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U. S. DEPARTMENT OF LABOR

JAMES J. DAVIS, Secretary

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CHILD LABOR AND THE WELFARE
OF CHILDREN IN AN ANTHRACITE
COAL-MINING DISTRICT



Bureau Publication No. 106



WASHINGTON
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CONTENTS.

	Page.
Letter of transmittal.....	vii
District selected for study—Shenandoah.....	1
The children included in the study.....	5
The children at work.....	9-35
Legal regulations of child labor in the area.....	9
Number of children employed.....	11
Ages of children at work.....	11
Employment of the children and the nativity of the fathers.....	13
Occupations of the children.....	15
Changes in occupations.....	21
Hours of work.....	22
Irregularity of work.....	25
Reasons for going to work.....	26-31
Relation to dependency.....	31
The wages of the working children.....	35
The education of the children.....	39
Medical examinations of school children.....	46
Mortality rates among children.....	47
The homes of the children.....	48-67
Congestion.....	51
The pull of the mines and the problem of proper homes.....	55
Sewage and garbage disposal.....	59
The water supply.....	63
Recreation for the children.....	65
Appendixes.....	67-84
Appendix I. Summaries of Pennsylvania workmen's compensation acts of 1915 and 1919.....	69
Appendix II. Sections of leases of estates.....	72
Appendix III. Excerpt from an unpublished report of the chief of Pennsylvania State bureau of housing to the commissioner of health, April 9, 1919, regarding land ownership and relief of congestion in Shenandoah.....	74
Appendix IV. Tables—	
Table 1.—Nativity of child and of father, by district of residence; children 13 to 16 years of age.....	75
Table 2.—Children who began regular work at specified prior age, by age at time of inquiry and sex.....	75
Table 3.—Employment in regular work, by age and sex; children who had passed specified ages.....	76
Table 4.—Children who began work of any kind at specified prior age, by age at time of inquiry and sex of child.....	76
Table 5.—Number and per cent of children who had commenced work of any kind at specified ages.....	77
Table 6.—Employment in regular work, by age at time of inquiry, nativity of father, and sex; children who had passed specified ages.....	77

Appendixes—Continued.

Appendix IV. Tables—Continued.

	Pag
Table 7.—Employment in regular work, by age, nativity of father, and sex; children who had passed specified ages.....	
Table 8.—Employment in any kind of work, by age, nativity of father, and sex; children who had passed specified ages.....	
Table 9.—Employment in any kind of work, by age, nativity of father, and sex; children who had passed specified ages.....	
Table 10.—Employment in regular work, by age of child and earnings of father; children 13 to 16 years.....	
Table 11.—Industry of first regular work, by nativity of father; boys who had commenced regular work.....	
Table 12.—Industry of first regular work, by age of child at beginning regular work; boys who had commenced regular work.....	
Table 13.—Regular hours per day, by sex; children in regular or vacation work.....	
Table 14.—Regular hours per day, by industry and sex; children in regular or vacation work.....	
Table 15.—Maximum hours per day, by age and sex; children in regular work who did overtime work.....	
Table 16.—Maximum hours per day, by industry; boys in regular work who did overtime work.....	
Table 17.—Total hours per week, by age; children in regular work who did overtime work.....	
Table 18.—Nonemployment, by industry; fathers for whom reports of earnings covered year period.....	
Table 19.—Yearly earnings, by industry; fathers for whom reports of earnings covered year period.....	
Table 20.—Nonemployment, by sex; children in regular work during year period.....	
Table 21.—Reason for going to work, by nativity of father and child; children who had commenced work.....	
Table 22.—Annual earnings, by sex; children in regular work.....	
Table 23.—Age of child at beginning school, by nativity of father; children aged 13 to 16 years.....	
Table 24.—School attendance and present age; children who reported school attendance.....	
Table 25.—Reason for leaving school, by father's nativity; children who had left school.....	
Table 26.—Grade completed, by age of child and nativity of father; children still in school.....	
Table 27.—Proportion of children leaving school prior to specified ages, by age at time of inquiry, and father's nativity; children 13 to 16 years of age.....	
Table 28.—Age at which children left school, by age of child at time of inquiry and earnings of father.....	
Table 29.—Proportion of children leaving school prior to specified ages, by age at time of inquiry and father's earnings; children 13 to 16 years of age.....	
Table 30.—Cubic contents and adult and child occupants of bedrooms; bedrooms in blocks intensively studied in Shenandoah.....	

ILLUSTRATIONS.

v

CHARTS.

	Page.
Chart I. Block (2) in the eastern part of town; area 36,256 square feet; population, 332	49
II. Block (3) at the extreme southern apex of the town; area 28,574 square feet; population, 270.....	50
III. Four crowded lots at one end of block (4) in the northeast section of the town; area 18,133 square feet; population, 189.....	51

ILLUSTRATIONS.

Shenandoah from North Mahanoy Mountain looking over the top of a culm bank	2
Weston Place, the model town.....	3
Girard Mammoth Breaker, Raven Run.....	15
Boys returning from a day's work in the breakers.....	16
Spragging is one of the most dangerous occupations at which boys were working.....	17
A crowded frame tenement house known as "The Incubator".....	48
The staircase shows distance between front and rear house on lot.....	52
Shenandoah—crowded back yards	54
A dangerous cave-in in the village of Gilberton.....	56
The ground under one wing of this house caved in one night.....	57
A crowded yard in which a middle house faces a row of six privies.....	62
The swimming hole below Weston Place. The roofs of Shenandoah show in the distance.....	66

LETTER OF TRANSMITTAL.

UNITED STATES DEPARTMENT OF LABOR,
CHILDREN'S BUREAU,
Washington, February 21, 1922.

SIR: There is transmitted herewith a study of Child Labor and the Welfare of Children in an Anthracite Coal-mining District. The investigation upon which the report is based was begun by the Industrial Division of the Children's Bureau while Emma Duke was its Director. Helen Wilson, a member of the staff of the division, was responsible for the details of the plan, supervising the investigation, and organizing the material on which the report is based.

In this anthracite district children suffer both from congestion of population and isolation; from inadequate educational and recreational opportunities; mortality rates are distressingly high; and at 13 and 14 years of age many of the children have taken their places as full-time wage earners. There is much that can be done to promote the well-being of children in even the most favored communities. This report shows clearly that in this coal-mining district there appears to be a peculiarly rewarding field for service.

Respectfully submitted.

GRACE ABBOTT, *Chief.*

HON. JAMES J. DAVIS,
Secretary of Labor.

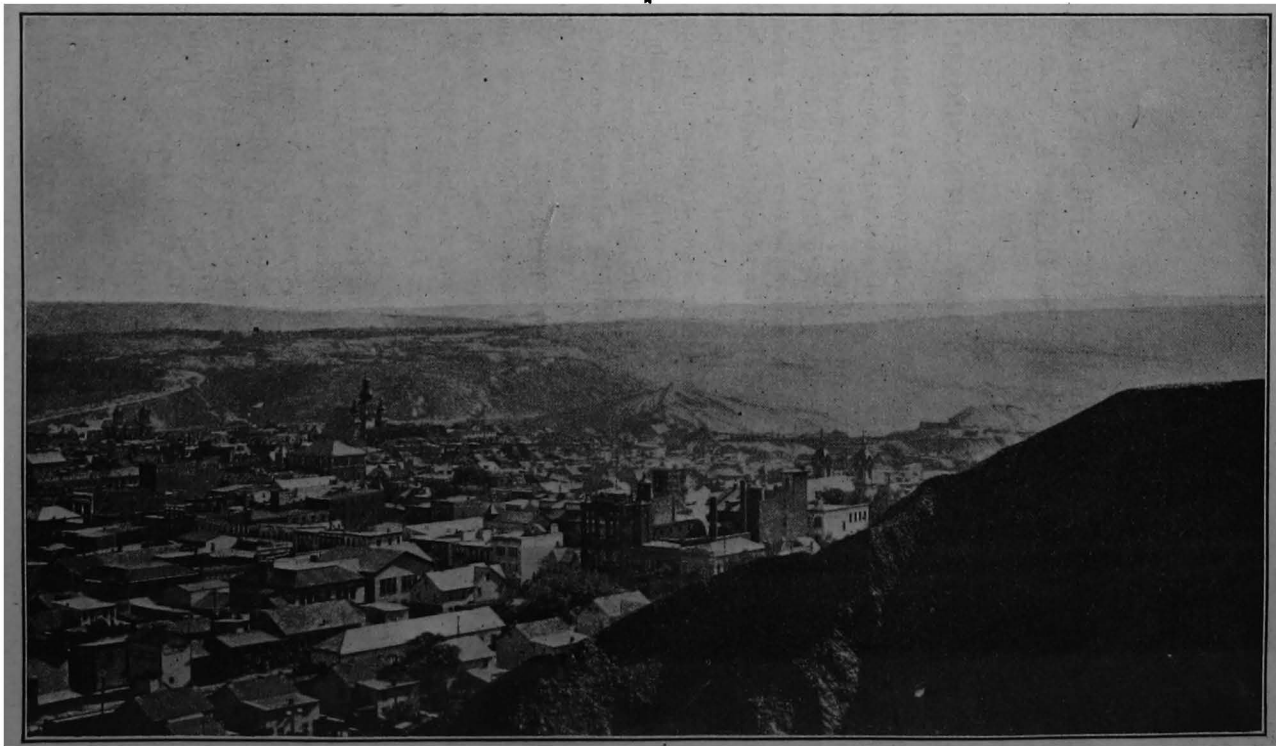
CHILD LABOR AND THE WELFARE OF CHILDREN IN AN ANTHRACITE COAL-MINING DISTRICT.

DISTRICT SELECTED FOR STUDY—SHENANDOAH.

Although unlike in many ways, the mining towns throughout the anthracite region bear the mark of the pit, and their general problems are similar. Everywhere the industry has wrought great changes in the face of the landscape. It is a black country dominated by the great breakers which rise above the towns. The streams are black with soot and there are black piles of refuse and culm, and the men returning from work wear masks of coal dust. Trees have been cut down for mine timber so that only stumps and scrubby bush, saplings, or misshaped trees are left. The earth mixed with the slate and coal dust is for the most part bare, and the few gardens, which demonstrate that the ground can still be cultivated, emphasize the general desolation. Throughout the region are fissures and cave-ins where the props in the mines have given way.

The district selected by the Children's Bureau in 1919 for a study of the problems of adolescent children lies in the central field in Schuylkill County, where the mountains cut the land into valleys and basins, narrow and irregular in outline. It includes the boroughs of Shenandoah, Gilberton, and Frackville and surrounding patches up to the boundary line of Mahanoy City on the east and Girardville on the west. The characteristics of the anthracite region seem especially prominent here. Shenandoah, the business and educational center of the district, is a congested town shut in by high hills. In its setting of culm heaps there is no touch of color or beauty, but from the hills above it long ranges of mountains may be seen and in the scrubby brush which covers the hills great masses of wild rhododendron blossom in the spring. The air is usually filled with the sulphurous dust which blows from the culm banks and the coal dust which comes from the breakers and the coal cars. The noise of the coal as it rushes down the breakers and of the chugging of the mine fans and other machinery is almost incessant.

For most of its length Gilberton Borough is a single row of houses along the trolley. Here much of the land has been undermined. A



SHENANDOAH FROM NORTH MAHANOY MOUNTAIN LOOKING OVER THE TOP OF A CULM BANK.

small group of houses known as the island lies between the railroad embankment and Mahanoy Creek, which carries off the mine refuse and the sewage from the privies along its banks. Frackville is on a hill overlooking this valley; it has been recently settled by the more prosperous people who have moved out of Shenandoah and other near-by towns. The so-called patches are small settlements, sometimes only 4 or 5 houses, sometimes as many as 125. Twenty of these patches were included in the study, some of them along the car tracks and others back in the hills. For example, there is Ravens Run, a settlement of 36 double houses on one of the highest hills in Schuylkill County. Although a railroad passes through the settlement, few passenger trains stop, and these at such inconvenient hours that they



WESTON PLACE THE MODEL TOWN.

are little used. It is a $2\frac{1}{2}$ -mile walk by road to the nearest trolley. The settlement can be and is frequently reached by a hazardous foot-path directly up the side of the mountain. Turkey Run, with over 60 houses, has neither railroad nor trolley service. The road makes a wide detour to reach the top of the hill on which it is situated, so that the people usually climb up through the colliery yard over the network of mine railways and along the rough paths which follow the ridges between the fissures. In winter and at night this is a dangerous path, and accidents to women and children were reported. But the main road, also, is unlighted, narrow, and deeply rutted, and in several places has sharp curves, so that it, too, is dangerous. Over the road or the path the men must go daily to their work in the mines, and the children who are above the sixth grade must go to Shenandoah to school. Weston Place, only about one-half mile from the trolley, is built high up on North Mahanoy Mountain, and is the

model mining town of the district. The patches which are located conveniently along the railroad and trolley lines are set amidst great heaps of culm and refuse, while the isolated ones are surrounded by brush, which is green in summer.

In all these communities the life revolves around the mines. In Shenandoah at the time the study was made there were three overall, two cigar, and two shirt factories, and one mining-cap factory. These employed chiefly the wives and daughters of the mine workers. Two branch packing houses with their accompanying slaughterhouses and fertilizer plants, bottling works, and two lumber companies employed a larger proportion of men. As Shenandoah is the business center of the district, there were also retail stores, bakeries, and banks, as well as freight houses and railroad and building operations, which offered some opportunities for employment. In Frackville there were a nightdress and pajama factory and an overall factory dependent on the women and girls for a labor supply. In the patches and in Gilberton there was no possibility of employment except in the mines or in a few small retail stores.

THE CHILDREN INCLUDED IN THE STUDY.

The earlier studies made by the Children's Bureau were especially concerned with the problems of infant mortality or the care of children of preschool age. In this study of an anthracite mining district and a number of others recently published attention was concentrated on the children of the adolescent period from 13 to 16 years of age, inclusive. In order to locate the children of these ages in the Shenandoah district a preliminary canvass was made of every house and apartment in the area studied, and the name and age of every child in the family, together with other identifying data, were noted. Because the birth records were incomplete, ages of all children discovered could not be verified. Birth records were found, however, for 582 of the children who had already been located and 3 overlooked in the canvass were discovered through this source. Altogether schedules were secured for 3,136 children between 13 and 16 years of age. Of this number 1,655 lived in Shenandoah, 424 in Frackville, 343 in Gilberton Borough, and 714 in the surrounding patches.

TABLE I.—*Age and sex; children 13 to 16 years of age.*¹

Sex.	Children of specified age.					
	Total.	13 years.	14 years.	15 years.	16 years.	Not reported.
Total.....	3,136	844	716	704	779	3
Boys.....	1,564	376	321	421	444	2
Girls.....	1,572	468	395	283	335	1

¹ Inclusive of 16 in this and subsequent tables, except where otherwise noted.

The mine workers of the United States, as a rule, have been recruited from recently arrived immigrants; and at every period the nationalities which were coming to the country in the largest numbers have tended to displace the older miners. During this process of displacement the population usually is highly complex, with a concentration of particular nationalities in individual mining towns as there has been in individual industrial towns. Thus Poles have predominated in one, Lithuanians in another, Italians in a third, Slovaks in a fourth, and so on.

The Shenandoah region illustrates this process. The United States Immigration Commission found that before 1877 the mines in this region as in most other parts of the country were worked mainly by Irish, English, and Welsh immigrants. After 1877 Lithuanians and Poles began to replace the English-speaking miners, and 10 years

later the Ruthenians and Slovaks were employed in large numbers.¹ The Germans were never, it seems, an important element in this region.

In 1919, when this study was made, the displacement of the older immigrants from northern and western Europe by those who came from eastern Europe had very generally but not completely taken place. Of 3,136 children in the group studied, only 172 were foreign born. Of these, 77 were by birth Poles, 41 Lithuanians, 13 Russian Jews, and the remaining 41 were distributed among 12 other nationalities. The degree of population changes is not indicated by the nationality of the children, as among the recent immigrants there is always a large percentage of young unmarried men, of men who have married here and whose children are American born, and of men whose families are still in Europe waiting until the money for their passage to America shall have been accumulated. The nativity of the fathers of the children is therefore a better index to the foreign-born character of the district.

Of the 3,130 children from whom information as to the birthplace of their fathers was secured, the fathers of 1,983, or 63.4 per cent, were foreign born. The nationality of these foreign-born fathers was as follows: Lithuanian, 738, or 37.2 per cent; Polish, 627, or 31.6 per cent; Ukrainian, 107, or 5.4 per cent; Irish, 56, or 2.8 per cent; the remaining 455 foreign-born fathers were divided among 21 other nationalities, only 1 of which was represented by more than 50 fathers.

TABLE II.—Nationality of father and nativity of child; children 13 to 16 years of age.

Nationality of father.	Children 13 to 16 years of age.					
	Total.		Native.		Foreign born.	
	Number.	Per cent distribution. ^a	Number.	Per cent distribution. ^a	Number.	Per cent distribution. ^a
Total.....	3,136	100.0	2,964	100.0	172	100.0
Native.....	1,147	36.6	1,147	38.8	.....	.....
Foreign born.....	1,983	63.4	1,811	61.2	172	100.0
Lithuanian.....	738	23.6	697	23.6	41	23.8
Polish.....	627	20.0	550	18.6	77	44.8
Irish, English, Welsh, and Scotch.....	150	5.1	156	5.3	4	2.3
Ukrainian.....	107	3.4	101	3.4	6	3.5
Other Slavic.....	107	3.4	99	3.3	8	4.7
Jewish.....	67	2.1	49	1.7	18	10.5
Italian.....	47	1.5	43	1.5	4	2.3
Greek.....	43	1.4	39	1.3	4	2.3
German.....	36	1.2	31	1.0	5	2.9
All other.....	23	.7	20	.7	3	1.7
Not reported.....	26	.9	26	.9	2	1.2
Not reported.....	6	.....	6	.....	.....	.....

^a Based on total number reporting nativity of father.

¹ Reports of the Immigration Commission (S. Doc. No. 633, 61st Cong., 2d sess.), vol. 16, p. 659.

It will be remembered that Shenandoah was the largest town in the district, that Frackville was a newer and more prosperous settlement, while Gilberton stretched along the trolley and included some of the least desirable flooded lands. The patches were most of them old settlements made at about the same time as Shenandoah. The percentage of foreign born in these settlements varied.² In Shenandoah Borough it was 76.4 per cent, in Frackville 35.6 per cent, in Gilberton 51.9 per cent, and in the patches 54.6 per cent. In Shenandoah the largest number of the foreign-born fathers were Poles, while those who were Lithuanians ranked second and Russian Jews were third. In all the other sections the Lithuanians led, and the Ukrainians were relatively more important than in Shenandoah. The majority of the children reporting Irish fathers lived in the patches.

In spite of its foreign-born population, the district as a whole was relatively stable, as Table III shows:

TABLE III.—Length of residence in district, by nativity of father; families with children 13 to 16 years of age.

Nativity of father.	Families with children 13 to 16 years of age.								
	Total.	Reporting residence in district for specified number of years.						Not reported.	
		Total.	Less than 5 years.		5 years, less than 10.		10 years, less than 15.		
			Number.	Per cent.	Number.	Per cent.	Number.		Per cent.
Total.....	2,341	2,294	192	8.4	190	8.7	241	10.5	
Native.....	872	857	81	9.5	76	8.9	75	8.8	
Foreign born.....	1,464	1,435	111	7.7	123	8.6	166	11.6	
Not reported.....	5	2							

Nativity of father.	Families with children 13 to 16 years of age.						
	Reporting residence in district for specified number of years.						Not reported.
	15 years, less than 20.		20 years, less than 25.		25 years and over. ^a		
	Number.	Per cent. ^b	Number.	Per cent.	Number.	Per cent. ^b	
Total.....	338	14.7	318	13.9	986	43.0	47
Native.....	87	10.2	73	8.5	445	51.9	15
Foreign born.....	250	17.4	245	17.1	540	37.6	32
Not reported.....	1				1		8

^a Includes 20 native families living in the present district of residence throughout life.

^b Not shown where base is less than 100.

² See Appendix IV, Table 1, p. 75.

It will be noted that 37.6 per cent of the foreign-born fathers had lived in the district 25 years or more. The Irish, English, and Welsh, the old settlers of the region, showed the longest period of residence. Still many of the Poles and Lithuanians can not be called newcomers to the United States. Thus 53.8 per cent of the Lithuanians and 45.4 per cent of the Poles had been in the United States 25 years or more, while only 7 per cent of the Lithuanians and 13.7 per cent of the Poles had been in the country less than 15 years.

THE CHILDREN AT WORK.

LEGAL REGULATIONS OF CHILD LABOR IN THE AREA.

By the time this study was begun, the Federal child-labor tax law was in effect.³ This act does not prohibit the employment of children but places a 10 per cent tax on the net income of any mill, cannery, workshop, factory, or manufacturing establishment employing children under the age of 14, or children between 14 and 16 years of age more than eight hours a day or six days a week, or before 6 a. m. or after 7 p. m., and on any mine or quarry in which children under the age of 16 years are employed.⁴

Prior to 1909 Pennsylvania had prohibited the employment of children under 16 years of age in the mines, but the only kind of certificate or work permit required was the parent's affidavit, and experience proved that in Pennsylvania, as in other States, a law of this sort did not keep children under that age out of the mines. In 1909 this law was amended so as to require documentary proof of the child's age, but it is reported that "through an unfortunate error in drafting the bill,"⁵ the minimum age was reduced to 14 years for employment inside the anthracite mines. This was amended in 1915, so that at the time the Federal law went into effect no minor under 16 years of age could be legally employed or permitted to work "in any anthracite or bituminous coal mine or in any other mine." While the Pennsylvania act provided for the enforcement of this and all other sections of the State child-labor law by the commissioner of labor and industry, the inspection of the mines, in practice, was left to the department of mines. The breaker boys in the anthracite coal region were not regarded as working in the mine within the meaning of the Pennsylvania law; and regular inspections of the breakers, with a view to the enforcement of the child-labor law, were not being made by either department⁶ at the time this investigation was made.

Under the interpretation of the State law, followed by the State officials, children between 14 and 16 years of age were permitted to

³ Revenue act of 1918, Title XII—declared unconstitutional on May 15, 1922.

⁴ The language of the law, "in any mine or quarry," had been interpreted by the Commissioner of Internal Revenue to mean in or about any mine or quarry.

⁵ Lovejoy, Owen R.: "The coal mines of Pennsylvania," in *Uniform Child Labor Laws* (Proceedings of the Seventh Annual Conference on Child Labor, 1911.) National Child Labor Committee, p. 135, New York, 1911.

⁶ See discussion of this subject in "Administration of the First Federal Child-Labor Law," Children's Bureau Publication No. 78, pp. 83-85.

work on breakers, but they could not be legally so employed unless regularly issued work permits were on file and not then for more than 51 hours in any one week, or more than 9 hours in any one day, or before 6 in the morning or after 8 in the evening.

In general the provisions of the Pennsylvania law with reference to the issuance of certificates of age were good. The law required certificates for all children between 14 and 16 years of age employed in any occupation except agriculture and domestic service. They were to be issued by the local school superintendent or some one authorized by him. The evidence of age required was: (a) Transcript of birth certificate, (b) baptismal certificate, (c) passport showing age, (d) any other documentary record of age other than school record, (e) physician's certificate of evidence of age.

This system, devised for the protection of young children, did not always function in the Shenandoah district.

Some children reported that they began work with no certificate other than a "work paper" bought from the "Squire" for 50 cents.⁷ One child reported he had secured employment on a baptismal certificate when he was 12. Another boy said that when he first applied for a "working paper" it was refused because he was under 14; but one was finally granted him for vacation work, and he started in a newspaper office. Here he learned to set type and liked his work. When school started, however, the newspaper refused to keep him, as his employment certificate was for vacation only and he was not yet 14. He went to one of the mining companies, however, and was given work, though he still had no regular certificate.

The mother of one boy reported that although the superintendent of her school district would not give her boy a certificate because she refused to swear that he was 14, she was told to put him to work. Accordingly the boy went to work in the mines, and on his fourteenth birthday, some months later, he received the certificate.

It is only fair to state in this connection that many of the mine superintendents interviewed showed a sincere desire to comply with the law in regard to the employment of children. The actual hiring of the employees, however, was in the hands of various foremen, many of whom were either willing to take children below the legal age or careless as to whether the requirements of the law had been met. As responsibility for the enforcement of the law with reference to the employment of children in and about the mines had fallen between two State departments, the attention of the superintendents had not been called frequently, either through inspections or prosecutions, to the practices of these foremen.

⁷ This was undoubtedly merely a charge for the parent's affidavit of age.

NUMBER OF CHILDREN EMPLOYED.

The work done by the children included in this study is considered under three headings: First, "regular work," that is, full-time employment, the child having left school and begun his career in the industrial world; second, "vacation work," which is full-time employment during the vacation period; and third, "after-school work."

Of the 3,136 children between 13 and 16 years of age who were included in this study, 1,349 had left school for regular employment. At the time of the investigation, 1,332 were so employed, and 296 were employed at vacation or after-school work, or both; so that more than half, 51.9 per cent, of the children could be described as working children. Of these, 1,107 were boys and 521 girls.

