89....	131	55						
1890....	133	53	1890....	44	8	337	63	452
'91....	144	50	'91....	53	—	344	65	462
'92....	140	53	'92....	39	2	295	73	409
'93....	126	50	'93....	37	4	250	81	372
'94....	181	47	'94....	25	3	218	56	302
'95....	189	51	'95....	20	—	207	30	257
'96....	167	51	'96....	15	3	172	17	207
'97....	174	56	'97....	33	1	170	15	221
'98....	156	50	'98....	19	—	180	28	222

* "Report of General Prisons Board." Ireland, 1897 and 1908.

The average annual cost of a prisoner is 34*l.* 1*s.*, or 32*l.* 14*s.* 4*d.* net. Two-thirds of the prisoners were only imprisoned for two weeks or less.

Amongst the prisoners in 1897 were one girl, one boy only 8 years old, and three of 9, and twelve of 10 years of age.

Of the total prisoners in 1898 (38,383), 11,289 were females, and it is said that 43 per cent. of these were prostitutes.

Of all the prisoners, only 166 were well educated, whilst more than half had little or no education. Of the juveniles, one in 1897, 25 in 1898 had a good education, but two-thirds were

almost entirely uneducated. The totally uneducated in Ireland have decreased from 53 per cent. in 1841, to 18 per cent. in 1891 of those over 5 years of age.

It has been noted that farm work is highly successful among prisoners—few of those employed in this way give trouble.

Drunkenness—which caused 45 per cent. of the total committals in 1895, 47 per cent. in 1898, and 53 per cent. of the convictions—is sadly on the increase. Mr. Justice Kenny notes (October, 1899) that the offences for this cause alone brought before him in Dublin for the months of August and September, were almost double those in the same months last year, 1898. The increase is mainly in the three cities of Belfast, Cork, and Dublin. In the six largest towns the arrests for drunkenness were 2,600 per 100,000 of the population; for all Ireland, 1,920 per 100,000.

It is noteworthy that one boy 11 years old received a week's imprisonment for begging, another, also 11, fourteen days' imprisonment and five years in a reformatory, and the same sentence was given for stealing a mouth organ worth ninepence; one boy of 9 was also given this sentence.¹³ Juvenile prisoners are all sent to Mountjoy prison in Dublin if their sentence exceeds a month; they are most judiciously treated there, educated and kept apart from adults; but this care and separation comes too late, for already the juveniles have been in contact with adult offenders in court, in the police cells, and the police vans.

There were 63,332 juvenile offenders committed to prison in Dublin alone from 1848 to 1852; 5,141 were under 10 years old, and 5,980 were girls.

In 1853	{ 12,236 juveniles under 16 were committed to prison (5,334 were girls, of whom 4,254 were under 16 and 705 under 10).
„ '81	{ 853 juveniles under 16 were committed to prison (561 girls for larceny).
„ '98	{ 222 juveniles under 16 were committed to prison (23 girls for larceny).

Some 30 per cent. of all the inmates of industrial schools are from Dublin; 1 per cent. of the whole Dublin population are committed to industrial schools.

The following tables, compiled from the “Judicial and Criminal Statistics,” show the effect of the work of reformatories and industrial schools on juvenile crime:—

¹³ While revising this, I have heard of a small boy who has been sent to prison (possibly to his life-long ruin) for throwing a stone at a gas lamp.

Year.	Committals to Prison.*				Percentage of those under 16 to Total Committ- ments.	Inmates of Reformatory Schools.			Admissions to Industrial Schools.		
	Total Adults (over 16 Years Old).	Juveniles under 16.				Boys.	Girls.	Total in the Schools.	Boys.	Girls.	Total.
		Boys.	Girls.	Total.							
1870....	32,370	—	—	1,186	—	681	175	856	258	1,171	1,429
'71....	—	—	—	1,083	—	788	192	970	499	633	1,132
'72....	27,785	1,068	268	1,336	4'58	838	211	1,049	738	886	1,624
'73....	31,483	1,099	306	1,405	4'27	883	206	1,089	487	657	1,144
'74....	36,554	1,039	165	1,204	3'18	879	221	1,100	496	561	1,057
'75....	37,108	831	132	1,013	2'65	935	225	1,160	490	513	1,003
'76....	39,899	930	195	1,125	2'74	860	239	1,099	367	495	862
'77....	41,521	959	185	1,144	2'66	824	253	1,077	349	596	945
'78....	43,218	946	143	1,089	2'52	834	244	1,079	366	499	865
'79....	43,416	840	146	986	2'22	873	228	1,101	553	577	1,130
1880....	37,490	848	169	1,017	2'64	928	232	1,160	774	830	1,604
'81....	35,871	746	166	912	2'56	936	213	1,149	524	733	1,257
'82....	34,028	948	129	1,077	3'06	956	184	1,140	611	752	1,363
New Admissions.											
'83....	32,371	680	123	803	2'48	196	54	1,099	483	703	1,186
		Under 12.									
'84....	37,829	108	—	835	—	199	45	1,053	601	703	1,304
'85....	39,554	83	—	787	—	146	18	969	963	755	1,718
'86..	40,764	105	—	925	—	178	30	936	733	906	1,639
'87....	40,779	92	—	809	—	146	32	866	862	685	1,547
'88....	43,704	88	—	751	—	193	29	855	666	771	1,437
'89....	38,792	87	—	576	—	205	23	763	935	711	1,646
1890....	40,783	73	—	568	—	127	19	744	752	789	1,541
'91....	37,568	77	—	588	—	141	21	716	651	723	1,374
'92....	34,583	68	—	568	—	131	14	673	881	704	1,585
'93....	34,387	63	—	486	—	110	28	619	750	702	1,452
'94....	31,474	57	—	424	—	120	15	604	751	675	1,426
'95....	30,270	33	—	374	—	112	10	589	752	815	1,567
'96....	32,956	35	—	310	—	110	9	553	837	739	1,576
'97....	34,911	62	—	345	—	157	16	605	778	782	1,560
'98....	38,383	31	—	314	—	120	16	581	747	663	1,410

* From "Judicial and Criminal Statistics," and "Reports of the Reformatory and Industrial Schools in Ireland," and from statistics kindly given me by the inspector.

In 1897 the number in reformatory schools was only 605 (scarcely half as many as in 1883); there were 8,783 in industrial schools. There is no reformatory for Protestant girls.

There are three reformatories for boys and three for girls; one of these is for both boys and girls. 84 per cent. of the boys and 87 per cent. of the girls who leave do well. 5,707 under 16 were admitted to reformatory schools from 1868 to 1883. There is a

decline in the admissions to reformatories of 55 per cent. from 1876 to 1890, and of 50 per cent. from 1880 to 1895.

	England and Wales.	Total.	Scotland.	Ireland.	Total.
Number of reformatory* schools for boys and girls (three are ships)	39	—	9	6	54
Industrial schools { boys	60	} 145	{ 35	21	} 214
{ girls	45			49	
{ both	4			1	
(23 are day industrial schools, and 13 are truant schools)				71	

* None for Protestant females in Ireland.

In Great Britain there were 14,249 *boys* in industrial schools in 1897, and 3,873 in Ireland. In Great Britain there were 4,548 *girls* in industrial schools, 4,910 in Ireland; or more girls than in the whole of Great Britain.

There is a decline in the number of *adults* committed to prison of 16 per cent. between 1872 and 1883, and of 39 per cent. among juveniles in the same period.

Europe.

The penal laws of most European countries contain provisions by which judges or other authorities, acting with or without the consent of the parent or guardian, have power to commit children who have committed criminal acts—but who from their juvenile age cannot be punished as criminals—to reformatory or other educational institutions. This is the case in Denmark, Holland, Finland, Belgium, most of the Swiss Cantons, Sweden, Italy, Austria, Spain, Croatia, and Russia. In the three latter, however, especially Russia, the laws exist on paper almost entirely, and little, if any, provision is made for carrying them out. In many of the other countries, even in Finland, the provisions are more effective, though there are not a sufficient number of either public or private institutions. As a rule, if a child has committed a crime, but is too young to understand or be responsible for its act, it may be sent to special institutions. The age of responsibility varies widely in different countries, thus, children may not be prosecuted for criminal acts when under 7 in England, New York, Russia, and Portugal; in Italy and Spain the age is 9; Norway, Greece, Austria, Denmark, Holland, and some Swiss cantons,¹⁴ 10; other cantons and Germany, 12; Vaud and Valais, 14; France and Belgium, no prosecution allowed under 8; while Sweden and

¹⁴ Udkast til Lov.

Finland have raised the age to 16. Those under that age are not accounted as criminals, over that age they are, and may be punished as such, though usually more leniently than adults. Where the age is so high as 16, little or no provision is necessary for juvenile criminals. Children under the ages given cannot be removed except in Germany, Vaud, and Holland, where they can be placed under the care of the State in a family or institution. In some countries, for bad treatment or neglect, the guilty parent or guardian loses all right over his child, which becomes a public charge and ward of the State. This is so in France, Italy, the Swiss cantons of Lucerne, Obwalden, and Gall, and many of the United States. As a general rule preventive work is being more and more extended, and preparatory institutional or correctional life awarded temporarily, with subsequent boarding out in families, where the child is not thoroughly vicious and corrupt. Whipping, by magistrate's order, is allowed only in Great Britain, Norway, and Denmark, in Europe; in Denmark only, I believe, is it given to *girls* under 12, boys up to 15, and occasionally even to 18; in Norway to those from 10 to 15.

Admonition is an old method of dealing with first offenders, and is acted on more or less in England, Russia, France, Italy, some of the Swiss cantons, and German States, as Saxony, and in Austria, Belgium, and New Zealand.

Terrible facts and figures are cited to show the frightful increase of crime in nearly every civilised country. Thus Havelock Ellis, in "The Criminal," says:—"The level of criminality is rising, and has been rising during the whole of the present century throughout the civilised world. In France, Germany, Italy, Belgium, Spain, and in the United States the tide of criminality is becoming higher steadily and rapidly. In France it has risen; in Spain the number of persons sent to perpetual imprisonment nearly doubled between 1870 and 1883; in the United States the criminal population has increased since the war, relatively to the population, by one-third."

Conclusions drawn from the statistics of different countries are hardly fair; some keep careful records of all, some only of serious offences. Germany counts the number of persons convicted; France the number of cases. Juvenile *prisoners* are diminishing in many countries, but it does not follow that *crime* is also, but only that methods have changed.

*Belgium.*¹⁵

Belgian laws dealing with juvenile offenders have recently

¹⁵ "Cours de droit criminel" and other works, by M. Thiry, professeur de droit criminel à l'université de Liège.

been much changed and improved. In the penal law, two distinct periods are recognised—one where the criminal is *under*, the other where he is *over* 16 completed years of age, or, as we should call it, under 17. In the former case it must be proved whether the accused fully understood the nature of his act and its consequences; upon the judge rests the responsibility of deciding whether the child's moral nature was sufficiently developed for this. If the accused, being under 17, is judged to have acted *without* discernment, he is to be acquitted and returned to his parents after a suitable reprimand, but if it appears unwise for the child to return to his former surroundings (which may have been the cause, from bad example or bad education, of his mis doings), the judge has power to protect the child by:—(1) Only returning him to the parents on their giving security for reform; or (2) by putting the child under the care of the State during his minority, or for a shorter time, but in no case beyond his 21st year. In this case the child must be sent to a special reformatory or charitable institution. If the accused, however, acted *with* knowledge or discernment, he is held guilty, and punished accordingly, though less severely than an adult—reform, not punishment, being the chief object. After release from imprisonment, the juvenile delinquent if under 18 (since 1891) may be detained under State control, by order of the court, till his majority. The law does not define “discernment,” but, to be judged guilty, the child must have acted not only with a general knowledge of right and wrong, but with an understanding of that special act and its consequences; this the judge or, in assize cases, the jury, must ascertain and then, after also ascertaining his age, decide on his responsibility for the crime, or if accused of several crimes, for each crime separately. After the age of 17 no difference is made between offenders. To prevent the evil effect of a short imprisonment, a child under 16 may not now be sent to prison (nor was a fine allowable until 1893), even if the crime of which he is accused is not a first offence; he may be placed under State control if this appears necessary for his future welfare. This rule applies to all slight offences punishable by imprisonment for eight days or less, or by a fine of 26 frs. Capital punishment may not be pronounced against those under 18, but penal servitude must be awarded for life instead. Fines are increasingly valued as a substitute for imprisonment, and are a sure way of making parents guard their children more strictly.

For juvenile delinquents who acted without discernment, there is a choice between the following courses, which may all be regarded as methods of education rather than of punishment:—(1) The child may be returned to his parents after admonition to them and to him. This is an end of the prosecution. (2) He

may be returned subject to surveillance, not by the police but by a special body, the *comité de patronage*. (3) The delinquent may be placed in a foster family if the parents consent. (4) He may be sent to a *Maison de bienfaisance de l'État*. (5) Or sent to a disciplinary establishment under indefinite detention, but not beyond his majority. He may be conditionally liberated in the last two cases, subject to recall for bad conduct. In all these cases the parents may be ordered to pay costs, besides a fine, and (in the case of theft) to make restitution. In cases where the offence was slight, the Minister decides the future of the child, and classifies it as he judges best; but in serious cases great care is necessary, and ordered to be taken, as to selecting the home most suitable for each individual child according to his temperament, &c. For this object a special defender is chosen by the parents, or, failing them, by the officials. By a decree of November, 1892, if the parents do not appoint any one, the representative appointed by the bar for the defence of juvenile offenders takes up the matter. This counsel's duty is to select the course best suited for the child (even when the parents oppose it); he does not act in conflict with the judge, but as his collaborator, each wishing for the good of the child. The "*comité de patronage*" are also notified of any trials of juvenile offenders (Ministerial Circular, November, 1892), and are consulted as experts in the care of dependent and delinquent children. On them devolves the responsibility of selecting suitable families for those boarded out and of visiting each child subsequently.

Where conditional liberty is given, these societies, now founded in many towns, give close supervision and make reports. Juvenile delinquents may not be deprived of their civil rights nor placed under police surveillance. In 1888 a Probation Act for first offenders convicted of misdemeanour was adopted.

All establishments for the reception of children placed under the care of the State by magisterial decree or administrative authority are now under one administration—"la bienfaisance" (reformatories were under prison administration till 1890), and have been called, since 1890, *Écoles de Bienfaisance de l'État*—this term includes the *écoles de réforme* (subsequently called *écoles agricoles*), founded some years ago for juvenile beggars and truants under 18 years of age. By the law which came into force in January, 1892, the preliminary imprisonment of children, placed under State care by judicial authority, is abolished, as is the distinction between those condemned and those not. Every-one over 14 found wandering, begging, &c., may be arrested (and until 1892 imprisoned) and placed under the care of the State for a certain time in special institutions. When a person under

18 years old is brought up as a vagabond, or beggar, and such vagabondage or begging is proved to be habitual, the judge must order his detention till his majority, placing him in an *école de bienfaisance* under the care of the State. Adult mendicants are sent to the *depôts de mendicité*—hence the entire separation of adults and juveniles is secured. Separation is carried further than this—there are special places for boys 16 to 18 years old of this class, and all those sent to the *école de bienfaisance* are subdivided according to their ages (the age on committal is the determining point). Those from 13 to 16 are to be kept apart from those who were older when committed; those under 13 being kept apart again for the whole term of committal, so that the younger may not be contaminated by those who have lived longer in bad surroundings. Detention is authorised for seven years in certain cases, but truancy must first be proved to be habitual, and for a first offence a warning must be given to both parent and child. After six consecutive months in the school, the child may be apprenticed or placed—if the parent agrees and it seems good for the child—in a public or private school or charitable institution, subject, however, to recall until majority for bad conduct. Further, these children may be conditionally returned to their parents (with the sanction of the Minister of Justice) when satisfactory guarantees are given, but subject to recall if being at home works badly for the child's character. Children may be placed in the *écoles de bienfaisance* by other specified authorities (the sheriff, &c.).

Girls under 13 (14 until 1894), placed under State care for any crime are sent to the school at Beerneem, in Flanders, those over 13 to Namur. Boys under 15 are sent to Ruysselede, in Flanders; this school is specially intended for truants and beggars, but since 1889, those under 11, condemned for other offences, may also be sent here. Boys from 15 to 18 years old are sent to Reckheim; younger boys from the southern provinces go to St. Hubert and from other provinces to Namur; the boys and girls here are in separate quarters. There is also a disciplinary quarter for immoral or uncontrollable girls, whose example would be injurious to their companions, at Bruges, and for the worst boys at Ghent: these schools are only used for children transferred from the *écoles de bienfaisance*. To gain physical control, military manœuvres and discipline, fire-drill, swimming, &c., are taught at Ghent in the disciplinary quarter. The State used to pay half the cost of those committed, the commune to which the children belong or in which they were committed, the other half, but as this militated against the rescue of children (the communes grudging the expense), the State now pays the entire cost. The

industrial colonies, both those for adult and for juvenile vagabonds and beggars, have been most successful. Belgian prisoners are on the whole well treated. Female prisoners are under the care of religious sisters, about ten sisters to 100 women.

Oddly enough, the above laws show that if a child committed, say, theft, *with* knowledge, he gets for a maximum imprisonment two-and-a-half years; if it is decided that he acted *without* knowledge, he may be deprived of liberty, by being placed in an école de bienfaisance, for much longer!

On the whole, it is stated that there is little crime in those under 16, and that crime in general appears to be decreasing, concurrently with the increase of education. Of those from 16 to 21 years of age the criminals constituted 9 per cent. of the total accused during the period 1856-75 and of those from 21 to 25, 14 per cent. of the total. The following statistics were given by Professor Kuborn, but I have been unable to obtain statistics of juvenile criminals, owing no doubt to the changes in legislation, age of responsibility, &c.

Hypnotism has been tried with good effect on vicious children, doctors having resorted to it as a moral cure when other means of reform have failed.

Statistics given by Dr. Prof. Kuborn at the International Congress of Hygiene, 1891.

Period.	Number of Persons Accused of Crime in Proportion to the Population.	Number Accused of Capital Crime.
1850-55	1 accused person to 18,543 people	1 to 90,228
'56-60	1 " " 17,095 "	1 " 97,536
'61-67	1 " " 27,951 "	—
<i>Penal code modified.</i>		1 " 115,514
1868-75	1 " " 37,339 "	1 " 102,523
'76-80	1 " " 34,563 "	—
'81-85	1 " " 40,367 "	—

Note.—This table shows a gradual and fairly regular decrease in crime, in part to be attributed to education (in part possibly to legislative changes), education having made great strides during this period.

	Number of Pupils in Elementary Schools.	
1860.....	7,745	1856-75, 9 per cent. of accused were 16 to 21 years of age; 14 per cent. were 21 to 25 years of age In 1866 (omitting children under 7), 58 per cent. of the population could read and write; in 1880, 78 per cent. could read and write
'70.....	9,308	
'75.....	10,962	
'81.....	16,777	
'88.....	20,374	

	Percentage not able to Read and Write.	Percentage able to Read and Write.
1880.....	22'6	78'3
'81.....	19'3	
'82.....	19'1	
'83.....	18'5	

The uneducated have decreased from 44 per cent. in 1850 to 18.5 per cent. in 1883; in the same period accused persons have decreased from 1 in 18,453 to 1 in 40,367.

At Liège (as in other Belgian towns) there is a "société de patronage de l'enfance, des condamnés et des vagabonds." The report for 1897 shows that a State subsidy of 2,000 frs. was received, besides 3,300 frs. from the commune. There were 142 delinquents (new cases) dealt with in the year, and 104 under supervision, liberated conditionally. The object of the society is to protect and care for juvenile delinquents. All particulars relating to juvenile criminals are ascertained before they are dealt with.¹⁶

Many of the Belgian towns have also aid societies and committees for the defence and protection of juvenile delinquents. They inquire into the condition of the child, its home, &c., and have proved most useful. The efforts directed against begging have proved extraordinarily successful, and begging has diminished by one-half in the last three years.

Conditional conviction (that is, suspension of the execution of a sentence) has been given since 1888 to offenders whose act was punishable by imprisonment of not more than six months. If there is no fresh conviction in five years, the sentence lapses; if there is, the two sentences must be undergone. During the first nineteen months after this law was passed, out of 284,000 who were convicted, 14,000 (only 200 of whom were reconvicted), received conditional liberation. Now some 10 per cent. of those arrested receive conditional conviction, and only 3 per cent. of these are reconvicted.