AGES OF CHILDREN AT WORK.

The proportion of children employed was, as would be expected, much larger among the older children than among the younger, as Table IV shows. Thus 72 per cent of the 16-year-old children, 58.9 per cent of the 15-year-old, 31.6 per cent of the 14-year-old, and 10.8 per cent of the 13-year-old children had entered regular work. The total number of boys in the age groups studied was slightly less than the total number of girls; still, about twice as many boys as girls had entered regular work. Of the children who had entered regular employment, 896 (66.4 per cent) were boys, and 453 (33.6 per cent) were girls. Although there was a tendency among the younger boys to overstate their ages in order to secure employment, Table IV shows 64 boys and 27 girls doing full-time work who said they were 13.

TABLE IV.—*Employment in regular work, by sex and age, children 13 to 16 years of age.*

Age.	Children 13 to 16 years of age.								
	Both sexes.			Boys.			Girls.		
	Total.	Who had commenced regular work.		Total.	Who had commenced regular work.		Total.	Who had commenced regular work.	
		Number.	Per cent. ¹		Number.	Per cent. ¹		Number.	Per cent. ¹
Total.....	3,136	1,349	43.0	1,564	896	57.3	1,572	453	28.8
13.....	844	91	10.8	376	64	17.0	468	27	5.8
14.....	716	226	31.6	321	147	45.8	395	79	20.0
15.....	794	468	58.9	421	301	71.5	373	167	44.8
16.....	779	561	72.0	444	382	86.0	335	179	53.4
Not reported.....	3	3	.....	2	2	.....	1	1	.....

¹ Not shown where base is less than 50.

In many parts of the country where the employment of children under 16 years greatly increased during the war period, it declined shortly after the armistice and later increased up to the time of the business depression of 1920. In some States where munitions and other war supplies were manufactured for the Allies the increase began in 1915, in others not until after the United States had entered the war.⁸ This increased employment of children was due to the fact that opportunities for young children at relatively high wages were many, while the mounting cost of living led many parents to send their children to work when under other circumstances they would have kept them in school. The employment of children appears to have increased during this period in the Shenandoah district. Of the 844 children who were 13 years of age when this investigation was made (1919) 7.3 per cent had begun regular work and 15.8 per cent had done regular or part-time work before their thirteenth birthdays, while of the 779 children in the district who were 16 years of age only 1.3 per cent were in regular work and only 2.3 per cent had done any kind of work before their thirteenth birthdays. Of the children who were 14 years of age at the time the study was made, 31.6 per cent were doing regular work, and 32.3 per cent had done work of some kind before their fourteenth birthdays, while of the children who were 16 years of age only 9.6 per cent had done work of some kind, and only 7.8 per cent had done regular work before they were 14.⁹ Of the boys 13 years of age at the time the investigation was made 12.8 per cent and of those 14 years of age 32.1 per cent had begun work before their thirteenth and fourteenth birthdays, respectively, while of the 16-year-old boys only 1.6 per cent began when they were under 13 and only 9.7 per cent before they were 14 years of age.

While the war resulted in a more striking increase in the employment of boys than of girls, even in this region, where opportunities of employment for the girls were so few, there had been a distinct increase in their employment. Thus, 3 per cent of the girls 13 years old at the time of the investigation began full-time work before they were 13, while of the 16-year-old girls only 0.9 per cent had begun full-time work so young.

Of the girls 14 years of age at the time of the study 10.6 per cent had commenced full-time work when under 14 years of age, as compared with only 5.4 per cent of the girls 16 years of age at the time of the investigation who had begun full-time work when under 14 years of age.

⁸ McGill, Nettie P.: Trend of child labor in the United States, 1913-1920, Monthly Labor Review, Vol. XII, No. 4, April, 1921, pp. 717-730.

⁹ See Appendix IV, Tables 2 and 4, pp. 75, 76.

EMPLOYMENT OF THE CHILDREN AND THE NATIVITY OF THE FATHERS.

Inquiry as to the place of birth of the fathers of the working children showed that 1,000 (50.4 per cent) of the children with foreign-born fathers were doing regular work, as compared with 346 (30.2 per cent) of children with native fathers. Of the boys with foreign-born fathers 64.5 per cent, as compared with only 44.3 per cent of boys with native fathers, had commenced full-time work. This difference is even more marked in the case of the girls, for, as Table V shows, over twice as large a proportion of girls with foreign-born fathers as of girls with native fathers had commenced regular work.

TABLE V.—*Employment in regular work, by nativity of father and sex; children 13 to 16 years of age.*

Nativity of father.	Children 13 to 16 years of age.								
	Both sexes.			Boys.			Girls.		
	Total.	Who had commenced regular work.		Total.	Who had commenced regular work.		Total.	Who had commenced regular work.	
		Number.	Per cent. ¹		Number.	Per cent. ¹		Number.	Per cent. ¹
Total.....	3,136	1,349	43.0	1,564	896	57.3	1,572	453	28.8
Native.....	1,147	346	30.2	558	247	44.3	509	99	16.8
Foreign born.....	1,983	1,000	50.4	1,006	648	64.5	978	342	33.0
Not reported.....	6	3	.....	1	1	.....	5	2	.....

¹ Not shown where base is less than 100.

The proportion of the younger children who became wage earners was larger among those having foreign-born fathers than among those having native fathers.

In every age group the percentage of children who went to work before their thirteenth birthdays was smaller among the children of native fathers than among children of foreign-born fathers. Similarly, the per cent of children who went to work before their fourteenth birthdays was larger among the children of foreign-born fathers; among those 14 years of age at the time of the study, 10.5 per cent of the children of native fathers, as compared with 25.9 per cent of the children of foreign-born fathers, had already commenced regular work.

Among the children doing after-school or vacation work, it was also the children of foreign-born fathers who predominated, though relatively in not such large numbers. In this type of employment, also, the proportion having foreign-born fathers, as compared with

those having native fathers, was larger among the younger children than among the older. At 16 the proportion of children of native fathers doing vacation or after-school work was larger than the proportion having foreign-born fathers.

TABLE VI.—*Employment in regular work, by nationality of father; children 13 to 16 years of age.*

Nationality of father.	Children 13 to 16 years of age.			Nationality of father.	Children 13 to 16 years of age.		
	Total.	Who had commenced regular work.			Total.	Who had commenced regular work.	
		Number.	Per cent. ¹			Number.	Per cent. ¹
Total.....	3,136	1,349	43.0	Foreign born—Continued.			
Native.....	1,147	346	30.2	Ukrainian.....	107	63	58.9
Foreign born.....	1,983	1,000	50.4	Other Slavic.....	107	47	43.9
Lithuanian.....	738	411	55.7	Jewish.....	67	3	4.5
Polish.....	627	333	53.1	All other.....	² 149	² 87	49.2
Irish, English, Welsh, and Scotch.....	180	42	26.2	Not reported.....	28		
				Not reported.....	6	3	

¹ Not shown where base is less than 50.

² Includes Italian 47, Greek 43, German 36, Assyrian and Syrian 16, Dutch 2, Rumanian 2, French 1, Magyar 1, Australian 1, not reported 28.

³ Includes Italian 24, Greek 28, other and not reported 35.

TABLE VII.—*Employment in regular work, by nativity of father, sex and age of child; children 13 to 16 years of age.*

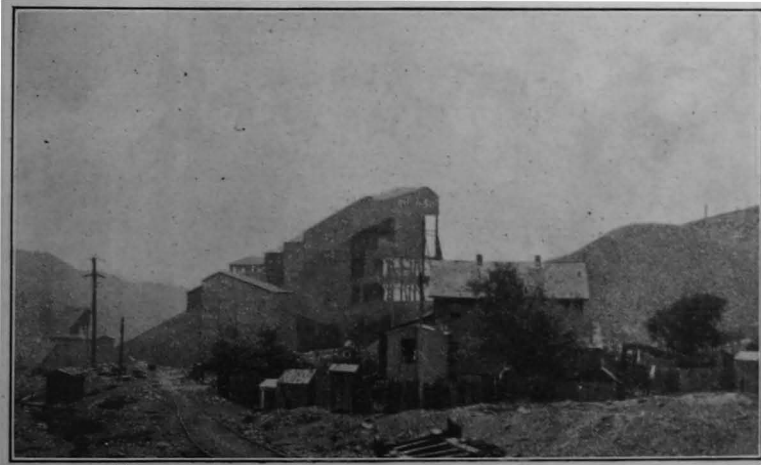
Age of child and nativity of father.	Children 13 to 16 years of age.								
	Both sexes.			Boys.			Girls.		
	Total.	Who had commenced regular work.		Total.	Who had commenced regular work.		Total.	Who had commenced regular work.	
Number.		Per cent. ¹	Number.		Per cent. ¹	Number.		Per cent. ¹	
Native fathers:									
Total children.....	1,147	346	30.2	558	247	44.3	589	99	16.8
13.....	324	12	3.7	154	10	6.5	170	2	1.2
14.....	259	51	19.7	120	40	33.3	139	11	7.9
15.....	278	122	43.9	138	86	62.3	140	36	25.7
16.....	286	161	56.3	146	111	76.0	140	50	35.7
Foreign-born fathers:									
Total children.....	1,983	1,000	50.4	1,005	648	64.5	978	352	36.0
13.....	519	79	15.2	222	54	24.3	297	25	8.4
14.....	455	175	38.5	201	107	53.2	254	68	26.8
15.....	516	346	67.1	283	215	76.0	233	131	56.2
16.....	490	397	81.0	297	270	90.9	193	127	65.9
Not reported.....	3	3		2	2		1	1	
Not reported.....	6	3		1	1		5	2	

¹ Not shown where base is less than 100.

² Includes 1 boy and 2 girls 16 years of age.

OCCUPATIONS OF THE CHILDREN.

The kind of work these children did was largely determined by the industrial character of the district. The life of the district revolves around the mines and for the boys more than for their fathers their place of employment was the mines. The canvass made by the Children's Bureau showed that for the district as a whole 90.4 per cent of the boys doing full-time work were in mining as compared with 78 per cent of their fathers. A larger per cent of the boys with native fathers (16.6) than of the boys with foreign-born fathers (6.8 per cent) were able to find some place other than the mines in which to begin work. The fact that the breakers offered opportunities for profitable employment of young boys is the explanation of



GIRARD MAMMOTH BREAKER, RAVEN RUN.

the large number of boys employed in connection with the mining of anthracite coal. It also accounts for the poorer pay and the current opinion that the breakers should be reserved for the young boys or men who had long since passed their maximum working capacity. Of the 810 boys whose first regular work was in the mines, 723 (89 per cent) began as breaker boys, 422 were in this classification at the time the investigation was made.

These breakers which tower above the town of Shenandoah to the east and the south and the west are great barn-like structures filled with chutes, sliding belts, and great crushing and sorting machines. Around these machines a scaffolding was built on which the workers stand or sit. The coal is raised from the mine to the top of the breaker and dumped down the chute into a crushing machine, which breaks it into somewhat smaller lumps. These are carried along a

moving belt or gravity incline on each side of which men and boys stand or sit picking out pieces of slate and any coal which has slate mixed with it. The latter is carried into another crusher, where it is broken again and then carried down chutes to be sorted further by slate pickers or by sorting machines. After the coal has been broken and cleaned of slate or other alien materials it is sorted by being shaken through a series of screens.

The work in the breakers might be described as disagreeable but much less hazardous than underground mining. As it is not heavy and does not require skill young boys or the older men are employed. "If you don't die you wind up in the breakers," one man said. An-

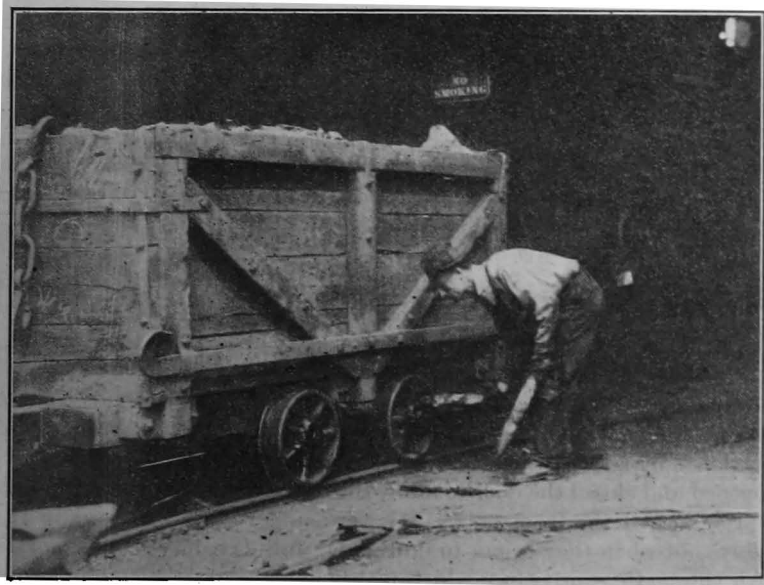


BOYS RETURNING FROM A DAY'S WORK IN THE BREAKERS.

other remarked, "You begin at the breaker and you end at the breaker, broken yourself." These older men and boys worked in the constant roar which the coal makes as it rushes down the chute, is broken in the crushing machines, or sorted in the shakers. Black coal dust is everywhere, covering the windows and filling the air and the lungs of the workers. The slate is sharp so that the slate pickers often cut or bruise their hands; the coal is carried down the chute in water and this means sore and swollen hands for the pickers. The first few weeks after a boy begins work his fingers bleed almost continuously and are called red tops by the other boys. Slate picking is not itself dangerous; the slate picker is, however, sometimes set at cleaning-up jobs, which require him to clean out shakers, the chute, or other machinery.

Sixty-three of the breaker boys included in this study were jig runners. In other words, they operated a jig machine which has a series of sliding pans, in which the coal is shaken up and down and back and forth in water so that the lighter slate is gradually shaken to the top and can be cleared from the pan so that only the coal will remain. It is a more dangerous job than slate picking and few boys are assigned to it as a first job. Usually the foreman promotes quick, bright slate pickers to be jig runners. However, four boys were included in this study who had begun at this work.

There were 33 boys employed as scraper line tenders and 33 as shaker watchers; none of the boys began at the former and only 6 at the latter occupation. The shaker watcher tends the sets of screens



SPRAGGING IS ONE OF THE MOST DANGEROUS OCCUPATIONS AT WHICH BOYS WERE WORKING.

through which the coal is sorted and the scraper line tender operates the scrapers which carry the coal from one process to another. Of the others who were at work in the breakers, 13 were oilers; 5 were repair boys; 8, known as patchers, worked on the coal cars as coupler, switchman, etc.; 28 were spraggers, a highly dangerous occupation, requiring them to thrust heavy wooden sticks in between the iron spokes of the wheels of the coal cars in order to stop them; 24 other boys were known as laborers and were assigned to do various kinds of unskilled work. There were 6 who worked above ground, although not in the breakers, driving mules where the work of ex-

cavating or stripping was being done as well as 59 other boys who were outside workers.

Whatever the hazards and dangers of the breakers are, underground work is much more undesirable for young boys. In addition to isolation and darkness much more intense than that which the coal dust makes in the breakers, the underground miner sometimes works in mud and water, sometimes stripped to the waist because of the heat, sometimes in suffocating gas and smoke.

Young boys were working daily underground at the time this investigation was made. Of those employed underground, 9 were spraggers, 18 were patchers, 34 were drivers, 47 were trapper boys, 1 was a fan turner, 3 were oilers, and 18 were laborers.

TABLE VIII.—Age at beginning underground work, by first underground occupation; boys who worked underground at any time.

First underground occupation.	Boys who worked underground at any time.						
	Total.	Age at beginning underground work.					
		12	13	14	15	16	Not reported.
Total.....	163	4	21	49	63	21	5
Door boy (trapper, etc.).....	92	3	17	31	28	9	4
Driver.....	14		1	2	10	1	
Patcher (conductor coupler, etc.).....	19		1	4	8	5	1
Spragger.....	9		1	5	3		
Turning fan.....	12	1	1	4	6		
Other or not reported.....	17			3	8	6	

Of the 163 boys who had been underground workers, 92 began as trapper boys, which means they sat or stood in darkness or semi-darkness by a door which led from one mine chamber to another and opened and closed the door to allow the coal cars as they came to pass through. Of the trapper boys, 17 were only 13 and 3 were only 12 years old when they began to do regular full-day duty at this work. An automatic contrivance which makes unnecessary the employment of either men or boys for this work is now available and has been introduced in many mines.

The boys who turned by hand the ventilating fans frequently worked on the dangerous robbing sections where the last remaining coal is being cut away from pillars and walls and where, in consequence, the roof sometimes falls in or the section is filled with a waste material known as slush. The men interviewed told of the nervous strain they experienced when they worked at robbing. Turning the fans for these workers was the first underground work for 12 boys included in this study; of that number 1 began when he was 12 years old, 1 at 13, 4 at 14, and 6 at 15 years of age. A few other boys were

employed underground, as oilers and as laborers doing a variety of work.

It is unnecessary to point out the dangers of underground work. Where electric cars are operated, where dynamiting is done, where supports give way and cave-ins and squeezes occur, and rock and coal fall, serious accidents and sudden death, more terrible to endure because of the victim's isolation and consequent distance from relief of any kind, are incidents of the occupation.

There are more fatalities in the anthracite than in the bituminous coal fields of Pennsylvania. For the three years preceding the one in which the study was made by the Children's Bureau fatal accidents in connection with the mining of anthracite coal in Pennsylvania were 551 in 1918, 582 in 1917, and 555 in 1916.¹⁰ The number of serious and minor injuries was of course very much higher. While most of the accidents occur in the mines rather than on the surface where the largest numbers of young children are employed, the surface work is also hazardous. It was therefore to be expected that all kinds of injuries were reported by the boys—to the head, to internal organs, to eyes, to hands, arms, legs, back, hips, shoulders.

Accidents that had occurred to the breakers as well as underground were recounted to the Children's Bureau agents. One boy told of a friend who had dropped a new cap in the rollers and how in trying to pull it out his arm was caught, crushed, and twisted. The older brother of another boy, a jig runner, slipped while at work and his arm was caught in the jig and mashed. One boy told of the death of another while watching the dam beneath the breaker. He and some of the other breaker boys had helped to extricate the mutilated body from the wheels in which their companion was caught; he himself had held the bag into which the recovered parts of the dead body were put.

As reported by the boys, 42 per cent of these accidents kept them from work less than 2 weeks; 1 boy was incapacitated for a year, 18 for less than a year but more than 10 weeks, while 25 accidents were reported to have kept the boys from work 6 but less than 10 weeks. According to the reports made to the Children's Bureau no compensation was paid 44¹¹ boys who were incapacitated for a period of two weeks or more as the result of injuries received while they were employed in the mines, although the Pennsylvania compensation law¹² entitled them to receive it. Of those who received compensation, 11 boys reported that they were paid in all less than

¹⁰ Coal-mine Fatalities in the United States, 1919. Department of the Interior, Bureau of Mines, Bulletin 196, p. 47. The number killed in the anthracite mines of Pennsylvania per 1,000 persons employed was 3.75 in 1918, 3.77 in 1917, and 3.47 in 1916. (Ibid., p. 41.) In the bituminous mines the rates were 2.82, 2.85, 2.57. (Ibid., p. 40.)

¹¹ Four of these did not apply for compensation.

¹² In this connection see p. 31. See also Appendix I, pp. 69 to 71.

\$5; 9 that they received from \$5 to \$10; 23, from \$10 to \$25; 12 received between \$25 and \$50; 4, between \$50 and \$75; 5, between \$75 and \$100; while 3 reported that they received \$100 or more.

As these accidents occurred during the working life of the boys and the total number of hours the boys had worked in mining could not be learned, an accident rate could not be computed. The accident rate is, however, not as important in the case of children as in the case of adults. Dangerous work must be done, and the important question in the case of adults is whether progress is being made in reducing the hazards. Children, on the other hand, regardless of the progress that is being made in the prevention of accidents, ought not to do dangerous work at any age when they are too young to assume responsibility for their own acts. Of the 978 boys who at the time of the inquiry had been employed in the mining industry for a longer or shorter time in regular or in vacation or part-time jobs, 178 had suffered accidents.

It would be superfluous to point out that, in view of the hazards of mining, young boys should not be employed in the mines or around the breakers. Public opinion had already prohibited underground work in Pennsylvania and in most other States, and the Federal Government had imposed a penalty in the form of a tax if children under 16 were employed in or about a mine. The real problem here, as in many other parts of the country, was how to secure the enforcement of the child-labor laws that had been enacted.

In spite of the fact that the evil effects are swifter and more dramatic than in most other occupations in which children are employed, less public attention has been given to the problem of enforcement of child-labor laws in mining than in industrial districts. This may perhaps be due to the isolation of the mines, which means that fewer people see the children as they go down in the cage in the morning and come up again at night or hear of accidents and occasional deaths among child workers in or about the mines. The fact that there is in most States divided responsibility in the enforcement of the laws regulating the employment of children in mining is doubtless also a factor.

At any rate, although the intent of the Pennsylvania law was that children should be permitted to do factory and other work two years before they were allowed to enter the mines, it was in the mines that the youngest children most readily found employment in this section. Among the boys included in this study who had been employed in full-time work, 92.5 per cent of those under 13 years of age and 93.7 per cent of those 13 years old at the time of entering regular employment had engaged in mining, while of those 14 and 15 years

of age the percentages entering mining occupations were 89.1 and 89, respectively.¹³

Of the 453 girls in this district who were employed at full-time work, 265 did factory work and 157 were in domestic or personal service. The factories employing the largest number were the clothing and the cigar factories. Nineteen were working in retail stores and five, all girls with foreign-born fathers, were doing farm work. Of the girls who had entered full-time employment, a larger proportion of those with foreign than of those with native fathers were employed in domestic service and in cigar factories, and a smaller proportion of the former than of the latter were machine operators in clothing factories.

TABLE IX.—*Industry of first regular work, girls who had commenced regular work, by nativity of father.*

Industry of first regular work.	Girls who had commenced regular work.						
	Total.		Nativity of father.				Not reported.
			Native.		Foreign born.		
	Number.	Per cent distribution.	Number.	Per cent distribution.	Number.	Per cent distribution.	
Total.....	453	100.0	99	100.0	332	100.0	2
Manufacturing industries.....	265	58.5	63	63.6	201	57.1	1
Clothing.....	160	35.3	45	45.5	114	32.4	1
Cigar.....	86	19.0	13	13.1	73	20.7	
Other and not reported.....	19	4.2	5	5.1	14	4.0	
Domestic service.....	157	34.7	26	26.3	130	38.9	1
All other.....	29	6.4	10	10.1	19	5.4	
Not reported.....	2	0.4			2	0.6	

CHANGES IN OCCUPATIONS.

The majority of the children who were doing regular work had more than one occupation, often within the same industry. Thus, 333 of the children had worked at two different occupations, 219 at three, and 161 at four or more. Generally speaking, it is the children who had worked the longest who had made the most changes, but 117 children who had been employed at two and 75 who had worked at three or more different occupations had been at work less than a year. One child who had been at work less than five months had made six changes. On the other hand, 78 children had been at work two years or longer and 278 one year or longer, with no change in occupation.

As the possibilities of changes for the girls were very much fewer than for the boys, it is not surprising to find that they had not changed occupations as frequently as the boys.

¹³ See Appendix IV, Table 12, p. 81.

TABLE X.—Duration of first regular occupation, by age at commencing regular work; children who had begun regular work.¹

Duration of first regular occupation.	Per cent distribution: First regular occupation commenced at specified age. ²			Duration of first regular occupation.	Per cent distribution: First regular occupation commenced at specified age. ²		
	Under 14 years.	14 years.	15 years.		Under 14 years.	14 years.	15 years.
Total	100.0	100.0	100.0	6 months, less than 9	10.2	11.7	11.3
Less than 6 months	33.3	33.6	44.3	9 months, less than 12	6.5	9.6	7.5
Less than 1 month	6.7	7.4	12.4	12 months, less than 18	15.9	16.0	} *37.0
1 month, less than 3	9.4	11.6	18.6	Not terminated at 18 months	34.3	29.1	
3 months, less than 6	17.2	14.6	13.3				

¹ Percentages were calculated from figures showing the duration of first occupation. In the calculations allowance was made for a small number of cases in which the children were still following their first occupations at the time the schedules were taken.

² Percentages for 16 years not shown because base was less than 100.

* Not terminated at 12 months.

Table X presents some interesting facts with reference to the variation in the length of time the child spent at his first regular occupation, according to the age at which he began work. In this region approximately 33 per cent of the children under 14 worked less than six months at what might be called their first regular occupation as compared with 44 per cent of the children who began at 15 years of age. Apparently the older group of children tended to change quite promptly from the occupation which they first entered either because they knew their minds better or because a much wider range of occupation was open to them.

HOURS OF WORK.

The mines in this district were, generally speaking, on an eight-hour basis, so that the regular working day for 97.3 per cent of the boys employed in mining was 8 hours, and for 2.2 per cent it was less than 8 hours. In other occupations the boys worked longer hours—30.8 per cent from 9 to 10 hours and 12.8 per cent from 10 to 11 hours.

Among the girls the nominal daily and weekly hours were longer than with the boys.¹⁴ In the cigar factories 84.8 per cent of the girls worked regularly from 9 to 10 hours a day and 11.6 per cent from 10 to 11 hours a day. In the clothing factories 75.9 per cent worked from 9 to 10 hours a day and 15 per cent from 10 to 11 hours. Most of the girls in domestic service, particularly those doing housework, did not report their hours, but nine of the girls in this kind of work were employed 12 or more hours a day.

The hours per week were 51 or more for 69.5 per cent of the girls, while only 3.6 per cent of the boys worked as many hours a week.

¹⁴ See Appendix IV, Table 14, p. 82.

TABLE XI.—Regular hours per week, by sex; children in regular or vacation work.

Sex.	Children in regular or vacation work.												
	Total.	Reporting specified regular hours per week.										Hours not reported.	
		Total.	Less than 36.		36, less than 48.		48, less than 51.		51, less than 60.		60 and over.		
			Num-ber.	Per cent.	Num-ber.	Per cent.	Num-ber.	Per cent.	Num-ber.	Per cent.	Num-ber.		Per cent.
Total.....	1,561	1,387	14	1.0	48	3.5	1,039	74.9	232	16.7	54	3.9	174
Boys.....	1,059	1,029	6	0.6	28	2.7	958	93.1	25	2.4	12	1.2	30
Girls.....	502	358	8	2.2	20	5.6	81	22.6	207	57.8	42	11.7	144

While the girls worked longer hours regularly than did the boys, the burden of overtime work fell more heavily on the boys. Thus 55.1 per cent of the boys and 6.9 per cent of the girls¹⁵ reported overtime work, either from time to time throughout the year or at some particular season. Of the 445 boys who reported the frequency of their overtime, 214 said they worked overtime six days a week, 18, five days a week, 32, four days a week, and 65, three days a week. Not only was overtime work frequently required of the boys, but the duration of overtime was long—241 boys averaged two or more but less than four hours in overtime at a stretch, while 161 averaged less than two hours.

In the mining industry it was the boys who worked above ground who were most frequently called upon to do overtime work, although 32.3 of those who worked in the mines had done such work during the year preceding the time the schedules were taken. The jig runners—who had, it will be remembered, one of the most hazardous occupations in which boys worked—were most frequently asked to work overtime.

With the youngest group of children overtime was, unfortunately, most frequent. Thus of all the regular workers who were 13 years of age 51.7 per cent did overtime as compared with 36.5 per cent of those 14, 37.1 per cent of those 15, and 40.8 per cent of those 16 years of age. The amount of overtime worked at a stretch was, however, less for the youngest than for the older groups.

¹⁵ These percentages are based on the boys and girls doing regular work or full-time work during the vacation season.

TABLE XII.—Overtime work, by industry of employment at time of interview, and sex; children in regular work.

Industry of employment, at time of interview, and sex.	Children in regular work.						Not reported.	
	Total.	Reporting on overtime work.				Total.		
		Total.	Doing overtime work.		Doing no overtime work.			
			Number.	Per cent.	Number.			Per cent.
Total.....	1,332	1,307	517	39.6	790	60.4	25	
Boys.....	891	886	488	55.1	398	44.9	5	
Mining industry.....	824	822	476	57.9	346	42.1	2	
Above ground.....	694	692	434	62.7	258	37.3	2	
Underground.....	130	130	42	32.3	88	67.7	0	
Other industries.....	67	64	12	18.8	52	79.2	3	
Girls.....	441	421	29	6.9	392	93.1	20	
Manufacturing industries.....	249	243	22	9.1	221	90.9	6	
Clothing.....	124	120	7	5.8	113	94.2	4	
Cigar.....	102	100	12	12.0	88	88.0	2	
All other and not reported.....	23	23	3	13.0	20	87.0	0	
Domestic service.....	151	140	5	3.6	135	96.4	11	
All other.....	40	38	2	5.3	36	90.0	2	
Not reported.....	1	0	0	0	0	0	1	

Occasionally the boys worked incredibly long hours. Thus during the influenza epidemic a 16-year-old boy reported that he worked on one occasion from 5 a. m. Saturday morning until 1.30 p. m. Sunday. He also reported working three shifts—24 hours—at a stretch on several occasions during the winter. Another boy 15 years old reported that during the period of one month he had worked 24 hours at a stretch three times a week, sleeping a shift of 8 hours between periods of work. While working these long shifts he did his regular work—spragging—the first 8 hours and scooped coal for the boiler men for the following 16 hours.

The installation of new machinery was the explanation of the employment of another 15-year-old boy from 7 a. m. to 6 a. m. the following day, with only one hour off at midnight and one-half hour off at the end of the first 8-hour shift. Another boy 14 years old reported that on one day he worked 24 hours at a stretch and frequently worked from 8 a. m. to 9 p. m. with one-half hour each for dinner and supper. One 13-year-old slate picker reported working several times from 7 a. m. to 11 p. m. Another boy 16 years old, a driver underground, reported doing overtime work at the time the study was made to the extent of a double shift every other day, making, during the week, three workdays of 16 hours and three of 8 hours, a weekly total of 72 hours.

Of the 426 boys reporting the maximum number of hours worked at a stretch including overtime, 62.4 per cent had worked 12 or more hours while 36.8 per cent had worked 14 or more, 11.5 per cent 18 or more, and 21 boys (4.9 per cent) had worked 22 or more

hours at a stretch.¹⁰ None of the youngest group of children had worked "the clock around," no 13-year-old child had worked as long as 18 hours, and no 14-year-old child as long as 20 hours—more than that can not be said.

It seems unnecessary to point out that most of this overtime work was illegal. As the employment of children under 16 in underground work and of children under 14 in factories, workshops, etc., went on in spite of the Pennsylvania child-labor law, so many of the children under 16 years of age worked more than 9 hours a day or 51 hours a week in spite of the fact that the State law prohibited it.

Alternating with periods when overtime work is required are frequent periods of enforced idleness in all mining communities.

IRREGULARITY OF WORK.

Shutdowns and periods when work was short occurred during the time this study was made although there was a public clamor for increased production of coal. Of the boys regularly employed, 73.8 per cent reported one or more periods of idleness because of shutdowns as compared with 39 per cent who lost time because of sickness due to accidents or ill health, while 19.1 per cent were absent from work at some time during the year because of other causes. Of the boys who lost time because of industrial causes, 50 per cent lost a month or more and 5.2 per cent four or more months. Of the boys who were out on account of ill health, only 2 per cent were out four months or more.

It will be remembered that a relatively smaller per cent of the girls than of the boys in this district were employed. Of those who did regular work the time lost during the working years was much longer than among the boys. While only 26.7 per cent of the girls reported loss of time because of industrial causes, 59.3 per cent of those who did lost a month or more and 14.9 per cent four or more months. Altogether 27.2 per cent of the girls were absent on account of sickness; 27.6 per cent of these lost a month or more and 5.1 per cent were out four months or longer. Of the 42.9 per cent of the girls who were absent for other causes, 40.4 per cent were away from work four months or more.

Perhaps it was for the reason that the girls earned much less than the boys, because of the value of their work in the home as well as because some prejudice against their employment outside the home still existed, that they were sent to work in smaller numbers and were kept at home on slighter pretexts and for longer periods than were the boys.

¹⁰ See Appendix IV, Table 15, p. 83.

REASONS FOR GOING TO WORK.

An answer to the question why these children had left school to go to work was sought from both the children and their parents, although it was recognized that the final cause is not usually discovered in this way. The replies are of value because they indicate what seemed to the family, at least, a valid explanation for the withdrawal of the children from school.

Of the 1,621 working children from whom information on this point was secured, the reasons assigned by 95.6 per cent fell under six general heads,¹⁷ as follows: "Family need" was given by 55 per cent of the children; "wanted to work," an altogether indefinite reply, by 14.7 per cent; the desire to have spending money accounted for 13.4 per cent; dissatisfaction with school, for 11.6 per cent; "old enough to go to work" was the reason of 0.7 per cent, and the desire to learn a trade and get started in business was the reason given by 0.2 per cent of the children.

The reason which was given by 892 children, that their earnings were necessary for the family support, needs special consideration.

TABLE XIII.—Reason for going to work, by sex; children who had commenced work.

Sex.	Children who had commenced work.							
	Total.	Reporting specified reasons for going to work.						
		Total.	Family need.		Wanted spending money.		Old enough to work.	
			Number.	Per cent.	Number.	Per cent.	Number.	Per cent.
Total.....	1,652	1,621	892	55.0	217	13.4	11	0.7
Boys.....	1,115	1,099	585	53.3	141	12.8	10	.9
Girls.....	537	523	307	58.7	76	14.5	1	.2

Sex.	Children who had commenced work.								
	Reporting specified reasons for going to work.								Reason not reported.
	Wanted to work (no other reason given).		Dissatisfied with school.		Wanted to learn a trade and get into business.		All other reasons.		
	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	
Total.....	239	14.7	188	11.6	4	0.2	70	4.3		31
Boys.....	167	15.2	151	13.8	2	.2	42	3.8	17
Girls.....	72	13.8	37	7.1	2	.4	28	5.4	14

¹⁷ When more than one reason was given, the reason assigned as the major one was used in the classification.

Table XIII shows that family need was more frequently given for sending the girls to work than it was for the boys. It also figured more prominently as the cause for children entering full-time employment than for children who worked out of school hours only. Poverty was more frequently the explanation of the employment of the younger children. Thus, according to Table XIV, 58 per cent of the children who started to work under 13 years of age and 51.1 per cent of those who began at 15 gave family need as the cause.

TABLE XIV.—Reason for going to work, by age at commencing; children who had commenced work.

Age at commencing work.	Children who had commenced work.									
	Total.	Reporting specified reasons for going to work.						Total.	Per cent. ¹	
		Total.	Family need.		Wanted spending money.		Old enough to work.			
			Number.	Per cent. ¹	Number.	Per cent. ¹	Number.			Per cent. ¹
Total.....	1,652	1,621	892	56.0	217	13.4	11	0.7		
Under 13.....	234	226	131	58.0	32	14.2	.....	.....
13.....	895	888	218	56.2	48	12.4	1	.3		
14.....	689	678	376	55.5	76	11.2	6	.9		
15.....	283	280	143	51.1	47	16.8	3	1.1		
16.....	36	35	15	.....	10	.....	1	.....	
Not reported.....	15	14	9	.....	4	.....	.....	.....

Age at commencing work.	Children who had commenced work.										
	Reporting specified reasons for going to work.									Reason not reported.	
	Wanted to work (no other reason given).	Dissatisfied with school.		Wanted to learn a trade and get into business.		All other reasons.		Total.	Per cent. ¹		
		Number.	Per cent. ¹	Number.	Per cent. ¹	Number.	Per cent. ¹				Number.	Per cent.^{1}
Number.													Per cent.^{1}
Total.....	239	14.7	188	11.6	4	0.2	70	4.3	81		
Under 13.....	36	15.9	16	7.1	1	.4	10	4.4	8		
13.....	63	16.2	44	11.3	.....	.....	14	3.6	7
14.....	95	14.0	94	13.9	1	.1	30	4.4	11		
15.....	42	15.0	28	10.0	2	.7	15	5.4	3		
16.....	3	.....	1	.....	.....	.....	.....	.....	1
Not reported.....	.....	.....	1	.....	.....	.....	.....	.....	1

¹ Not shown where base is less than 100.

To determine whether in fact the children's earnings were really necessary for the support of the families would require detailed facts as to the cost of living in the locality, what the family income was, the number who were dependent upon it, whether sickness or other misfortune had created a temporary emergency, and whether there

was organized and adequate public or private relief for cases of extreme need. And, finally, some standard as to the degree of sacrifice that should be made to keep the children in school would also have to be agreed upon. In this investigation no attempt was made to fix such a standard or to determine whether in the case of the individual child some plan to meet the family's real or imagined need could not have been worked out other than the one adopted of sending the child to work. Certain general facts were secured which bear on this question.

At the time this study was made the miners were working under a contract which their union had made with the coal operators in May, 1916, increased by two awards made by the Fuel Administration to meet in a measure the great increase in the cost of living which had come after the United States entered the war.

The maximum daily wage of the majority of the fathers employed in mining was between \$4 and \$5, but 24.6 per cent of those for whom reports were secured received less than \$4 per day, and 23.2 per cent were paid at a rate higher than \$5 per day. The rate for the underground workers was as a rule higher than for the surface workers. Thus, the rate for 50.8 per cent of the fathers included in this study who worked above ground was less than \$4 per day, while only 5.5 per cent of the underground workers were paid so little. More than a fifth (20.8 per cent) of the underground workers received \$6 or more, while only 3 per cent of those who worked above ground received as much.

It is not possible on the basis of the daily wage, however, to calculate the yearly earnings of the father. In the anthracite field periods of idleness, usually caused by fluctuations of the market, sometimes by inability to get cars, alternate with overtime work as the demand increases, so that day wages or piece rates give little indication of the monthly or yearly income. Because of the unprecedented demand for coal there was less idleness on account of shutdowns during the years just previous to the time when this study was made than there was before the war. Most of the miners worked on an eight-hour basis, but approximately half reported either regular or occasional overtime.

Of the 1,986 men from whom information was secured, 1,507 were employed in or about the mines, 1,086 underground. While there was considerable loss of time among these men on account of sickness and accidents and some unnecessary absenteeism, shutdowns or slack work caused much more lost time. Thus among those employed in the mines as underground workers the percentage who reported time lost on account of industrial conditions was 65.7 as compared with 48.1 for the surface workers.

The number of days of lay-off and the amount of overtime varied at different collieries and for different occupations in the same colliery. Although the men knew their maximum and minimum earnings and the general duration of periods of idleness, most of them could not state exactly what they had received during a year. No pay-roll study was made, but detailed figures were secured from the men and their wives for the different periods of the year, and from these figures yearly earnings were estimated. It is believed the information secured is sufficiently accurate for the purposes for which it has been used.

Altogether 95.6 per cent of the mine workers estimated that they received less than \$1,850¹⁸ during the year just preceding the investigation,¹⁹ 63 per cent received less than \$1,250 and 16.6 per cent less than \$850.²⁰

In the lower wage groups there was more unemployment; 91.8 per cent of those who earned less than \$850, 83.9 per cent of those who earned more than \$850 and less than \$1,250, 55.7 per cent of those who were in the group earning more than \$1,250 and less than \$1,850, and 27.9 per cent of the highest wage-earning group—\$1,850 or over—reported unemployment.

Of the 483 children whose fathers earned less than \$850 a year 238—almost one-half—had left school for full-time employment, while of the 183 children whose fathers earned \$1,850 or more a year only 11.5 per cent were so employed.²¹

When the father's earnings were low, it was the boys who were usually called on first to contribute to the family income. In these anthracite towns 65 per cent of the boys whose fathers reported that they earned less than \$850 were employed at regular work, as compared with only 12 per cent of the boys whose fathers earned \$1,850 and over. Among the girls 31.7 per cent of those whose fathers reported their yearly earnings to be less than \$850 had entered regular work, while in the highest wage group the percentage of girls at work was practically the same as the percentage of boys. As Table XV shows 57.5 per cent of the working children whose fathers reported an income of less than \$850 per year gave family need as the reason for going to work, so that almost as large a number whose fathers were in the same wage group went to work for some other reason than family necessity. At the other extreme

¹⁸ Three of the fathers who reported that they worked aboveground and earned \$1,850 or more per annum were superintendents, eight were foremen, two were blacksmiths, and one an engineer.

¹⁹ June 1, 1918, to May 31, 1919.

²⁰ See Appendix IV, Tables 18 and 19, pp. 83, 86.

²¹ The figures here shown for earnings represent the earnings for the year June 1, 1918-May 31, 1919, a period later than that at which many of the children may have started to work.

21.2 per cent of the working children whose fathers reported an income of \$1,850 or more gave family need as the reason for going to work. Of 1,652 working children the fathers of 289 were either dead or had deserted their families, and of this number 223 gave family need as the reason why they went to work.²²

TABLE XV.—Reason for going to work, by earnings of father; children who had commenced work.

Earnings of father.	Children who had commenced work.							
	Total.	Reporting specified reasons for going to work.						
		Total.	Family need.		Wanted spending money.		Old enough to work.	
			Number.	Per cent.	Number.	Per cent.	Number.	Per cent.
Total.....	1,652	1,621	892	55.0	217	13.4	11	0.7
Less than \$850.....	273	268	154	57.5	31	11.6	2	.7
\$850, less than \$1,250.....	565	557	299	53.7	75	13.5	5	.9
\$1,250, less than \$1,850.....	336	326	134	41.1	55	16.9	3	.9
\$1,850, and over.....	52	52	11	21.2	16	30.8	.....	.....
Father dead or deserted.....	289	285	223	78.2	26	9.1	.....	.....
Earnings not reported.....	137	133	71	53.4	14	10.5	1	.8

Earnings of father.	Children who had commenced work.								
	Reporting specified reasons for going to work.								Reason not reported.
	Wanted to work (no other reason given).		Dissatisfied with school.		Wanted to learn a trade and get into business.		All other reasons.		
	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	
Total.....	239	14.7	188	11.6	4	0.2	70	4.3		31
Less than \$850.....	36	13.4	31	11.6	1	.4	13	4.9	5
\$850, less than \$1,250.....	80	14.4	69	12.4	1	.2	28	5.0	8
\$1,250, less than \$1,850.....	65	19.9	54	16.6	1	.3	14	4.3	10
\$1,850, and over.....	13	25.0	6	11.5	1	1.9	5	9.6	.....
Father dead or deserted.....	20	7.0	12	4.2	.....	.....	4	1.4	4
Earnings not reported.....	25	18.8	16	12.0	.....	.....	6	4.5	4

A hundred years ago it would have been a matter of general satisfaction that the children of the men killed or who had died from natural causes, or children whose fathers did not make a living wage, were able to find employment and so keep the family from being charges upon public or private charity. But our system of social accounting has undergone great changes in that time. It is now generally agreed that the old theory was not only unjust to the individual child but that it was, from the standpoint of the welfare of the State, in the long run a very costly way to care for widows

²² In some of these cases, the children entered employment prior to the death or desertion of the fathers.

and orphans. Recent legislative expressions of the new theory as to the proper distribution of this burden in Pennsylvania are found in its mothers' pensions and workmen's compensation acts.

Relation to dependency.

It was not until 1915 that the State of Pennsylvania attacked the problem of making the cost of the large number of fatal and non-fatal accidents which occur in industry, in part at least, a regular charge upon the industry. Prior to that time the employer's liability, with its doctrine of immunity from responsibility on the part of the employer if there had been contributory negligence on the part of the injured employee or of a fellow servant, had made the matter of compensation altogether uncertain.

The Pennsylvania law which became effective January 1, 1916, has been strengthened by subsequent amendments. At the time this study was made it was not compulsory on all employers and permitted direct settlements between employer and employee.²³ The referee system, now regarded as a special protection to the employees, had not been developed²⁴ so successfully as subsequently. The amounts of compensation fixed by the law were extremely low in view of the then current cost of living and wage rates. Thus at the time the study was made the basic weekly wage of which the widow of a man killed in an industrial accident was to receive 40 per cent for 300 weeks or of which the workman who suffered a complete or partial disability received 50 per cent for a fixed period was not more than \$20 nor less than \$10 a week.

It is not the purpose of this study to discuss the defects or merits of the compensation law, but it is necessary to point out that the frequency of accidents, and the resulting loss of time coupled with these rates of payment, affected the economic status of the families and in consequence all the family problems connected with child care. The annual report of the State department of mines gives for each year the number of wives made widows and the number of children made orphans, by districts. The nonfatal accidents leaving the wage earner to be cared for in the family sometimes create more difficult economic problems. The Pennsylvania law contemplated a waiting period in nonfatal accidents of 14 days for which no payment was to be made and then for a specified period of weeks 50 per cent of an amount usually considerably less than the then current rate of wages. In the course of the inquiry fathers reported injuries for which this payment had not been received, either because witnesses were lacking or because they believed, rightly or wrongly, that the company

²³ See Appendix I for summaries of laws of 1915 and 1919, United States Bureau of Labor Statistics, Bulletins Nos. 185, 272.

²⁴ Monthly Labor Review, Vol. XII, No. 2, pp. 161, 162.

discriminated against a man in future employment if an appeal was made from the company's decision as to the amount due him.

The father was not the only wage earner exposed to these accidents. Thus in 214 of the families included in the study, one or more members other than the father had suffered death or was disabled by an accident in the mining industry so recently and of such a nature that the family earnings within the year preceding the investigation were affected. In 50 instances this occurred in a family where the father or chief wage earner had also been killed or disabled. In the 57 families in which the chief wage earner had been killed,²⁵ 1 other wage earner had also been killed and 11 others had been disabled during the year. In the 235 families in which the chief wage earner had been disabled, either totally or partially, for all or part of the year, 3 other wage earners had been killed and 35 had been disabled during all or part of a year.

Pennsylvania passed a mothers' assistance act in 1913,²⁶ which was radically amended in 1915 and in 1919.²⁷ According to the 1913 statute, "indigent, widowed, or abandoned mothers" were to be given "partial support." In 1915 assistance was limited to women with children under 16 years of age "whose husbands are dead or permanently confined in institutions for the insane, when such women are * * * poor and dependent on their own efforts."²⁸

One-half the cost of the assistance to mothers is borne by the State and one-half by the county. The combined maximum amount which could be paid a mother under the 1915 act was \$12 per month if she had one child, \$20 a month if she had two children, \$26 for three, and \$5 per month for each additional child. In 1919 the amounts were raised to \$20 for the first child and \$10 per month for each additional child.

The law was administered by county boards of trustees, five or seven women in each county, appointed by the governor.

A State supervisor on the staff of the State board of education served in an advisory capacity.²⁹

Only mothers of "proved character and ability" could receive a pension. The interpretation of the statute, the State supervisor points out, necessarily differed in the urban counties and in the mining districts. For example, in the cities the policy was not to give aid or to withdraw aid if the mother kept a man lodger, while the report of the State supervisor pointed out:

²⁵ In 90 families the father had been killed but in some of these he had since been replaced as chief wage earner by a stepfather or foster father.

²⁶ Laws 1913, No. 80.

²⁷ Laws 1915, No. 439; Laws 1919, No. 354.

²⁸ Laws 1915, No. 439, sec. 1.

²⁹ The State supervisor is now under the department of public welfare.

When this question is considered in relation to families who live in mining and rural counties, certain economic and social problems arise which contrast sharply with those of city families. In the city it is almost always possible for a mother to find part-time work to supplement the assistance granted her. Racial lines are not closely drawn and the foreign-born mother has an opportunity to learn English. If her work or her home is outside the group to which she belongs, cheap and easy transportation makes companionship and social life possible.

In the mining districts it is not uncommon to find mothers who speak no English and have never left the village during the whole of their life in America. In such villages, where the children are accustomed to look after themselves from babyhood and the home life is very simple, most of the household activities center around the breadwinner and cease at his death. Assistance fully adequate to the needs of the family places the mother in a position of comparative leisure, in contrast to the other mothers of the community. If it is desirable that she supplement the assistance by work, only two activities may lie open to her; cleaning the "company store"—a much coveted task that pays about \$10 a month—or keeping men lodgers. Sometimes the company has given house and rent and a winter's coal free to the widow of a miner, but has insisted that she board and lodge some of the unmarried men of the village. If it seems wisest for the mother to supplement the assistance by her own earnings and no suitable occupation is available, there is a third difficulty involved in moving the family into another community where work is plentiful. Such a change to the mother is really like moving into a foreign country, and means the breaking of every tie she has formed in America.

"In a few such instances, the practical difficulties involved in insisting on the application of the ruling about men lodgers have thus far been insurmountable."²⁰

The maximum payments permitted under the statute were low in view of the high cost of living at the time of this study and yet inadequate appropriations reduced the amounts actually received far below the legal maximum.

The trustees of Schuylkill County, in which the Shenandoah district is situated, reported²¹ that 60 of 196 grants made in that county in 1916 were to widows of men whose deaths were caused by industrial accidents. The trustees expressed confidence that the compensation law which had just been enacted would make it unnecessary in the future to support or aid this group of widows from the mothers' assistance fund. Experience proved, however, that the need for assistance did not entirely end with the passage of this law. From October, 1916, to December 1, 1919, 13 grants were made in this district to families of fathers killed in industrial accidents; the average sum granted was \$6 per month, with no special regard to the apportionment according to the number of children.²²

For 56 families carried on the pay roll of the fund in this district in October, 1919, the average allotment for each family was about

²⁰ Report of the mothers' assistance fund, 1916, p. 12.

²¹ Commonwealth of Pennsylvania, State Board of Education, Report of the Mothers' Assistance Fund, 1916, pp. 51 and 52, Harrisburg, Pa., 1918.

²² Information furnished by the State supervisor of the mothers' assistance fund.