France.

Juveniles are separated from adult criminals both during trial and while under arrest;¹⁷ after the age of 16 the juvenile comes under the same law as adults. Crime among those under, as well as among those over, 16 is increasing. In 1841 there were 13,000 criminal minors; in 1891, 36,000. The proportion of juvenile offenders under 21 to adults seems to keep about the same,¹⁸ 18 per cent.; the criminals per 100,000 of the population increased from 601 in 1835, to 991 in 1880, a third more.¹⁹

There are four classes of detained children:²⁰ (1) those accused; (2) those sent under parental correction; (3) those acquitted, but

¹⁶ I am deeply indebted to M. Thiry for his kindness in sending me numerous volumes relating to Belgian criminal law.

¹⁷ "Dictionnaire de pédagogie."

¹⁸ "La nouvelle revue," Fevrier, 1896, M. Bonjean.

¹⁹ Dr. Getz.

²⁰ M. Pinbaraud, chairman of prison inspectors.

not returned to their parents; (4) those condemned. Of the latter, those under 16 who acted without discernment, may be either acquitted and returned to their parents, or sent to a house of correction or penitentiary colony. Of the latter it is allowable for some to be set free under the care of one of the numerous "*Sociétés de Patronage*," if likely to reform, but subject to recall for bad behaviour. If the accused acted with knowledge, he must be sentenced to imprisonment for a third to one-half the term given to adults for similar offences. Those sentenced to less than six months' imprisonment spend it in a local prison (few of these are cellular, hence there is great contamination); over six months and less than two years, in a distinct quarter of a Government penitentiary colony; those sentenced to over two years and any inordinate inmates at penitentiaries are sent to Eysses, from which adults have now been removed. Girls are sent to penitentiaries. Since March, 1891, sentences on first offenders may be suspended and are annulled if no fresh offence occurs within the next five years, otherwise the two sentences must be worked out separately. Moral, religious, and trade instruction must be given to juvenile offenders (law, 1850). In one institution, however (Montesson), the experiment is being made of a compulsory abolition of all religious instruction. Under the "*correction paternelle*" children may be sentenced to imprisonment for a short term or to a correctional institution.²¹ Since the law of conditional conviction was adopted in 1891, some 16,000 cases have been annually dealt with, and only seventeen per 1,000 have been reconvicted.²² France started reform work earlier than England; Mettray was opened in 1839, and the "*colonies agricoles*" for juvenile offenders in 1850; of the latter, there are five, and of those dismissed from Mettray, it is said that only 4 per cent. relapse into crime. There are thirty-three "*dépôts de mendicité*" in France for vagrants and beggars, whose numbers have risen from 22,011 in 1881-85, to 51,404 in 1886-90.

There are three reformatories for boy offenders under 12, all under the care of women; that at Frasnés-le-Château, under an Alsatian sisterhood, has proved wonderfully successful. Want of space compels me to omit all detailed description of these and other institutions, but a most interesting account of them may be read in the report by Mr. Ruggles-Brise and Mr. Spearman of the International Penitentiary Congress (Paris, 1895). The new institution at Montesson for 400 boys is intended to replace La Petite Roquette, hitherto the children's prison. Committees for the defence of juvenile criminals have now been established and

²¹ "*Bulletin des loi.*"

²² "*Statistique pénitentiaire.*"

are doing much good. M. Roussel²³ considers the increase in juvenile criminals as largely due to the increase of alcoholism, for the children of drunken parents inherit vicious tendencies, have peculiarly precocious criminal instincts, together with an absence of resisting power.

Germany.

In Germany and Hungary children under 12 are not accounted responsible for a criminal act, and may not be prosecuted, though they may be sent to reformatories, public or private, or to private families.²⁴ Those from 12 to 18, who on trial are convicted of crime, but are found to have acted without discernment, must be acquitted, and no conviction may be recorded against them, though they may be sent to reformatories; more often, however, they are boarded out. If they acted with knowledge, their punishment is lighter than that given to adults, and for slight offences a reprimand only is given; they may not be deprived of their civil rights, nor subjected to police surveillance. General directions were given as to the establishment of reformatories by the law of 1871, but in 1876 the various States were empowered to take measures for the reformation of juvenile delinquents, the establishment of educational and corrective institutions, &c. Neglectful parents may be deprived of their rights. Special laws were passed in Prussia in 1878, and Baden more recently. Unhappily both adult and juvenile criminals are increasing faster than the population; the former increased 20 per cent., and the latter 32 per cent. between 1888 and 1893. There are now some 400 reformatories in Germany—320 are Protestant. For want of space I am unable to give further details as regards Germany.

*Austria.*²⁵

No special procedure with regard to juvenile offenders is recognised in Austria; offenders under 10 years of age are left for the parents to deal with, while the criminal acts of those 10 to 14 years old are punishable only as misdemeanours; misdemeanours and slight offences being dealt with at home, or, under special circumstances, by the police authorities. In the latter case the offender, if under 15, may be sent to a reformatory; here special care is given to the moral and religious training as well as to industrial occupation. Detention may be for as long as appears necessary, but not beyond 20 years of age. In places where no reformatory exists, the child may be sent to a private institution or

²³ "L'Enfant à tendances criminelles." M. Roussel.

²⁴ Rein. "Encyclopædisches Handbuch der Pädagogik," 1893.

²⁵ Information kindly supplied to me by Sir H. Rumbold, of the British Embassy, Vienna.

to a division of a compulsory labour establishment exclusively set apart for juveniles, so long as the sentence will be completed before the delinquent has attained his twenty-fourth year. In 1895, out of 5,441 imprisoned persons, 714 were between 14 and 20 years old. There are special establishments for juvenile beggars and vagrants, who, since 1885, may be detained till they are 20, and must be given moral and religious education, and also taught a trade. Statistics are incomplete, no record being kept of slight offences.

Switzerland.

When a juvenile criminal, over 16 but under 18, is found to have a criminal disposition and tendencies excluding him from the house of correction, the ordinary penalties of his crime, but in a modified form, must be undergone. The law of November, 1891, allows the Conseil d'État to add to the short imprisonment ordered by the court, detention for one or two years, when the criminal, being under 20, appears to be morally abandoned, and to require the restraint of a correctional institution. In this case the imprisonment takes place at Trachselwald. It is stated that 30 per cent. of the juvenile criminals are orphans or illegitimate, and most have been badly taught. The request of the Trachselwald authorities for power of provisional detention where the home influences are bad, was unanimously adopted by the Commission on Prisons, after being submitted to the police. The detention is as yet almost too short to be reformatory. The cost of detention is met in part by the communes; when the parents are able to support the child, but negligent, they lose control and must pay part of the cost on penalty of removal to a house of obligatory labour. The number of juvenile delinquents under 20 has increased to 120.²⁶ The criminals in 1892 were:—

	Men.	Women.	Total.	
	1,816	385	2,201	

Age.	Boys.	Girls.	Percentage of Total.
Under 16	8	2	—
„ 17	18	4	1
„ 18	27	4	2
„ 19	36	5	2
„ 20	47	9	3

Of the total convicted (3,142 in 1892), 45 were under 16, 43 under 17, 81 under 18, 83 under 19, and 96 under 20. Of those

²⁶ Statistique pénitentiaire Suisse. Le pauperisme en Suisse.

released, imprisonment was successful in at least 42 per cent. (probably 48 per cent.), and failed in 20 per cent. (see Table A, p. 212). As each of the twenty-five cantons composing the Swiss Confederation (population about 3 millions) regulate their own internal affairs, and make their own penal and penitentiary arrangements, great differences exist, and it is impossible to enumerate all the laws relating to juvenile criminals, while few publish any judicial statistics, and some cantons simply give admonition to juveniles. Those of the canton of Berne²⁷ must therefore suffice as an example.

The house of correction at Thorberg, opened in 1849, was used for juvenile criminals, vagabonds, &c., as well as for adult beggars, and idlers (for whom it was originally intended), until it was burnt down in 1867. Various attempts were made to separate juveniles and adults in Thorberg, by placing the former in a special scholars' class (1854); but after the fire it was decided that juveniles *under* 16 convicted of crime should be sent to the reformatory of Landorf or Aarwanger, Thorberg being reserved for those juveniles *over* 16 not previously imprisoned. Various difficulties prevented the separation from being carried out; for example, those learning industries or employed in field work were in contact with adult criminals, many of whom were habitual offenders, while the meals and dormitories were had in common. After-results showed how injurious this was, and situations could hardly be found for those leaving, so bad was their reputation. Thus one lad committed for vagrancy to Thorberg when 11, was recommitted within two months of his release, and by the time he was 18 had been convicted of thieving seventeen times, and since then up to the present time has spent fifteen years in prison thus costing 3,000 frs. (at 200 frs. a year) for his maintenance, not to speak of the judicial expenses, and as he is now only 44, may be a still further cost. A quarter of this sum might have saved him had it been wisely spent on education. At last, in 1891, it was decided to open a special house of correction at Trachselwald for young delinquents. To this may be committed:—Young people from 16 to 20 years old, committed by administrative authority at the request of parent, guardian, or the court, and those convicted on trial, unless sent to a penitentiary; also young people under 16, if convicted of crime, whose period of detention would extend beyond their sixteenth year. A farm was bought, altered and opened in 1892. On 1st January, 1892, there were 24 juvenile criminals under 20 in the canton; during the year 1892, 49; in 1893, 47. 26 per cent. of those under 20 were sent to Trachselwald, 47 per cent.

²⁷ Les jeunes délinquents dans le canton de Berne.

of those under 18, and 53 per cent. to penitentiaries. 34 per cent. of those at Trachselwald were orphans, as were 25 per cent. of those at the penitentiaries; 12 per cent. were illegitimate. Education was defective in 56 per cent., and bad in 41 per cent., at Trachselwald; 55 per cent. and 8 per cent. respectively of those in penitentiaries. It has been proved that a short imprisonment has no deterrent effect on juvenile criminals, it merely familiarises them with criminals and their ways, and makes it extremely difficult for them to return to honest occupation; moreover, a short detention cannot reform those whose training and education has been defective—the sentences are far too short. Recent inquiry showed that half, both of the boys and girls in all correctional establishments for juvenile delinquents, had drunken parents.

The earliest establishment for correctional education—corresponding somewhat to our industrial schools—was opened in 1826 in Schaffhausen, the latest in 1894, in St. Gall. There are 31 altogether in thirteen cantons (2 are colonies agricoles); only 2 have over 60 beds, most are small with under 50 inmates. Other than criminal children are received, some are taken at the parents' request, some because they are destitute, but too old for the many homes for this class. There are 5 disciplinary schools, like our reformatories, in Aargau, Berne, Vaud (2), and Zurich; 30 penitentiaries, mostly with the cellular system, and 18 much smaller houses of correction. There are many societies and homes for neglected and destitute children and orphans; the earliest were opened in 1786 in Basle, and 1757 in Berne. These are nearly all quite small, with under 50 beds, only 11 have over 100.²⁸

The general opinion among those able to judge is, that juvenile crime is not increasing, but there are no proofs one way or the other, as few cantons keep judicial statistics, others only keep them incompletely; and as the cantons differ in their laws, many juveniles might be called criminals in one place, while in another they would not have been brought before a judge, but sent to educational, not penal, establishments. No conclusions can therefore be drawn, but the following figures were kindly sent me by Dr. Guillaume:—

*Juvenile Criminals in Ringweil, Zurich.**

Years.	Annual Average.	Population.	Proportion per 100,000.
1889-93	37	352,491	10·5
'94-98	46	386,017	11·9

* Dr. Guillaume, Bureau fédéral de statistique de Suisse.

²⁸ Legislation de secours publics et statistique de l'assistance officielle. Armenwesen des Kantons Bern.

Juvenile Criminals in Disciplinary Schools. Vaud.

Years.	Des Croisettes, Vaud, for Boys.	Moudon, for Girls.	Population.	Proportion. (Boys only.)
1889-93	50	17	250,910	19.9
'94-98	40	20	261,656	15.3

Tribunals are, however, more severe now. A mere fault formerly is now a misdemeanour. It is difficult, Dr. Guillaume remarks, to draw the line between a criminal and a neglected child. Why should a child merely because it is brought before a judge be accounted a criminal? Many escape this if the parents undertake to put them in an establishment with efficient supervision, even though equal offenders.

The total in reformatory and correctional establishments²⁹ on 1st January, 1895, were: girls 282, boys 1,011, total 1,293; 180 had to be refused for want of room. Nearly all who left were sent to situations or apprenticed.

At Lausanne³⁰ there is a solidarity for the purpose of aiding neglected children, withdrawing them from injurious surroundings, &c. Government aid is given to private societies in the canton of Vaud. Out of a total of 17,744 paupers in Berne in 1895, 7,602 were children, but only seven were in the poorhouse, and 5.4 per cent. in institutions; 59 per cent. were boarded out, and this proportion is increasing.

At Aarbourg, in Argovie, there is a place of correction for fifty-six juvenile criminals, as decreed in 1893. This institution (called by the simple name of *Zwangserziehungsanstalt*) receives (a) criminals under 18 condemned by the court and sent here to receive a reforming education. Under special circumstances, and in individual cases by the *Conseil d'État*, the age of admission may be raised to 20 years; (b) juveniles 18 years old or under, who are morally neglected, and who, though not condemned and deprived of liberty, require a period of residence in a correctional house. The age may be extended to 20 in this case also.

Various penal reforms are now being carried out in Switzerland, and point to the need of more correctional houses. Among these reforms is one that no proceedings can be taken against a child under 14 completed years at the time of the misdemeanour. Where a child is abandoned or corrupt and in moral danger, the administrative authority is empowered to take necessary measures. In Berne, any convicted child under 14, instead of prison, may be committed by the magistrate to a home, and be thence adopted or apprenticed.

²⁹ Die Rettungs- und- Zwangserziehungsanstalten.

³⁰ "Revue Philanthropique," May, 1898.

Reprimand in Vaud is much employed. For those under 14 there is no punishment for crime, but they may be given in charge to the State, and the State may return them to the parents, or, if considered better for the child, take other measures for his reform and education by sending him to a house of correction, a family, or an educational establishment up to the age, at most, of 21. The numbers committed to correctional institutions show no diminution—all such establishments are full.

The places of detention are not governed by hard-and-fast rules, but by the character and circumstances of each individual case. In the case of a child from 14 to 18 condemned for crime, the judge examines his mental and moral state; if both are undeveloped, he comes under the Code already cited, and proceedings cannot be taken. If of full understanding, and disciplinary measures are required, the child may be sent to a house of correction for juveniles for from one to six years, but in no case beyond his majority. Thus gradually a barrier is being placed to check the beginnings of a criminal course by—(1) Providing better education for morally neglected children, and sending negligent parents to houses of correction, or making them liable for their child's maintenance. (2) Placing morally abandoned children in houses of correction first, in families afterwards. (3) Sending vicious children to reformatories. (4) Sending juvenile criminals to Trachselwald. The law needs more fully to distinguish between minors who need education, and adults who need punishment. It is hoped that a federal penal code will soon become law.

*Prisoners in Switzerland, 1889-98 (31st December).**

Années.	Condamnés.			Total Con- damnés.	Non-condamnés.			Total Non-Con- damnés.
	Criminels.	Correc- tionels.	Maison de travail et de correction.		Pré- venus.	Détenus en transport.	Mendiants et vagabonds.	
1889....	1,495	809	476	—	451	33	117	—
'90....	1,456	861	521	—	512	90	168	—
'91....	1,347	753	561	—	644	114	175	—
'92....	1,405	775	781	—	661	99	173	—
'93....	1,364	812	851	—	678	141	202	—
'94....	1,309	776	775	—	542	162	157	—
'95....	1,361	741	805	—	582	90	107	—
'96....	1,400	824	717	—	496	124	133	—
'97....	1,413	808	722	—	525	120	157	—
'98....	1,458	810	740	—	566	67	97	—
'98....	—	—	—	3,295	—	—	—	774

Note.—Total prisoners, 31st December, 1898, were 4,069; in 1888, 3,895. There is an increase in numbers in correctional institutions, but a decrease in criminals in proportion to the population.

* From "Statistik der Bewegung der Gefängnisbevölkerung."

Sweden.

In 1890 Sweden³¹ revised its criminal laws, especially as regards juvenile criminals. I regret I have been unable to obtain fuller particulars of these. It has been frequently stated that juvenile crime is decreasing in Sweden, but my statistics do not confirm this statement. The last decade shows a great increase of prisoners under 20 sentenced to hard labour, although the new law of 1890 much modified the punishment. Theft with mitigating circumstances may now be punished by imprisonment; previously hard labour had to be awarded in every case. The age of young offenders is considered a mitigating circumstance, and their punishment is more often imprisonment only, than with older offenders.

The rapid increase of convicts, both adults and juveniles, during the last decade, is partly on account of the change from hard labour to imprisonment. For smaller crimes usually punished by imprisonment the number of juvenile criminals is increasing considerably, though not quite regularly; this increase is both absolute and in proportion to the total number of criminals. There is an official in every district to look after neglected children.

Fines may be awarded to younger criminals for minor infractions of the criminal law. Statistics are not available on this point, but it is believed they also show an increase.

The following table was kindly furnished to me by the Swedish and Norwegian Minister:—

Juvenile Criminals sentenced to Hard Labour, and percentage to Total Convicts under same sentence each Year.

Year.	Total Convicts (Hard Labour).	Under 14 Years of Age.	Per-centage.	15 Years of Age.	Per-centage.	16 Years of Age.	Per-centage.	17 Years of Age.	Per-centage.
1887	1,619	—	—	24	1'48	42	2'59	59	3'64
'88	1,508	—	—	14	0'93	27	1'79	43	2'85
'89	1,580	2	0'13	18	1'14	28	1'77	59	3'73
'90	1,487	1	0'07	12	0'81	30	2'02	46	3'09
'91	1,599	2	0'13	12	0'75	37	2'31	55	3'44
T o t a l for five years...	7,793	5	0'06 (avge.)	80	1'03 (avge.)	164	2'10 (avge.)	262	3'36 (avge.)
1892	1,640	—	—	13	0'79	40	2'44	53	3'23
'93	1,732	1	0'06	19	1'10	48	2'77	60	3'46
'94	1,782	—	—	30	1'68	52	2'92	62	3'48
'95	1,837	1	0'05	19	1'03	58	3'16	70	3'81
'96	1,833	—	—	23	1'25	42	2'29	65	3'55
T o t a l for five years...	8,827	2	0'02 (avge.)	104	1'18 (avge.)	240	2'72 (avge.)	310	3'51 (avge.)

³¹ Translation from the report presented to the Royal Commission (Sweden) appointed October, 1896, to examine methods for the better education of juvenile criminals.

Number under 18 Years of Age sentenced to Imprisonment without Option of a Fine, and the percentage, compared to Total sentenced to Imprisonment.

Year.	Total Convicts of above Class.	Under 14 Years of Age.	Per-centage.	Under 15 Years of Age.	Per-centage.	Under 16 Years of Age.	Per-centage.	Under 17 Years of Age.	Per-centage.
1888	618	1	0'16	3	0'49	5	0'81	14	2'27
'89	669	1	0'15	3	0'45	9	1'05	22	3'29
'90	742	1	0'13	6	0'81	24	3'23	36	4'85
'91	812	2	0'25	18	2'22	16	1'97	17	2'09
'92	797	1	0'13	6	0'75	21	2'63	24	3'03
'93	777	4	0'51	10	1'29	12	1'54	26	3'35
'94	936	2	0'21	15	1'60	25	2'67	28	2'99
'95	877	—	—	12	1'37	11	1'25	35	3'99
'96	950	—	—	8	0'84	24	2'53	26	2'74
'97	1,131	1	0'09	10	0'88	27	2'39	43	3'80
Total.....	8,309	13	0'16 (avge.)	91	1'10 (avge.)	174	2'09 (avge.)	271	3'26 (avge.)
Average during decennial }	830'9	1'3	—	9'1	—	17'4	—	27'1	—

Norway.

Children are not accountable for crime under the age of 10. Juvenile criminals from 10 to 15 years old may be placed in schools, industrial or other. The Poor Law Board may decide where the child shall be placed, whether in reformatory or industrial school, &c. This board, however, does not act on its own initiative in removing children from moral danger, but only when appealed to by the School Board. 717 were taken from their parents in 1892.