\$14.30 a month; the average for each child was \$4 a month.³³ The obvious insufficiency of these amounts at once suggests the question of whether they were supplemented by some other form of public or private relief.

The county poor relief given in Schuylkill County was usually a grocery order every three months equivalent to \$1.50 or \$3, depending upon the size of the family. The overseer in charge of the Shendoah district reported that it was his habit, if a family was large and the expense of maintaining it even for a short time would be considerable, to insist on the family's going to the county poor farm. Also, if the need, although small, promised to be continuous and there was no way of supplementing the county funds, outdoor relief was not given and the family was sent to the poor farm.^{34e}

Certain churches did some occasional relief work and the home service section of the Red Cross did emergency relief work during the influenza epidemics, but there was no organized private relief agency to supplement the inadequate public relief in this area.

No attempt was made in the course of this investigation to locate the poorer families that under the county poor-relief system were broken up and scattered but some who had just escaped this penalty were encountered in the canvass.

One mother was left with four young children in 1915, when an explosion in the mine killed her husband. She secured work as a janitress in a school and received \$17.50 a month for nine months in the year; she usually earned from \$60 to \$70 during a year doing cleaning, washing, and similar work. The oldest child, a girl of 12, was doing housework, for which she was receiving \$2.25 a week. The family received \$10 a month from the mothers' assistance fund, which brought the total yearly income for a family of five up to \$456.

Another woman was left with six children, all under 12 years of age, when her husband was killed in the mines by a falling stone. Two months after his death she gave birth to twins, both of whom subsequently died. Over a period of 15 weeks the family received an equivalent of \$19 in relief from the county. The mother secured work cleaning for the railroad company and each of the boys as he became 12 years of age was sent to work. The mother felt that it was only through the help of these young boys that she had been able to keep the family together.

A fall of coal killed another man, and his wife was left with four children to support. The family received \$12 a week compensation, of which, at the time of the investigation, \$1.50 a week was being spent on doctor's bills by the widow, who was suffering from Bright's disease.

Of the accidents which were not fatal, those resulting in blindness were perhaps the most serious. These blind men, reduced to begging,

³³ Information furnished by the State supervisor of the mothers' assistance fund.

^{34e} This overseer reported that his method of investigating applicants for relief was to visit the family and their neighbors. He considered the neighbors the best source of information, especially if they were not on good terms with the family. Having made a first investigation in this way, he usually relied upon the grocer with whom the food order was placed to keep him informed as to subsequent changes in the family fortunes.

can usually be seen on pay day waiting for alms from their fellow employees who are still able to work.

One man lost his sight in an explosion. He received no compensation but did get \$5.25 a week for 6 months from a private benefit society of which he was a member. At the time the investigation was made he was getting from \$3 to \$6 a week begging. His wife did washing, earning about \$6 a week. The oldest child, a girl of 12, did housework after school and on Saturdays for \$1 a week, and she helped her father by leading him to his station near the mine and often stood with him for hours at a time waiting for alms.

Another man, after suffering two accidents from falls of coal, for which he received no compensation, finally lost the sight of both eyes in an explosion. All his savings were spent for treatment and operations that he hoped would restore his sight. The compensation in this case, the man reported, amounted to \$16.50 every 2 weeks for a period of 250 weeks. The compensation, he said, would be paid up at the end of the year in which the investigation was made. The man's children would then be 8, 6, and 3 years of age, respectively. The only source of income was a small grocery store the earnings of which were entirely inadequate to meet the family expenses.

What the children could bring in was carefully calculated in such families. In mining, the wages of the boys were sufficiently high to make their employment seem of very great importance.

THE WAGES OF THE WORKING CHILDREN.

The boys as well as the men were members of the Miners' Union²² so that their wages, like those of their fathers, were fixed by the 1916 agreement and the two awards subsequently made by the Fuel Administration. All of the boys were paid on a time basis. The maximum rate per day was less than \$2 for only 16.8 per cent of them, while 20 per cent had received as high as \$3 or more a day. Although there were a few underground boys whose maximum pay had never reached \$1 a day, 18.9 per cent of them had received as much as \$4 to \$5 per day. As Table XVI shows, the percentage in the higher wage group was larger among the boys employed inside the mines than among the boys who worked above ground.

²² Of those included in the study, 420 had joined the union and all but 21 had kept up their dues.

TABLE XVI.—*Maximum pay per day, by occupation and industry; boys in regular work.*

Occupation and industry.	Boys in regular work.								
	Total.	Reporting specified maximum pay per day.						Total.	Per cent.
		Less than \$1.		\$1, less than \$1.50.		\$1.50, less than \$2.			
		Num-ber.	Per cent.	Num-ber.	Per cent.	Num-ber.	Per cent.		
Total.....	891	860	11	1.3	60	7.0	87	10.1	
Mining industry.....	824	802	8	1.0	50	6.2	77	9.6	
Aboveground.....	694	675	4	.6	42	6.2	69	10.2	
Breaker boy.....	422	408	4	1.0	36	8.8	43	10.5	
Jig runner.....	63	61	.....	.....	.....	.....	8	.....
Others.....	209	206	.....	.....	6	2.9	18	8.7
Underground.....	130	127	4	3.1	8	6.3	8	6.3	
Other industries.....	67	58	3	.....	10	.....	10	.....

Occupation and industry.	Boys in regular work.								Not reported.		
	Reporting specified maximum pay per day.						Total.	Per cent.			
	\$2, less than \$2.50.		\$2.50, less than \$3.		\$3, less than \$4.					\$4, less than \$5.	
	Num-ber.	Per cent.	Num-ber.	Per cent.	Num-ber.	Per cent.				Num-ber.	Per cent.
Total.....	225	26.2	310	36.0	138	16.0	29	3.4	31		
Mining industry.....	210	26.2	297	37.0	132	16.5	28	3.5	22		
Aboveground.....	191	28.3	260	38.5	105	15.6	4	.6	19		
Breaker boy.....	162	39.7	147	36.0	15	3.7	1	.2	14		
Jig runner.....	9	.....	39	.....	5	.....	.....	.....	2
Others.....	20	9.7	74	35.9	85	41.3	3	1.5	3		
Underground.....	19	15.0	37	29.1	27	21.3	24	18.9	3		
Other industries.....	15	.....	13	.....	6	.....	1	.....	9

It will be remembered that most of the boys began as breaker boys and the wages reflect this fact. Thus one-fifth of the breaker boys received as a maximum less than \$2 per day, three-fifths less than \$2.50, and only 4 per cent had ever been paid as much as \$3 a day.^{35a} The boys who tended the jig machines and who were also employed above ground in the breakers were better paid—two-thirds had received \$2.50 or more per day, but less than one-tenth had received as much as \$3.

According to Table XVI, the small group of boys (67 in all) who were in work other than mining were paid at about the same rate as the breaker boys.

In all mining districts it is hard for the daughters of the miners to get work. With little competition for their services the wages of the girls are usually low. The maximum pay which 52.7 per

^{35a} During the year covered by the study.

cent of the girls in the cigar industry and 45.5 per cent of the girls in the clothing industry had received during this period of generally high wages less than \$1 per day, and in the Shenandoah district only a fraction over 1 per cent had reached the \$3 mark. Of the girls employed in domestic service 92.4 per cent received less than \$1 a day, as Table XVII shows:

TABLE XVII.—Maximum pay per day, by industry; girls in regular work.

Industry.	Girls in regular work.							
	Total.	Reporting specified maximum pay per day.						Total.
		Less than \$1.		\$1, less than \$1.50.		\$1.50, less than \$2.		
		Num-ber.	Per-cent.	Num-ber.	Per-cent.	Num-ber.	Per-cent.	
Total.....	441	337	219	65.0	61	18.1	32	9.5
Manufacturing industries.....	249	169	79	45.7	44	26.0	25	14.8
Clothing.....	124	77	35	45.5	21	27.3	12	15.6
Cigar.....	102	74	39	52.7	22	39.7	8	10.8
Other, and not reported.....	23	18	5	.....	1	.....	5	.....
Domestic service.....	151	132	122	92.4	7	5.3	2	1.5
All other.....	40	36	18	.....	10	.....	5	.....
Not reported.....	1	.....	.....	.....	.....	.....	.....	.....

Industry.	Girls in regular work.								Not reported. ¹
	Reporting specified maximum pay per day.								
	\$2, less than \$2.50.		\$2.50, less than \$3.		\$3, less than \$4.		\$5, less than \$6.		
	Num-ber.	Per-cent.	Num-ber.	Per-cent.	Num-ber.	Per-cent.	Num-ber.	Per-cent.	
Total.....	15	4.5	5	1.5	3	0.9	2	0.6	104
Manufacturing industries.....	14	8.3	4	2.4	3	1.8	.....	.....	80
Clothing.....	6	7.8	2	2.6	1	1.3	.....	.....	47
Cigar.....	4	5.4	.....	.....	1	1.4	.....	.....	28
Other, and not reported.....	4	.....	2	.....	1	.....	.....	.....	5
Domestic service.....	.....	.....	.....	.....	.....	.....	1	.8	19
All other.....	1	.....	1	.....	.....	.....	1	.....	4
Not reported.....	.....	.....	.....	.....	.....	.....	.....	.....	1

¹ Includes also "Inapplicable, worked on own account."

The amount of the day's wage earned by these children varies somewhat with their age. Among the girls this variation is more clearly marked. Of the 13-year-old girls at regular work reporting maximum day's pay over four-fifths earned less than \$1 a day. Among the 14-year-old girls the proportion earning less than \$1 is reduced to three-fourths; among the 15-year-old girls it is slightly less than two-thirds (65 per cent), while among those 16 years old it becomes 57.7

per cent. Among the 13-year-old boys over a fifth were in the group whose maximum earnings were from \$1.50 to less than \$2, while among the 14-year-old boys the proportion in this group was only 10.7 per cent, among the 15-year-old boys 10.1 per cent, and among the 16-year-old boys 8.1 per cent. The proportion of boys who earned \$2.50 or more a day is small among the younger boys and becomes larger with each higher age group.

THE EDUCATION OF THE CHILDREN.

A report on schools in the bituminous coal regions of the Appalachian Mountains³⁶ recently made by the Bureau of Education was confined to the best districts in the bituminous field of western Pennsylvania. It showed that 19 per cent of the children who entered school continued to the eighth grade, that the amount of retardation was greatest in the third, fourth, fifth, and sixth grades,³⁷ that of 180 elementary teachers in one mining district in western Pennsylvania only 15 per cent had attended school more than four years after completion of the eighth grade,³⁸ and that about one-fourth of the teachers were teaching their first term and about one-half were occupying for the first time the position they held at the time the study was made.³⁹ The course of study in that district was found to be bookish and not related to the life of the mining town; play as a part of the school work received no attention except in a few towns.⁴⁰ The kindergarten, although especially needed, was not found anywhere in the Appalachian region outside of Jefferson County, Ala., and Ellsworth, Pa.⁴¹

There was no State organization to insure anything better in the anthracite district. Here, too, the educational opportunities were finally determined by the local community, and, unlike the bituminous district to which reference has been made, the Shenandoah district could not be described as one of the best in the anthracite region. Its schools were all under either borough or township administration. In five of the patches there were no schools of any kind; six had only six grades; two patches, about 20 minutes' walk apart, had the third and fourth grade in one patch and the first, second, fifth, and sixth grades in the other. To continue school after the sixth grade required a long walk and a change of schools for many of these patches, so that a larger percentage of children undoubtedly quit at the sixth grade than would have left if the local school had had eight grades. In Turkey Run, to which reference has already been made and which was reached by a long, circuitous road or by a hazardous footpath

³⁶ Bulletin, 1920, No. 21.

³⁷ *Ibid.*, p. 9.

³⁸ *Ibid.*, p. 10.

³⁹ *Ibid.*, p. 11.

⁴⁰ *Ibid.*, p. 11.

⁴¹ *Ibid.*, p. 12.

which wound among the fissures, practically none of the children went to school after they completed the sixth grade. The town of Shenandoah had a four-year and Gilberton a three-year high-school course.

Unfortunately the teaching in the first six grades was often deficient. In one of the patches there was only one teacher for six grades; one school was entirely ungraded; three had two teachers for a school with six grades.

For the most part the school buildings of the district were like the houses, small wooden buildings—often unpainted, in bad repair, and sometimes inadequately heated. Cave-ins had occurred near several of the buildings. None of them had playgrounds. Shenandoah's new and modern high-school building had a gymnasium, but no playground.

With the passage of the vocational education act of 1913 the State began the practice of subsidizing vocational education through a system of reimbursement of the local district or union of districts for a part of their outlay. The Shenandoah High School offered training in commercial subjects, including stenography and typewriting and some domestic science; Mahanoy Township High School, which was attended by some of the children in the Shenandoah district, offered some manual training, woodwork, wood turning, cabinetmaking, etc., as well as domestic science and a more complete business course than the one offered in the Shenandoah High School.

Very few children included in the study ever attended any of these classes, however, as so large a percentage of the children left school before they reached high school. Altogether 331 had attended vocational classes; of that number 215 had attended only classes in cooking and sewing. Instruction in cooking usually amounted to little more than copying recipes in a note book, as the schools had no laboratories or kitchens where practical experience in cooking could be gained.

Forty-nine children had attended business classes—15 for less than a school year, 25 for one school year, 5 for two school years, and 1 for three.⁴² Sixty-five children had attended manual training classes—the majority for a year or more.

A continuation-school law enacted in Pennsylvania required children between 14 and 16 years of age who were at work to attend school eight hours a week. Continuation-school classes had been organized in accordance with this law in Shenandoah, Frackville, and Gilberton, as well as in the neighboring town of West Mahanoy. Gilberton had discontinued its classes in 1917, and the others were given up in 1918. Of the 1,220 children who began regular work

⁴² For three the period of attendance was not reported.

before they were 16 years of age and who were required by law to attend the continuation school, only 146 had ever attended. Eighty-three of these had attended for from six months to two years or more; up to the time of the investigation 44 had attended during a period of less than three months. The equipment and money available for these schools was meager; the employers made a practice of deducting the time spent at the school from the wages of the children, so there was general dissatisfaction. The classes were in consequence abandoned before a real test had been made of the educational value of the plan.

A majority of the children in this district—75.4 per cent of those with native-born fathers and 59.1 per cent of those with foreign-born fathers—began school at 6 years of age.⁴³ Most of the others began at 5 and 7, but 146 waited until they were 8. In spite of the fact that the compulsory-education law required attendance at 8 there were 63 children, two of whom had native fathers, who had not started school until they were 9 years of age or over. Eight children—two who were 13, three who were 14, and three who were 16 years of age—had never been to school at all. The education of many of these children, 1,742 of the total of 3,136 children from 13 to 16 years of age, had been completed at the time the study was made. Of the 640 children who were 16 years of age, 561 were employed, while 79 were apparently neither at school nor at work. Of 1,510 children between 14 and 16 years of age, and therefore subject to the compulsory-education law—which requires children of these ages to be either at school or at work—921 had left school; 694 of these were employed, while 227 were apparently neither in school nor at work. Of the 844 children 13 years of age, 178 had left school, of whom 91 were employed—illegally—at full-time work. A total of 393 children were thus, in spite of the compulsory-education law, neither at school nor at work.

It was the children of foreign-born fathers who had left school in largest numbers. Information secured as to the nativity of the fathers indicated that the fathers of 57.7 per cent of the children included in the study were not American born; 74.2 per cent of those who had left school had foreign-born fathers. This was perhaps to be expected. A larger per cent of these immigrant fathers belonged to the lower wage groups; many had themselves had meager or no education⁴⁴ and testimony is general that these parents, when unaided by schools and compulsory-attendance officers, find it much more difficult to keep their children in school during the restless period of adolescence.

With children of native and of foreign-born fathers, the earnings reported by the fathers seem to have been a factor in determining

⁴³ See Appendix IV, Table 23, p. 88.

⁴⁴ Of the foreign-born fathers 87.4 per cent were illiterate.

whether they continued in school. Thus 66.7 per cent of the children whose fathers were dead or who had deserted their families had left school and 62.2 per cent of those whose fathers reported that their yearly earnings were less than \$850, as compared with 20.9 per cent of those whose fathers reported their annual incomes as \$1,850 or more, who were not in school.

TABLE XVIII.—*School attendance, by earnings of father; children 13 to 16 years of age.*

Earnings of father.	Children 13 to 16 years of age.						
	Total.	Who reported school attendance.					
		Total.	Still in school.		Not attending school.		Never attended school.
			Number.	Per cent.	Number.	Per cent.	
Total.....	3,136	3,128	1,386	44.3	1,742	55.7	8
No earnings or under \$850.....	488	481	182	37.8	299	62.2	2
\$850, less than \$1,250.....	1,019	1,015	411	40.5	604	59.5	4
\$1,250 less than \$1,850.....	759	759	415	54.7	344	45.3	.....
\$1,850 and over.....	183	182	144	79.1	38	20.9	1
Father dead or deserted.....	451	450	150	33.3	300	66.7	1
Earnings not reported.....	241	241	84	34.9	157	65.1	.....

The reasons the children gave for leaving school were classified under approximately the same headings as were the explanations given for their going to work. There were some interesting differences in what were such closely related questions, even when the generally inconclusive character of such testimony is kept in mind. Thus only 36.4 per cent of the children gave family need as the reason for leaving school as compared with 55 per cent who assigned this as the cause of their going to work; 30.7 per cent said they had left because they were dissatisfied with school, while only 11.6 per cent of the working children assigned this as the reason for their going to work.⁴⁵

The grade reached by the children who had left school and by those who remained in school reflects the denial of opportunity from which these groups of children suffered. In the course of the investigation, 30 children were found who could neither read nor write, 3 who could read but were unable to write, and 1 who could write a little but could not read at all. Eight of these illiterate children were 13 years old, 13 were 14, 8 were 15, and 5 were 16 years of age.

Of the entire 1,742 children who had gone to work and who were, it will be remembered, from 13 to 16 years of age, inclusive, 58.6 per cent had gone beyond the fifth grade in school; of these

⁴⁵ See Appendix IV, Tables 21 and 25, pp. 87, 89.

working children 27.1 per cent had completed the sixth grade and 14.1 per cent the seventh, while 17.4 per cent had completed the eighth or a higher grade. Of the 1,386 children who were still in school 75.8 per cent had passed the fifth grade, and 37.9 per cent had completed the eighth or a higher grade.

TABLE XIX.—Grade completed, by nativity of father; children who had left school and children still in school, 13 to 16 years of age.

Nativity of father.	Children 13 to 16 years of age.									
	Total.	Reporting specified grade completed.						Total.		
		Total.	Second and under.		Third.		Fourth.			
			Number.	Per cent.	Number.	Per cent.	Number.			Per cent.
CHILDREN WHO HAD LEFT SCHOOL.										
Total.....	1,742	1,714	26	1.5	102	6.0	260	15.2		
Native.....	447	444	4	.9	13	2.9	24	5.4		
Foreign born.....	1,292	1,267	21	1.7	89	7.0	235	18.5		
Not reported.....	3	3					1			
CHILDREN STILL IN SCHOOL.										
Total.....	1,386	1,374	9	.7	39	2.8	101	7.4		
Native.....	698	697	1	.1	101	1.4	21	3.0		
Foreign born.....	685	674	8	1.2	29	4.3	80	11.9		
Not reported.....	3	3								

Nativity of father.	Children 13 to 16 years of age.									
	Reporting specified grade completed.									Grade not reported.
	Fifth.		Sixth.		Seventh.		Eighth and over.			
	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.		
CHILDREN WHO HAD LEFT SCHOOL.										
Total.....	321	18.7	465	27.1	242	14.1	299	17.4	26	
Native.....	52	11.7	115	25.9	100	22.5	136	30.6	3	
Foreign born.....	269	21.2	349	37.5	142	11.2	162	12.8	25	
Not reported.....			1				1			
CHILDREN STILL IN SCHOOL.										
Total.....	184	13.4	244	17.8	276	20.1	531	37.9	12	
Native.....	66	9.5	106	15.2	143	30.5	350	50.2	1	
Foreign born.....	118	17.5	136	20.2	133	19.7	170	25.2	11	
Not reported.....			2				1			

A larger percentage of the children whose fathers were native born were in the more advanced grades than of the children with foreign-born fathers. Of the children with native fathers who were still in school 23.9 per cent of those 13 years of age, 55.4 per cent of

those 14, 78.3 per cent of those 15, and 86.5 per cent of those 16 years of age had completed the eighth or a higher grade. Of the children with foreign-born fathers a smaller number and a much smaller per cent of the 15- and 16-year-old children had remained in school. Of those who were 13 years of age the percentage with foreign-born fathers who had completed the sixth grade was practically the same as those with native-born fathers, but below the sixth grade the percentages were larger and above the sixth grade smaller when the children had foreign-born fathers. Thus of the children who were 14 years of age and were still in school 55.4 per cent of those with native-born fathers had completed the eighth or a higher grade as compared with 25.7 per cent of those with foreign-born fathers.⁴⁸

There was a smaller percentage of children in the higher grades among those whose fathers belonged to the lower wage groups or were dead or had deserted them than among the others, as Table XX shows.

TABLE XX.—Grade completed, by father's earnings; children who had left school.

Earnings of father.	Children who had left school.								
	Total.	Reporting specified grade completed.						Grade not reported.	
		Total.	Second and under.		Third.		Fourth.		
			Number.	Per cent.	Number.	Per cent.	Number.		Per cent.
Total.....	1,742	1,714	25	1.5	102	6.0	260	15.2	
No earnings or less than \$850.....	299	294	8	2.7	19	6.5	53	18.0	
\$850, less than \$1,250.....	604	599	6	1.0	34	5.7	85	14.2	
\$1,250, less than \$1,850.....	344	339	5	1.5	15	4.4	41	12.1	
\$1,850 and over.....	38	38	.....	.....	.....	.....	5	.....
Father dead or deserting.....	300	292	4	1.4	25	8.6	52	17.8	
Earnings not reported.....	157	152	2	1.3	9	5.9	24	15.8	

Earnings of father.	Children who had left school.								Grade not reported.
	Reporting specified grade completed.								
	Fifth.		Sixth.		Seventh.		Eighth and over.		
	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	
Total.....	321	18.7	465	27.1	242	14.1	299	17.4	28
No earnings or less than \$850.....	58	19.7	82	27.9	34	11.6	40	13.6	5
\$850, less than \$1,250.....	118	19.7	187	31.2	82	13.7	87	14.5	5
\$1,250, less than \$1,850.....	45	13.3	80	23.6	69	20.4	84	24.8	5
\$1,850 and over.....	10	.....	5	.....	7	.....	11	.....	.....
Father dead or deserting.....	65	22.3	60	20.5	32	11.0	54	18.5	3
Earnings not reported.....	25	16.4	51	33.6	18	11.8	23	15.1	5

⁴⁸ See Appendix IV, Table 26, p. 90.

Thus, of the children whose fathers belonged in the higher wage groups, the percentages in the seventh grade or above were larger than among the children whose fathers belonged in the lower wage groups.

Retardation among children who work before or after school or all day Saturday and Sunday and continue to go to school is to be expected. In the Shenandoah district the fathers of such children, it will be remembered, belonged more frequently to the lower than to the higher wage groups. The hours of many of these part-time children were so irregular that it was impossible to estimate how many hours they usually worked a week. Of 27 boys reporting weekly hours, 1 reported he never worked more than 4 hours a week, 6 reported working between 8 and 16 hours a week, 10 reported 20 to 24 hours, and 10 gave 30 hours or more as the regular hours worked during a week. Four boys and 21 girls had worked as many as 51 hours a week while attending school.

Attention has already been called to the fact that a considerable number of children of compulsory-school age were at work. It is of special importance to know whether the school attendance was improving in the district. So far as the particular four years for which information was secured in the course of this study, the per cent leaving school before they were 12, 13, 14, and 15 years of age was found to have increased.⁴⁷ For example, of the 16-year-old children, 3.1 per cent had left school before their thirteenth birthday. Of those 15 years old, 4.7 per cent; of those 14 years of age, 6.7 per cent; and of those 13 years of age, 11.1 per cent had left school before their thirteenth birthdays. It will be remembered that this period was abnormal, for the reasons given in the discussion of the causes that led children to go to work in larger numbers. There is no information at hand to show whether the educational loss these children suffered as a result of premature employment was made up by a return to school when the period of industrial depression began in 1920.

⁴⁷ See Appendix IV, Table 27, p. 91.

MEDICAL EXAMINATIONS OF SCHOOL CHILDREN.

Medical examinations of the school children were made in Shenandoah, Frackville, and Gilberton from 1915 to 1918, and discontinued thereafter by vote of the school directors taken in accordance with the State law. The superintendents of the schools reported that during the years they were made the examinations were usually confined to the eyes, ears, nose, teeth, and throat and that usually from three to five minutes were spent in the examination of each child. There was no follow-up system so that the importance of having defects corrected was not explained to the parents nor was there any place where free treatment could be secured for those who were unable to pay. However, even under these circumstances evidence of the value of the examinations was collected in the course of the investigation.

Some children reported they had been examined twice, some several times, and some not at all. Of the 3,136 children included in the study 2,695 reported examinations of the eyes, 2,475 of the ears, 2,701 of the throat, and 1,737 of the chest. The extent to which defects that were discovered had been corrected was difficult to determine, as mothers could not always remember whether a defect had or had not been reported to them by their children. Altogether in 1,382 instances the parents did remember that a defect had been reported and 45.7 per cent of these had arranged for treatment or attention for the child with a view to correcting the defect; tonsils had been removed in 29 per cent of the cases in which removal was said to have been recommended, adenoids in 40.2 per cent, and of the children who were reported to have defective teeth 59.3 per cent were cared for; less attention, however, was paid to defects of sight and hearing which might have been corrected.

Treatment was more frequently given if the father belonged to one of the higher wage earning groups; thus in 39 per cent of the cases the defect was attended to when the father's reported earnings were less than \$850, 49 per cent when more than \$1,250 and less than \$1,850, and when the father's earnings were \$1,850 or more, 61.5 per cent of the defects were attended to. As the earnings of the foreign-born fathers were relatively lower than of the native born, this may explain the smaller percentage of the foreign born who took care that their children received the attention they needed.

MORTALITY RATES AMONG CHILDREN.

The infant mortality for the entire birth-registration area of the United States was 94 in 1917; for that year the rate for Shenandoah was 187—one of the highest in the country.⁴⁸

The average annual death rate from diarrhea and enteritis among children under 2 years of age was also distressingly high—365.8 per 100,000, as compared with 104.8 for Pennsylvania as a whole and 71.4 per cent for the entire registration area of the country. The rates for diphtheria and croup were more than four times and for scarlet fever twelve times as high for Shenandoah as for the United States registration area.⁴⁹

At the time this study was made there was a State tuberculosis dispensary, but there were no other free clinics. There was no visiting nurse association. A nurse was, however, at work on a plan for a child-welfare league, and the summer following the investigation a child-health center was established by the State department of health, which did educational work in child care and employed a physician who gave prenatal advice to the mothers. Thus, a beginning of a much needed public-health service for Shenandoah has since been made.

TABLE XXI.—Average annual mortality rates from specified causes of death per 100,000 population, in specified areas, 1910 to 1917, inclusive.

Area.	Average annual death rates from specified cause per 100,000 population.						
	Diarrhea and enteritis (under 2 years).	Diphtheria and croup.	Scarlet fever.	Bronchitis.	Pneumonia (all forms).	Other respiratory.	Tuberculosis of the lungs.
Shenandoah, Pa.	365.8	81.7	77.8	61.1	223.0	40.1	77.4
Philadelphia, Pa.	104.1	24.0	6.7	24.4	165.9	19.0	173.7
Pittsburgh, Pa.	128.5	27.4	14.9	33.3	285.0	23.5	110.7
New York, N. Y.	80.5	25.6	9.7	20.3	201.2	11.2	175.9
Chicago, Ill.	133.2	37.0	18.7	11.5	192.8	10.8	144.2
Pennsylvania as a whole.	104.8	24.3	7.6	20.9	134.4	18.6	113.2
United States registration area.	71.4	17.6	6.4	13.2	136.6	13.5	130.0

⁴⁸ Birth Statistics, U. S. Bureau of the Census, 1917, pp. 23 and 30.

⁴⁹ The rates are all for an eight-year period, from 1910 to 1917.

THE HOMES OF THE CHILDREN.

In the course of the general investigation considerable information about housing conditions was secured but the question of whether the children were growing up protected by at least minimum standards of privacy, light, air, and general sanitary arrangements in and around their homes was considered so important that an intensive study of certain typical sections was made. In Shenandoah, a block on the western edge of the settlement, one on the eastern edge, another in the extreme southern apex on rocky ground sloping



A CROWDED FRAME TENEMENT HOUSE KNOWN AS "THE INCUBATOR."

to the railroad tracks, another in the northeast nearer the center of the town, two rows of houses in the extreme northwest, and a three-story tenement 78 feet long and 29 feet wide, which is locally known as the incubator, were selected for intensive study. These sections did not contain the worst houses in the town but were representative of the general housing difficulties under which the people of the town lived.

Housing standards are generally lower in mining towns than in industrial cities and towns; frontier conditions are tolerated long

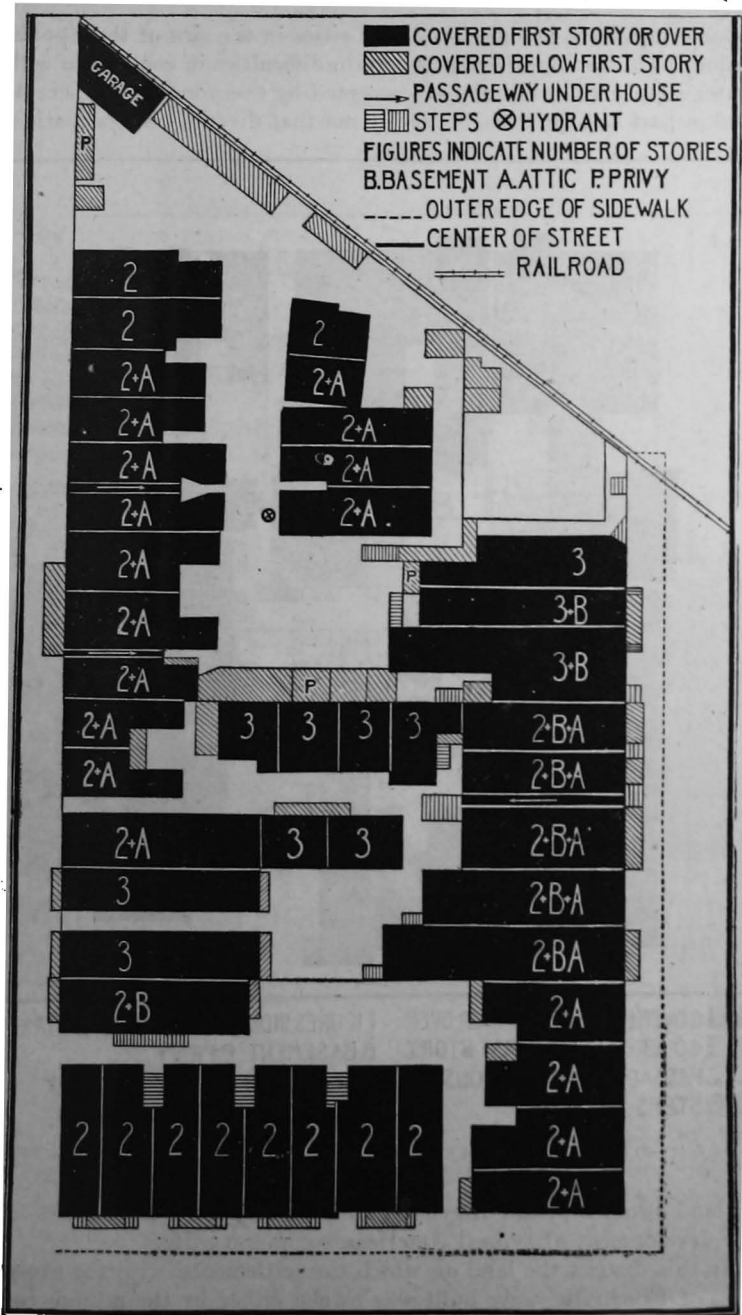
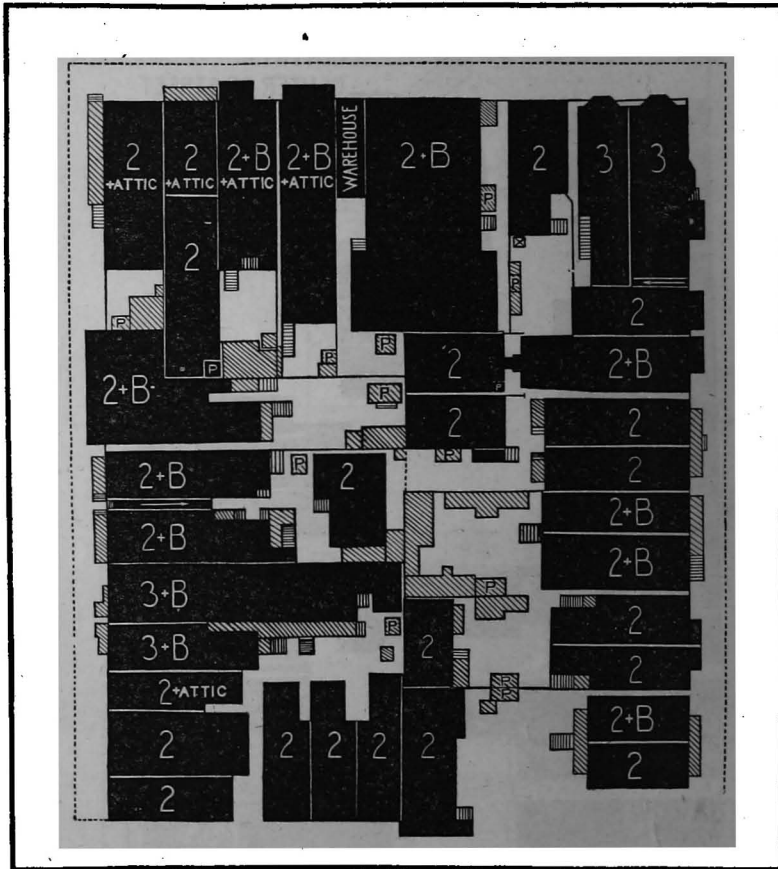


CHART I.—BLOCK (2) IN THE EASTERN PART OF TOWN; AREA 36,256 FEET; POPULATION, 332.

after camps have become towns and cities in the size of their population. This is in part because certain difficulties in connection with water supply and sewerage are accepted by everyone as insuperable and in part because there is usually not that diversity of occupation,



 COVERED FIRST STORY OR OVER
 COVERED BELOW FIRST STORY
 PASSAGEWAY UNDER HOUSE
 STEPS  DRAIN

FIGURES INDICATE NUMBER OF STORIES
 B BASEMENT P PRIVY
 - - - - - OUTER EDGE OF SIDEWALK
 ——— CENTER OF STREET

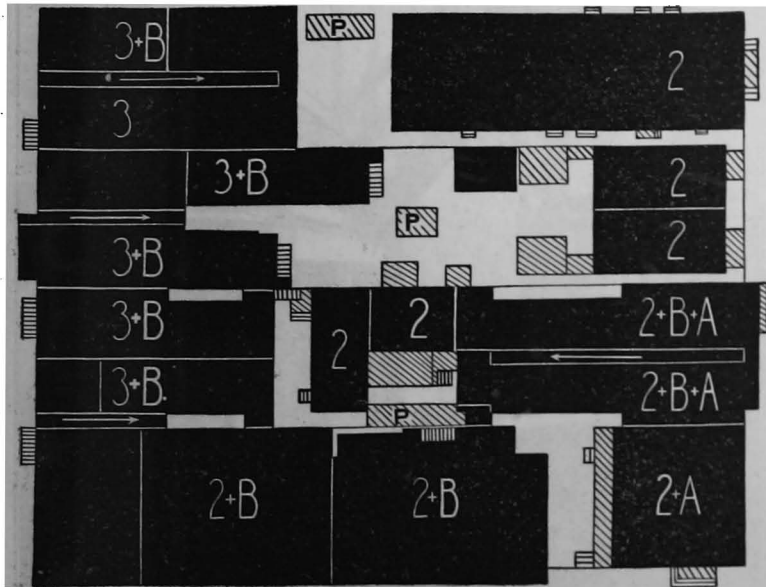
CHART II.—BLOCK (3) AT THE EXTREME SOUTHERN APEX OF THE TOWN; AREA 28,574 SQUARE FEET; POPULATION, 270.

of land ownership, and of general business interests which makes for the development of typical American community life.

In this district the land on which the settlements, with the exception of Frackville, were built was owned either by the mining corporations or by two large estates. In Shenandoah, Gilberton, and

THE HOMES OF THE CHILDREN.

the patches 348 of the families included in the investigation were tenants of these companies and 58, of the estates; while 46 others who owned their homes paid ground rent to the mining companies. In addition to the 58 who rented houses from the two estates, 287 who owned their homes rented ground from them. Nine families rented houses belonging to the first estate and 137 paid this estate ground rent for houses they themselves owned. Forty-nine rented homes from the second estate and 150 rented ground for the houses which they had built or purchased from that estate.



COVERED FIRST STORY OR OVER
 COVERED BELOW FIRST STORY
 STEPS
 P. PRIVY
 FIGURES INDICATE NUMBER OF STORIES
 B. BASEMENT A. ATTIC PASSAGEWAY UNDER HOUSE

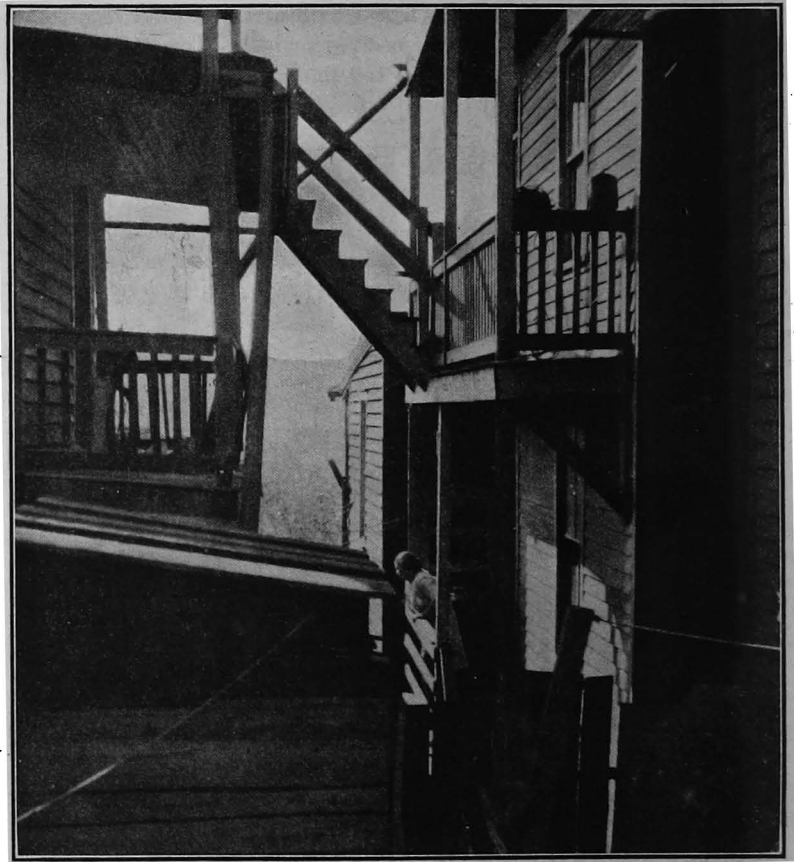
CHART III.—FOUR CROWDED LOTS AT ONE END OF BLOCK (4) IN THE NORTHEAST SECTION OF THE TOWN; AREA 18,133 SQUARE FEET; POPULATION, 189.

CONGESTION.

The town of Shenandoah is so hemmed in by mine properties on every side that expansion to meet the needs of its growing population has been impossible. As a result, when more people came, in response to the demand for more and more mine workers, rear houses were built until the alleys were turned into narrow streets; then houses were added between those in the front and the rear until by 1920

there were 24,726 persons living on an area a little more than one-half of a square mile.⁵⁰

The houses were generally small, one-, two-, and some three-story dwellings. Eighty per cent had from four to seven rooms, 4.7 per cent had less than four rooms, while 14.7 per cent had eight or more.⁵¹



THE STAIRCASE SHOWS DISTANCE BETWEEN FRONT AND REAR HOUSE ON LOT.

In the general housing canvass that was made in Shenandoah, 13,592 persons were found living with more than one person per room, 3,045 with two or more per room, and 379 with three or more per room. Some examples of extreme congestion were encountered. In 84 instances 7 people were occupying two rooms, in fifty instances 10 people were occupying three rooms, and in forty instances 10 people were occupying two rooms.

⁵⁰ This is a density in round numbers of 43,000 per square mile. The density in New York was 19,000 and in Chicago 14,000 in 1920.

⁵¹ Among families who owned their own homes, the houses were larger; only 1.3 per cent had fewer than four rooms, while 26.6 per cent had eight or more.

In the patches⁵² and in Gilberton and Frackville room congestion was generally not so serious, still in one settlement (Raven Run) only 13.4 per cent had one room per person, while 27.2 had two or more persons per room.

In the anthracite fields, as in other mining and industrial districts, there are large numbers of single men who must find a place to live either with families or in nonfamily groups. Many of the miners' wives felt compelled by economic necessity to supplement their husbands' earnings by taking lodgers. According to the supervisor of the assistance to mothers' law widowed mothers were sometimes given a house and a winter's coal free by the mine management on condition that they lodged some of the single men⁵³ who were employed in the mine.

The presence of lodgers very seriously complicates all the problems of congested living, particularly for the age group which is under special consideration. In this district in about 15 per cent (447) of the families the children 13 to 16 years of age were exposed to the disadvantages which come with keeping lodgers. In one instance there were nine lodgers in a family in which there were six children under 17 years of age; five families with eight children and two with nine children under 17 years also had lodgers. Of necessity this meant congested sleeping quarters. According to Table XXII in the areas selected for intensive study of housing conditions 68 per cent of the people were sleeping with three or more persons in a room, and 36 per cent with four or more. Of the people living in one of the blocks in Shenandoah 77.8 per cent and of those living in the two blocks canvassed in Gilberton 75 per cent were sleeping three or more persons in a room. In the tenement locally known as the incubator 53.5 per cent of the people slept with four or more persons in their sleeping rooms.

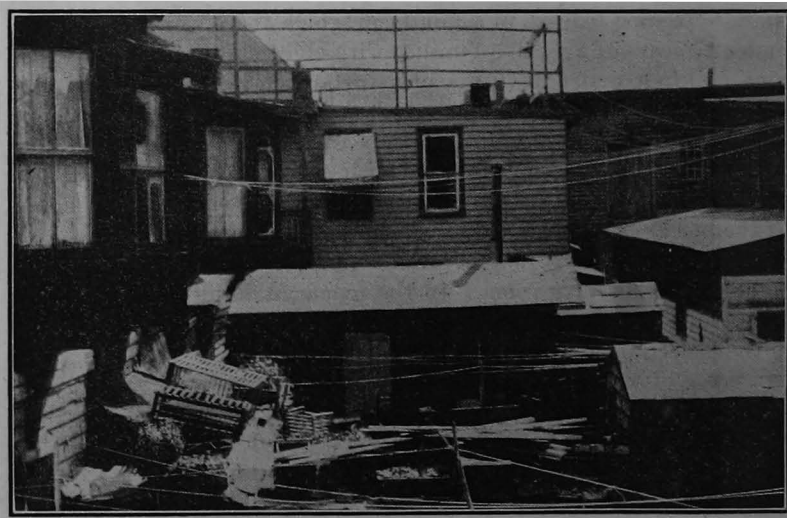
⁵² The general canvass secured complete figures as to the number of rooms and the number of persons in 13 patches of various sizes and in different parts of the district, in two blocks of Gilberton, and in the greater part of Frackville.

⁵³ See p. 83.

TABLE XXII.—Number of occupants of bedrooms, by block or other area, persons living in blocks or other areas intensively studied.

Block or other area.	Persons living in blocks or other areas intensively studied.						
	Total persons.	Sleeping in bedrooms with specified number of occupants.					
		2 or more persons.		3 or more persons.		4 or more persons.	
		Number.	Per cent.	Number.	Per cent.	Number.	Per cent.
All selected blocks in Shenandoah.....	1,435	1,354	94.4	976	68.0	517	36.0
Block 1.....	330	314	95.2	242	73.3	107	32.4
Block 2.....	332	318	95.2	202	60.8	115	34.6
Block 3.....	270	264	97.8	210	77.8	96	35.6
Block 4.....	189	164	86.8	98	51.9	68	36.0
Block 5.....	243	228	93.8	174	71.6	93	38.3
"Incubator".....	71	68	95.8	50	70.4	38	53.5
Gilberton.....	225	207	92.0	169	75.1	103	45.8

The fact that the rooms in which so many persons slept were usually small added to the discomforts and the dangers. In the blocks



SHENANDOAH—CROWDED BACK YARDS.

in Shenandoah which were included in the intensive housing study, 269 persons were sleeping with four or more and 145 persons with five or more persons in a room in rooms the floor area of which was less than 150 square feet.

The cubic air space was also entirely inadequate.⁵⁴ A commonly accepted standard which is regarded as reasonably possible of attain-

⁵⁴ Veller, Lawrence, *A Model Housing Law*, revised edition, p. 229, par. 110, Russell Sage Foundation, New York, 1920.

ment at the present time requires a minimum of 600 cubic feet of air space for each adult and 400 cubic feet for each child.⁶⁵ In the area studied⁶⁶ in Shenandoah 73 per cent of the adults and 75 per cent of the children had less than this minimum amount of air space, while over 200 persons were sleeping with less than half the cubic air space that is generally held to be necessary by students of the subject.

While there were not many windowless rooms in the district, they were not unknown. Thus 52 families with children 13 to 16 years of age reported rooms with no windows, in three instances a family reported two and in one instance four such rooms in one dwelling. In a basement in a rear house visited by an agent of the Children's Bureau a mother and three children had two rooms. The bedroom in which they all slept was entirely dark. In another basement six persons lived in two rooms, the mother and two children slept in the kitchen and three other children slept in an inside room.

The standard previously referred to fixes 12 square feet as the minimum window space and provides that in no case shall the window area be less than one-seventh of the floor area. Of the 534 bedrooms in the blocks studied, 208 had less than 12 square feet of window area and in 331 the window area was less than one-seventh of the floor area. In the 61 rooms, 11 per cent of all the bedrooms included in the intensive study, in which the window area was less than one-half of the accepted standard, 175 people slept. These conditions, bad enough in themselves, were rendered worse by the crowding of houses on the lots, by their general disrepair, and by the almost entire lack of proper sanitary arrangements.

THE PULL OF THE MINES AND THE PROBLEM OF PROPER HOMES.

The general explanation given of the disrepair of the houses of this district is the pull of the mines. In a large part of the town of Shenandoah the old workings have been filled in with slush, but in many places no such precautions have been taken and the ground has given way and fissures and cave-ins have resulted.

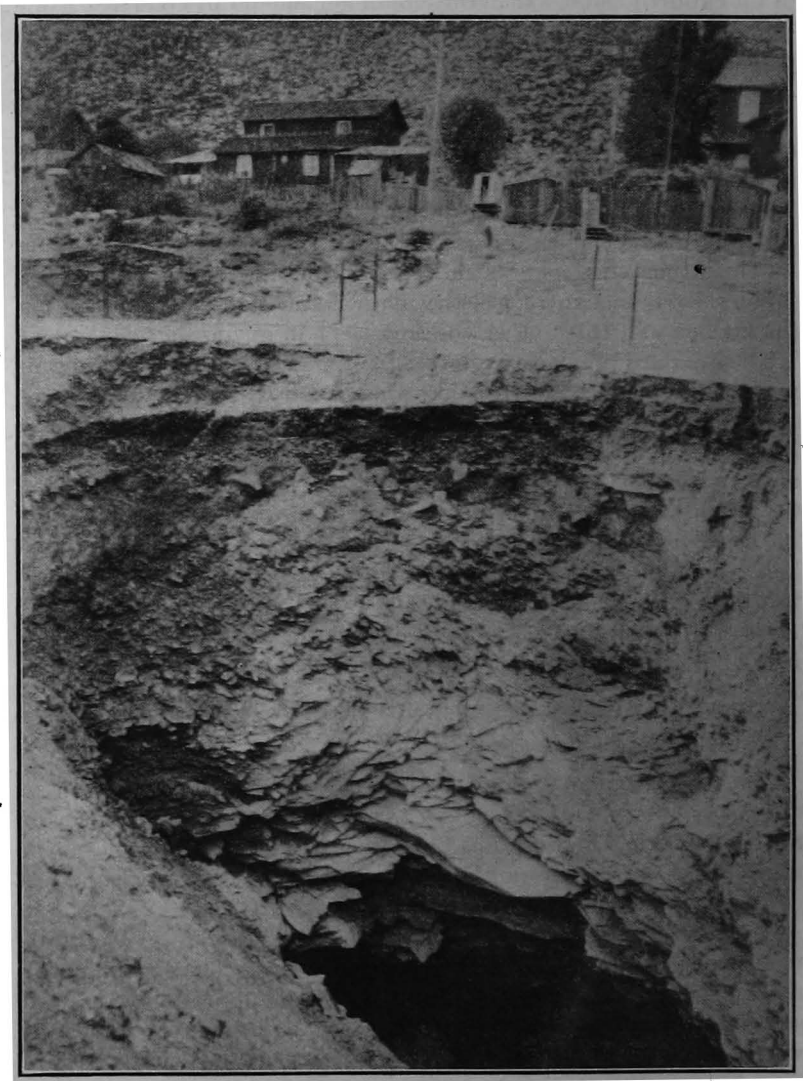
One family reported having had to move because of a cave-in directly under the house in which they were living. The ground under the kitchen and dining room disappeared, taking with it the coal and other things stored beneath. The kitchen floor broke under the weight of the furniture and the stove was rescued just as it was slipping in.¹

Another family stated that the pull of the mines had made large cracks between the baseboard and the plastered walls, so that the

⁶⁵ According to this standard a child over 12 is allotted the same amount of air space as an adult. In the present study those under 17 are classed as children.