There were³² in—

	Criminals under 15.			15—18 Years old.			Total under 18.
	Total.	Boys.	Girls.	Total.	Boys.	Girls.	
1860.....	61	—	—	144	—	—	205
'61.....	131	—	—	182	—	—	313
'67.....	203	—	—	221	—	—	424
'71.....	168	—	—	255	—	—	423
'81.....	358	—	—	367	—	—	725
'83.....	325	—	—	336	—	—	661
'85.....	206	—	—	345	—	—	551
'87.....	296	—	—	330	—	—	626
'89.....	467	—	—	380	—	—	847
'95*	93	82	11	674	579	95	767
'96.....	108	98	10	735	645	90	843
'97†	154	108	12	807	723	84	961
							(12,496 adults)

* "Norges Officielle Statistik," 1897.

† Of the 154 criminals under 15 in 1897, Christiania and Bergen supplied 113; and of the 807 from 15—18, 445. Other parts of Norway only 41 and 362 respectively.

³² Udkast til Lov. Dr. Getz, Chairman of the Penal Law Commission. Statistik Aarbog for Kongeriget Norge.

The towns supply an increasingly large proportion of these youthful criminals. In—

1867 there were	250	in towns to	174	in country districts
'81	„	496	„	229
'89	„	665	„	182

Of the 665, no less than 307 were convicted in Christiania.

The new law proposes to remove juvenile delinquents under 16 and place them in corrective establishments, homes, or private families, if they have committed punishable acts showing depravity, or when morally neglected or too badly behaved for ordinary school discipline, or when their removal appears necessary for their improvement and likely to prevent a repetition of such acts.

Denmark.

New laws as regards the treatment of neglected and criminal children are now under consideration in Denmark. At present juvenile offenders come under the ordinary penal code (the age of responsibility is fixed at 10), and there are no special laws regarding them, hence children may be sent to prison. Private institutions for neglected children are aided by the State.

There were³³ criminals—

	1885-94. (Total.)	1895.	1896.
Men.....	28,544	2,921	3,009
Women	10,453	1,024	994

Of these there were, from 10 to 14 years old—

Boys	4,937	495	557
Girls	1,355	114	127

or an average of—

36'04 criminal men per 10,000 of the population
12'28 „ women „

And from 10 to 18 years old, in the towns—

67'97 criminal boys per 10,000 of the population
19'53 „ girls „

Ditto, in the country—

13'19 criminal boys per 10,000 of the population
3'35 „ girls „

that is in proportion to the population at that age.

³³ Information kindly sent to me by the director of the Statistical Bureau, Copenhagen.

Denmark is the only country where whipping may be given to girls under 12, it may also be given to boys up to 15 or even 18 years old in certain cases. Juveniles under correction may be hired out to neighbouring farmers by the day from institutions, and the plan seems to have worked well for years. It accustoms the boys to liberty gradually; those who are badly conducted are sent back to the reformatory.

Holland.

Juvenile criminals are said to have doubled within the last twenty years.

Of convicted juvenile offenders, there were in 1897, 666 persons under 16; of these 584 were boys and 82 girls, sentenced without right of appeal, for misdemeanours. The proportion to the total number of convicted of both sexes was 4 per cent. and 5 per cent. respectively. There were also sentenced for various crimes, 4,535 boys and 368 girls under 16, or 5 per cent. and 4 per cent. of either sex respectively. By prepayment of the maximum amount of fine, accused persons may avoid prosecution; 44 boys and 6 girls, or 3 per cent. and 2 per cent. respectively of the men and women, availed themselves of this privilege; 200 juvenile offenders were exempted from prosecution, of whom 151 were sent to Government reformatories in 1897; 20 were girls, the rest boys. In 1838 the proportion was 1 juvenile criminal to 35 adults, the proportion now is higher.³⁴

Dutch criminal law only recognises two classes of offences: infractions, or délits, that is offences done intentionally; the punishment for these is imprisonment for one day to fifteen years, and contraventions or offences (the kind makes no difference) done unintentionally. The punishment for this class is a fine or imprisonment for one day to one year. Children are accounted responsible after the age of 10; under that age they may not be prosecuted for a crime, though, if they have committed an act deserving imprisonment, or if beggars, &c., they may be placed by the judge, at the request of the minister, in a State educational establishment till they are, at most, 18 (1886 law).

Imprisonment may be awarded to juvenile offenders if they have acted with knowledge, but youth counts as an extenuating circumstance. Separate parts of the prison are assigned to juveniles, and solitary confinement is not allowed to those under 14, but up to this age they must be confined with prisoners

³⁴ H.M. Ambassador at The Hague was good enough to procure me these facts.

of the same age. While under detention, however, the mixture of adults and juveniles is possible, in fact solitary confinement is then only awarded by special request.

Imprisonment in Holland can never be for more than fifteen consecutive years.

NORTH AMERICA.

Canada.

The following law, which applies to the whole Dominion of Canada, was passed in 1894 in order to separate juvenile from older criminals during trial, and also with a view to providing places of reformation for them. Those under the apparent age of 16 are to be tried privately, without publicity, separately and apart from other offenders. If arrested under warrant or committed to custody, they must be kept in custody, pending or after trial, apart from older offenders and persons waiting trial, and not in lock-ups nor police stations, nor in any place with ordinary criminals and prisoners, nor with older persons charged with crime. If it is necessary to remove the child from his home, he may be legally committed to the care of the Children's Aid Society or to the Office of Neglected Children temporarily, or he may be committed to an industrial school until 18, if a constant offender. A special Commissioner may be appointed by the Lieutenant-Governor to try children under 16.

The following laws apply in full to the province of Ontario only, though parts have been lately adopted by other provinces. *Ontario, Canada.*³⁵—In consequence of the Royal Commission on Prison Reform and Crime, appointed in 1890, the Children's Protection Act of 1893 was passed, for the Government decided that it was more important to deal with neglected children drifting into crime than even to reform the prisons. Under this Act all towns *must* have Children's Aid Societies (this term includes all incorporated societies for the protection and care of children) and officers to put the Act into force. These officers act as constables, and may apprehend without warrant boys under 14 and girls under 16, if found begging, thieving, sleeping out, wandering, without proper home or guardianship, associating with drunkards, or growing up neglected or without education. If a child is dependent or neglected in any of these ways, or in danger as regards health, morals, or life, through the misconduct or intemperance of his

³⁵ Laws of Ontario dealing with neglected and dependent children. The last revision was published in February, 1898, by Mr. J. J. Kelso, superintendent of the Department of Neglected Children.

parents, the judge may appoint the Children's Aid Society legal guardians, with power to place out the child till he is 18 or during minority. About 600 are now so placed out, and the demand for the children is greater than the supply. If unsuitable for this by reason of depravity or immorality, the child may be sent to an industrial school, refuge, or suitable society authorised and willing to receive and take charge of him or her for two years, and may then be transferred to the Children's Aid Society till the age of 18. The Children's Aid Society is the legal guardian, and is bound to see that the child is educated, has a suitable home, and is taught an industry. Notice must also be given to this society when any boy under 12 or girl under 13 is accused of any offence. The agent must then investigate the case, examine the home surroundings, &c., and advise the judge at the trial. If it appears desirable for the child's welfare and for the public good he may, instead of being sentenced, be (1) returned to the parents; (2) bound over till he is 21 or less to some responsible person; (3) placed out in a foster home; (4) fined not more than \$10; (5) placed under suspended sentence; (6) if wilful and unmanageable, be committed to an industrial school, reformatory, or refuge, according to the special case. The religion of the child and his parents must be respected by sending him to a person or institution of the same religion. Houses and societies taking children under this Act must submit to inspection by duly authorised persons. The Lieutenant-Governor may appoint a person as superintendent of neglected and dependent children, his salary to be paid by a vote of the Legislature; part of his duties are to see to the carrying out of these laws.

Towns of over 10,000 inhabitants are to have temporary shelters quite distinct, and at least half a mile distant, from penal and pauper establishments and persons; convicts and paupers may not live or work there. Homes for children, or even private families, may be used as such shelters for children aged from 3 to 14 coming under this Act. This provision is not yet, however, fully carried out in the province. The judge may order the municipality from which the accused child comes to pay \$1 a week till the boy is 14 or the girl 12; this amount may be recovered from the parent, who must also pay such further sum as the judge orders. Children coming under this Act may remain under the control of the Children's Aid Society till they are 21 if necessary, but if likely to be for the good of the child, he may be restored temporarily or permanently to his parents or relatives. Unless so ordered, the society retains control, even where the parent contributes; and if restored, the court may order the parent to pay the past cost of maintenance.

Children under 14, instead of being sent to prison, may be sent to a home for neglected children, to be therefrom adopted by, or apprenticed to, suitable persons, parents having no right to interfere, except by permission of the minister. Separate provision must be made for the custody and detention of juvenile delinquents, by providing distinct premises, or other suitable arrangements, and their trial must be held in separate premises, or in the judge's private office, or, if this is not possible, then in police courts, but not until two hours after all other trials are over (Act of 1887). Children under 12 may be taken to, and tried in, the shelter of the Children's Aid Society if suitable, or, in charges of cruelty, in the child's own home. All persons, except those immediately concerned, and the Children's Aid Society, must be excluded from the place of trial in all trials for cruelty and those of children under 16 years of age; newspaper reporters, &c., are not given admission, nor spectators. Thus in 1898 there were 1,306 complaints under the Children's Protection Act; of these, 878 came before the Children's Court in Toronto; 66 children were taken to the shelter when arrested, instead of to jail, and 98 while on remand.³⁶ 270 were temporarily cared for in 1897, and 790 juvenile delinquents tried; 73 were sent to industrial schools. Many were dismissed after a warning or a week's detention in the shelter or elsewhere, as this is often found sufficient to effect a reform. The work therefore is preventive largely. The great benefit of these laws lies in the fact that the Aid Societies are semi-official bodies, with constabulary powers in rescuing and searching for children. Most private philanthropic efforts in Canada are State-aided, but this society forms almost the only exception, and receives no Government grant. It must, however, attend to all neglected children coming under this Act or under the Criminal Code of Canada, and also attend the trials of all children under 16, to assist and advise the magistrate. The society further investigates complaints of cruelty, &c., and receives truants and incorrigible children, &c.

There is a marked decrease of crime, both adult and juvenile, in Canada, or rather in Ontario, judging by the committals to prison, whether those to the common jails or the central prison, Toronto, and also by the committals to reformatories. Only five times since the latter was opened have there been so few committals as in 1897, when they numbered 598; of these 26 were under 18, and 51 from 18 to 20 years old. The detention given is longer now than formerly. 1893 and 1897 had the fewest committals to prison

³⁶ Reports of the Superintendent of work under the Children's Protection Act, 1897-98.

since 1874, and the fewest boys under 16, as may be seen from the following tables:—

Prisoners Committed to Jails in Ontario.

[From "Annual Report of Inspector of Prisons and Public Charities for 1897."]

Year.	Number of Prisoners.				
	Men over 16 Years of Age.	Boys under 16 Years of Age.	Women over 16 Years of Age.	Girls under 16 Years of Age.	Total.
1869	3,599	294	1,680	82	5,655
1870	4,215	319	1,737	108	6,379
'71	4,586	329	1,642	58	6,615
'72	5,006	281	1,615	56	6,958
'73	5,745	323	1,735	74	7,877
'74	7,298	377	1,746	67	9,488
'75	8,048	389	1,566	70	10,073
'76	9,005	434	1,727	70	11,236
'77	11,053	542	1,824	62	13,481
'78	9,537	480	1,959	54	12,030
'79	8,995	416	1,756	53	11,220
1880	8,229	549	1,863	59	11,300
'81	7,007	468	1,681	73	9,229
'82	7,236	522	1,750	62	9,620
'83	7,858	423	1,551	48	9,880
'84	9,858	458	1,719	46	12,081
'85	9,419	450	1,507	50	11,426
'86	8,831	352	1,424	38	10,645
'87	8,996	409	1,574	38	11,017
'88	10,060	551	1,778	65	12,454
'89	10,349	451	1,685	46	12,531
1890	9,622	461	1,677	50	11,810
'91	8,469	421	1,501	32	10,423
'92	7,177	446	1,335	53	9,011
'93	6,798	388	1,399	34	8,619
'94	7,785	278	1,350	37	9,450
'95	7,912	284	1,154	30	9,380
'96	7,622	265	1,147	24	9,058
'97	7,533	235	1,069	47	8,884

The highest number of girls committed was in 1870; the lowest in 1896.

" boys " 1888; " 1897.

The population of Ontario is 2,114,321 (1891); of Toronto, nearly 200,000.

Committals to Boys' Reformatory, Ontario.

[From "Annual Report of Inspector of Prisons and Public Charities for 1897."]

Year.	Yearly Committals.	Number Present at End of Year.	Year.	Yearly Committals.	Reprieved.	Number Present at End of Year.	Average Number of Inmates.
1867....	55	170	1882....	84	—	263	—
'68....	59	173	'83....	58	—	245	—
'69....	47	170	'84....	81	—	242	—
			'85....	51	—	220	—
1870....	41	193	'86....	64	—	205	—
'71....	48	155	'87....	60	—	192	—
'72....	48	158	'88....	71	—	193	209
'73....	31	130	'89....	85	—	210	205
'74....	51	139					
'75....	71	173	1890....	63	32	201	178
'76....	47	183	'91....	63	31	185	170
'77....	75	195	'92....	67	38	168	—
'78....	69	196	'93....	62	16	173	158
'79....	57	206	'94....	51	11	152	150
			'95....	57	21	147	—
1880....	80	216	'96....	55	22	145	150
'81....	96	250	'97....	37	24	123	132

Average number of inmates, 134 in 1898.

Lowest average, 132 in 1897; highest, 263 in 1882.

The population of Ontario is 2,114,321 (1891); of Toronto, nearly 200,000.

Thus between 1877 and 1897 there has been a great and fairly steady decrease in committals to prison throughout Ontario, in spite of an increasing population; in 1877 there were 13,481, in 1897 only 8,884; the juvenile commitments were 3·2 per cent. of the total. The highest number of girls committed was in 1870 (108), the lowest in 1896 (24), but in 1897 47. Of boys under 16 most were committed in 1877 (542), and in 1888 (551), fewest in 1897 (235). The committals for drunkenness also show a rapid falling off. In fifteen years they have decreased to nearly a fourth, 1,716 in 1897, as against 4,777 in 1882.

The marked diminution in juvenile crime is partly attributed to the various child-saving agencies (preventive work), partly to the system of giving suspended sentences, as these give a merely thoughtless lad an opportunity to reform, partly to the private investigation made before the magistrate; no doubt this removes the romance, excitement, and notoriety of police court trials, which have such evil consequences elsewhere. Many lads simply drift into crime and idle ways without any actual criminal inclination.

Vagrants have also diminished, the committals only average 56 a year for the last three years, where previously they were 121. Of the total committals to jail, 14 per cent. were uneducated,

67 per cent. were intemperate. At all ages there is great anxiety to learn.³⁷ Of all the committals 220 were discharged on probation or suspended sentence. The committals to the reformatory show a steady decrease also. In London, Ontario, with a population of about 40,000, there were only 60 juvenile delinquents in 1898. The municipalities from which the committed children come may be ordered to pay \$2 a week. I may add that a by-law ordering a curfew bell to be rung at a certain hour (9 p.m. usually), after which children may not play about the streets, has been passed in fifty towns, and has worked well where enforced.

The whole number of children in certified corrective institutions in the province in January, 1899, was but 350 (the population is over two millions), distributed thus: Ontario Boys' Reformatory, 120; Victoria Industrial School for boys from 10 to 14 years old, 115 inmates; St. John's Industrial School for Roman Catholic boys of the same age, 42 inmates; total boys, 277. Ontario Refuge for girls, 45; Industrial School for girls 10 to 14 years old, 28; total girls, 73.

Toronto has three certified industrial schools for juvenile delinquents 10 to 14 years old. The Victoria Industrial School has received 586 children altogether; 49 were committed in 1898 for larceny, truancy, &c.

The sentence of boys to the reformatory which receives delinquent children *over* 13 is sometimes for a wholly indefinite period, or for an indefinite period not to exceed three or five years; the minimum being three to six months, the maximum six years. The crimes of the boys committed to it were chiefly larceny, house-breaking, &c. The average detention is some seven-and-a-half months; this is found too short for permanent reform in many cases, though it is claimed that 75 per cent. are reformed and do well subsequently. The average age is 14 and 15, one was 11, and one 18 years old. Average cost \$225 per head. Efforts are made by careful classification to prevent contamination in the reformatory, and reform is tested by conditional liberation; thus 33 were so released (24 reprieved, 9 apprenticed) in 1897, and 27 in 1896, before their sentence had expired, as a reward of good conduct. In three years only one boy has needed to be transferred to prison from the reformatory. The inmates numbered 147 in 1896, and 123 at the close of 1897, as compared with 263 in 1882.

The committals to the girls' reformatory were 97 in 1897; of these 22 were sent to jail first; the total inmates for the year

³⁷ "Annual Report of Inspector of Prisons and Public Charities," Ontario, 1897.

were 169, the average 59, but only 10 were under 18 years old; 15 were 18 to 20 years old, the rest considerably older, so that the name is somewhat misleading. The girls' industrial refuge is for younger delinquents, from 13 to 16 years old; 2 however were under 13, 4 were 13; 8, 14 years old; 3, 15; and 5 were 16 years old; previously they were admitted much younger, 11 and less; the average age is 14, and the detention is from six months to three years; also for an indefinite period in some cases, but not to exceed five years. Theft, vagrancy, and uncontrollability are the chief crimes for which these girls are committed to the refuge; to the reformatory mainly for drunkenness, larceny, &c.; here the average sentence is eight months, and the complaint is made that this is too short. The majority, however, do well on leaving, and all those sent out last year from the refuge were doing well.

By the Industrial School Act, school boards may aid these schools with grants, by payment of teachers or of fixed sums. Children found begging, with criminal or drunken parents, convicted of petty crime, or expelled from schools may be sent by the judge to such schools till they are 16 or less. Juvenile offenders under 13 may also be sent till they are reformed, instead of being imprisoned, but not beyond the age of 17, and when fit to be discharged either on probation or permanently, they may be apprenticed, &c. If their presence is injurious to the school, they may be transferred to the reformatory. The industrial school authorities, while retaining control till the child is 18 if necessary, have ample powers to board out inmates or return them to the parents or relatives if suitable. Parents may be ordered to pay up to \$1.5 a week. There is a splendid reformatory at Penetanguishene, Ontario, for delinquent boys from 13 to 16 years old when committed; for many years this was really a prison; now this is changed, and it is a real reformatory, and one of the sights of Ontario. Here, too, the inmates are decreasing. Of course in all these schools the *per capita* cost is considerably higher when the inmates are few than when they are numerous. The decrease in numbers is not due to relaxed effort, as the officers are diligent in hunting up neglected children and trying to stop youthful wrongdoing.

In 1890 there was 1 criminal to every 4,247 of the population, a fifth of those in the United States, which had 1 in 786.5.

It is worth noting that of the many children emigrated to Canada by Dr. Barnardo, Miss Macpherson, and others, only 3 per cent. are believed to have relapsed into crime, although they belong to a class which, but for timely aid, would inevitably have drifted in large numbers into the criminal class.

THE UNITED STATES.