⁶⁶ See Appendix IV, Table 20, p. 94.

mother was afraid to clean the walls lest they also fall. The plaster in rooms on the second floor of this home had fallen five years before and had never been replaced.

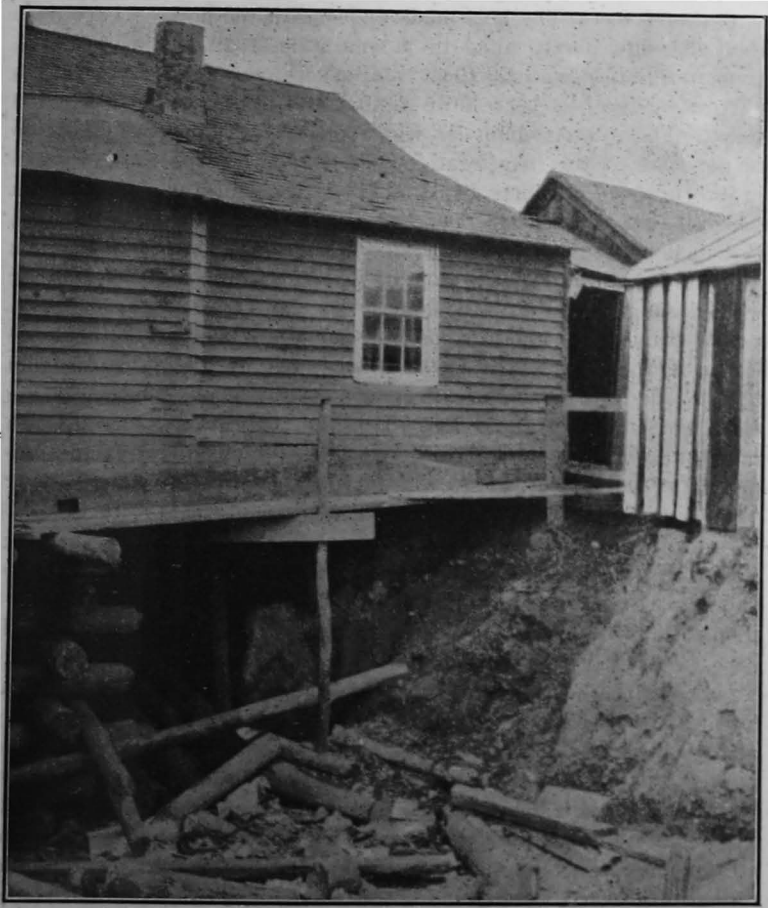


A DANGEROUS CAVE-IN IN THE VILLAGE OF GILBERTON.

The father of one of the children had bought a house for \$1,800 and put into it \$1,000 in repairs—all his savings—five years before this inquiry was made. Subsequently a break occurred at the rear of the house; the house sank so that the basement, which the family

had been renting, was vacated because it was completely below ground. This house was still sinking at the time of the inquiry and the father expected that, within two years it would have to be torn down.

Another man had paid \$2,850 on a \$3,850 house, which presently started to sink. In the hope of saving it he had spent an additional



THE GROUND UNDER ONE WING OF THIS HOUSE CAVED IN ONE NIGHT.

\$1,500 to build a cellar. He spoke bitterly of the conditions, saying that even when the estates or mining companies served notice on their tenants to move because the ground was undermined there was no place to which they could go. As there is no more ground for lease in Shenandoah, the people felt, he said, that there was nothing for

them to do but wait for their houses to cave in. "Then," he said, "after it's gone under you can go in and get what lumber is left."

From almost every part of the area came reports of damage of one sort or another due to this cause. One family whose roof allowed rain to leak into every room reported this to be the result of a cave-in which occurred at 11 o'clock at night in the middle of the winter preceding the study. At that time half the house sank 2 or 3 feet. The hole made underneath the house was so deep that although partly filled in it was at least 12 feet deep at the time it was inspected by the Children's Bureau agents. Over it a narrow bridge had been built so that the family might reach the toilet. The mining company which owned the house had not, up to the time of the investigation, either repaired the roof or filled in the hole. The home of another of the children for whom a schedule was secured was perched on the edge of a breach which had opened after it was built. Six years before the kitchen had fallen into the breach and at the time of the study one side of the house seemed dangerously near the edge.

The two estates and the mining companies who were the landlords of the district protected themselves by their leases from liability for any damage to property or to life and limb resulting from the caving of land due to mining operations, even though these mining operations were "negligently, unskillfully, and improperly" carried on and "without leaving any support whatever for the surface."⁵⁷

In some cases there was a difference of opinion as to whether the condition of a house was due to the pull of the mines or to cheap and faulty construction. As the owners were released from the responsibility for making good the former, it was currently believed that they relied on that explanation too frequently.

Many of the houses rented from the mining companies had fallen into a state of extreme disrepair because the companies had either refused or neglected to attend to them. In one such rented by the family of a child included in the study the beams had given way under the kitchen floor, leaving it unstable and the walls warped. The cellar and the parlor were flooded when it rained and damp all the time. The chimneys were bad. The roof leaked. The plank walks in the yard were rotted and broken. The company had made no repairs in this house for two years.

In another company house the roof leaked badly. No plastering was left on walls or ceilings and the family had tacked bagging and oilcloth over the walls and papered over this. Another family reported that there were 18 inches of water in the cellar, while the roof, with holes so large "you can stick your hand through," leaked

⁵⁷ See typical lease, Appendix II, p. 72.

badly. The residents said that numerous complaints had been made to the company without avail. In another dilapidated house in which, as the mother reported, "the whole house leaks and hardly a crumb of plaster is left on the walls," the company had promised for three years to make repairs but had made none.

Complaints were less frequent among families who did not live in the company houses, but among these, too, bad conditions were described. One family reported that the landlord would make no repairs although four rooms on the third floor could not be used, the plaster had fallen, the windows did not open, the floor was uneven and broken, the stairs leading to the third floor had fallen, and large cracks in the walls of the second floor were stuffed with rags. Another family reported the whole roof to be "rotten," the ceiling "leaking with every rain" and remaining wet for several days; in this house the kitchen walls and floor had sagged apart, the wall under the chimney was broken and the floor, which was sinking, had to be supported by blocks.

These examples were reported to be typical. They indicate, if not indifference to the necessity for decent, healthful home conditions for parents and children, at least an acceptance of a standard of living that is sure to bring its chain of social disasters. The neglect has, doubtless, been due in part to the real difficulty of keeping the houses repaired because of the pull of the mines. The very fact that the landlord was also so frequently the employer, might well be said to have created a special obligation to protect the children of their employees from the demoralizing effect of living in houses such as those just described.

SEWAGE AND GARBAGE DISPOSAL.

Under the congested conditions which have been described sewage and garbage disposal were of primary importance. For about two-thirds of the residential part of Shenandoah sewers were provided; for the rest of this city and the other parts of the district studied there were no sewers. The Shenandoah sewers were not installed as part of a comprehensive plan, so that for the district they covered they were inadequate. They emptied into Shenandoah Creek, which separated the homes of the workers from the collieries on the east and south. In addition to the sewage from the town, this stream was relied upon to carry off the culm and the sewage and other refuse from the mines. It was shallow and the current not swift, so that the openings of the sewers were clogged and sometimes completely closed and the sewage was forced back into the houses in consequence.

The settling of the land made the sewage system in Shenandoah difficult to keep in proper condition. For example, Line Street at the time the sewers were laid was higher than the street to the

south of it, but at the time this study was in progress it was considerably lower. The sewer on Line Street carried not only domestic sewage but a large amount of mine waste. After the settling of the street it was blocked. A cesspool for one of the patches which was located on the side of the mountain at the northern edge of the borough drained down the side of the mountains into an open sewer which flowed under the principal street in that part of Shenandoah and then continued along side streets until it emptied into Kohinor Creek. At the point where it was supposed to flow under the principal street it was blocked for some months before and during the time this study was being made. As a result the sewage was turned back along the north side of the street, creating a most objectionable condition. In the course of the investigation many complaints were made to the agents of the Children's Bureau of the overflow of sewers flushed by rain or blocked by refuse, and of the odors of the creeks into which they emptied.

In the sections of Shenandoah and the rest of the district where there were no sewers water from the kitchen sinks was generally carried out of the houses in drains which emptied into the yard, whence it flowed into the ditches along the road or stood in stagnant, ill-smelling pools.

What has already been said about the damp or wet cellars of the district indicates the lack of adequate provision for surface drainage. Among the patches near the collieries such drains as existed were frequently blocked by slush from the mines.

In Gilberton the situation was especially bad. Most of the houses were built along the strip of ground lying between the main road and the railroad embankment. Across the embankment was a creek into which slush and culm were dumped. Extensive excavations had been made under the houses and the land had been settling steadily for a period of years. The railroad embankment and the highway, with the trolley tracks on it, had been filled in from time to time. Because of the swelling of the stream and the subsidence of the land on which the houses stood, the level of water in the creek was some 10 feet above the ground on the other side of the embankment. The result was that the ground between the highway and the railroad was usually flooded and water into which sewage, garbage, and refuse of all sorts had been dumped, stood in the yards and seeped into the cellars. Sometimes the water reached above the first-floor level of the houses. In two blocks in Gilberton there were three houses which had been abandoned on this account. Three others, in which there had been similar conditions, had been raised and the cellars filled with ashes and cement. Of the 39 remaining houses in the two blocks, 37 had water standing in the

cellars. In three cases it was reported that the water reached up to the boards of the floor and these were rotting so that it was feared they might give way at any time. The cellars had been closed lest some of the children fall in and be drowned. In some of the houses ducks were found swimming in the cellars.

In times of storm the water often flooded the dwelling parts of the houses. In the rooms in one house marks were seen a foot above the mopboard, to which the water had reached the previous spring. Some families had put their furniture up on props and throughout the neighborhood it was generally impossible to use carpets.

When the land in this neighborhood first began to settle the people had tried to jack up their houses on old railroad ties and rough embankments in order to keep them above the water level,⁶⁸ but they had finally abandoned these efforts. A pump operated by the coal company which made the excavations under Gilberton had also not been adequate to afford protection.

Another very serious problem was the types of toilets which were commonly used in this section. In Shenandoah the connection of the houses with such sewer system as the city had provided was at the option of the owner. The result was that no connection had been made with many houses and for others a toilet of the pit-privy type had been placed over an opening of a sewer pipe. There was no flushing arrangement and often not sufficient water in the pipe to carry off the sewage. While this was objectionable, still water could be poured down the shaft to clear the pipe from time to time. It was reported that in one case a hose was used two or three times a year for this purpose.

In Frackville and in certain of the patches, families had water-closets connected with cesspools, but for the most part the dry pit was used in the area outside Shenandoah; in Gilberton they were placed over the creek which flowed behind the houses. Altogether, throughout the district 1,153 of the families included in the study were compelled to use dry privies, 724 families had the privy placed above a sewer in the manner described above; 457 had sanitary toilets with flushing arrangements, 59 of these being located in the yards.

Frequently the outside toilets were crowded together in very small yards or courts closed in on every side by dwellings. One mother called attention to the fact that her front door opened upon a row of 10 outhouses, from which the odor was very offensive, although they were cleaned once a week. Many others were not so frequently cleaned and in the wet weather some overflowed. Some families complained of cesspools within 3 or 4 feet of the kitchen door.

⁶⁸ Report of State bureau of housing on "Housing and sanitary conditions in the towns in the anthracite coal region of Pennsylvania," October, 1918. Unpub. MS., p. 71.

In the area outside Shenandoah some of the crudest types of outhouses, neglected and offensive, were found. Complaints came from the patches in every part of the district that the landlords made little effort to keep them in proper condition.

The majority of families included in the study had their own toilet or outhouse. Four hundred and fifty-eight, however, reported that two or more families used the same toilet. In one instance as many as 10 families were reported to be using a toilet which had no flushing connections but was merely placed over an opening in a sewer pipe.

Throughout the greater part of Shenandoah the garbage was collected by the borough once a week; in one of the patches it was collected also once a week by the mining corporation owning the patch, but for over half the families included in the study no garbage col-



A CROWDED YARD IN WHICH A MIDDLE HOUSE FACES A ROW OF SIX PRIVIES.

lections were made. In areas where it was not collected all that was not fed to chickens and other animals was generally dumped with other refuse in the breaches caused by the mines, or was piled on vacant land. The people living on the edge of town in Shenandoah, where collections were very infrequent, threw their garbage, dead animals, and other refuse across the borough boundary line on the north of the town or into the creek, already overflowing, or on vacant land not suitable for building purposes. Families complained bitterly of the offensiveness of these "dumps."

In the section in Shenandoah where the garbage was collected there was no supervision of the type of can used, so that every sort of re-

ceptacle—old baskets or boxes, dishpans, or pails—were pressed into service almost always without any covering and often not large enough to hold the garbage that accumulated in a week.⁵⁹ As a result garbage was often found scattered about the crowded courts. Some families living outside the borough made a practice of sending their children into Shenandoah regularly to collect the garbage, which they fed to their pigs and other animals. These children, sometimes 6 or 7 years of age, and known throughout the borough as the slop girls, picked over the garbage, carried home in large pails what they thought the pigs would eat, and left the rest scattered about on the grounds.

In Shenandoah itself there was no prohibition against keeping animals.⁶⁰ In some crowded courtyards there were pigs, goats, and cows. Almost every yard had chicken coops. In one yard, 12 by 25 feet, an agent of the Children's Bureau counted 11 toilets, and 25 hens, besides dogs and cats. Added to all the odors which came from these sources, the people of Shenandoah endured the stench which came from slaughterhouses and fertilizer plants connected with the packing houses, and from a brewery.

THE WATER SUPPLY.

In the borough of Shenandoah about two-thirds of the people were supplied with the water brought by the borough from reservoirs in the mountains to the north and northeast. This spring water was piped down to the reservoirs, a distance of 6 miles. The distributing reservoirs were kept small so that there might be a constant flow of fresh water; it was guarded from pollution and tested frequently. This water was considered good. The water distributed to the rest of Shenandoah⁶¹ by a company established long before the borough water department was created was also good.

The difficulty in Shenandoah was not with the quality of the water but with the amount and its availability. For two-fifths (40.2 per cent) of the families interviewed, the only hydrant was outside the house. In many such cases a number of families used a single hydrant which stood in the middle of the small court or yard. In one instance 20 families were reported to be dependent upon the same hydrant, in another 9 families, in another 6, in another 8, and in another 10 families carried all their water from the same hydrant. In the winter this hydrant often froze and then all the families dependent on it had to go some distance for water. One woman reported that all the water for her family had to be carried 125 feet over an uneven road, while another reported she

⁵⁹ Only 27 out of 2,341 families reported that their garbage was collected oftener than once a week.

⁶⁰ Out of the 1,228 families from whom information was secured only the two who had wells did not get their water either from the borough or from this company.

had to go 150 feet down a rocky slope for all she used. It was therefore easy to agree with another who remarked, "It's hard to get at keeping clean when you're tired out from carrying the water."

All these difficulties were greatly increased during the summer when the borough was put on water rations and water could be used only during certain hours. During the winter, unless it was exceptionally mild, the water was turned off every night at 10 o'clock to prevent freezing.

In the patches difficulties similar to these were the rule. Turkey Run, a part of Shenandoah Borough, although supplied by the borough water department still had a serious problem. In summer throughout the patch, water could be obtained usually only from 5 to 6 a. m. and occasionally from 7 to 8 p. m. The western half of the patch sometimes received none at all for weeks at a stretch, and water had to be carried up the rocky mountain path from Gilberton, over one-fourth of a mile away. In winter the water was even more scarce in the patch than in summer and the inhabitants were sometimes thankful if they had snow which they could melt for the family washing.

Many explanations were offered for this shortage of water—the water line could not be kept in repair because of the constant occurrence of cave-ins; the pipes froze readily because they were laid on or near the surface of the ground; and the water was required, during the working day, almost entirely by the near-by colliery breakers and washeries. Complaints were said to have been made to the Shenandoah authorities but without avail, and the people of Turkey Run, unable to afford a private system, had nothing to do but accept a situation which left them in discomfort and added enormously to the difficulties of keeping their houses in sanitary condition.

Most of the patches were supplied with water by one of three companies. These companies all piped the water from reservoirs and it was tested from time to time. Only in two very small patches was the water carried from springs. In Raven Run, though company water was piped into the patch, it was said not to be good, and water for drinking purposes was carried from a spring 100 yards away from some of the houses and one-fourth of a mile from others. On account of the distance some of the people drank the-cistern water in winter. From the patches, as in Shenandoah, came frequent complaints of pipes which froze and burst. From Frackville, where all but a very few families were supplied by artesian wells, there were no complaints.

In Gilberton and the patches as in Shenandoah the distance to the hydrant was often great and the number of families using it many.

RECREATION FOR THE CHILDREN.

Few places offer so little opportunity for education through play as did the town of Shenandoah. The houses set flush with the sidewalks were crowded on the lots so that there was hardly a yard in the city. There had once been a playground on the northern edge of the town at the foot of the mountain. But the tennis courts were not kept up, the wading pool for the little children was dry, and the drains became stopped up. There was opposition to the playground on the part of some of the neighbors because it was popular with the children and the noise they made was disturbing. It was not properly supervised or cared for and at the time this study was made it was in a sadly neglected state. The town had no parks. The new high school had an auditorium, where lectures and entertainments were sometimes held, and a gymnasium, but no ground or athletic field of any kind. Most of the children left school before they reached the high school and no playgrounds had been provided for these children.

Pastors of a few of the churches reported that they had from time to time made an effort to bring some of the children together in semireligious, semisocial clubs. But none of these had been successful. Only a very few children 13 to 16 years old in Shenandoah had belonged to these clubs, and a few more in Frackville and in the patches.

But, as everywhere, the children of Shenandoah managed to play whether the places where they played were either suitable or safe. The smaller boys seemed to choose the railroad tracks; a football team practiced regularly in the city street; a basket for basket ball was attached to a telegraph pole in a street where trolley cars and vehicles interrupted the game. One small boy, a member of a baseball team, said the only place the team had to practice was the street; they could play there "till the cop comes." The little children went wading in the black stream which flowed along two sides of the borough and received the sewage and refuse of the mines. The older boys found that Hooky Dam, which closes two breaches in the side of the mountain and catches the water which drains down the mountain, could be used as a swimming hole. Children played on the dumps of refuse and garbage and climbed to the tops of the moun-

tains of culm. Everywhere the larger boys loitered on street corners and gangs of smaller boys swarmed the streets. The girls, equally unprovided with proper recreation, were kept busy doing housework or caring for the younger children, so that fewer of them loitered about the streets.

In contrast with Shenandoah, a company-owned patch on the north and one on the south had a playground—one well equipped—for the



THE SWIMMING HOLE BELOW WESTON PLACE. THE ROOFS OF SHENANDOAH SHOW IN THE DISTANCE.

smaller children and the young people; a third had a small clubhouse for men and boys. But these were available for very few children. Only 51 of the 714 children who lived in the patches had ever been to a playground.

Gilberton had provided benches at intervals, facing the car tracks on Main Street. A tree had been planted near each bench, but these trees had not prospered. There was no grass anywhere, only cinders and the stagnant water of Lake Stoddard. Altogether Gilberton showed the most serious lack of parks and playgrounds.

APPENDIXES.

APPENDIX I.

SUMMARIES OF PENNSYLVANIA WORKMEN'S COMPENSATION ACTS OF 1915 AND 1919.¹

1915 ACT.

Date of enactment.—June 2, 1915; in effect January 1, 1916.

Injuries compensated.—Personal injury by accident in the course of employment, causing disability for more than 14 days or death in 300 weeks, not intentionally self-inflicted or due to the intentional act of a third person for reasons not connected with the employment.

Industries covered.—All, unless employer makes election to the contrary. (Agricultural and domestic employees are excluded by a separate act.)

Persons compensated.—Private employment: All persons rendering service to another for a valuable consideration, casual employees and those working on material given out to be made up, repaired, etc., on premises not under the control of the employer excepted. Public employment: All employees.

Burden of payment.—All on employer.

Compensation for death.—(a) One hundred dollars funeral expenses.

(b) Forty per cent of weekly wages to widow or dependent widower, 5 per cent additional for each child, total not to exceed 60 per cent; if no parent, 25 per cent if 1 or 2 children, 10 per cent additional for each child in excess of 2, total not to exceed 60 per cent; if no consort or child under 18, but dependent parent, brothers, or sisters, 15 to 25 per cent of wages.

(c) Payments cease on death, remarriage of widow or widower, cessation of dependence of widower, or child, brother, or sister attaining the age of 18, not to continue beyond 300 weeks, unless for children under 18, when 15 per cent will be paid for 1 and 10 per cent additional for each additional child, total not to exceed 50 per cent. Basic wages are not less than \$10 nor more than \$20 weekly.

Compensation for disability.—(a) Reasonable medical, surgical, and hospital expenses for first 14 days after disability begins, cost not to exceed \$25, unless major surgical operation is necessary, when \$75 is the maximum.

(b) For total disability, 50 per cent of weekly wages for 500 weeks, \$5 minimum, \$10 maximum, total not to exceed \$4,000; if wages less than \$5, full wages will be paid.

(c) For partial disability, 50 per cent of weekly wage loss, \$10 maximum, for not over 300 weeks; fixed periods for specified injuries, \$5 minimum, \$10 maximum, full wages if less than \$5.

Payments may be commuted to a lump sum.

Revision of benefits.—Agreements and awards may be reviewed by the board at any time for proper cause.

¹ United States Bureau of Labor Statistics, Bulletin No. 185, Compensation Legislation of 1914 and 1915, p. 26, Washington, 1915; United States Bureau of Labor Statistics, Bulletin No. 272, Workmen's Compensation Legislation of the United States and Canada, p. 64, Washington, 1921.

Insurance.—Employers must insure in the State fund, a stock or mutual Company, or give proof of financial ability.

Security of payments.—Agreements or claims may be filed with a prothonotary, who enters them as a judgment, and if approved by the board they become a lien on the property of the employer. A separate act provides for direct payments from insurance companies to the beneficiaries, in case of the employer's failure to make payment of benefits.

Settlement of disputes.—Disputes are settled by a workmen's compensation board, with appeal to courts.

1919 ACT.

Date of enactment.—June 2, 1915; in effect January 1, 1916; amended, acts Nos. 57, 359, 395, acts of 1917; acts Nos. 277, 306, 310, 441, 455, acts of 1919.

Injuries compensated.—Personal injury by accident in the course of employment, causing disability for more than 10 days or death in 300 weeks, not intentionally self-inflicted or due to the intentional act of a third person for reasons not connected with the employment.

Industries covered.—All, unless employer makes election to the contrary. A supplemental act (No. 359, acts of 1917) requires all contracts with the State or any municipality to contain a provision that the contractor shall accept the provisions of the compensation law. (Agricultural and domestic employees are excluded by a separate act.)

Persons compensated.—Private employment: All persons rendering service to another for a valuable consideration, casual employees whose work is not in the regular course of the employer's business, and outworkers excepted. Public employment: All employees.

Burden of payment.—All on employer.

Compensation for death.—(a) \$100 funeral expenses.

(b) Forty per cent of weekly wages to widow or dependent widower, 10 per cent additional for each child, total not to exceed 60 per cent; if no parent, 30 per cent if one or two children, 10 per cent additional for each child in excess of two, total not to exceed 60 per cent; if no consort or child under 16, but dependent parent, brothers, or sisters, 15 to 25 per cent of wages.

(c) Payments cease on death, remarriage of widow or widower, cessation of dependence of widower, or when a child, brother, or sister attains the age of 16; not to continue beyond 300 weeks, unless for children under 16, when 15 per cent of wages will be paid for one and 10 per cent additional for each additional child, total not to exceed 50 per cent. Basic wages are not less than \$10 nor more than \$20 weekly.

Upon remarriage a widow is to receive the then value of the compensation for one-third of the unpaid period.

Compensation for disability.—(a) Reasonable medical and surgical expenses for first 30 days after disability begins, cost not to exceed \$100; in addition, hospital treatment for 30 days at prevailing costs.

(b) For total disability, 60 per cent of weekly wages for 500 weeks, \$6 minimum, \$12 maximum, total not to exceed \$5,000, if wages less than \$6 full wages will be paid.

(c) For partial disability, 60 per cent of weekly wage loss, \$12 maximum, for not over 300 weeks; fixed periods for specified injuries, in lieu of other payments, \$6 minimum, \$12 maximum, full wages if less than \$6.

Payments may be commuted to a lump sum.

Revision of benefits.—Agreements and awards may be reviewed by the board at any time for proper cause.

Insurance.—Employers must insure in the State fund, a stock or mutual company, or give proof of financial ability.