As each State in America passes its own laws, it is impossible to enumerate them all in detail or to take a general survey. Moreover, many of the States do not keep accurate statistics, or have only recently begun to do so, hence while some assert crime is diminishing, others, with apparently equally good reason, assert that it is on the increase. As a whole it is increasing, but in certain States there is a decrease. The laws of many States are excellent, but in many cases they are not carried into effect, and exist on paper only, or largely so, though undoubtedly recent years show great attempts at reform, and one or two States have introduced the most advanced and successful systems for dealing with criminals of any country in the world. Several States insist on children being tried apart from adults, either in a separate place or at a separate time; but by an irony of fate, in many of the county jails adult and juvenile offenders are locked up together while waiting trial; in one case, where separate provision had been made, the jailer stated that he had put a boy under remand in the common cell, as otherwise he would have been lonely! Even those who are only to appear as witnesses, are liable to be locked up with criminals if unable to obtain bail; in one case, indeed, the witness of a horrible crime was locked up, while the criminal, getting bail, was allowed his freedom! In another instance the criminal and the witness against him, a lad, were locked up together pending the trial. Tramps are frequently put into these county jails, and prefer them to the workhouse.³⁸ Glancing through the numerous reports of prison inspections kindly sent me, various oddities are seen; for example, in one place a visitor writes: "No precautions are observed. The prisoners are allowed the liberty of the place, and doors were not locked behind us. They prefer to stay rather than run away!" Another says: "It is understood the walls of Heaven are of jasper, but the floors of the Pipestone county jail are of jasper." In another the following is given as the bill of fare, and is a fair sample of many county jails: *Breakfast*.—Bread and butter, coffee, potatoes, meat, cookies; *Dinner*.—Fresh meat, potatoes, vegetables, soup twice a week, other days pie or pudding, bread and butter, syrup, tea; *Supper*.—Coffee, bread and butter, syrup, sauce, cookies, sometimes fish and cheese! Prisoners are certainly better fed than with us, and usually get as much as they want to eat, though the *per capita* cost is less, owing to the free sale of

³⁸ Residents in Canada and the States say that at the beginning of winter there is an epidemic, so to speak, of petty offences: these are purposely committed in order to secure a warm shelter during the severe weather. I cannot wonder greatly at this: I would certainly far rather be shut up in a Dublin prison than in a Dublin workhouse.

labour, being only 22*l.*, as against 35*l.* with us. The labour covers fully 30 per cent. of the cost.

The distinctive features of the American penal system are: (1) Their *reformatories* (for much older offenders than with us); (2) Their *probation system* (with official supervision); (3) The *indeterminate sentence*; and (4) Their *release of inmates on parole*. The fundamental idea is that every criminal is potentially a good citizen. Crime, however, is a local rather than a national concern, each State having its own criminal code and prison treatment, hence statistics of the different States are hardly comparable, the definition of crime and the penalties differ so widely. Mr. Ruggles-Brise considers the most progressive States are New York, Massachusetts, Illinois, Ohio, and Pennsylvania, to which I should add, Michigan and Minnesota. The four former have adopted the parole system, indeterminate sentence and reformatories; the sentence frequently being, "to be left till "good reason to hope for reform." As a rule criminals who have committed serious offences are confined in State prisons or reformatories; others, for slighter offences or misdemeanours, in workhouses and county jails. The minimum sentence in the former is one year. In 1890 the State prisons contained 46,000 prisoners out of a total of 82,000 (now 84,000). Longer sentences are usually given in the United States than in this country, and drunkenness is a much more serious offence. The population of the United States is some 78 millions. The prisoners in 1890 were 772 per million of the population; the average sentence is three years; crime costs 59 million dollars.³⁹ America early recognised that children under a certain age were incapable of crime, and has made great efforts to differentiate the treatment of juvenile and adult offenders.

The cost per head of the reformatory and industrial schools in the United States ranges from 183 dollars (in Iowa, with 400 inmates) to 358 (Missouri, 100 inmates), and the numbers vary from 100 to 782 in New York and 758 in Massachusetts. Pennsylvania State Reform School has 483, and the industrial school 400 inmates; Wisconsin 396. Where the inmates are fewer the *per capita* cost is naturally higher. As regards juvenile crime, compared with Ontario (Canada), Rhode Island has one-seventh the population of Ontario,⁴⁰ but more juvenile delinquents and committals to reformatories (171). Wisconsin, with a smaller population by one-third, has three times the number of boys in the State Reform School (396). Iowa has the same number, with a smaller population. Minnesota has half the population of Ontario, but more

³⁹ Reports of State Board of Charity. State Aid Association.

⁴⁰ Report of Prison Inspector, Ontario.

inmates in the State Reform School (135). Nebraska, one-third the population, but twice the number in reformatories.

Slightly over one-third, 38 per cent. of the population, in America, are of foreign birth and parentage, but 52 per cent., or more than half the criminals, are foreigners, and among juvenile criminals the proportion is higher, 61 per cent., or nearly two-thirds. Half the paupers are said to be foreigners.⁴¹

Percentage of Totals in each Class.

	Native Born. Native Parentage.	Native Born. Foreign Parentage.	Foreign Born.
Total population	62·5	20·9	16·6
Convicts	48·2	26·2	25·6
Juvenile delinquents...	38·9	46·4	14·7
Paupers	40·9	7·6	51·5
Prisoners.....	45·0	24·6	30·4

Under the New York penal code, destitution is an offence for which children can be brought before a magistrate.

The comparative cost of State reformatories is given as follows:—

	Number of Inmates.	Net Cost per Head.*
		\$
Concord, Massachusetts	933	183
Elmira, New York	1,354	133
State prisons—		
Sing-Sing, New York	1,329	71†
Joliet, Illinois	1,419	20†
Columbus, Ohio	2,174	26†

* Mr. Ruggles-Brise, "Report to Secretary of State on Treatment of Crime in the United States, April, 1899." Census, 1890, Dr. Wines' returns.

† These figures are low, because of labour earning.

In 1895-97 1,172 prisoners were paroled from Ohio, and the system works well. In New York parole is given as soon as it appears likely the prisoner will not violate the law when at liberty, but it is little used there; the law was passed in 1890.

As a rule in few States are parents made to contribute towards the cost of maintenance of their children, who are dependent on charity; in some they are, and are punished for neglecting to support their families.

The following table shows the number of children dependent on the public for support in various places. As delinquent children

⁴¹ "Century," September, 1893.

are usually classed with these, and in most of the States treated by the same method, separate statistics are not easy to obtain :—

*Dependent and Delinquent Children.**

	Year.	Population.	Number Supported Annually.	Ratio to Population.	Cost in Dollars.
					\$
New York City	1892-94	1,801,789	15,331	1 to 117	1,683,847
„ State.....	1893	5,997,853	29,909	1 „ 200	2,439,216
London, England ...	1891-94	4,211,743	20,426	1 „ 206	—
Boston.....	'90-94	448,447	356	1 „ 856	—
Philadelphia	1893	1,046,964	529	1 „ 1,979	—
California	'95	1,208,130	5,409	1 in 223	312,217
Ohio	'95	3,672,316	3,600	1 to 1,000	242,554
Massachusetts	'95	2,238,943	1,311	1 „ 1,707	130,000
Michigan	'98	2,093,889	198	1 „ 10,400	33,000
Pennsylvania	'92	5,258,014	8,584	1 in 612	1,505,107
Minnesota	'96	1,300,000	125	1 „ 10,468	21,900
Indiana	1890	2,192,404	3,000	1 „ 730	214,548

* Partly from State Public School and other reports, partly from the "American Journal of Sociology," May, 1896.

About 20 per cent. of the United States prisoners have trades ; in some places only 10 per cent.

The census of 1890 showed there was an increase in the population of the United States of 25 per cent. during the ten years 1880-90 ; in the same time the convicts increased 27 per cent., the prisoners in county jails 25 per cent., while the inmates of juvenile reformatories showed an increase of 30 per cent. during the same period. At the National Prison Congress held recently at Minnesota, it was stated that crime had increased one-third faster than the population. The proportion of juvenile to adult criminals has been given as 1 to 7 ; females under 21 were 7 per cent. (in England 16 per cent.) of the total prisoners : very few females are sent to prison in America. From 1850 to 1880 criminals quadrupled (or increased 445 per cent., the population increasing 170 per cent.) ; from 1894 to 1897 they increased (mostly in cities) 27 per cent. These general statistics are, however, apt to be misleading—offences have multiplied, records are more carefully kept now ; and a general comparison is unfair. The president of the National Prison Congress (1894) stated that in 1850 there was 1 prisoner to 3,261 people in the United States ; in 1860, 1 to 1,600 ; in 1870, 1 to 1,021 ; in 1880, 1 to 837 ; and in 1890, 1 to 757. There are altogether 1,758 county jails, containing about a quarter of a million persons. In 1890 there were 74 prisoners under 14, and 8,984 from 15 to 19 years old.

There are some 25,000,000 children under 16 in the United States; about 100,000 are dependent on the public (average cost \$100 a year), and about 15,000 are in reformatory and industrial schools (with an average of 1 caretaker to 12 children), costing \$133 each, or a total of \$2,000,000, besides about \$10,000,000 for the buildings.⁴² Eighteen of the States make legal provision for dependent children; twenty-four do not. The United States spends something like \$100,000,000 a year on charity. In the southern States prisoners, even children, are still leased out as labourers; thus, out of 1,245 leased out in Georgia, 1884, 100 were boys under 16 and 400 lads from 16 to 20 years old.⁴³

The American Humane Associations, at their Washington Conference in 1898, reported the work of twenty-seven associations, which had helped 32,681 children during the year.⁴⁴

The States of New York and Massachusetts show a diminution of crime, especially among juveniles; nor must it be forgotten that New York was the very first place in the world to establish by law a reformatory for juvenile delinquents: this was the House of Refuge, opened in 1824, for both sexes from 6 to 16 years of age (now 12 to 16), accused of various crimes other than felony.

New York.

The penal code relating to children was revised and republished in 1896.⁴⁵ Under it a child under 7 is incapable of crime; one from 7 to 14 years old is presumed to be incapable, unless proof is given of his capacity to understand the act and its wrongfulness. When no certificate of age can be had, a magistrate and doctor have power to determine it. Common law presumes a child under 14 to be incapable of crime, and he must be acquitted by the jury unless proof of capacity is given. If a child under 14 has committed a crime (not murder) which would be felony in an adult, he is to be tried as for misdemeanour, and the penalty imposed is to be that prescribed for misdemeanours.

Children convicted of misdemeanour *may*, and of crime, *must* be sent to a reformatory, house of refuge, or duly authorised institution or person, such being given full legal control. When juvenile delinquents are taken before magistrates, the parents must be examined, and if found negligent, are deprived of their custody, and the children sent to institutions of the same religion as their parents if possible. A child under 16 convicted

⁴² Conference of Charities, Colorado.

⁴³ Howard Association.

⁴⁴ Humane Associations, Washington, 1898.

⁴⁵ Manual containing penal code and all statutes relating to children. Published by the Society for the Prevention of Cruelty to Children. New York.

of misdemeanour shall not be sent to a prison or penitentiary for longer than is necessary for its transfer to an institution authorised to receive committed children (of which there are thirty-three in New York), and as such, receiving grants from the city authorities. A magistrate may commit temporarily to such authorised institution any child under 16 held for trial on a criminal charge, or juvenile witnesses. No child (since 1892), even if a criminal, under the real or apparent age of 16, is to be in any prison, court room, vehicle, or place of confinement in company with adult criminals. The Society for the Prevention of Cruelty to Children must bring violations of the laws before the court, and advise and assist in the disposal of the child.

Cases involving the trial of children are to be heard apart from trials of other cases—to have preference over others in all courts, and a special record has to be kept. Children in bad company or juvenile offenders from 12 to 16 may be committed to the house of refuge, to the Society for the Prevention of Cruelty to Children (who may be appointed legal guardians) or to a duly authorised charitable institution, or person, but not to jail. Where sentence is given in the first, second, and third judicial districts the place of confinement is to be the house of refuge established by the Society for the Reformation of Juvenile Delinquents in New York; from other districts they are sent to the Western House of Refuge, called now the Rochester Industrial School, except in cases named below. If a person under 12 is convicted of felony, or under 16 of crime, or male 16 to 18 of crime in any degree not amounting to felony, the court instead of prison or penitentiary, may confine him in a house of refuge. Males aged 16 to 21 convicted of felony, or ordered imprisonment for one year or less, may be sent to a county penitentiary instead of to prison. Thus a prisoner under 16 convicted of burglary is liable to imprisonment, but may be sent to a house of refuge instead; the term of detention is fixed by statute, and need not be specified in the committal. The authorities of the House of Refuge have full legal power to retain the males till their majority, females till they are 18; but they may bind out children committed to them. Children under 16 deserting their homes, or keeping bad company, may be committed to the house of refuge. The above statements do not prevent the following provisions: A person under 16 convicted of crime may, instead of being sent to confinement, or fined, be placed in charge of any person or institution willing to receive him, subject to such control as a parent may exercise over a minor. Thus the Female Guardians Society may receive girls committed by the court, and may place them out in families. The only magistrates authorised to commit children to institutions

are the judges of the supreme court, police justices, judges of general session, city judge, and recorder. Appeals are allowed within twenty days from the person having had previous custody of the child, the child to remain in the institution pending the decision, but the child may be returned, if the home is found satisfactory. Boys from 7 to 16 may be voluntarily surrendered by parents, if vagrants, vicious, of bad habits, &c., to Burnham Industrial Farm.

A child's evidence may be given even if too young to understand an oath, but unless confirmed, such evidence may not convict. In prosecutions instituted by the Society for the Prevention of Cruelty to Children, fines are to be paid to that Society. In general, if a child is allowed to grow up neglected or falling into petty crimes, he may be removed from his parents.

The well-known ELMIRA Reformatory is for male first offenders (or for those not hitherto convicted of crime punishable by imprisonment) 16 to 30 years old (the average age is 21), such may be sentenced to imprisonment in Elmira. The maximum sentence is five years, this can be reduced to two by good conduct. Whippings used to be given here, according to some writers, for very small offences. Careful statistics of 4,000 criminals imprisoned there, showed there was clearly drunkenness in the parents in 38·7 per cent. cases; probably in 11 per cent. more, and of 5,000 only 1 per cent. had kept good company: 42·6 had no moral sense. The cost per head is from \$107 to \$133 a year.⁴⁶

The principle governing Elmira and other State reformatories is that the inmates are not wholly responsible for their crimes; they had no chance owing either to an inheritance of evil tendencies and defects or to bad surroundings, hence the object aimed at is regeneration, physical and mental, rather than punishment, severe as the discipline is. The inmates are called inmates, not prisoners. Out of 406 discharged inmates, only 66 were badly conducted after leaving. The method at Elmira is largely based on physical development by means of gymnastics, baths, massage, &c., the muscles are strengthened, physical degeneration being the cause of much crime; this makes the will firmer and stronger, and gives power to resist evil; 66 per cent. of the inmates were found on examination to be physically degenerate, 75 per cent. grossly ignorant, and 95 per cent. came from bad associations. The estimated reforms of convicts paroled from Elmira up to September, 1893, was 81·9 per cent. Definite information of 1,125 ex-inmates showed certainly that 78·5 per cent. had not relapsed. Perhaps, however, the results are over stated, as they

⁴⁶ Report of State Charities Aid Association, 1898.

relate mostly to the period—six to twelve months—of supervision. The inmates number 1,354. The *Burnham Farm* is for vicious boys from 7 to 16 years old, and is worked, not by paid helpers, but by brothers (like Wichern's *Rauhe Haus*), called the Order of Saint Christopher. The results, Mr. Round assures me in June, 1899, are most remarkable, 90 per cent. have turned out magnificently. The boys are trained to love industry, and when that habit is acquired they are released, either adopted, apprenticed, or placed out; all are doing well so far; the industry taught is always one by which they can subsequently earn a living. This is the only New York Institution adopting the cottage system.

The chief of police ordered in 1896 that the Society for the Prevention of Cruelty to Children should always be notified of all cases of cruelty to children, and of arrests of children under 16, and of any offences against children under 16.⁴⁷ He also ordered that all girls under 16 given into custody should be at once transferred to the Society for the Prevention of Cruelty to Children, who will also take charge of all children brought as vagrants to the station house. The Society for the Prevention of Cruelty to Children may also receive children pending their trial or those committed as witnesses.⁴⁸

There is probably no city where such enormous efforts are made, not, it may be conceded, always in the wisest way, at least in the past, to cope with child misery and sin. The results are now beginning to be seen in the diminution of crime among women and girls, shown in the great falling off of commitments to prison, in spite of increasingly severe laws; but crime among boys from 14 to 20 is increasing here, as in most cities.

The New York Police reports show a diminution of persons arrested for crime of some 16,000 in twenty years (1862 to 1882); the highest number given is in 1862, when 82,072 persons were arrested. The population increased during those twenty years some 50 per cent.

There was a further decrease of some 12½ per cent. of all crimes from 1875 up to 1885, though the lowest figure reached was in 1881 and 1882. There are 1,912 prisoners per million of the population in this State. Prison records have been kept in their present form since 1875, and show the following diminution in juvenile criminals:—

⁴⁷ Rev. T. Dennis. New York. Society for the Prevention of Cruelty to Children.

⁴⁸ Reports of Society for the Prevention of Cruelty to Children; Children's Aid Society, &c, &c., New York.

New York Juvenile Delinquency. Number Arraigned.

Year.	Total.	Males.	Females.	Committed.	Population.
1875	1,139	932	207	917	726,386
'76	1,186	888	298	976	—
'77	1,035	748	287	794	—
'78	905	654	251	605	—
'79	552	436	116	266	—
1880	628	499	129	357	1,206,577
'81	610	467	143	330	—
'82	642	510	132	316	—
'83	610	496	114	393	—
'84	548	443	105	323	—
'85	515	420	95	320	1,397,395
'86	580	465	115	400	—
'87	531	416	115	363	—
'88	575	431	144	380	—
'89	646	485	161	461	—
1890	536	440	96	390	1,680,796
'91	677	564	113	515*	—
'92	570	493	77	459	—
'93	274	238	36	210	1,891,452
'94	—	—	—	—	1,957,452

* This increase is due to commitments of children to charitable institutions, mainly at the instance of parents.

Commitments of Girls under 20.

1877	2,657	1883	2,054	1889	1,107
'78	2,172	'84	2,413		
		'85	2,231	1890	1,991
1880	1,758	'86	1,968	'91	1,996
'81	2,107	'87	1,956	'92	1,984
'82	1,860	'88	1,116	'93	2,033 ⁴⁹

Commitments of Females for Petit Larceny.

1859	994	1874	572	1885	243
		'77	452	'86	247
1860	890	'78	475	'87	223
'61	880	'79	380	'88	233
'63	1,113			'89	210
'64	1,131	1880	361		
'65	997	'81	309	1890	215
'69	989	'82	292	'91	179
		'83	298	'92	224
1870	746	'84	267	'93	229

⁴⁹ Including those sent to institutions.

Commitments of Female Vagrants.

1857	3,449	1879	2,045	1887	2,055
'59	5,778	1880	1,541	'88	1,864
1860	5,880	'81	1,854	'89	1,995
1871	3,172	'82	1,788	1890	1,980
'72	2,243	'83	2,434	'91	2,022
'77	2,044	'84	2,520	'92	1,769
'78	2,106	'85	2,565	'93	1,802
		'86	2,418		

In regard to commitments of young girls, it should be remembered that the police statistics include now all those committed to charitable and reformatory institutions, whereas formerly only those imprisoned were reported in these tables.

Commitments of Males for Petit Larceny.

1857	2,450	1880	2,011	1888	1,927
'59	2,626	'81	1,926	'89	1,933
1865	2,347	'82	1,955		
1876	3,253	'83	2,055	1890	1,937
'77	2,346	'84	1,925	'91	1,972
'78	2,210	'85	1,950	'92	1,961
'79	1,844	'86	1,837	'93	1,987
		'87	1,928		

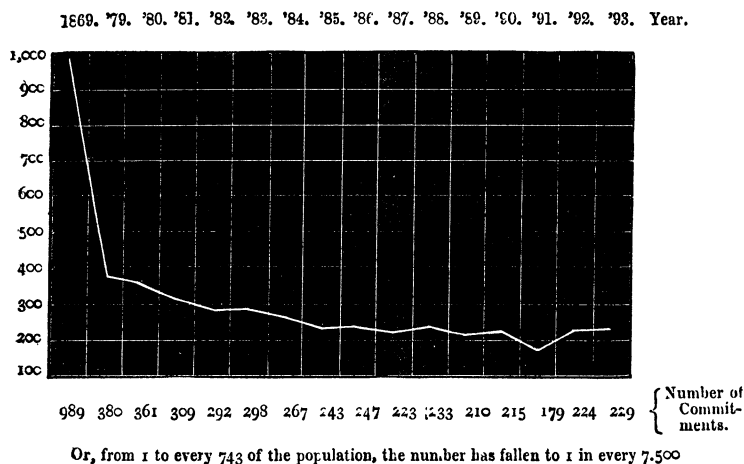
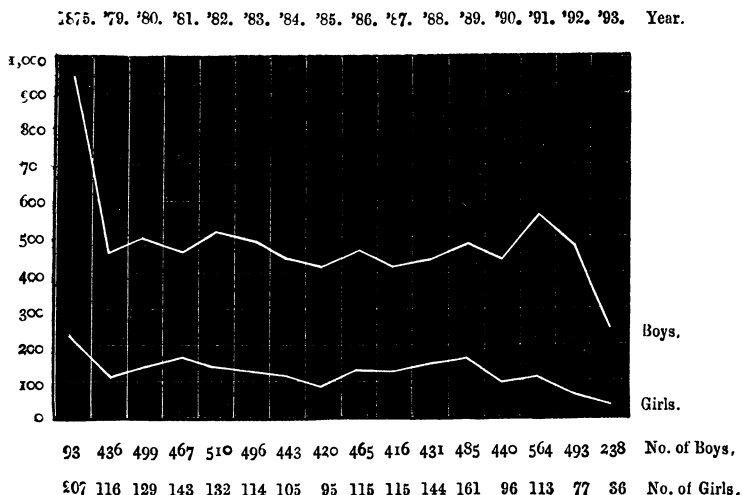
Commitments of Boys under 14 Years of Age.⁵⁰

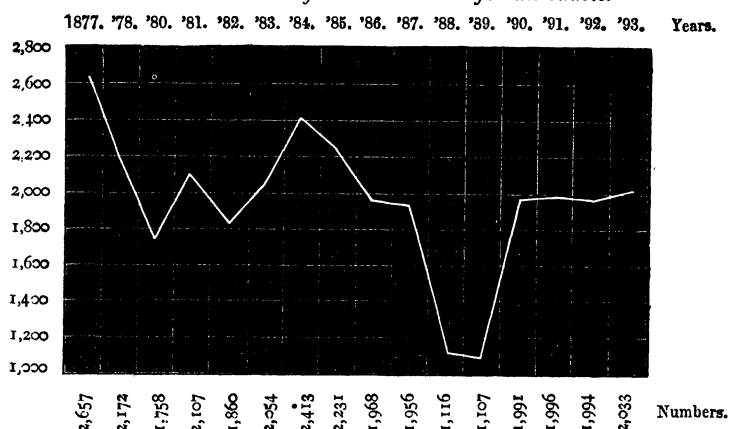
1864 (under 15)....	1,965	1880 (under 14)....	1,651	1887 (under 14)....	1,773
'65 " 	1,934	'81 " 	1,823	'88 " 	1,836
		'82 " 	2,124	'89 " 	2,097
1876 (under 14)....	2,076	'83 " 	2,118	1890 " 	2,031
'77 " 	1,930	'84 " 	2,248	'91 " 	2,061
'78 " 	2,007	'85 " 	2,099	'92 " 	2,294
'79 " 	1,670	'86 " 	2,240	'93 " 	2,079

It will be seen from these figures that the commitments of girls and women for vagrancy fell from 5,880 in 1860 to 1,802 in 1893, or from one in every $138\frac{1}{2}$ persons in 1860 (when the population was 864,224) to one in every 1,050 in 1893 (when the population was 1,891,306). Again, the commitments of petty girl thieves fell from one in every 743 in 1865 (when the population was 726,386) to one in 8,259 in 1893. Male vagrants also have diminished, and male petty thieves have decreased by some 700 during twenty-five years, as have also the commitments of boys under 14 years.

This is graphically represented by the following diagrams:—

⁵⁰ The above tables are taken from the Police returns and the "Reports of the New York Children's Aid Society."

NEW YORK.⁵¹*Commitments of Girls for Petty Thefts.**Juvenile Delinquents*⁵¹ In part from "The Children of the Poor" by Jacob C. Riis. By permission.

Commitments of Girls under 20 for all causes.

New York⁵² of course contains many nationalities, and the foreign-born appear to contribute more than their rightful share of convicts and paupers. Thus, while Irish-born people are 12·6 per cent. of New York inhabitants (more than any other nationality), in the penitentiary they number 15·4 per cent. of the whole; in the workhouses, 36·7 per cent., and 35·5 in hospitals, asylums, &c.; that is of the total inmates in each place.

It appears that there has been a diminution of juvenile delinquents of something like 50 per cent. between 1875 and 1891, though part of the decrease may be credited to the increasing reluctance of magistrates to send children to prison. The warden of the city prison stated in 1852 that one-fourth of *all* the prisoners, and half of those in for petty crimes, were under 21 years of age. The arrests averaged 70 in every 1,000 of the population, or 1 in 14, and there was the enormous number of 30,000 vagrant children in addition. In 1849 the chief of police reported 2,955 children under 15 as vagrants and dissolute (in eleven wards of the city); the boys were all thieves, the girls all embryo prostitutes, and 10 per cent. of the entire child population of school age were vagrants. In 1881 1,287 vagrant girls were aided and lodged by the Children's Aid Society; in 1891 only 335. There are still some 50,000 children of school age not at school, in spite of the law; the gravity of this fact may be judged from the statement that three-fourths (other reformatories give the same proportion, 75 per cent.) of those committed to Elmira had next to no education, and Dr. Harris, Commissioner of Education, stated that the returns of seventeen

⁵² "Forum," January, 1899.

States showed that there were eight times as many criminals from the illiterate as from an equal number of the educated class. The ratio is the same in Michigan, but the uneducated in that State only number 5 per cent. of the population. An argument in favour of preventive work is further found in the cost per head of prisoners. In "the Tombs" this is \$107.7; the cost of each child in poorhouses is \$140; of each child aided by the Children's Aid Society (some 10,000 a year), \$24½ per head. Further details of special institutions are omitted for want of space.

Massachusetts.

To this State belongs the double honour of having been the first to start a State system of preventive work, and also of having set an example (gradually being followed by other countries) as to methods of dealing with first and juvenile offenders. The boarding-out system also is widely adopted here for all classes of children. The population of the State is 2½ millions. The First Offenders Act was passed in England in 1887; in Massachusetts in 1869. Under this Act the care of juvenile offenders under 17 is committed to State agency; all charges against those under 17 must be investigated by a State agent, and all trials of minors attended by him. The trial must be held apart from others, and the State agent must appear on behalf of the child to give evidence and to advise the court. Notice of the trial of any child must be given to the State Board and to the parents. Where there is no parent, the magistrate may appoint some person to act on behalf of the juvenile offender.

For first offences, usually merely a warning is given, and the child may remain at home under supervision by the State agent or probation officer; or the child may be dismissed on probation, and the sentence suspended, if greater restraint appears desirable, the State agent watching over the child in the meantime. The magistrate has power to impose a fine on the parents, or to remove the child from his home if the parents appear hopelessly vicious; but only about 1 in 20 are committed to the State Board⁵³ of Health, Lunacy, and Charity. 70 per cent. are boarded out; or if stricter discipline is needed, and other means have failed (and only then), the delinquent is sent to a reformatory; this is a step taken only after several offences, as a rule; still more incorrigible children being finally sent to prison; this, however, is only resorted to in some 9 per cent. of all cases of juvenile and first offenders. The State agent is a most important and essential part of the system; he inquires into the history of the offenders, takes charge of those

⁵³ This Board was reconstituted in July, 1898, but want of space compels me to omit details concerning its constitution.

on probation, and to his watchfulness much of the success of the Act is due. The probation system has been applied to adults since 1880; a caution or fine is given, really a suspension of sentence, as the offender may be brought up again unless reformed. In one district 95 per cent. did well under probation. Female prisoners are also allowed out to service on license. Petty juvenile offenders under 17 are committed when necessary to the custody of the State Board, and sent, if boys, to Lyman, and, if girls, to Lancaster Industrial School, and some (both boys and girls) to Monson.

The main thing to be noticed under this system is that offenders, especially children, have various chances of reform before reaching prison life. These steps are: warning, probation and supervision, boarding out, and reformatory;⁵⁴ only when these fail is prison resorted to. As a result, though 75 per cent. of all the children brought into court are convicted, only one-fifth of these are sent to institutions, only one-ninth to reformatories, and fewer still to prison; one-third of the total are remanded on probation. When juvenile offenders are committed to the Board, the children may be left on probation (only one-tenth of these reappear before the Board) with their parents; but if this is found to work badly, they can be removed to an industrial school or placed out in a family without further trial. Supervision is exercised by official but unpaid visitors working under the agent. Not only are juvenile prisoners now almost abolished, but the inmates of reformatories and industrial schools have diminished 50 per cent. in ten years (many institutions indeed having been closed), the cost has greatly diminished, and the number of juvenile offenders is decreasing, though the population is increasing; so crime is prevented, and is sensibly diminishing. Very few of those released on probation reappear as criminals: in five years 2,295 out of 2,561 were doing well after receiving a warning only; fully 85 per cent. do well. The probation officers are appointed by Government for the whole State, with the power of police officers. In 1879 there were already 300 fewer children (juvenile offenders) under State care than in 1870, costing \$52,000 less. In September, 1898, 3,243 children were under the care of the Board (only 519 of whom were in institutions); of the total, 1,549 were juvenile offenders: some were sent to schools, but most were boarded out.

In 1898 the State agent attended in court the cases of 3,451 juvenile offenders (24,000 since the formation of the Board); of these, 497 were fined, 734 released on probation, 337 committed to the State Board, 88 to the House of Reformation, Boston, 153 to

⁵⁴ Manual of Laws concerning children. Various reports of institutions.

the Massachusetts Reformatory, 191 to Lyman, 91 to the State Industrial School, 511 were discharged; some appealed, some were sent to trustees, &c., 18 only to jail; 475 cases were still under consideration, 7 were sent to the women's reformatory. Of 897 children out on board, 102 were juvenile offenders. The State Board is required to visit all minor wards at least once a year; voluntary but official visitors supplement this, working under the State agent. The total cost for dependent and offending children is \$105,000; boarding out costs from \$1 to \$3.5 a week per head. There are 1,621 children in reformatory and industrial schools, and 2,335 prisoners per million of the population. The State farm receives prisoners under the new Act (October, 1898) with indeterminate sentences, not to exceed one year for drunkenness, two years for other offences; but release, subject to revoke, may be given sooner, if there is apparent reformation. It is noted that for twenty years 60 per cent. of the offences are traceable to drink. The Boston House of Reform was opened in 1826, the Farm School in 1833 (the same year as the German "Rauhe Haus"); the average cost is \$2.1 a week, at the Girls' Industrial School \$3.6, and at Lyman \$4½ per head. The weekly cost of each neglected and offending child is \$3.58, of those at board \$1.94; and of the 200 latter only 13 have been returned to institutions, when the boarding-out payments cease at 10 years of age; the rest were kept without payment.

All minor wards are now placed under the superintendent of out-door poor, who has male and female assistants.⁵⁵ The institutions for juvenile delinquents are:—The *State Industrial School*⁵⁶ at Lancaster, opened in 1856, for vicious girls from 7 to 16 years old, committed for any offence. It has an average of 89 inmates, and is on the cottage system. Each girl has a separate bedroom, and none may leave till she can sew, cook, wash, &c. A noticeable point is the value given to so-called menial work; teachers of this are as highly paid as other officials. Though control is given during minority, the girls are generally soon licensed out to service, so that many, though still under supervision, are no expense. Most of those committed are notorious offenders, younger offenders now going elsewhere, but fully 72 per cent. do well on leaving, indeed, only 24 out of 272 under supervision were of doubtful conduct.

The *Monson State Primary* and reform school, opened in 1866, is for young offenders, but it is only a temporary home; at present it is a huge building. Children are boarded out after a time

⁵⁵ Annual reports of State Board, including that for 1898.

⁵⁶ Charities Conference, Chicago.

on payment till they are 10. The committals here are rapidly falling off, and are now scarcely one-fourth as many as in 1866.

The *Lyman or State Reform School*, opened in 1848 as a manual school for the reformation of juvenile offenders under 16, was one of the first preventive works undertaken by the State in any part of the world. There are seven houses, each holding some 30 boys; about 70 per cent. are licensed out, under supervision, after a detention on an average of seventeen months. It is noticeable that punishments have fallen from 31 per cent. a month to 8 per cent. since the family life and manual training have been adopted, a decrease of 75 per cent. The commitments are indeterminate. Incurables are transferred to Concord; this is, however, seldom needed. Some 73 per cent. do well after leaving: the average cost per head is \$4.3 a week.

Female offenders in any part of the State may be conditionally released and sent to service for the last third of their sentence; about 50 per cent. are thus licensed out. The *Sherborne Reformatory*⁵⁷ Prison is for women of all ages, from 15 years old and upwards. The *State Reformatory* at Concord for first offenders from 15 to 35 years old is like Elmira in its method—peculiar to the States—of dealing with adult-juvenile criminals not by ordinary prison methods, but by reformatory; the sentences are indeterminate, and release on parole (subject to recall) may be given, if there is hope the individual has reformed, and he has worked up to the highest grade, but only if a situation has been found. As means of reform military and gymnastic exercises are given, advanced education, manual training, &c., but the discipline is severe. Drunkenness caused nearly three-fourths of the total arrests.

It will thus be seen that in America much older offenders than with us have a chance of reform, and may avoid prison, by means of admonition, probation, conditional release, and these adult reformatories, where the average age of the inmates is 22. Probation has been successfully adopted in several European countries now, but nowhere so widely and successfully as in America. Further details and statistics I am, however, compelled for the present to omit, this paper being already too long.

Michigan.

The preventive methods first tried in Michigan have since been adopted in Wisconsin, Rhode Island, and Minnesota, with slight variations in detail. This preventive work (of which I have

⁵⁷ Paper on Sherborne. By A. Webb, Esq., M.P., read before the Statistical Society of Ireland, September, 1897.

given full details elsewhere)⁵⁸ has proved that reformatories become increasingly empty as preventive work is developed. The Michigan plan is to provide homes for all dependent and neglected children sent by the probate court, then send them into families after an average time in the school of six months, with subsequent supervision and loss of parental control. Contrary to expectation, while the population of Michigan has increased 70 per cent. (in twenty-four years) her dependent children have *decreased* 65 per cent. since the State Public School was opened in 1874. There were 600 dependent children in 1871, and the population was $1\frac{1}{2}$ millions, or 1 dependent child to 2,223 inhabitants in 1874, 1 to 7,256 in 1890, now 1 to 10,000.

An Act was passed in 1873 (frequently amended since) establishing a State agency for juvenile offenders. By it the governor may appoint in each county an agent of the State Board for the care and protection of juvenile offenders and dependent children, known as the county agent; he is paid expenses and \$3 a day, or per case. The superintendents of institutions for the reformation of juvenile offenders look to the agent for help in finding homes, in supervision, &c. In any complaint made to a magistrate against a boy under 16 or girl under 17, the State or county agent is to be notified, to investigate the case, visit child's home, advise the magistrate accordingly, and generally to act as the child's protector. He deals with both delinquent and dependent children. If it appears good for the child and the public, he may be returned to the parents, friends, or (with the approval of the probate judge) be bound out to a suitable person till 21 or less, or a fine may be imposed, or the sentence suspended for a definite or indefinite time. If guilty and uncontrollable, he may be sent to the State Reform School, Industrial Home, or to any State, penal, or reformatory institution authorised to receive such. The agent also looks after discharged boys and girls, helps them to get work and homes, and must be notified when children leave reform schools, and must make reports on their subsequent conduct, so that the effects of the reformatory treatment may be known. Children in custody must be kept apart from adult prisoners. By the Act for the compulsory reformatory education of juvenile disorderly persons, those from 8 to 16 who are habitual truants, vicious, incorrigible (if there is no change in their conduct after written notice to their guardians), are to be brought before a judge, fined \$10 to \$25, if convicted, or the guardian must give a bond of \$100 for the attendance of the child at school. If the child

⁵⁸ "Foreign Legislation on behalf of Destitute Children." By Rosa M. Barrett, published by the Statistical Society of Ireland. Reports of Michigan State Public School. Laws of the State of Michigan.

is uncontrollable by the parent, the parent may go free, and if proved to be a truant, he may be sent to a reformatory school if a boy over 10; to the industrial school at Adrian if a girl over 10, for one year or more, up to but not beyond 17 years of age; but such sentence may be suspended (and must be for a first offence) as long as the child attends school regularly. This law was amended in 1895 so as to include among juvenile disorderly persons, girls or boys frequenting or lounging near saloons, idling on streets, &c., against their parents' command, absenting themselves from school or employment, or lounging about for any dishonest or immoral purpose. Parents, the mayor, or chief of police in towns of over 8,000 inhabitants, may make complaint on oath that a minor has offended as above, a warrant is then issued, and if convicted the child may be sent to Lansing till 17 if a boy, or, if a girl, to a girls' industrial school till 21 or for less time. I am obliged to omit details of the reform schools.

Minnesota.

Preventive work is very zealously carried out here, and the inmates of correctional and charitable institutions have increased far more rapidly than the population. The courts have power to apprehend, try, and commit young children to the Minnesota State Reform School for vagrancy, &c. There were in the reformatory 168 in 1898; the average cost was \$269; of prisoners \$192. Preventive work has been much developed lately, as "the right of the State to punish criminals, carries the right to prevent them becoming such." The Elmira system is now in operation in many State reformatories very successfully, and in many prisons in a modified form. It includes the indeterminate sentence. All the jails are improving, and better classification is being made of the criminals.

The *Training School*⁵⁹ for boys and girls at Red Wing, opened in 1868, has received 2,102, up to July, 1898; mostly committed for larceny and incorrigibility. There are now 324 inmates; average for 1897, 359; for 1898, 328; average detention two-and-a-quarter years. Those released are kept under supervision and under the control of the State till they are 21, each sending in a monthly written report (these are all replied to!); 80 per cent. are doing well, 293 boys on furlough are working, 11 in jail. When unsatisfactory, or out of work, they return to the school. Of the 37 returned for crime, 29 had gone to their parents on leaving school. The average cost per head is \$167.

There is no separate institution for delinquent girls or female

⁵⁹ "Monthly Bulletin of Charities." Minnesota State Conference, 1898. Reports of the various institutions.

criminals. The estimated number of prisoners for 1900 was 500; inmates of the reform school 230. The prisoners at St. Paul's, Minnesota, under fixed sentence may be released on parole after serving half their time, and after they have been in the first or higher grade six months; other prisoners are also released on parole after being in the first grade six months. In 1885 there were 750 prisoners per million of the population; in 1895, 685 per million (see p. 243). This decrease is partly owing to the parole system, but, even in the three chief cities, the ratio of prisoners fell from 1,580 per million in 1892, to 1,360 in 1896, though comparing 1894 and 1896 there was an increase of 28 per cent. The inmates of the State Training School have increased from 209 in 1889 to 371 in 1896, 328 in 1898, and of the reformatory from 104 in 1890 to 140 in 1896.⁶⁰ Crime being "rooted in laziness, "vagrancy, and loafing," the more these are combated the less crime there will be. In this State also, it is found that most petty thieves are ignorant, and from 10 to 20 years old. Not a single child from the State Public School has subsequently drifted to the reformatory.⁶¹

California, with the same population as Minnesota, has 5,000 dependent children, costing \$300,000; Minnesota about 200, costing about \$40,000.

In 1899 the name of the Reform School was changed to State Training School, and all children from 8 to 17 convicted of any crime punishable by imprisonment, or being vagrant, incorrigible, or of vicious conduct, are to be committed to the guardianship of the State Training School. The managers may place such children in suitable homes, apprentice them, train and educate them in such ways as may be most conducive to their reformation and for their benefit until they are 21. The commitment must be approved by the magistrate and by the judge.

Each county of over 50,000 inhabitants must appoint a probation officer, whose duty is to be present at all trials of children under 18; he is to represent the interests of the child, make investigations, and take oversight should the sentence be suspended, also to take whatever other action the court may direct as for the good of the child and of society. These officers have the powers of police officers. The judge may stay sentence pronounced against a child under 18 for one year, conditional on the child's good behaviour, either placing the child under the care of the probation officer or returning him to his parents under supervision, and

⁶⁰ Minnesota State Conference, 1898, and September, 1899.

⁶¹ The average annual cost of a child in a reform school in the States of Massachusetts, Michigan, Minnesota Illinois, and Wisconsin, is \$145.

under any conditions prescribed. The court may revoke or enforce the sentence if desirable subsequently, or suspend it absolutely if the conditions imposed are met.