Security of payments.—Agreements or claims may be filed with a prothonotary, who enters them as a judgment, and if approved by the board they become a lien on the property of the employer. A separate act provides for direct payments from insurance companies to the beneficiaries in the case of the employer's failure to make payments of benefits.

Settlement of disputes.—Disputes are settled by a workmen's compensation board with appeal to courts.

APPENDIX II.

SECTIONS OF LEASES OF ESTATES.

The following is a section of a lease made by the city of Philadelphia as trustee of * * * estate:

"XI. IT IS EXPRESSLY AGREED that this lease is taken and held by the said lessee subject to the right of the City of Philadelphia, trustee, as aforesaid, its successors, and assigns, and its and their tenants and lessees, under any lease now made, or that may hereafter be made, to mine out all the coal in the veins at, near or under the surface of the lot of ground hereby demised, or under the surface of any adjoining property by the said lessor, *without leaving any support whatever for the surface or of the said mineworkings*; that the said, the City of Philadelphia, trustee as aforesaid, its successors and assigns, and its and their tenants and lessees shall have the perfect and absolute right, undiminished by this lease, *to dig, work, remove and mine the whole and every part of the said coal, whether or not by so doing the surface of the aforementioned lot subsides or is broken or thrown down, or the improvements thereon impaired, or rendered unsafe for occupations, or destroyed, and without compensation to the party of the second part herein*, either from the tenants or lessees under mining leases, or from the lessor herein, or its or their successors or assigns, for coal so mined, or for injuries to or destruction of the surface, or any improvement or building thereon, thereby occasioned, and *without provision for the support of the surface or of the mineworkings, even though such mining and working should be negligently, unskillfully and improperly done*; that the said lessee hereby releases all claims for damages of every kind and nature, for injury to the surface of the demised premises, buildings, improvements, and the person of the said lessee, that may be occasioned by the mining aforesaid; and nothing herein contained shall be construed to give to the said lessee any right to interfere with, or to restrain by any proceedings at law or in equity the action of the City of Philadelphia, trustee as aforesaid, its successors and assigns, and its and their tenants and lessees, in mining and removing the coal as aforesaid."

Following is a similar section of the lease of another estate:

"16. IT IS EXPRESSLY AGREED by the said lessee that this lease is taken and held by the lessee subject to the right of the said lessors, their heirs, successors, and assigns, and their tenants and lessees, under any lease now made, or that hereafter may be made, to mine out all the coal in the beds or veins, at, near, or under the surface of the lot or lots of ground hereby demised, or under the surface of any adjoining or other property owned, leased, or operated by the lessors, their heirs, successors, and assigns, and their tenants and lessees under mining leases, without leaving any support whatever, either vertical or lateral for the surface of the said lot or lots, or of the mine workings; that the lessors, their heirs, successors, and assigns, and their tenants and lessees under mining leases, shall have the perfect and absolute right, undiminished by this lease, to dig, work, mine, and remove the whole and every part of said coal, although by so doing the surface of the demised premises subsides or is broken or thrown down, or destroyed, or the improvements thereon are impaired, or rendered unsafe for occupation, or destroyed, without compensation to the lessee herein, either from

the tenants or lessees under mining leases or from the lessors herein, or their heirs, executors, administrators, successors, or assigns, for coal so mined or for injuries to or destruction of the surface, or any improvement or building thereon, or to any person or persons, thereby occasioned, even though such mining and working should be negligently, unskillfully, and improperly done, and without provision for the support of the surface of the demised premises or of the mine workings; that the lessee hereby releases the said lessors, and each of them, their heirs, successors, and assigns, and their tenants and lessees under any mining lease now made or that hereafter may be made, and each of them, and the said Borough of Shenandoah. Following is a copy of the section relieving the lessors from responsibility for any damage due to discharge of culm into the stream, etc. For section relating to the caving in of surfaces, see foot-notes, p. 380.

"X. It is hereby further expressly agreed by said lessees that this lease is taken and held subject to the right of the said lessors, and each of them, their heirs, successors, and assigns, and their tenants and lessees, under any lease now made, or that hereafter may be made, to deposit and discharge into the Shenandoah Creek, and its tributaries, mine water, culm, coal dirt, slate and refuse material generally, from any collieries, washeries and culm banks, now or hereafter owned, leased or operated by the said lessors, or either of them, their heirs, successors and assigns, and their tenants and lessees, or either of them, or by any firm or corporation in which the said lessors, or either of them, may be interested, by owning stock or capital or as lessor, lessee or otherwise; or from any collieries, washeries and culm banks now or hereafter located upon lands owned or leased by the lessors, or either of them, their heirs, successors or assigns, or upon land owned or leased by any of the firm or corporation in which the lessors, their heirs or assigns, or either of them, may be interested by owning stock, capital or otherwise, or be in any way interested, along or near the said Shenandoah Creek, or any tributaries thereof; and for the purpose aforesaid the said lessee hereby remises, releases, quit-claims and forever discharges the said lessors, and each of them, their heirs, successors and assigns, and their tenants and lessees under any lease now made, or that hereafter may be made, and each of them, of and from all suits, claims, demands, and damages whatsoever arising out of the use now or heretofore of the aforesaid and the future maintenance and operation of the same and of others, and for, upon or by reason of any such deposit or discharge, or of any other deposit or discharge, or of any other deposit or discharge generally that has been or may at any time be discharged and deposited in said stream or on the above-described lot, or land adjacent thereto; and of and from all suits, claims, demands and damages whatsoever, for, upon or by reason of any and every use of the said land, and of the said Shenandoah Creek and its tributaries, as aforesaid. Of and from all claims for damages of every kind and nature, for injury to the surface of the demised premises, and the buildings and improvements thereon and to the person and persons of the lessee, that may be occasioned by the mining aforesaid, or by the disposition of the coal or of the rock, culm, waste, washings from breaker, or mine water from minings, colliery or washery operations, and nothing herein contained shall be construed to give to the lessee any right to interfere with, or to restrain by any proceedings at law or, in equity the action of the lessors, their heirs, successors and assigns, and their tenants, in mining, removing and preparing said coal, or in the disposition of the coal, rock, culm, waste, washings from breaker, or mine water from the said mining, colliery, or washery operations."

APPENDIX III.

EXCERPT FROM AN UNPUBLISHED REPORT OF THE CHIEF OF PENNSYLVANIA STATE BUREAU OF HOUSING TO THE COMMISSIONER OF HEALTH, APRIL 9, 1919, REGARDING LAND OWNERSHIP AND RELIEF OF CONGESTION IN SHENANDOAH.

"The land is owned by three corporations, as follows: The * * * estate to the north of * * * Street; the * * * and * * * estate to the south of * * * Street and west of * * * Street; the * * * company to the south of * * * Street and east of * * * Street; and no land is offered for sale or lease. The congestion is due to the fact that there is no place for the people to build homes, unless these corporations place upon the market their available vacant land.

"The * * * estate owns very little land within the borough limits and this land would not be safe to build upon; the houses on the north side of * * * Street that are built upon land leased from them are mostly in a bad condition, due to settlement of the ground. Farther up the side of the mountain to the north and outside of the borough limits and above the line of mine breaches they are considering offering for sale some six or seven hundred lots, provided that the borough extends its limits to take in these lots and supplies them with water and street lights. The estate offers to grade and pave streets and sidewalks, install curbs and sewers.

"This operation would be a very desirable one and would, of course, be a great improvement to the borough, but it would be a very expensive proposition for the borough to pump the water up to the required level, and as the financial condition of the borough is very poor the authorities do not desire to install the water supply for these lots."

"The * * * estate apparently does not own any ground that would either be available or safe for building purposes and within convenient access to Shenandoah. Their collieries, with their culm heaps, breakers, etc., take up all their available land area, except at Turkey Run, which is not considered safe for further building purposes. The few houses there are in bad condition, due to settlement.

"The * * * company possesses the only land that if opened up and placed upon the market would relieve conditions in the borough proper. The land is convenient and accessible to the collieries and to the town. It is situated on the south side of the road to * * * and on both sides of the road to * * *. It has a gentle slope, so that the grading would not be expensive, and yet with sufficient slope to give good natural drainage; it could be sewered easily to Shenandoah Creek, which is only a short distance away, and the water supply could be taken from the present reservoir as the elevation is not much higher than the central portion of Shenandoah. The ground is underlaid with about two hundred feet of solid rock above the coal veins and is therefore considered safe from settlement.

"If this ground were opened up and placed on the market at a reasonable price it would relieve conditions of overcrowding and congestion, by providing a convenient location that would meet the needs of the workmen and enable them to build neat and comfortable homes and have sufficient breathing space for themselves and their families."

APPENDIX IV—TABLES.

TABLE 1.—Nativity of child and of father, by district of residence; children 13 to 16 years of age.

Nativity of child and of father.	Children 13 to 16 years of age living in specified district of residence.									
	Total.		Shenandoah.		Frackville.		Gilberton.		Surrounding patches.	
	Num-ber.	Per cent distri-bution.	Num-ber.	Per cent distri-bution.	Num-ber.	Per cent distri-bution.	Num-ber.	Per cent distri-bution.	Num-ber.	Per cent distri-bution.
Total.....	3,136	100.0	1,655	100.0	424	100.0	343	100.0	714	100.0
Native.....	2,964	94.5	1,529	92.4	411	96.9	331	96.5	693	97.1
Native fathers.....	1,147	36.6	387	23.4	273	64.4	165	48.1	322	45.1
Foreign-born fathers.....	1,811	57.7	1,138	68.8	138	32.5	166	48.4	369	51.7
Father's nativity not reported.....	6		4						2	
Foreign born.....	172	5.5	126	7.6	13	3.1	12	3.5	21	2.9

TABLE 2.—Children who began regular work at specified prior age, by age at time of inquiry and sex.

Age at time of inquiry and sex.	Children 13 to 16 years of age.											
	Total.	Who having passed specified birthday had commenced regular work before specified birthday.										
		Who had commenced regular work.		Thirteenth.		Fourteenth.		Fifteenth.		Sixteenth.		Not re-ported.
		Num-ber.	Per cent.	Num-ber.	Per cent.	Num-ber.	Per cent.	Num-ber.	Per cent.	Num-ber.	Per cent.	
TOTAL.												
13.....	844	91	10.8	62	7.3							4
14.....	716	226	31.6	24	3.4	145	20.3					3
15.....	794	468	58.9	20	2.5	125	15.7	390	49.1			1
16.....	779	561	72.0	10	1.3	61	7.8	329	42.2	526	67.5	1
Not reported.....	3	3										3
BOYS.												
13.....	376	64	17.0	48	12.8							3
14.....	321	147	45.8	22	6.9	103	32.1					1
15.....	421	301	71.5	16	3.8	92	21.9	264	62.7			1
16.....	444	282	63.0	7	1.6	43	9.7	249	56.1	368	82.9	1
Not reported.....	2	2										2
GIRLS.												
13.....	468	27	5.8	14	3.0							1
14.....	395	79	20.0	3	0.5	42	10.6					2
15.....	373	167	44.8	4	1.1	38	8.8	126	33.9			1
16.....	335	179	53.4	3	0.9	18	5.4	80	23.9	158	47.2	1
Not reported.....	1	1										1

CHILD LABOR IN A COAL-MINING DISTRICT.

TABLE 3.—*Employment in regular work, by age and sex; children who had passed specified ages.*

Birthday.	Children who had passed specified birthday.			Birthday.	Children who had passed specified birthday.		
	Total. ¹	Who began regular work before specified birthday.			Total. ¹	Who began regular work before specified birthday.	
		Number.	Per cent.			Number.	Per cent.
TOTAL.				BOYS—continued.			
Thirteenth.....	3,136	116	3.7	Fifteenth.....	867	513	59.2
Fourteenth.....	2,292	331	14.4	Sixteenth.....	446	368	82.5
Fifteenth.....	1,576	719	45.6				
Sixteenth.....	782	526	67.3	GIRLS.			
BOYS.				Thirteenth.....	1,572	23	1.5
Thirteenth.....	1,564	93	5.9	Fourteenth.....	1,104	93	8.4
Fourteenth.....	1,188	238	20.0	Fifteenth.....	709	206	29.1
				Sixteenth.....	336	158	47.0

¹ The three cases of age at time of inquiry and age at going to work not reported have been assumed for this comparison to have passed the sixteenth birthday but not to have commenced regular work before the sixteenth birthday, since this procedure gives the most conservative percentages.

TABLE 4.—*Children who began work of any kind at specified prior age, by age at time of inquiry and sex of child.*

Age at time of inquiry and sex.	Children of specified age.														
	Total.	Who began work of any kind before specified birthday. ¹													Not reported.
		Total.		Thirteenth.		Fourteenth.		Fifteenth.		Sixteenth.		Seventeenth.			
		Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.		
TOTAL.															
13.....	844	171	20.3	133	15.8									4	
14.....	716	316	44.1	44	6.1	231	32.3							3	
15.....	794	549	69.1	39	4.9	156	19.6	473	59.6					2	
16.....	779	613	78.7	18	2.3	75	9.6	365	46.9	574	73.7	610	78.3	3	
Not reported..	3	3												3	
BOYS.															
13.....	376	123	32.7	100	26.6									3	
14.....	321	209	65.1	39	12.1	168	52.3							2	
15.....	421	360	85.5	30	7.1	113	26.8	323	76.7					1	
16.....	444	421	94.8	14	3.2	55	12.4	282	63.5	406	91.4	419	94.4	2	
Not reported..	2	2												2	
GIRLS.															
13.....	468	48	10.3	33	7.1									1	
14.....	395	107	27.1	5	1.3	63	15.9							2	
15.....	373	189	50.7	9	2.4	43	11.5	150	40.2					1	
16.....	335	192	57.3	4	1.2	20	6.0	83	24.8	168	50.1	191	57.0	1	
Not reported..	1	1												1	

¹ Per cent shown only for birthdays reached in the group considered.

TABLE 5.—Number and per cent of children who had commenced work of any kind at specified ages.

Birthday.	Children who had passed specified birthday.			Birthday.	Children who had passed specified birthday.		
	Total. ¹	Who began work of any kind before specified birthday.			Total. ¹	Who began work of any kind before specified birthday.	
		Number.	Per cent.			Number.	Per cent.
TOTAL.				BOYS—continued			
Thirteenth.....	3,136	234	7.5	Fifteenth.....	867	605	69.8
Fourteenth.....	2,292	462	20.2	Sixteenth.....	446	406	91.0
Fifteenth.....	1,576	838	53.2	GIRLS.			
Sixteenth.....	782	574	73.4	Thirteenth.....	1,572	51	3.2
BOYS.				Fourteenth.....	1,104	136	11.4
Thirteenth.....	1,564	183	11.7	Fifteenth.....	700	233	32.9
Fourteenth.....	1,188	336	28.3	Sixteenth.....	336	168	50.0

¹ The three cases of age at time of inquiry and age at going to work not reported have been assumed for this comparison to have passed the sixteenth birthday but not to have commenced work before the sixteenth birthday, since this procedure gives the most conservative percentages.

TABLE 6.—Employment in regular work, by age at time of inquiry, nativity of father, and sex; children who had passed specified ages.

Age of child at time of inquiry, nativity of father, and sex of child.	Children 13 to 16 years of age. ¹								
	Total.	Who having passed specified birthday had commenced regular work before passing specified birthday.							
		Thirteenth.		Fourteenth.		Fifteenth.		Sixteenth.	
		Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.
	Total.								
Native fathers:									
13.....	324	10	3.1						
14.....	259	2	0.8	25	9.7				
15.....	278	3	1.1	15	5.4	85	30.6		
16.....	286	1	0.3	10	3.5	78	27.2	59	20.6
Foreign-born fathers:									
13.....	519	52	10.0						
14.....	455	22	4.8	95	21.1				
15.....	516	17	3.3	90	17.4	180	34.9		
16.....	490	9	1.8	40	8.2	189	38.6	137	28.0
	Boys.								
Native fathers:									
13.....	154	8	5.2						
14.....	120	2	1.7	21	17.5				
15.....	138	3	2.2	12	8.7	60	43.5		
16.....	146	1	0.7	6	4.1	63	42.2	36	24.7
Foreign-born fathers:									
13.....	222	40	18.0						
14.....	201	20	10.0	60	29.9				
15.....	283	13	4.6	64	22.6	112	39.6		
16.....	297	6	2.0	30	10.1	142	47.8	83	27.9
	Girls.								
Native fathers:									
13.....	170	2	1.2						
14.....	139			4	2.9				
15.....	140			3	2.1	25	17.9		
16.....	140			4	2.9	14	10.0	23	16.4
Foreign-born fathers:									
13.....	297	12	4.0						
14.....	254	2	0.8	36	14.2				
15.....	233	4	1.7	26	11.2	68	29.2		
16.....	193	3	1.6	10	5.2	47	24.4	54	28.0

¹ Three cases of age not reported and six of nativity not reported are omitted from this table.

TABLE 7.—*Employment in regular work, by age, nativity of father, and sex; children who had passed specified ages.*

Birthday, nativity of father, and sex of child.	Children who had passed specified birthday.			Birthday, nativity of father, and sex of child.	Children who had passed specified birthday.		
	Total. ¹	Who began regular work before specified birthday.			Total. ¹	Who began regular work before specified birthday.	
		Number.	Per cent.			Number.	Per cent.
	Total.				Boys—Continued.		
Native fathers:				Foreign fathers:			
13.....	1,147	16	1.4	13.....	1,005	79	7.9
14.....	823	50	6.1	14.....	783	154	19.7
15.....	564	165	29.3	15.....	582	254	43.6
16.....	286	59	20.6	16.....	299	83	27.8
Foreign fathers:							
13.....	1,983	100	5.0				
14.....	1,464	226	15.4				
15.....	1,009	369	36.6				
16.....	493	137	27.8				
	Boys.				Girls.		
Native fathers:				Native fathers:			
13.....	558	14	2.5	13.....	589	2	0.3
14.....	404	39	9.7	14.....	419	11	2.6
15.....	284	123	43.3	15.....	280	39	13.9
16.....	146	36	24.7	16.....	140	23	16.4
				Foreign fathers:			
				13.....	978	21	2.1
				14.....	681	79	11.6
				15.....	427	115	26.9
				16.....	194	54	27.8

¹ Three cases of age not reported are assumed to have passed sixteenth birthday, but not to have commenced work before sixteenth birthday.

TABLE 8.—*Employment in any kind of work, by age, nativity of father, and sex; children who had passed specified ages.*

Age of child at time of inquiry, nativity of father, and sex of child.	Children 13 to 16.										
	Total.	Who had commenced work of any kind.		Who having passed specified birthday had commenced work before specified birthday.							
				Thirteenth.		Fourteenth.		Fifteenth.		Sixteenth.	
		Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.
	Total.										
Native fathers:											
13.....	324	46	14.2	39	12.0						
14.....	259	94	36.3	11	4.2	55	21.2				
15.....	278	161	57.9	6	0.2	23	8.3	110	39.6		
16.....	286	195	68.2	5	1.7	14	4.9	87	30.4	69	
Foreign fathers:											
13.....	519	125	24.1	94	18.1						
14.....	455	222	48.8	33	7.3	132	29.0				
15.....	516	388	75.2	33	6.4	94	18.2	207	40.1		
16.....	490	415	84.7	13	2.7	42	8.6	202	41.2	139	
Not reported.....	3	3									
Nativity not reported..	6	13				1		1		1	

TABLE 8.—*Employment in any kind of work, by age, nativity of father, and sex; children who had passed specified ages—Continued.*

Age of child at time of inquiry, nativity of father, and sex of child.	Children 13 to 16.										
	Total.	Who had commenced work of any kind.		Who having passed specified birthday had commenced work before specified birthday.							
				Thirteenth.		Fourteenth.		Fifteenth.		Sixteenth.	
		Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.
Boys.											
Native fathers:											
13.....	154	41	26.6	35	22.7						
14.....	120	72	60.0	9	7.5	45	37.5				
15.....	138	115	83.4	6	4.4	18	14.1	79	57.2		
16.....	146	137	93.8	5	3.4	9	6.2	72	49.3	42 28.7	
Foreign fathers:											
13.....	222	82	36.9	65	29.3						
14.....	201	137	68.2	30	14.9	84	41.8				
15.....	283	245	86.6	24	8.5	65	23.0	131	46.3		
16.....	297	283	95.3	9	3.0	32	10.8	154	51.9	82 27.6	
Not reported.....	2	2									
Nativity not reported.	1	1						1			
Girls.											
Native fathers:											
13.....	170	5	2.9	4	2.4						
14.....	139	22	15.8	2	1.4	10	7.2				
15.....	140	46	32.9			5	3.6	31	22.1		
16.....	140	58	41.4			5	3.6	15	10.7	27 19.3	
Foreign fathers:											
13.....	297	43	14.5	29	9.8						
14.....	254	85	33.5	3	1.2	48	18.9				
15.....	233	143	61.4	9	3.9	29	12.4	76	32.6		
16.....	193	132	68.4	4	2.1	10	5.2	48	24.9	57 29.5	
Not reported.....	1	1									
Nativity not reported.	5	2				1				1	

¹ One boy, two girls, 16 years old.

TABLE 9.—*Employment in any kind of work, by age, nativity of father, and sex; children who had passed specified ages.*

Birthday, nativity of father, and sex of child.	Children who had passed specified birthday.			Birthday, nativity of father, and sex of child.	Children who had passed specified birthday.		
	Total. ¹	Who began first work before specified birthday.			Total. ²	Who began first work before specified birthday.	
		Number.	Per cent.			Number.	Per cent.
Total.				Boys—Continued.			
Native fathers:				Foreign fathers:			
Thirteenth.....	1,147	61	5.3	Thirteenth.....	1,005	128	12.7
Fourteenth.....	823	92	11.2	Fourteenth.....	783	191	23.1
Fifteenth.....	564	107	18.9	Fifteenth.....	582	285	49.0
Sixteenth.....	286	69	24.1	Sixteenth.....	290	82	27.4
Foreign fathers:				Girls.			
Thirteenth.....	1,983	173	8.7	Native fathers:			
Fourteenth.....	1,464	208	14.3	Thirteenth.....	596	6	1.0
Fifteenth.....	1,009	400	39.6	Fourteenth.....	419	20	4.8
Sixteenth.....	493	139	28.2	Fifteenth.....	290	46	15.9
Boys.				Sixteenth.....	140	27	19.3
Native fathers:				Foreign fathers:			
Thirteenth.....	558	55	9.9	Thirteenth.....	978	45	4.6
Fourteenth.....	404	72	17.8	Fourteenth.....	681	87	12.8
Fifteenth.....	294	151	51.3	Fifteenth.....	437	134	30.0
Sixteenth.....	146	42	28.8	Sixteenth.....	104	57	54.8

¹ Three cases of age not reported are assumed to have passed sixteenth birthday, but not to have commenced work before sixteenth birthday.

TABLE 10.—*Employment in regular work, by age of child and earnings of father; children 13 to 16 years.¹*

Earnings of father.	Children of specified age.											
	13			14			15			16		
	Total.	Who had commenced regular employment.		Total.	Who had commenced regular employment.		Total.	Who had commenced regular employment.		Total.	Who had commenced regular employment.	
		Num-ber.	Per cent.		Num-ber.	Per cent.		Num-ber.	Per cent.		Num-ber.	Per cent.
Total.....	844	91	10.8	716	226	31.6	794	468	58.9	779 ¹	561	72.0
No earnings or less than \$350.....	125	9	7.2	120	46	38.3	112	84	75.0	125	98	78.4
\$350 to \$1,249.....	271	31	11.4	236	79	33.5	275	175	63.6	237	194	81.9
\$1,250 to \$1,849.....	226	13	5.8	177	39	22.0	174	88	50.6	182	112	61.5
\$1,850 and over.....	54	1	.....	44	5	.....	46	7	.....	39	8	.....
Father dead or deserting.....	104	22	21.2	94	45	.....	126	75	59.5	126	101	80.1
Earnings not reported.....	64	15	.....	45	12	.....	61	39	.....	70	48	.....

¹ Three children were excluded from the table, whose ages were not reported, who had entered regular employment and whose fathers' earnings were as follows: One less than \$350; one father dead or deserting; one father with earnings not reported.

TABLE 11.—*Industry of first regular work, by nativity of father; boys who had commenced regular work.*

Industry of first regular work.	Boys who had commenced regular work.						
	Total.		Nativity of father.				Not reported.
			Native.		Foreign born.		
	Number.	Per cent distribution.	Number.	Per cent distribution.	Number.	Per cent distribution.	
Total.....	896	100.0	247	100.0	648	100.0	1
Mining industry.....	810	90.4	205	83.0	604	93.2	1
Other industry.....	85	9.5	41	16.6	44	6.8	.....
Not reported.....	1	0.1	1	0.4	.....	.....	.....

TABLE 12.—Industry of first regular work, by age of child at beginning regular work; boys who had commenced regular work.