Education is made compulsory from 8 to 16, and truant officers appointed. School boards are empowered to establish schools for truants, vagrants, and others, with power of committal to the State Training School for persistent disobedience; and penalties are prescribed against parents, guardians, and others for failing to keep the law. The managers of the St. Cloud Reformatory are authorised to discharge inmates before the end of their term. There is an agent to look after prisoners out on parole; in five years, out of 330 paroled prisoners, only 30 returned to prison. Only 5 per cent. of the prisoners are said to have trades. In six years four-fifths of those under 25 who were tried had learnt no trade, and hardly any who were under 21. All prisoners at St. Paul's learn a trade, so that they can do honest work on leaving. Tramps are largely produced by want of a trade; thus, out of 5,000 tramps, 80 per cent. were unskilled, only 20 per cent. skilled workmen, and these latter had mostly fallen through drink.

There is a decided decrease in crime and in the prison population of this State since 1893; and the ratio of prisoners to the general population has declined from 750 in the million in 1885, to 685 in the million in 1895. This decline is doubtless due in part to the operation of the parole system in the State prison and the State reformatory, for there has been an increase in the number of commitments.

It is a remarkable fact that, while it is generally believed that the cities are the breeding places of crime, the ratio of prisoners from the three cities of St. Paul, Minneapolis, and Duluth has decreased since 1892 from 1,580 in the million to 1,300 in the million. At the same time the ratio of prisoners from the rural counties has increased since 1892 from 385 in the million to 445 in the million.

Minnesota.

31st December.*	Estimated Population.	Number of Prisoners.	Ratios (Prisoners in a Million).
1885.....	1,117,798	836	750
'90.....	1,301,826	931	715
'92.....	1,410,000	1,023	725
'93.....	1,465,000	1,111	750
'94.....	1,520,000	1,026	675
'95.....	1,574,910	1,080	685

* Prison census. From "Bulletin of Charities."

Hennepin, Ramsey, and St. Louis Urban Counties.

31st December.*	Estimated Population.	Number of Prisoners.	Ratios (Prisoners in a Million).
1892.....	400,000	632	1,580
'93.....	415,000	670	1,615
'94.....	430,000	525	1,220
'95.....	443,910	578	1,300

Seventy-eight Rural Counties.

1892.....	1,010,000	391	385
'93.....	1,050,000	441	420
'94.....	1,090,000	501	460
'95.....	1,131,000	502	445

* Prison census. From "Bulletin of Charities."

Minnesota.

Years.	Estimated Population of the State.	Average Number of Inmates of the State Correctional and Charitable Institutions.	Number of Inmates for each Million Inhabitants.
1878-79	735,000	1,133	1,541
'79-80	780,773	1,206	1,544
'80-81	830,000	1,183	1,425
'81-82	900,000	1,295	1,439
'82-83	960,000	1,388	1,446
'83-84	1,040,000	1,689	1,624
'84-85	1,117,798	1,934	1,730
'85-86	1,155,000	2,182	1,889
'86-87	1,190,000	2,408	2,024
'87-88	1,225,000	2,772	2,263
'88-89	1,263,000	3,052	2,417
'89-90	1,301,826	3,275	2,516
'90-91	1,355,000	3,486	2,573
'91-92	1,409,000	3,699	2,625
'92-93	1,463,000	3,909	2,672
'93-94	1,517,000	4,413	2,909
'94-95	1,572,793	4,808	3,057
'95-96	1,625,000	4,929	3,032
'96-97	1,680,000	5,289	3,148
'97-98	1,735,000	5,491	3,165

Illinois.

For years Illinois has had sorrowfully to acknowledge that, in spite of various efforts, crime was increasing, even among juveniles, and all efforts had been so far defeated; but it has not been content to remain beaten, and after inquiry and examination into the working of various laws elsewhere, the following code was drawn up and passed the legislature on 22nd April, 1899. We may

confidently look for a change for the better as a result of this enlightened method of dealing with embryo criminals.

The Act is "to regulate the treatment and control of dependent, "neglected, and delinquent children."⁶² As regards the last class, it includes all children under 16 who violate any law. In counties with over 500,000 population, the circuit judges shall designate one of their number to hear all cases coming under this Act, which must be heard in a special court room, to be called the Juvenile Court Room, and separate records kept. When children under 16 are arrested, the magistrate or officer in charge shall transfer such child to this court for hearing. Any person having reason to believe a child is neglected or delinquent, may file a petition to this effect, and the parents or guardians must be summoned, or, failing them, other relatives; or a person may be appointed by the judge to act on behalf of the child, who, pending the decision, may be kept by some person or in some suitable place provided by the authorities. The court may appoint probation officers to act in the interests of children, investigate cases, and take charge of any children before and after trial as may be directed. Delinquent children may be committed to the care of the probation officer, or may be allowed to return home under his supervision, to be recalled before the court should this appear necessary; or the probation officer may board out the child in a suitable family or home. The child, if it appears desirable, may be committed to an industrial school if a girl, or training school if a boy. If, however, the child has committed a criminal act, and the judge considers such a course best in the child's interests, he may be committed to any incorporated institution for the care of delinquent children, or if a boy over 10, to the State reformatory; if a girl over 10, to the Home for Juvenile Female Offenders; in no case beyond minority.

In all these cases guardianship of the child is given to the person or institution taking charge, though the court retains power to remove the child subsequently. The latter may parole the children; or the court, if so recommended, may dismiss the child from custody, whenever there is reason to believe his or her reformation is complete; or they may be placed in suitable homes, adopted or apprenticed, under supervision.

No child under 12 shall be committed to a jail or police station; if unable to give bail, a probation officer or other official shall take charge of the child in any suitable place provided by the county or city outside the jail boundaries. If sentenced to confinement, a child may not be in the same building, yard, or enclosure with

⁶² Act of April, 1899; kindly sent me by Mr. H. H. Hart.

adult convicts; hitherto there has been little separation of adults from juveniles, especially while waiting trial. The court can discharge boys committed under this Act at any time, or restore them to their parents.

The managers of institutions receiving delinquent children must maintain an agent to visit children on parole, examine their homes to ascertain if they are suitable, assist them in finding work, and supervise them while on parole. All associations receiving these children are subject to the inspection of the Board of State Commissioners of Public Charities, and must furnish such information as the judges require to aid them in dealing with children, and must publish full annual reports. Children may be legally adopted. Adoption is upheld, even if parents object, if for the child's good. The county judge of each county may appoint six persons to serve without pay as visitors to all institutions receiving children under this Act, and report thereon. "This Act," the concluding words run, "shall be liberally construed to the end that its purpose may be carried out, to wit, that the care, custody, and discipline of a child shall approximate as nearly as may be to that which should be given by the parents, and in all cases where it can properly be done, the child be placed in an approved family home, and become a member of the family by legal adoption or otherwise."

This law therefore establishes a separate children's court (in Chicago), prohibits the confinement of children in jails or in the same buildings with adult convicts, commits children to approved societies, places child-saving associations under the supervision of the State Board, and adopts the probation system for juvenile delinquents. The county court judge may also order the release of all children from workhouses, if, without cost to the county, homes can be secured for them.

There are 102 jails in this State; few classify the inmates as yet.

There is a State reform school at Pontiac⁶³ for convicted boys, first offenders, from 10 to 21 years old, too bad for industrial schools, but none for girls; the average age is 18, and the inmates are more criminals than juvenile delinquents. The criminals in this State are mostly young.

There is a girls' industrial home at Evanston and industrial school in Chicago, both for juvenile offenders and others sent by the magistrates. In Chicago 15,500 children were arrested in 1896 (261 were under 10); of course this includes many children merely destitute. One of the residents at Hull House Settlement,

⁶³ Charities Convention, Mr. Dud'ey.

Chicago, has official connection with the police courts, &c., and has special charge of boys and girls under their first arrest. St. Mary's Industrial School has nearly 400 boys, costing about \$120 a head; Glenwood has 250, and has had altogether about 2,000, nearly all of whom are now doing well and earning: it is on the cottage system. In the Chicago Industrial School there are 160 girls; the Illinois Training Industrial School has 184: admitted during the year 178, total 347 inmates; Peoria Training School, 35 to 40; making a total in the above schools of 1,691 inmates; these are all delinquents sent up by the courts. During the year 428 were returned to friends, 331 placed in homes, and 75 sent to the Home for Juvenile Female Offenders. The cost per head was from \$120 to \$300 a year.

The Board of Charity,⁶⁴ with auxiliary boards in every county, has been formed to supervise and assist institutions, look after prisons, poorhouses, neglected children, &c. Each county pays \$10 a month for boys committed to the industrial school. In 1892, on a given day, some 51, or $6\frac{1}{2}$ per cent. of the total prisoners, were under 16, and about 740 in the year.

Many boys are sent to Bridewell with adult criminals, as well as to the industrial school. The Illinois School of Agriculture and Manual Training for Boys in Chicago is for street waifs sent by order of the court, and is on the cottage system; the boys are sent to homes as soon as possible, after a year or less. The school holds some 250 boys.

In 1880 there were 12,691 prisoners in the county jails; in 1890, 19,538, an increase of 53 per cent.; the population increased 25 per cent. in the same time. In the State Home for Female Juvenile Offenders, the average number of inmates in 1895 was 27; 1896, 47; 1897, 60; average cost per head a year \$532. There are large grounds, and the inmates are classified, the building being in separate flats, each with kitchen, matron, &c. The girls learn housework, poultry raising, &c., and how to earn their living honestly. Sixteen left in the year; there were 90 in altogether; remaining at end of year, 74.

*Rhode Island.*⁶⁵

My correspondent here was unable to give me the number of juvenile criminals, but thought juvenile crime was on the increase. Others say that it is certainly diminishing.

Separate trials of children are held. By a law passed in May, 1898,⁶⁶ minors under 16 must be arraigned and tried separately

⁶⁴ Report of Board of State Commissioners of Public Charity.

⁶⁵ Report of American Humane Society, Rhode Island, Reports of the Society for the Prevention of Cruelty to Children.

⁶⁶ Public Laws of the State of Rhode Island.

and apart from others (unless charged jointly with adults) in the counties of Providence and Newport. They are to be tried at suitable times; such time to be called the "Session of Juvenile Offenders," and separate records kept. An agent of the State Board of Charities, or of the Society for the Prevention of Cruelty to Children, or of St. Vincent de Paul, must be present at the trial, secure counsel, and learn all particulars, so as to aid the court and protect the interests of the child. Children under 13 unable to furnish bail may be committed to the charge or custody of one of these agents, who is responsible for it, and the court may place a child provisionally and temporarily under his full control. No court can commit a child under 13 to jail or prison for default of bail, non-payment of fines, &c., or for any punishment (except a crime punishable by imprisonment for life); all must be sent to the school for boys at Sockanossett, or, if girls, to that at Oaklawn. No court fees or costs of officers are allowed.

Under this new Act, from 25th June to 9th December, 1898, 154 cases were treated, instead of being made public and tried with criminals. First minor offences are usually met by a small fine; no costs. There is no longer an obligation to work out fines in prison, as, if the fine is not paid, the child goes to the reform school. The trial is not held in public, nor is the accused child taken through the streets with criminals. He is first tried by the judge in a separate room; if necessary subsequently in the Juvenile Court.

One of my correspondents here remarks that the laws are perfect, though they need amending!

In Providence, Rhode Island, special provision has been made for defective school children and for those inclined to truancy, in order to check this early tendency to idleness, which often ends in crime.

*Maryland.*⁶⁷

Crime appears on the increase, nor is there any diminution of juvenile crime in recent years. There is a decrease in Baltimore of child beggars, children living in brothels, &c. The Society for the Prevention of Cruelty to Children takes charge of children brought up for petty and minor offences, and the court stays proceedings if the agent undertakes to make provision for the child. A large number are handed on in this way and dealt with as seems best in each case; sent to reformatories, returned to their homes, &c.

Juvenile criminals under 16 may have their sentence suspended, or may be placed in a reformatory or other institution till

⁶⁷ Manual, with laws for the protection of children.

they are 18 or 21; or employment may be found for them away from the place where they were convicted; or they are, if incorrigible, sent to the house of refuge.

Connecticut.

No child under 16 may be committed as vicious, truant, or incorrigible to jail, almshouse, or workhouse. A judge may commit a child (if neglected, &c.) to a temporary home till he is 16 on proceedings instituted in the manner provided for commitment to a reformatory or industrial school, or on petition of the Humane Society, Board of Charities, &c. Only those who have committed offences punishable by law, or who are leading idle, vagrant, or vicious lives, may be committed to the State Reform School, or to the Connecticut Industrial School for girls, or when such restraint is necessary. Here my informant writes that he "cannot say whether crime has diminished."

Children under 12 (16 in Connecticut) may not be imprisoned in the New England States—Maine, New Hampshire, Vermont, Rhode Island, Massachusetts, and Connecticut. Older juvenile prisoners are to be kept apart from adult criminals or sent to special schools. They are to be tried apart from adults in a separate court. In Connecticut and New Hampshire only criminals under 16, vicious children and vagrants may be sent to reformatory and industrial schools.

In Connecticut young offenders were sent to prison till 1878; there are now some 1,853 in reformatory schools; 6,800 have been sent out, and nearly all are doing well; the family life in cottages is the system adopted. A girls' industrial school with six cottages was opened in 1870 for vicious girls from 8 to 16.

AUSTRALASIA.

New Zealand.

The Industrial Schools Act⁶⁸ of New Zealand of 1882, amended 1895, repealed all Acts previously passed in connection with criminal children. A "child" in this Act is any boy or girl under the age of 15, or apparently so.

Children come under this Act who are destitute, beggars, found wandering, without a home, found in brothels or associating with drunkards, vagrants, &c.; all such may be brought by a constable without a warrant before a magistrate, who may order such child to be sent to school. If a child has been convicted or accused of any act punishable by imprisonment or less punishment, the judge or magistrate may order such child, due regard

⁶⁸ Industrial Schools Act, First Offenders Act, 1886 and 1898.

being given to the child's age and circumstances, to be sent to school, either instead of punishment or subsequently: this holds good even if the child were only accused, but not convicted. Such order may be made at any time subsequently, the judge naming the school; such orders to be reported to the minister. A child may also be committed as uncontrollable on application by the parent, if he proves this and pays cost of maintenance. Payment is made according to arrangement between manager, parent, and person authorised by the governor. Any person under 18 sentenced to imprisonment may be sent to an industrial school under this Act, after, or in lieu of, imprisonment. The State is the guardian during minority, but the guardianship of all inmates and of those licensed or apprenticed out may be delegated to, and vested in, the manager of the school till majority or discharge; parents (except where the child was admitted at the parent's wish) losing all legal control. Inmates may be transferred, or their guardianship transferred, to private persons or institutions, or they may be released by the governor. The cost of such schools is defrayed out of public money voted by the General Assembly for this purpose, except for such contributions as parents may be ordered to make. This (whether the child is convicted of crime, or whatever may be the cause of detention) may amount to 8s. a week or less, according to the parent's ability. Such sums may be recovered as a debt, or may be ordered to be paid direct from the employer of the parent to the school. Careful rules are also made for the recovery of money for past maintenance, should the parent subsequently be able to pay.

The Prisons Report for 1897⁶⁹ says: "The First Offenders Probation Act continues to work most satisfactorily, and has often sufficed to check any further transgression." The percentage of prisoners to the population was 0·0876 in 1897, 0·0729 in 1896. Ninety-nine of the prisoners were licensed out or released on probation; only four unsuccessfully. Both in 1896 and 1897 one child under 10 was in prison. Juvenile offenders,⁷⁰ however, are not increasing (see statistics later on). Prison brands a child, and industrial schools often contaminate, the authorities say, as they admit both juvenile delinquents and merely destitute children. Many workers speak of the difficulty of combining reformatory work with the effort to make crime abhorrent. Probation effects a great saving of expense, and has been successful in some 94 per cent. of the cases.

The First Offenders Act was passed in 1886; amended, September, 1898. Any person convicted of a first offence (exclusive

⁶⁹ Prison Inspectors' report, New Zealand, 1897.

⁷⁰ Industrial school report.

of burglary, murder, and other serious crimes), may, in lieu of punishment, be placed on probation for a period not exceeding the term of imprisonment to which he might have been sentenced. He must report himself personally monthly, sleep at his given notified address, get his living honestly, and in a way approved by the probation officer, notify change of address, and produce his licence when required. Special conditions may also be imposed, such as recognizances for good behaviour, payment of costs, or a part, &c. On the expiration of the term of probation, if the conditions are fulfilled, the person shall be deemed to be as fully discharged as if he had served his term of imprisonment. Even if unable to obtain bail, he may be released under this Act. If the conditions are unfulfilled, or the person's conduct unsatisfactory, he may be rearrested without further warrant, when he may be committed to prison or again released on probation. When any probation officer does not think it good for the offender or the public that a person should be placed on probation under this Act, he must state his reasons to the court in writing for not recommending this course, and the court may decide according to the evidence given. "Offender" in this Act means any person whose previous character has been good, who has not been previously convicted of any indictable offence. Probation officers, who are appointed by the governor, have constabulary powers; their duties are to keep records, make reports, inquire into the character of every first offender to see if amendment is probable, and if so, to recommend probation to the court, &c.

There has been a marked decrease of crime (and also of recidivistes) in New Zealand under all headings—assaults, larceny, drunkenness, &c., and both amongst adults and juveniles. The crimes of a New Zealander are more of theft than of violence, and are smaller in proportion to their numbers than among those of foreign birth. Thus 32·1 per cent. of those convicted of larceny were New Zealanders, 23·9 others. The population in 1896 was 743,214:—

		Percentage to Population.	Percentage of Prisoners.
1893.....	New Zealanders	58·6	16·8
'96.....	„ over 15 years old	34·0	16·8
'93.....	„	63·0	25·0
'96.....	English born.....	19·0	33·1
'93.....	„	16·8	28·0
'96.....	Irish born	7·6	24·9
'93.....	„	6·5	20·6
'96.....	Scotch born	8·3	11·9

The convicted prisoners (separate individuals)⁷⁰ have decreased as follows:—

Year.	Number.	Proportion per 10,000 of the Population.	Trials per 1,000.
1882.....	—	—	43·4
'86.....	2,774	47·8	36·5
'87.....	2,639	44·2	33·4
'88.....	2,531	41·8	30·8
'89.....	2,399	39·0	30·1
1890.....	2,397	38·6	29·3
'91.....	2,113	33·5	27·2
'92.....	2,164	33·6	27·3
'93.....	2,111	31·9	27·1
'94.....	1,955	28·7	—
'95.....	1,930	27·8	—
'96.....	1,936	27·1	26·3

This is a decrease of 17·1 prisoners in proportion to the population between 1881 and 1896, and 23·9 from 1886:—

*Offences of Children.**

Year.	Under 10.	10—12.	12—15.	15—20.	
1889	2	5	19	76	Of these 14 were girls " 15 " " 7 " " 12 " " 10 "
'90	6	6	20	78	
'91	1	2	14	76	
'92	1	1	15	90	
'93	1	1	10	86	
'96	1	1	2	122	

* "Prisons Report," 1897.

There were 2 prisoners under 10, 25 under 15, 241 under 20 in 1897; 7·5 per cent. of the male prisoners were under 20, and 5 per cent. of the females. Female prisoners are only one-sixth as numerous as males. There is a decided and constant decrease among juvenile offenders.

The convictions for *drunkenness*⁷¹ show the remarkable decrease of 50 per cent. between 1885 and 1894; the total convictions for drunkenness were only 515 in 1896, 469 in 1895, and 457 in 1894. These offenders are mainly of foreign birth: thus, out of 619 arrested for drunkenness in one year, 503 were born in Great Britain, and only 59 in New Zealand:—

⁷⁰ Industrial school report.

⁷¹ "Official Year Book" for several years. Mulhall's "Dictionary of Statistics."

Per 1,000 Inhabitants in 1894.

The arrests for drunkenness constituted	20.7	in the United States.
"	8.5	" New Zealand in 1894.
"	8.1	" " '96.
"	9.4	" South Australia.
"	19.3	" New South Wales.
"	7.7	" Tasmania.
"	15.7	" Victoria.
"	13.6	" Queensland.

This is worth noting, as the children of drunkards form the greater number of neglected and delinquent children in every country, and consequently New Zealand, with its comparatively few drunkards, has also comparatively few juvenile delinquents. In 1897 the total number of children under the care of the State (but not all an expense to the State) was 1,588 (1895, 1,555, and in 1896, 1,559). These were placed as follows:⁷²—In Government schools, 199; in private schools, 382, or 581 altogether in institutions; 396 were boarded out (385 from Government schools, 11 from private ones), 119 were with friends on probation, 439 in service, 31 in other homes, on leave 20, in jail 2. Of the new children admitted during the year, 64 had been guilty of punishable offences, 20 were vagrants, 54 destitute, 33 living in disreputable places, and 95 had one or both parents dead. Only about 18 per cent. of the total are actually resident in Government schools. The wages of those in service amounted to 9,436*l.*; the cost per head of those under control is 16*l.* 7*s.* 1*d.*, or, including those with friends, under supervision only, 12*l.* 15*s.* From 3*s.* 8*d.* to 7*s.* a week is paid for boarded-out children, but as 6,848*l.* out of a total cost of 14,018*l.* was recovered from relatives, the actual net cost per child to the State is reduced to 6*l.* 10*s.*

Year.	Number of Male Prisoners under 20 Years of Age.	Number of Female Prisoners under 20 Years of Age.	Proportion per 100 Male Prisoners.	Proportion per 100 Female Prisoners.
1892....	127	13	6.8	4.2
'93....	122	11	6.7	3.6
'94....	—	—	—	—
'95....	163	13	9.9	4.6
'96....	126	13	7.5	5.0

The following table⁷³ is given for the year 1892:—

Country.	Com- mitments.	Convictions per 10,000 of the Population.	Country.	Com- mitments.	Convictions per 10,000 of the Population.
Queensland.....	10.8	4.8	West Australia	16.6	10.3
New South Wales	11.9	7.6	Tasmania	7.0	2.8
Victoria	9.8	6.5	New Zealand....	5.4	2.8
South Australia...	5.7	2.7			

⁷² Statistics, 1896, and from information kindly given me by the Agent-General.

⁷³ "Official Year Book, 1895."

South Australia.

South Australia⁷⁴ set the example, followed now in Canada and some of the United States, of forbidding the trial of children in ordinary police courts, at least in Adelaide; if unavoidable in other places, it must be at a different hour from other trials. The hearing of cases connected with juveniles may be held in certain "places" approved by the Chief Secretary for that purpose, the office of the State Children's Council in Adelaide being recognised by the Government as that special place, while the officers of the council have power to investigate all such cases. While waiting trial the children (boys under 16, girls under 18) must be kept under proper control, at a *dépôt* or office or institution, but not in jail nor in a police station, and they are tried apart from other police cases by a special magistrate. The court meets whenever there are cases; the only persons present at the trial, as a rule, are the magistrate, his clerk, the children, their parents, and an officer from the Children's Council. The judge may order all persons not concerned in the case to leave. Contamination is thus avoided. Applications for the committal of children to reform or industrial schools are also referred to the State Children's Council. There is, therefore, no need for those under 16 (18 if girls) ever to come into contact with a police court or station. Magistrates, police officers, and all officials alike speak in great praise of this system. The criminal records of South Australia are very good, and serious crime is almost unknown; in fact, the commitments are, proportionally, lower than in any country I know except New Zealand. There is no "criminal class," and there are hardly any juvenile offenders: they are decreasing in number.

All destitute, neglected, uncontrollable, and criminal children up to the age of 18 come under the care of the State Children's Council (appointed in 1886). They have about 1,000 children under their care, supported by a parliamentary vote; but the parents contribute some 1,100*l.* annually. They may be ordered to pay from 2*s.* to 10*s.* a week. Children convicted of punishable offences, and those who require the discipline, in the opinion of the judge, may be committed to industrial or reform schools; the Council appoints all officers connected with these schools or with those that deal with criminal children. Inmates of industrial schools may be transferred to reformatories if incorrigible or uncontrollable, or *vice versâ* for good conduct. The children in reform schools must be classified, and may rise by good conduct to classes

⁷⁴ Statistical sketch of South Australia. Destitute Persons Act, 1881, amended 1886; State Children's Act, 1895, and other Acts; Reports of State Children's Council, with laws; Australasian Conference on Charity, &c., &c. Juvenile Offenders Act.

having special privileges, or *vice versâ*. Girls may be kept in industrial schools till they are 18; as a rule, however, nearly all the inmates both of reformatory and industrial schools are boarded out, on payment, till they are 13, but reformatory school inmates must remain for one-third of their sentence. Juvenile criminals, and these only, may be sent to reformatories to remain until 16 or 18, or a shorter period, but not less than one year; or they may be licensed out, apprenticed, &c.; or the parents may be required to give security for the child's good behaviour till he is 18, or such age as the judge fixes; or the case may be dismissed if some relative undertakes to give such punishment as the judge approves; or the child may be punished and subsequently sent to a reformatory. In the case of a first conviction, the child may be sent to an industrial school, if he appear suitable. If a convicted child is over 16 when committed, an order may be given to detain him two years, that is till past 18, otherwise no child remains under the Council beyond that age, unless a girl, under special circumstances, by order of the Governor. The Governor may order the release or longer detention of inmates of reformatory and industrial schools if deemed necessary. A judge may order a boy under 14 a whipping of not more than twelve strokes if incorrigible, or he may be released on probation, remaining under supervision till 18; if still unsatisfactory, he may be sent to a probationary school for three months. The Act orders all jailors to take all children in, or sent to, prison before a judge, who may, if he think fit, send the child to a reformatory for the unexpired term of imprisonment, if not less than six months.

Victoria.

The first legislation in this colony was in 1864,⁷⁵ when the Neglected and Criminal Children's Act was passed, establishing industrial schools for destitute and neglected children under 16, and for juvenile offenders too young for reformatories. In 1890 the age was raised to 17, and for uncontrollable children to 15. Boarding out was legalised in 1874, and in 1878 the transfer of inmates from industrial schools and *vice versâ* was authorised, while the term of *control* was raised to 18. In 1887 boarding out was extended, and the opening of fresh reformatories or industrial schools forbidden, while probationary schools for the temporary care of juvenile delinquents and for refractory cases were established. In no case must the detention exceed six months, while the age of committal was raised to 17 for both reformatory and industrial schools, the lowest age for the former being 12, those under that age being given to the Department for Neglected

⁷⁵ Neglected Children and Juvenile Offenders Acts, Victoria.

Children. Imprisonment previous to committal to a reformatory was made illegal. All reformatory and committed children were made wards of the State till 18, or even 20 in certain cases. If juvenile offenders over 12 do not appear vicious, they may be given to the department instead of being sent to a reformatory; offenders under 18 may be transferred from jail to a reformatory, while all criminals under 17 must be sent to a reformatory, not to a jail. Sentence of committal to a reformatory may be suspended, and release to suitable guardians given on bail, and sentence on first offenders under 21, and even on those under 25 at the discretion of the governor, may be suspended, and the offenders placed on probation instead.

New South Wales.

In 1897 there were fewer prisoners than in any year since 1883, though the population has increased; few children are now committed to prison.

Criminal children⁷⁶ under 14 may be committed to reformatory or industrial schools, or to authorised homes, instead of to prison; they may also be boarded out, or adopted by the State, or apprenticed by the managers of the institution.

Further details as regards the treatment of juvenile delinquents in Australia and elsewhere are omitted for want of space.

Summary and Suggestions.

Certain conclusions force themselves upon the mind on reviewing the statistics here collected. One is, that the methods hitherto employed for the repression and the punishment of crime have largely failed, as far as the reduction of crime or the reform of the criminal is concerned. The countries where crime is decreasing are those which have adopted widely both preventive work and such modern ways of dealing with criminals (first offenders in particular); as (1) the indeterminate sentence; (2) release on probation with certain safeguards; (3) reformatories for "adult-juvenile" offenders; (4) the most stringent regulations against drunkenness.

Of the success of preventive work, Ireland affords an unexpected and striking example. Juvenile crime has there diminished 39 per cent. in twenty years, and forms only 0.6 per cent. of the total crime, falling, especially among girls, more rapidly than in any European country.⁷⁷ Among 10,000 female prisoners in 1896, only

⁷⁶ Children's Protection Act, 1892, New South Wales.

⁷⁷ The population decreased 13 per cent. in the same period.

16 were under 15 years of age; forty years ago 1 prisoner in 5 was under 16, now not 1 in a 100, and not 1 in a 1,000 is under 12; though even that is one too many. The Protestant Female Reformatory is closed for want of inmates, while the total number of girls admitted during the last four years to reformatories in the whole of Ireland has never exceeded 16 in any year, and the total admissions, both boys and girls, have diminished one-half in twenty years. The chief causes leading to this reduction appear to be (a) the rapid increase of education; in fifty years the number of illiterates has been reduced from 53 per cent. to 18 per cent. of the population, and (b) the splendid preventive work of the Industrial Schools. There are more girls in Ireland in these schools than boys, more indeed than in the whole of England and Wales. As to crime in general, Ireland is no exception to the facts noticed in other countries; the total offenders in 1895 increased to 3,995 per 100,000 of the population (though serious offences have undoubtedly decreased), and the arrests for drunkenness show a correspondingly marked increase. Apart from drunkenness and offences committed through drunkenness, female crime is almost non-existent in Ireland.

The best examples, however, of preventive work are afforded in the countries of New Zealand, Ontario (Canada), and in the States of Massachusetts, Michigan, and Minnesota. In these States, children morally neglected, as well as those physically neglected, become wards of the State, parental control is forfeited, and yet the numbers of children dependent on the State show a marked and constant decrease. In Massachusetts there has been a reduction of 50 per cent. in twenty years, and in Michigan and Minnesota even more, 70 per cent. This splendid result is in part due to the States beginning their preventive work at a much earlier age than we do, and also to their doing it much more thoroughly, and giving longer supervision. It has been noted that the inmates of our industrial schools are physically below the standard of ordinary school children; in Elmira, New York (for male first offenders), the same has been observed; no less than 66 per cent. of the inmates are physically degenerate. Strength of will depends upon strength of body as well as of mind, and to obtain this, especially in those inheriting evil tendencies, proper care and treatment cannot begin too young.

Preventive work in England requires to be greatly developed, and the methods largely changed, before it can ever attain the success that has been obtained elsewhere.

The following changes appear to me urgently needed: (a) entire deprivation of parental control where the parent is obviously unfit for his duties, where neglect, either moral or

physical, is persistent and wilful;⁷⁸ and (b) the infliction on the negligent parent of punishment, in the form, if possible, of payment towards the child's support. That this idea is not chimerical is proved in New Zealand, where nearly half the cost of State-supported children is recovered from the parents. My own experience confirms this; for, by careful oversight, the parents of children in the Home with which I am connected contribute about a third of the total cost of the support of the inmates. In Massachusetts employers may be required to pay part of a man's earnings direct to his family. England allows parents, who fulfil none of their duties, still to retain their rights even to the manifest injury of their children.

It should also be part of a policeman's duty to arrest children who are known to be drifting into crime, through bad companionship, or other cause, bringing them up for committal to industrial or other schools. As far as Ireland is concerned, I have rarely heard of any policeman getting children committed to industrial schools, though they must constantly come into contact with those who are eligible for admission.

As another preventive step, much more stringent laws need to be passed as regards tramps and "in's" and "out's." Vagrants and tramps are as yet almost wholly untouched, as far as the law in England is concerned. In this connection I may draw attention to the striking fact that the recently passed Belgian laws have resulted in the diminution of begging by one-half during the last three years. In France it is stated that tramp children are the most degraded of any type, and it has also been shown in Manchester and elsewhere, that these children seldom settle to a life of honest industry; while juvenile criminals are largely recruited from this class, and from street hawkers. Education, especially manual training, needs to be more strictly enforced and developed; yet one child in every eight, even in England, attends no school, and in Dublin the proportion is still higher.

It is well to bear in mind that crime arises largely from the *want* of something, a want probably easily and economically met in childhood; for it is usually a want of education, of a trade, a home; want of moral control; or even, as already proved, want of food, resulting in physical degeneracy. A large proportion of prisoners are almost entirely uneducated (96 per cent.), pp. 192 and 196, and unskilled in work (76 per cent.), pp. 235 and 243.

As regards the treatment of juvenile offenders, we can learn much from those countries where crime is diminishing. New

⁷⁸ In France, Switzerland, and Belgium, negligent parents may be sent to Houses of Correction.

Zealand has, I think, the lowest proportion of criminals, and shows a decrease of 17 per cent. in fifteen years, and a decrease of arrests for drunkenness of 50 per cent. in ten years. Canada also shows a marked decrease in both adult and juvenile criminals, and a decrease in vagrancy and in drunkenness, though 67 per cent. of the prisoners are committed for drunkenness. In Victoria juvenile delinquents have decreased (32 per cent.), as they have in South Australia, Massachusetts, and the other States already referred to. These countries all have what England still needs:—

(1.) *Separate trials of juvenile offenders*, and a complete separation of juvenile offenders from adults during their trial, while awaiting trial, and while undergoing punishment.⁷⁹ Imprisonment of children, or indeed of any first offenders, has been almost abolished in the countries named.

(2.) *Extension of the First Offenders Act*, so that, at the discretion of the judge, all first offenders may be released on probation, conditionally, and subject to recall. To carry this out with the success achieved elsewhere, probation officers are an absolute necessity. These officers should be entirely distinct from the police, in order that no visible slur may be cast upon those placed under their supervision. Their duty should be to make inquiry into the homes and circumstances of first offenders, and to give subsequent supervision to those conditionally released. Far greater supervision is also required over the children leaving reformatory and industrial schools.

The *indeterminate sentence* is largely used in America, even in the case of children sent to industrial schools, the sentence given being frequently “to be confined till there is reason to hope for “reform.” When habits of industry have been formed, it is often considered safe and wise to release inmates. It certainly seems folly to release a prisoner just because he has served a certain time, when it is known that he intends to return to a criminal career as soon as he is set free, but the indeterminate sentence would probably be considered to leave too much to individual discretion in this country.

Far more stringent regulations need to be made against drunkenness, instead of making it, as now, a plea for mitigated penalty for offences committed when under its influence. Contrast New Zealand, and its freedom, comparatively, from crime, since arrests for drunkenness are only 8·5 per 1,000 of the population, while in Ireland the arrests for drunkenness are 19 per 1,000. Statistics show that the children of drunkards inherit vicious

⁷⁹ Children should also be rigidly excluded from police courts and yards, confined apart from adults, and conveyed, if guilty, to prison in separate vehicles, not in the common prison vans.

tendencies and enfeebled wills, and that they largely people our charity schools, and our prisons and asylums; in one prison it was shown that 40 per cent. of the criminals inherited criminal instincts, in another 78 per cent. came of criminal and drunken families (see also France, p. 207). In Switzerland half the juveniles sent to correctional institutes have drunken parents.

We may spend money for ever, and uselessly, so long as men and women are at liberty to drink themselves and their children into a criminal life. The remarkable freedom from drunkenness among Jews, largely accounts for the rarity (in the United States, at all events) of Jew criminals and Jew paupers. Sixty per cent. of all the offences in Massachusetts in the last twenty years are traceable to drink; in England the proportion in crimes of violence is 75 per cent. One-fifth of juvenile crime is due to drunken parents; yet in the last forty years arrests for drunkenness have doubled in England. The punishment awarded is obviously inadequate, though the public have largely to support the children of drunkards, who yet do not lose their control, except in the few cases that come under the Children's Protection Act. And this Act does not apply to Ireland, nor does the Married Women's Protection Act, though even a lawyer might be puzzled to explain why an Englishwoman or child requires the protection these Acts afford against a drunken father or husband, from the benefits of which an Irishwoman and an Irish child are excluded.

Another reform needed is a *special reformatory for first offenders* over the age of 16 (the present limit) up to, say 21, and the entire abolition of imprisonment of juveniles. A more elastic sentence to reformatory or industrial schools than our present stereotyped one of five years seems desirable.

The separate trial of juveniles might be accomplished without expense by certifying certain existing homes or schools as suitable places for such trial, and by utilising these as temporary shelters for children awaiting trial; or, as in our colonies, they might be given in charge of a constable who has a suitable home.

In conclusion, for the reduction of crime, the main step needed is first to check the growth of the criminal class, a growth largely due to the absence of moral control at home; this control must therefore, for its own safety, be undertaken by the State; then, after preventive work has done all it can, the improved reformatory measures just specified must be resorted to. Our precautions begin too late, and stop too soon; we carefully safeguard those with evil tendencies till they are 16, and then send them into the world at the most critical age of all, with next to no protection.

I am much indebted to my correspondents, especially many in

America and Australia, who have so kindly sent me copies of all laws in their respective States relating to children, so that I have been able to embody those passed so recently as October, 1898 (Massachusetts and Ontario), and April, 1899 (Illinois), while most of my American statistics are brought to the close of 1898, some even later, so promptly are they published. I would specially name with gratitude Mr. J. J. Kelso, Superintendent of the newly-formed Government Department of Neglected and Dependent Children in Ontario; Mr. H. H. Hart, Secretary of the Charities Conference; the Hon. C. Randall, founder of the Michigan system; the Hon. W. P. Reeves, Agent-General for New Zealand; and M. Thiry, Professor of Criminal Law, Liège, Belgium.

It has been far more difficult to obtain statistics from England and from European countries than from America or the Antipodes.

DISCUSSION *on* MISS BARRETT'S PAPER.

PROFESSOR HULL, having remarked that Miss Barrett had personal experience in the management of an industrial home at Kingstown, said that one point which was pretty clearly brought out in the paper was that drunkenness was at the root of the demoralisation of these juvenile offenders. For their parents, by heredity, transmitted a taste and aptitude for drink to their unfortunate offspring. The gratitude of the nation was due to those who placed the youthful waifs in homes and gave them opportunities of escaping their unfortunate surroundings. The paper which had been read showed much care and research on the part of the author, and would be of use in helping to enlighten the public on one of the most important social questions of the day.

Mr. W. CHANCE said that it was now felt that if crime were to be diminished, the work must be commenced by getting hold of the children early. He was particularly interested in the vagrant classes, and there it was found the numbers were increasing, and that the children of the habitual vagrant escaped proper education altogether. They could, therefore, only drift into crime. Recent returns showed that there were about 250 to 400 such vagrant children in casual wards on any one day. There would be, of course, many more distributed through the country on that day in common lodging-houses or otherwise. Miss Barrett took the view, which would probably be disputed by a great many people, that the State ought to take children away from those parents who were not able to bring them up properly. That had already been done to a certain extent by an Act of last year, by which powers to adopt the neglected children of parents who came

upon the rates were given to boards of guardians. It was to be hoped that that Act might be useful, and that a considerable number of children who were likely, unfortunately, to recruit the criminal classes, would be turned into self-respecting citizens. A further Bill dealing with vagrant children was now before Parliament. It was proposed that where vagrant parents were found habitually travelling on the highways with children, the police should have power to arrest them, and, if a *prima facie* case was made out, the magistrates were to be given power to send the children to central poor-law or industrial schools, while the offending parent was to be punished. Similar powers were to be granted in respect of children who were found vagrant but unaccompanied by their parents.

The Rev. Dr. W. D. MORRISON said that his own experience with regard to juvenile crime was that it arose from two sets of conditions. The first set resided in the child itself; the second in the circumstances in which it was born and had to live. He referred to the defective development, both physical and mental, of a portion of the child population. If there was a certain section of the juvenile population not strong enough to go among other people and earn their bread and compete with their neighbours in the economic work of the world, it followed that they must fall either into the unknown or into the prison. They must begin by removing the causes of juvenile crime. Till that was done all the punishment in the world would do exceedingly little towards diminishing juvenile crime. Until they removed the cause they would never remove the effect. He instanced the case of those children who lost their parents early, and were driven into common lodging-houses and the company of dangerous associates. Then there was the case of those young people who lost their employment through thoughtlessness or carelessness, and so fell into the army of crime. Then there were the children of degraded and drunken parents. Till the causes were removed, no whipping and no imprisonment would do any good. After the punishment was suffered, the offenders went back to their old surroundings and their old life. There were at that moment two Bills before Parliament dealing with the subject, and the authors of them seemed to imagine that if resort were made to whipping much more than had been the case in the past, they would succeed in diminishing juvenile crime. He did not believe it for a single moment. They would continue to have a crop of juvenile criminals, just as typhoid and other diseases would continue to live in our midst until the causes which produced those diseases were removed. Of course that opened out a tremendously wide question, because it meant starting to revolutionise a great many of our social conditions of existence. He was convinced that the first step to be taken in order to diminish pauperism, crime, insanity, and all those evils which hung round the neck of our civilisation and dragged it down, was to do our very utmost to remove the miserable social conditions in the midst of which the vast proportion of the people had to live. When those conditions

were improved, then we might have an improvement in the condition of the juvenile community as a whole.

Mr. JOHN GLOVER remarked on the sadness of the subject under discussion, which would be more marked if it were really the case that the original causes of crime were anterior to the children themselves, so that they never had an opportunity. He desired to point out the futility of comparing our statistics with those of newly-settled countries, say New Zealand, where social conditions were so entirely different from our own. There was, however, one satisfactory feature in the statistics, and that was the fact that great though the amount of juvenile crime might still be, it was now a great deal less than it was. The Ragged School movement, and the City Mission movement, and the effect of Mr. Forster's Act, which had now been in operation about thirty years, had not left them without good results, when he found it stated in the paper, no doubt truthfully, that "happily there are but one-sixth as many juvenile prisoners in England now as thirty years ago." Was not a reduction of five-sixths, in a population which had largely increased during the period, a very satisfactory result for one generation, especially in a country with our economic and industrial conditions? As statisticians they were aware that something might be due to changes in the method of collecting statistics and in methods of criminal administration; as a magistrate he knew that there was now a much more tender and sympathetic treatment of juvenile criminals than formerly prevailed. There was a much greater reluctance to send young people to prison, and a disposition to give them the benefit of the First Offenders Act wherever it was possible. He wished he could share the opinions Miss Barrett had promulgated in the paper as to the remedies suggested. He thought that deprivation of parental control was an impracticable prescription. A measure of that sort would involve too great a sacrifice of individual liberty, and would be unworkable. Parents rather needed bringing up to their responsibilities, not relieving from them. There had been far too much tendency in the legislation of late years to relieve parents of their natural responsibilities. It was very difficult to imprison parents for such "persistent neglect" of their children, and nearly as difficult to enforce fines. If any such course were attempted on a large scale, they would have the children in the workhouses and the parents in prison. As regarded Miss Barrett's second suggestion, of punishing the negligent parent by making him contribute to the cost of his child's maintenance, the same difficulty occurred. A man would not pay, and had to be committed to prison, and then his family and wife went to the workhouse. Miss Barrett indeed justified her recommendation by citing the case of New Zealand, where nearly half the cost of supporting the children was recovered from the parents. As he had said, he thought the conditions were so different that the case of New Zealand would not apply to their own. He, himself, looked to the more general spread of education and the increased sense of parental responsibility which was needed everywhere, and for which they must

have patience. But he felt that the present condition of things was not a cause for depression, seeing that we had only one-sixth of the juvenile offenders we had thirty years ago.

Mr. JOHN MACDONELL thought that Mr. Glover had been a little too hard upon the proposals with which Miss Barrett had concluded her valuable paper. So far as he was aware, there was not in the literature of the subject, in English at all events, a paper so comprehensive or full in details, nor (subject to certain corrections and qualifications) one which showed so great a command of the whole subject. As a lawyer he saw no great difficulty either in framing an Act of Parliament to give effect to Miss Barrett's suggestions, nor in administering the provisions of such a law. Those upon whom the duty of doing so fell, would, it might be assumed, regard not merely the effect of sentences which they passed upon the children. They would also take into account the results to the parents themselves; so that, while ameliorating the condition of the child, care should be taken that such sentences should not be the means of enabling parents to shake off their responsibilities. He thought that Miss Barrett had attached too much importance to some statistics, especially those of foreign countries. Take, for instance, the statistics referred to by Miss Barrett with respect to the effect of certain systems in the United States, and particularly with regard to what were termed "lapses." The figures relating to some States of the Union were collected by officers in those States, who did not and could not know anything of the after lives of many of the persons trained under them, persons who six months later might be removed to Chicago, San Francisco, or New Orleans. As nothing was subsequently heard to their disadvantage, they may appear among the percentage of those who had not lapsed. It seemed to him that the gravest defect of criminal statistics was the absence of accurate local information. Examining only the statistics of a country as a whole, there could be only a dim idea of the changes which were taking place in the administration of the law, in the increased police supervision and vigilance, and in the temper and tone of the judges who administer the law. If, on the other hand, one selected a particular portion of that country, and examined the administration of the criminal law from year to year, in that area one would begin to have some clear idea of what was going on with regard to a particular class of crime. To illustrate how quickly and completely the administration of the law might be altered in our own country, he mentioned the case of an old woman who was some ten years ago sentenced by a Judge, humane according to notions then prevalent, to terms of penal servitude amounting in the aggregate to something like fourteen years, for offences which to-day would only be punished with a few days' imprisonment, even if she were not, on account of her age, let off altogether. The second part of the paper, namely, that which dealt with the remedy for juvenile delinquency, was probably the most interesting. He agreed in the main with what Dr. Morrison had said. But he ventured to think the outlook was more hopeful than Dr. Morrison's

forecast, that slowly here and elsewhere there was rising, not very distinctly in some countries, but still gradually everywhere, a new system of dealing with juvenile delinquency far more effectual than that which had been attempted in the past. The past was chiefly a record of failures. The notion of vindictive punishment and of crime in regard to children's offences was being got rid of; the idea of education and improvement was taking its place. We had grasped the idea that the treatment of juvenile delinquents was part of national education in its larger sense. In an orderly well-regulated household, if a child fell into evil ways, there was a wholesome system of counsel or correction applied, now tenderly, now with severity. The children whom social reformers had to deal with were not found in well-ordered households; and the task before the legislature was not how shall the State punish young offenders, but how shall it act as a judicious parent to these children. The duty of the magistrate should be to inquire into the moral condition of the child, with a view to seeing what sort of education was required. The wealthy and middle classes were solving this problem for themselves. There were, as his hearers knew, in this country, open to children of wealthy and middle class parents, schools which dealt, and dealt successfully, with undisciplined children, who in other ranks of life would become juvenile delinquents. Similar provision must be made for the children of poor parents. As little as possible should there be attempts to deal with such cases wholesale, in large reformatories and industrial schools. The State should, as far as possible, deal with each case individually—very much as a wise parent would treat a child who had got out of hand.

In some respects we had really gone back in the treatment of criminals; we certainly had not much advanced. It might seem strange to refer for lessons in criminology and the treatment of criminals to such an author as Defoe, and stranger still to make reference to "Moll Flanders." But in the description therein given of the life of a thief in Defoe's time, it would be found that some sounder practices were prevalent than at the present time. Moll Flanders was sentenced to penal servitude, and her husband, who had been a highwayman, went out to Virginia with her. Almost as soon as they got out there they were allowed, in the natural course of things, to go into the interior, where, if they troubled no one, no one troubled them. It was taken for granted that in the life of a colony in those days the older criminals, and also the younger delinquents, would be absorbed in the large mass of society, of which they became honest members. The chief point he desired to emphasise was this: even though we might not like it, the parent in future for a vast number of children must be the State, which must undertake the greatest of parental duties, that of education.

Mr. WILLIAM TALLACK said he most cordially united with the gentlemen who had spoken as to the great value of the paper, and thought he had never heard one which had taken such a comprehensive and instructive view of the whole subject. He agreed

with Dr. Morrison, that if we wanted to alter the effects of juvenile criminality, we must go to the causes. Just two points had struck him as illustrating that. Miss Barrett spoke of the great diminution of juvenile criminality in Ireland, and also alluded to the fact that within a few years juvenile criminality in Holland had doubled. That seemed to him to show the importance of religious training in dealing with this question. In Ireland, both among the Protestants of the north, and among the Catholics generally, the ministers paid very great attention to the religious interests of the young. On the other hand, in Holland, owing to various causes, such as antagonistic religious sects and agnostic influences, religion was excluded from the schools. This question also raised the whole subject of the housing of the poor, and, in short, almost every social question, notably intemperance. They had heard much in the paper about the effects of drunkenness in relation to juvenile delinquency. The Government should be urged to act upon the recommendations of the late Royal Commission on the Licensing Laws. The adoption of those recommendations would certainly go to the root of a great deal not only of juvenile, but also of adult, criminality. He thought there might be more control exercised over habitually negligent parents, especially the vagrant classes, who dragged their children about with them and trained them up most certainly in the paths of crime. He thought there was a great deal to be said for the view of the late Edward Denison, M.P., as expressed in his biography, edited by the late Sir Baldwyn Leighton. In this a mine of information on the subject would be found. It was Edward Denison's opinion that if the children of the pauper classes were taken from their parents for at least two years, and boarded out, or put in suitable schools, that would break the neck of pauperism in twenty years. He cordially united with those who had spoken in favour of the enforcement of parental responsibility. A few years ago the Government brought in a measure—which unfortunately was crowded out—by which it was proposed by Sir Godfrey Lushington, who was a very practical authority by reason of his long connection with the Home Office, to make parents alive to a sense of their responsibilities by the infliction of small fines, ranging from 1*l.* to 5*l.* as a maximum. If such an Act were passed, he thought that the influence it would exercise, though perhaps limited, would be very useful.

Mr. JESSE ARGYLE pointed out the great difficulty there was in getting hold of the lads between 16 and 20. There were almost any number of agencies for dealing with them before that age. He instanced the school boards, voluntary schools and the Sunday schools—organisations which reached every class, even to the poorest and most neglected. But directly these lads got to be about 15 or 16, an age when parental control failing, if it ever existed, they especially needed looking after, they broke away from the Sunday school. He supposed that not one in ten were kept after that age. The only thing that really seemed to be done with any success was the formation of lads' clubs, but that was

only on such a minor scale that it touched a very small proportion of the lads. Even these clubs were closed to the boys on the day they most needed looking after, viz., Sunday, when they spent their time in most undesirable ways. The fact must be recognised that they would not go to Sunday schools; they would not be brought directly under religious influences, and it was of no use to keep up the mistake of saying, "We will have nothing else on Sunday but religious influences." They saw how on Saturday afternoons these boys were healthily occupied in their games and sports. The occupation which their games gave them must be offered them on Sunday. He therefore advocated the opening of lads' clubs, with plenty of athletics and other means of rational and healthy enjoyment, to keep them out of mischief and temptation.

Mr. HENRY McNIEL maintained, in spite of all Mr. Glover had urged, that where parents notoriously neglected their responsibilities, it was the duty of the State to step in. There was one thing which he would like especially to press upon the Society, and that was, that the class of parents alluded to regarded their children as an "asset." The children of many poor parents were, even at an early age, sent out into the streets to earn something, and if they could not get work, they were virtually forced to thieve, for when they came back at night, they had to bring a certain amount of money with them, or they were punished unmercifully. If parents who did not look after their children properly, were called upon not only to forego the children's earnings, but also to pay a certain amount for their maintenance, in whatever institution they might be placed, it would put the very strongest pressure upon such parents to do their duty. Drunkenness had been alluded to as a most fruitful cause of the breeding of crime. He wished that drunkenness on the part of parents should be recognised as a reason for taking away their children, and compelling them to pay a certain amount towards their maintenance in an institution. In that way he thought we might go to the very root of the matter; for in considering the question of taking away children from the control of neglectful or drunken parents, where the longer they remained the worse they got, we should remember that such a step would be more potent than any other, for such parents would be more constrained to look after their children and to keep sober, by fear of losing what they regarded as a valuable asset, than by any other form of pressure which could be put on.

Mr. E. A. HASTINGS JAY said that, as Secretary of a Committee of the Charity Organisation Society in a district of the East End of London, he could corroborate most strongly what the last speaker had said as to the want of any feeling of responsibility on the part of the parents. He found that at the East End it was very difficult for boys and girls leaving school to know to what to turn their hands for a living; their parents could not or would not advise them. He thought that school managers might very usefully take more interest in the future of the children by study-

ing the conditions of trade and the openings that were available for them, in regarding not so much the immediate earnings, which were all that the parents thought of, as the future prospects when the children became men and women; then, instead of the idle loafing class which was growing up, we should get a class of decent citizens able to command a good wage. The reason why there was so large a class of unemployed was not because there was no work going, but because there were a number of people who were incapable of being useful members of society. If therefore teachers could be got to take an interest in the children just at the time when they were leaving school, he thought we should be taking a large step towards lessening this increasing class of loafers and criminals. School managers could do much to assist the teachers, who were too busy themselves to accumulate the necessary information.

The CHAIRMAN (Sir FRANCIS SHARP POWELL, M.P.) said that for a solution of their difficulties he thought they must look both to philanthropic effort and to the action of Parliament. He himself had far more confidence in individual efforts than in statutes. It was comparatively easy for a powerful Government to pass an Act of Parliament, but it was by no means easy to carry that Act into effect so as to ensure results commensurate with the efforts made. When, however, they came to personal effort, he thought they were on a safe and right course. He believed that much blame in this matter rested with the school board authorities. One borough with which he was intimately acquainted was at present proud that in the hands of the existing school board there was a diminution of the efforts made by the school attendance officers. But the effect of that laxity had been to diminish the number of children at school, and he felt confident that if that evil policy were pursued, the diminution of the number of children in the schools of that great city, would be followed by a large and corresponding increase of crime. In examining the judicial statistics, he had been much struck by observing the number of cases of larceny amongst these young people. He was far from saying that the youthful mind had not a natural tendency to theft, but when he saw the large number of larcenies committed, he could not help thinking that there must be amongst the population those who taught larceny. Probably much might be done to repress juvenile crime if more pains were taken to stay the hand of evil teachers and wicked counsellors who guided these young people into wickedness and sin. Looking at the situation as a whole, he thought there was far more ground for hope and encouragement than for despair. He was much struck with the fact that even with a larger population, the number of juvenile delinquents was only one-sixth of what it was thirty years ago. That fact should not be lost sight of, for it showed that those who had laboured in this cause had had some reward for their endeavours. He had also been much struck by what had been said as regarded Sunday afternoons, and there were few things which he wished more than that the Sunday question might be handled in a large,

a liberal, and a comprehensive spirit. Not only with regard to the young people with whom they were now concerned, but with regard to English society generally, the Sunday problem required thorough investigation. Owing to many circumstances, the facilities for locomotion, and the early closing of places of business on Saturday, a great change was no doubt coming over the habits of the people as regarded Sunday. New problems had to be faced, and new difficulties had to be dealt with. The conduct of young people between 12 and 20 years of age was only a branch, and perhaps not the most important branch, of a more extensive question.

The CHAIRMAN concluded by moving a vote of thanks to Miss Barrett for her paper, which was carried unanimously.

The following reply has since been received from Miss Barrett:—

I am grateful for this opportunity of replying to the discussion upon my paper, and very sincerely thank the speakers for their kind words. Some of the points raised, such as the treatment of pauper children, boys' clubs, &c., lie outside the scope of the paper, and I do not therefore propose to say anything on those subjects. As regards the various preventive and remedial measures suggested, it is true that we cannot institute too close a comparison between new and thinly-peopled countries and our own; but when we find that certain measures have invariably proved successful in checking crime and in reforming the criminal wherever they have been tried (while it is generally acknowledged that our own methods have largely failed in both these aims), we may certainly believe that it is the *method*, not the *country*, that needs changing. It is to be hoped that one preventive measure—the Children of Vagrants Act—may speedily become law, so that this large and, alas, increasing class of children may at last be brought under educational and reformatory influences. I think, however, that the care of such children should be a State and not a county charge, since the greater number belong to no place in particular, and, in order to escape an increase of county rates, the authorities in districts where such children are found may hesitate to arrest them. This change of responsibility has been found necessary in Belgium, where recent laws have effected a striking diminution in this class.

Other speakers dwell on the difficulty of the State coming between a parent and his child, and taking the parent's place; but it seems to me that one great error of our present English system is, that while charity and the State do already to a large extent take the parent's place in educating and training neglected children, the parent not only receives no punishment for his

neglect, but is generally allowed to resume control (after years of cost to the community) at the most critical age, 16 or so, and just when the child is likely to be a source of profit, instead of an expense. In most other countries, not only in America and our colonies, but on the continent, the neglecting parent is punished and deprived of control over his child (unless he can prove reformation of character); thus the costly work of training young children is not nullified, as it is with us in too many instances. The effect of these foreign laws is, in the first place, that the work of reformation is much more permanent, and, in the second place, that parents become less negligent, since few like entirely to lose sight or control of their children, though very willing not to take any trouble so long as other people can be found to do their work.¹

Fact is stronger than theory, and experience proves that the tide of child misery and neglect can only be checked by legal restraint upon the parents, by their punishment, and by the entire removal of the children where the parents are incorrigible. It is by no means impossible to make them pay towards the support of their children, as experience proves.²

Mr. Glover is mistaken in saying that my statistics show that juvenile *offenders* are only one-sixth as numerous as they were thirty years ago. I most carefully (as I thought) pointed out the fact that though juvenile *prisoners* were only one-sixth as numerous as they were thirty years ago, this did not mean that offenders had decreased, but only that methods of dealing with them had changed. Reformatories have been established, some are released on probation, some are whipped, &c. As a matter of fact, criminals

¹ The report for 1899, which I have just received from the Department of Neglected and Dependent Children, Ontario, confirms this in a striking way. The superintendent says that the law of 1893 (empowering the Court to remove children from vicious control and annulling parental control) has "led to the strengthening instead of the weakening of parental ties, for many parents who lightly regarded their responsibilities have developed a sudden affection for their children, when they realised the possibility of losing them." Much neglect and misery is checked, and "the number of those who form the criminal and worthless classes will be materially reduced in the near future."

² I may perhaps quote my own experience of work in the most difficult of all countries, where for centuries self-help and self-respect have been strangled by perpetual doles, and where poverty is perhaps greater than in any other country in Christendom. Yet even here so entirely novel an idea as that of making parents contribute towards the support of their children when in an institution has proved practicable and successful, even by a private individual without any legal or official authority.

The amount paid may be small (in some cases the wages earned by the parents are only 6*l.* a year), but paid it is, and faithfully; and I think I am within the mark in saying that bad debts do not average 1*l.* a year since this home was opened, and that not half a dozen children have been deserted, though the parents are working in all parts of Ireland, so that personal knowledge and oversight is impossible in many cases. This, however, is but a small effort. Moreover, in Ireland parents may desert their children for years, and leave charity to support them; but whenever they choose to return (though, as has happened within my experience, they are unable to recognise their own children), the law compels me to hand back the children to them, whatever the character of these parents. This is not necessarily the case in England now.

from 16 to 21 years of age are increasing in England and in Scotland,³ sad to say; pointing to some grave error or omission in our system. For this reason I dwelt at length on the systems adopted in those countries where—and where alone in all the world, as far as I can ascertain—this class is decreasing. These may not all be applicable to an old and densely-populated country like England, but, on the other hand, prison workers and officials are amongst those who are most anxious for changes to be made in the English system. They specially advocate the establishment of reformatories for first offenders over 16 years of age, such as those in the States of New York and Massachusetts, which have there proved so singularly successful, though the inmates are apparently hopeless enough on admission. Most are deficient in bodily and mental vigour and in moral sensibility; many are intemperate, yet after a comparatively short detention it is found safe to release the inmates on parole, and only 4 per cent. of these return to jail. The first step towards reform is to produce a healthy condition of body, and then of mind, by physical training and by elementary and trade instruction, so that on discharge the inmate may be able to earn an honest living. The ability to make something is often the first step towards self-respect and self-control. I much hope that before long separate trials of children and separate places of confinement will be instituted. It is true that children likely to appear in the police courts have probably been mixing all their lives with thieves, criminals, and the criminal class, but the very object of arresting them is surely to place something better before them—to reform more than to punish, and this cannot be effected without cutting them off from contaminating influences. When the Quaker philanthropist said: "Friend, thee should have better thoughts," the prisoner justly asked: "Where shall I get them?" The words once said by Pope Clement XI are as applicable now as then: "*Parum est coercere improbos pœnâ nisi probos efficias disciplinâ.*"

³ I am somewhat at a loss to explain why Ireland (so erroneously thought to be a specially criminal country) is so extraordinarily free from serious crime. With a smaller population, Scotland has an enormously greater number of prisoners (almost twice as many in some years), while serious offenders are only 16.6 per 10,000 of the population in Ireland, as compared with 25.4 per 10,000 in England. The convicted prisoners for all offences in Ireland are but 7.3 per 1,000 persons; in Scotland they are 12.6 per 1,000! Convicts, both male and female, show an extraordinary decrease in Ireland, and one is forced to believe that instead of the Irish being a naturally lawless offensive people, as so many think, they are in truth naturally law abiding and well behaved beyond most peoples. Whether this is due to their deep religious instincts, or to other causes, it is not for me to decide.