Industry of first regular work.	Boys who had commenced regular work at specified age.										Age not reported. ¹
	Total.		Under 13.	13		14		15		16	
	Number.	Per cent distribution.	Number.	Number.	Per cent distribution.	Number.	Per cent distribution.	Number.	Per cent distribution.	Number.	
Total.....	896	100.0	93	206	100.0	421	100.0	155	100.0	14	7
Mining industry.....	810	90.4	86	193	93.7	375	89.1	139	89.0	13	5
Above ground.....	774	86.4	85	186	90.3	363	86.2	127	81.9	10	3
Underground.....	36	4.0	1	7	3.4	12	2.9	11	7.1	3	2
Other industries.....	85	9.5	7	13	6.3	46	10.9	17	11.0	1	1

Includes one case industry and age not reported.

TABLE 13.—Regular hours per day, by sex; children in regular or vacation work.

Sex.	Children in regular or vacation work.														Not reported.
	Total.	Reporting specified regular hours per day.													
		Total.	Less than 8 hours.		8 hours, less than 9.		9 hours, less than 10.		10 hours, less than 11.		11 hours, less than 12.		12 hours and over.		
			Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	
Total.....	1,661	1,393	41	2.9	1,007	72.3	254	18.2	61	4.4	18	1.3	12	0.9	168
Boys.....	1,059	1,031	27	2.6	962	93.3	29	2.8	10	1.0	2	0.2	1	0.1	28
Girls.....	502	362	14	3.9	45	12.4	225	62.2	51	14.1	16	4.4	11	3.0	140

TABLE 15.—Maximum hours per day, by age and sex; children in regular work who did overtime work.

Age and sex.	Children in regular work who did overtime work.																		
	Total.	Reporting specified maximum hours per day.																Not reported.	
		Total.	Less than 10 hours.		10, less than 12.		12, less than 14.		14, less than 16.		16, less than 18.		18, less than 20.		20, less than 22.		22 and over.		
			Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.		Per cent.
Total.....	517	451	38	8.4	133	29.5	122	27.1	36	8.0	89	19.7	9	2.0	3	0.7	21	4.7	66
Boys.....	488	426	37	8.7	123	28.9	109	25.6	35	8.2	89	20.9	9	2.1	3	0.7	21	4.9	62
13.....	44	39	2		13		17		3		4								5
14.....	75	60	7		21		13		5		13		1						15
15.....	155	135	15	11.1	40	29.6	32	23.7	12	8.9	23	17.0	6	4.4	1	0.7	6	4.4	20
16.....	213	191	13	6.8	49	25.7	47	24.6	14	7.3	49	25.7	2	1.0	2	1.0	15	7.9	22
Not reported.....	1	1							1										
Girls.....	29	25	1		10		13		1										4
13.....	1	1			1				1										
14.....	6	5					4												1
15.....	12	12			6		5												
16.....	10	7	1		2		4		1										3

TABLE 18.—*Nonemployment, by industry; fathers for whom reports of earnings covered year period.*¹

Industry at time of inquiry.	Fathers for whom reports of earnings covered year period.						
	Total.	Reporting on nonemployment during year period.				Not reported.	
		Total.	With nonemployment.		Without nonemployment.		
			Number.	Per cent.	Number.		Per cent.
Total	1,986	1,916	1,386	72.3	530	27.7	70
Mining industry	1,507	1,502	1,190	79.2	312	20.8	5
Aboveground.....	420	418	307	73.4	111	26.6	2
Underground.....	1,086	1,084	883	81.5	201	18.5	3
Not reported.....	1						1
Other industries	435	370	152	41.1	218	58.9	65
No present occupation	44	44	44				

¹ From this total are omitted fathers who died or deserted during the year period for whom for other reasons earnings were not reported.

TABLE 19.—Yearly earnings, by industry fathers for whom reports of earnings covered year period.

Industry.	Fathers for whom reports of earnings covered year period.																	
	Total.	Yearly earnings reported.																Not reported.
		No earnings or less than \$350.		\$350, less than \$1,050.		\$1,050, less than \$1,250.		\$1,250, less than \$1,450.		\$1,450, less than \$1,850.		\$1,850, less than \$2,850.		\$2,850 and over.				
		Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.			
Total.....	1,986	1,802	346	19.2	361	20.0	381	21.1	310	17.2	263	14.6	119	6.6	22	1.2	184	
Mining industry.....	1,507	1,390	231	16.6	312	22.4	339	24.4	246	17.7	202	14.5	55	4.0	5	0.4	117	
Above ground.....	420	400	102	25.5	88	22.0	79	19.8	71	17.7	46	11.5	12	3.0	2	0.5	20	
Under ground.....	1,086	990	129	13.0	224	22.6	260	26.3	175	17.7	156	15.8	43	4.3	3	0.3	96	
Not reported.....	1																1	
Other industries.....	435	368	71	19.3	49	13.3	42	11.4	64	17.4	61	16.6	64	17.4	17	4.6	67	
No present occupation.....	44	44	44															

TABLE 20.—Nonemployment, by sex; children in regular work during year period.¹

Sex.	Children in regular work during year period.														Amount not reported.
	Total.	With no nonemployment.		With nonemployment.		Reporting specified amount of nonemployment.									
		Total.		Less than 2 months.		2, less than 4 months.		4, less than 6 months.		6 months and over.					
		Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.				
Total.....	878	117	13.3	761	86.7	726	459	63.2	143	19.7	69	9.5	55	7.6	35
Boys.....	661	73	11.0	588	89.0	564	394	69.9	106	18.8	47	8.3	17	3.0	24
Girls.....	217	44	20.3	173	79.7	162	65	40.1	37	22.8	22	13.0	38	23.5	11

¹ Including only children working throughout period of year June 1, 1918-May 31, 1919, inclusive.

TABLE 21.—Reason for going to work, by nativity of father and child; children who had commenced work.

Nativity of father and child.	Children who had commenced work.																
	Total.	Reporting specified reason for going to work.															Reason not reported.
		Total.	Family need.		Wanted spending money.		Old enough to work.		Wanted to work (no other reason given).		Dissatisfied with school.		Wanted to learn trade and get into business.		All other reasons.		
			Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	
Total.....	1,632	1,621	892	56.0	217	13.4	11	0.7	239	14.7	188	11.6	4	0.2	70	4.3	31
Child native.....	1,540	1,512	824	54.5	205	13.6	9	0.6	226	14.9	176	11.6	4	0.3	68	4.5	28
Father native.....	496	491	221	45.0	88	17.9	3	0.6	74	15.1	71	14.5	1	0.2	33	6.7	5
Father foreign-born.....	1,041	1,018	602	59.1	117	11.5	6	0.6	151	14.8	105	10.3	3	0.3	34	3.3	23
Nativity not reported.....	3	3	1	.....	.....	.....	.....	.....	1	.....	.....	.....	.....	.....	1	.....	.....
Child foreign born.....	112	109	68	62.4	12	11.0	2	1.9	13	11.9	12	11.0	.....	.....	2	1.8	3

TABLE 22.—Annual earnings, by sex; children in regular work.

Sex.	Children in regular work during year. ¹														
	Total.	Earnings during year reported.													Not reported.
		Total.	Less than \$20.		\$20, less than \$450.		\$450, less than \$650.		\$650, less than \$850.		\$850, less than \$1,250.		\$1,250 and over.		
			Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	
Total.....	878	842	112	13.3	200	23.8	281	33.4	169	20.1	76	9.0	4	0.5	36
Boys.....	611	639	10	1.6	110	17.2	274	42.9	166	26.0	75	11.7	4	0.6	22
Girls.....	217	203	102	50.2	90	44.3	7	3.4	3	1.5	1	0.6	.....	.....	14

¹ Including only those children at regular work throughout the year period June 1, 1918-May 31, 1919, inclusive.

TABLE 23.—Age of child at beginning school, by nativity of father; children aged 13 to 16 years.

Nativity of father.	Children aged 13 to 16 years.																Not reported.
	Total.	Reporting specified age at beginning school.															
		Total.	5 years or under.		6 years.		7 years.		8 years.		9 years.		10 years.		11 or over.		
			Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	
Total.....	3,128	3,075	213	6.9	2,003	65.1	650	21.1	146	4.7	48	1.6	8	0.3	7	0.2	53
Native.....	1,145	1,142	99	8.7	861	75.4	156	13.7	24	2.1	1	0.1	1	0.1			3
Foreign born.....	1,977	1,927	112	5.8	1,139	59.1	493	25.6	122	6.3	47	2.4	7	0.4	7	0.4	50
Not reported.....		6	2		3		1										

TABLE 24.—School attendance and present age; children who reported school attendance.

School attendance.	Children of specified age who reported school attendance.										Age not reported.
	Total.		13 years.		14 years.		15 years.		16 years.		
	Number.	Per cent distribution.	Number.	Per cent distribution.	Number.	Per cent distribution.	Number.	Per cent distribution.	Number.	Per cent distribution.	
Total.....	1,312	100.0	842	100.0	713	100.0	794	100.0	776	100.0	3
† In school.....	1,742	55.7	178	21.1	338	47.4	583	73.4	640	82.5	3
Not in school.....	1,386	44.3	664	78.9	375	52.6	211	26.6	136	17.5	

† Does not include eight children who never attended school.

TABLE 25.—Reason for leaving school, by father's nativity; children who had left school.

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Nativity of father.	Children who had left school.																					Reason not reported.
	Total.	Reporting specified reason for leaving school.																				
		Total.	Family need.		Needed at home, or in father's business.		Old enough to work.		Wanted to work.		Dissatisfied with school.		Completed grade school.		Ill health.		Wanted to learn a trade.		All other reasons.			
			Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.		
Total.....	1,742	1,715	625	36.4	269	15.7	8	0.5	140	8.2	526	30.7	26	1.5	65	3.8	6	0.3	50	2.9	27	
Native.....	447	443	138	31.2	86	8.1	3	.7	41	9.3	165	37.2	9	2.0	29	6.6	1	.2	21	4.7	4	
Foreign born.....	1,292	1,269	487	38.4	233	18.4	5	.4	99	7.7	360	28.4	17	1.3	36	2.8	5	.4	28	2.2	23	
Not reported.....	3	3							1		1								1			

APPENDIX IV.

TABLE 26.—Grade completed, by age of child and nativity of father; children still in school.

Nativity of father and age of child.	Children still in school.																
	Total.	Reporting specified grade completed.															Grade not reported.
		Total.	Second and under.		Third.		Fourth.		Fifth.		Sixth.		Seventh.		Eighth and over.		
			Num-ber.	Per cent.	Num-ber.	Per cent.	Num-ber.	Per cent.	Num-ber.	Per cent.	Num-ber.	Per cent.	Num-ber.	Per cent.	Num-ber.	Per cent.	
Total.....	1,386	1,374	9	0.7	39	2.8	101	7.4	184	13.4	244	17.8	276	20.1	521	37.9	12
Native fathers.....	698	697	1	.1	10	1.4	21	3.0	66	9.5	106	15.2	143	20.5	350	50.2	1
Age of child:																	
13.....	297	297	1	.3	7	2.4	14	4.7	43	16.2	70	23.6	86	29.0	71	23.9	.....
14.....	184	184			3	1.6	6	3.3	10	5.4	24	13.0	39	21.2	102	55.4	.....
15.....	120	120					1	.8	3	2.5	9	7.5	13	10.8	94	78.3	.....
16.....	97	96							5		3		5		83		1
Foreign-born fathers.....	685	674	8	1.2	29	4.3	80	11.9	118	17.5	136	20.1	133	19.7	170	25.2	11
Age of child:																	
13.....	266	254	7	1.5	21	5.8	62	17.3	78	21.7	83	23.1	75	20.9	33	9.2	7
14.....	189	187			6	3.2	16	8.6	30	16.0	45	24.1	42	22.5	48	25.7	2
15.....	91	90			2				9		7		16		54		1
16.....	39	38	1						1		1				35		1
Nativity not reported.....	8	8									2				1		

TABLE 27.—Proportion of children leaving school prior to specified ages, by age at time of inquiry, and father's nativity; children 13 to 16 years of age.

Birthday and age at time of inquiry.	Children who had passed specified birthday.								
	Total. ¹	Who left school prior to specified birthday.		Nativity of father.					
				Native.			Foreign born.		
				Total.	Who left school prior to specified birthday.		Total.	Who left school prior to specified birthday.	
		Number.	Per cent.		Number.	Per cent.		Number.	Per cent.
Twelfth.....	3,136	28	0.9	1,147	6	0.5	1,983	22	1.1
13 years.....	844	11	1.3	324	2	0.6	519	9	1.7
14 years.....	716	5	0.7	259	2	0.8	455	3	0.7
15 years.....	794	5	0.6	278	1	0.4	516	4	0.8
16 years.....	782	7	0.9	286	1	0.3	493	6	1.2
Thirteenth.....	3,136	204	6.5	1,147	31	2.7	1,983	173	8.7
13 years.....	844	94	11.1	324	14	4.3	519	80	15.4
14 years.....	716	49	6.8	259	7	2.7	455	42	9.2
15 years.....	794	37	4.7	278	5	1.8	516	32	6.2
16 years.....	782	24	3.1	286	5	1.7	493	19	3.9
Fourteenth.....	2,292	549	24.0	823	103	12.5	1,464	445	30.4
14 years.....	716	230	32.1	259	44	17.0	455	186	40.9
15 years.....	794	208	26.2	278	38	13.7	516	170	32.9
16 years.....	782	111	14.2	286	31	7.3	493	89	18.1
Fifteenth.....	1,576	893	56.0	564	226	40.1	1,009	654	64.8
15 years.....	794	491	61.8	278	127	45.7	516	364	70.5
16 years.....	782	392	50.1	286	99	34.6	493	290	58.8
Sixteenth.....	782	599	76.6	286	169	59.1	493	427	86.6

¹ Total includes three cases father's nativity not reported.
² Includes three cases age not reported.

TABLE 29.—Proportion of children leaving school prior to specified ages, by age at time of inquiry and father's earnings; children 13 to 16 years of age.

Birthday and age at time of inquiry.	Children who had passed specified birthday.																						
	Total.	Who left school prior to specified birthday.		Earnings of father.																Father dead or deserted.		Not reported.	
				None or less than \$850.				\$850, less than \$1,250.				\$1,250, less than \$1,850.				\$1,850 and over.							
				Total.	Who left school prior to specified birthday.		Total.	Who left school prior to specified birthday.		Total.	Who left school prior to specified birthday.		Total.	Who left school prior to specified birthday.		Total.	Who left school prior to specified birthday.						
					Number.	Per cent.		Number.	Per cent.		Number.	Per cent.		Number.	Per cent.		Number.	Per cent.	Number.					Per cent.
Twelfth.....	3,136	28	0.9	483	3	0.6	1,019	5	0.5	750	6	0.8	183	.....	.....	451	12	2.7	241	2	0.8
13 years.....	844	11	1.3	125	1	.8	271	2	.7	226	3	1.3	54	.....	.....	104	5	4.8	64	.....	.....
14 years.....	716	5	.7	120	.....	.....	236	3	1.3	177	.....	.....	44	.....	.....	94	1	.....	45	1	.....	
15 years.....	794	5	.6	112	1	.9	275	.....	.....	174	1	.6	46	.....	.....	126	3	2.4	61	.....	.....
16 years.....	782	7	.9	126	1	.8	237	.....	.....	182	2	1.1	39	.....	.....	127	3	2.4	71	1	.....	
Thirteenth.....	3,136	204	6.5	483	29	6.0	1,019	61	6.0	750	36	4.7	183	.....	.....	451	55	12.2	241	23	9.5
13 years.....	844	94	11.1	125	9	7.2	271	31	11.4	226	15	6.6	54	.....	.....	104	26	25.0	64	13	.....	
14 years.....	716	49	6.8	120	12	10.0	236	18	7.6	177	7	4.0	44	.....	.....	94	10	.....	45	2	.....	
15 years.....	794	37	4.7	112	5	4.5	275	8	2.9	174	8	4.6	46	.....	.....	126	11	8.7	61	5	.....	
16 years.....	782	24	3.1	126	3	2.4	237	4	1.7	182	6	3.3	39	.....	.....	127	8	6.3	71	3	.....	
Fourteenth.....	2,292	549	24.0	368	100	27.0	748	198	26.5	538	92	17.3	129	10	7.8	347	103	29.7	177	46	26.0		
14 years.....	716	230	32.1	120	44	36.7	236	85	36.0	177	38	21.5	44	6	.....	94	41	.....	45	16	.....	
15 years.....	794	208	26.2	112	38	33.9	275	78	28.4	174	33	19.0	46	2	.....	126	39	31.0	61	18	.....	
16 years.....	782	111	14.2	126	18	14.3	237	36	14.8	182	21	11.6	39	2	.....	127	23	18.1	71	12	.....	
Fifteenth.....	1,576	893	56.0	238	154	64.7	512	325	63.5	356	170	47.8	85	18	.....	253	144	56.9	132	72	54.5	
15 years.....	794	491	61.8	112	83	74.1	275	187	68.0	174	99	55.2	46	14	.....	126	73	57.9	61	38	.....	
16 years.....	782	392	50.1	126	71	56.3	237	138	58.2	182	74	40.7	39	4	.....	127	71	55.9	71	34	.....	
Sixteenth.....	782	509	76.6	126	107	84.9	237	197	83.1	182	124	68.1	39	11	.....	127	103	81.1	71	57	.....	

TABLE 30.—Cubic contents and adult and child occupants of bedrooms; bedrooms in blocks intensively studied in Shenandoah.

Number of adults and children.	Cubic contents required under model housing law.	Bedrooms having specified cubic content.													
		Total bedrooms.	Under 600.	600, under 800.	800, under 1,000.	1,000, under 1,200.	1,200, under 1,400.	1,400, under 1,600.	1,600, under 1,800.	1,800, under 2,000.	2,000, over.	Not reported.			
Total		534	4	40	102	155	122	78	24	4	4	1			
1 child	400	11		1	4	1	5								
1 adult	600	70	1	9	19	18	14	3							
2 children	800	39	1	4	9	10	11	2	3	2		1			
1 adult and 1 child	1,000	50		8	9	16	6	7	2						
2 adults or 3 children	1,200	125	2	9	18	39	27	24	5		1				
1 adult and 2 children	1,400	33			4	14	8	6	1						
4 children or 2 adults and 1 child	1,600	94		6	20	27	23	15	3						
1 adult and 3 children or 3 adults	1,800	22		1	3	5	4	5	2	1		1			
5 children or 2 adults and 2 children	2,000	37		1	9	11	7	5	4						
3 adults and 1 child or 1 adult and 4 children	2,200	9			1	3	3	2							
6 children, or 4 adults, or 2 adults and 3 children	2,400	23			3	6	9	3	1			1			
1 adult and 5 children or 3 adults and 2 children	2,600	5		1	2		2								
7 children or 2 adults and 4 children	2,800	11			1	5	2	3							
5 adults or 3 adults and 3 children	3,000	2					1								
2 adults and 5 children or 4 adults and 2 children	3,200	2						1	1						
6 adults and 1 child	4,000	1						1							
Total persons in blocks intensively studied in Shenandoah.....		1,435	Persons sleeping in rooms having less than cubic contents required under model housing law (73.58 per cent).....									1,058	Persons sleeping in rooms having less than one-half required cubic contents (15.64 per cent).....		223
Adults	745	Adults									540	Adults		90	
Children	690	Children (74.78 per cent of all children).....									518	Children (19.28 per cent of all children).....		133	

U. S. DEPARTMENT OF LABOR

JAMES J. DAVIS, Secretary

CHILDREN'S BUREAU

GRACE ABBOTT, Chief

THE
CHICAGO JUVENILE COURT

By

HELEN RANKIN JETER



Bureau Publication No. 104



WASHINGTON
GOVERNMENT PRINTING OFFICE

1922

U. S. DEPARTMENT OF LABOR

JAMES J. DAVIS, Secretary

CHILDREN'S BUREAU

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CONTENTS.

	Page.
Letter of transmittal.....	v
Editor's note.....	vii
Origin and development of the Cook County juvenile court.....	1
The jurisdiction of the court.....	11-16
Character of the court and area covered.....	11
Classes of cases.....	11
Jurisdiction over children accused of committing serious offenses.....	14
Age groups.....	15
Jurisdiction over adults.....	16
The administrative problems of the court.....	17-25
Number of children brought into court.....	17
Problems relating to the delinquent child.....	18
Problems relating to the dependent child.....	21
Organization of the court.....	26-34
The judge.....	26
Woman assistant to the judge to hear cases of delinquent girls.....	27
The probation department.....	28-33
Appointment and discharge.....	28
Number.....	29
Salaries.....	30
Organization.....	30
Police probation officers.....	32
Records and reports.....	33-34
Annual reports.....	33
Case records.....	33
Other records and forms.....	34
Preliminary procedure.....	35-48
Complaint and petition.....	35
Investigation.....	35-42
Dependent children.....	36
Delinquent girls.....	39
Delinquent boys.....	39
Police probation officers' investigation.....	40
Other investigations.....	41
Adjustment of cases without court action.....	42
Physical and mental examinations.....	46
Detention.....	49-56
Detention policy.....	49
Number of children cared for in detention home.....	50
Overcrowding.....	51
Equipment of the juvenile detention home.....	53
Reception of children.....	54
The daily routine.....	55
Dietary.....	56
Clothing.....	56

	Page.
Hearings	57-62
Summons	57
Time and place	58
Procedure	59
Cases of dependent children	60
Cases of delinquent girls	61
Cases of feeble-minded children	62
Aid to mothers cases	62
The court order	63-90
Dismissal and continuance	63-68
Dismissed and continued generally	63
Continued for a definite period	65
The final order	68-90
Probation	71
Appointment of guardian	78
Commitment to child-placing societies	84
Commitment to hospitals and schools for defectives	85
Deportation	85
Commitment to institutions	85-88
Dependent children	86
Delinquent boys	87
Delinquent girls	88
Transfer to the criminal court	88
Other procedure in cases of delinquent children	90
Subsequent relationship of the court, the child, and the custodial agency	91-99
The court and the guardian	92
The court and the institution	93-97
Institutions for delinquent children	93
Institutions for dependent children	94
Recovery of children who escape from institutions	97
Following up the dependent child and his family	98
Cooperation with other agencies	100-107
Social agencies	100
Relationship to other courts	103
List of references to Illinois statutory sources	109
Index	111

LETTER OF TRANSMITTAL.

**U. S. DEPARTMENT OF LABOR,
CHILDREN'S BUREAU,
Washington, May 1, 1922.**

SIR: There is transmitted herewith a report on the Chicago Juvenile Court by Helen R. Jeter, one of a series of studies now being made by the Children's Bureau.

It is believed that this description of the organization and methods of operation of the oldest and one of the largest juvenile courts in the country will be of special value to all students of juvenile delinquency.

In planning the investigation and writing the report Miss Jeter had the assistance and counsel of Prof. S. P. Breckinridge, of the University of Chicago, who also edited the report.

Respectfully submitted.

GRACE ABBOTT, Chief.

**HON. JAMES J. DAVIS,
Secretary of Labor.**

EDITOR'S NOTE.

The following study of the Cook County, Ill., juvenile court, the oldest of the juvenile courts organized under express statutory authority, was made during the period between January 1, 1920, and June 30, 1921.

Miss Helen R. Jeter, now assistant in the graduate school of social service administration of the University of Chicago, formerly of the Chicago School of Civics and Philanthropy, with the assistance of various investigators, collected the material and wrote the report.

The sources drawn upon for the study were the records of many cases covering the whole history of the court, selected at random; the careful summarizing of 95 cases heard by the court during the first two weeks of January, 1920; a study of the statutes under which the court has developed; the annual reports of the court, of the chief probation officer, and of other county officials, ordinarily contained in the "Charity Service Reports, Cook County, Ill.," and interviews with the officers of the court, of the Juvenile Detention Home, and of the Institute for Juvenile Research. To all of these grateful acknowledgments are made. The report, of course, could not have been prepared without the consent of Judge Victor P. Arnold or the helpful and sympathetic cooperation of the chief probation officer, Mr. Joseph L. Moss.

The Illinois Legislature met in the winter of 1921. In preparation for that session the director of the department of public welfare of Illinois appointed a committee of persons interested in child welfare work for the purpose of "setting forth a program of adequate child care, of correlating efforts of existing boards and departments in the interests of children, of codifying the laws relating to children, and establishing throughout the State minimum standards of child welfare."¹ Judge Arnold was an active and helpful member of that committee, and during the session of the legislature he gave effective support to a revision of the aid-to-mothers law,² granting to the court more ample powers in the matter of making allowances under

¹ Report of the Department of Public Welfare of Illinois, Children's Committee, December, 1920, p. 3.

² Laws of Illinois, 1921, p. 162.

that act and providing for an increase in the fund now known as the mothers' pension fund.

On June 6, 1921, Judge Arnold, for five years judge of the juvenile court, was reelected by a substantial majority, thus assuring the court of community confidence and support in the development of a program which will make possible the elimination of some of the administrative difficulties which, as this report indicates, have reduced the efficiency of the court in the past.

S. P. BRECKINRIDGE.

THE CHICAGO JUVENILE COURT.

ORIGIN AND DEVELOPMENT OF THE COOK COUNTY JUVENILE COURT.

Before the enactment of the juvenile-court law in Illinois children who had violated the law were dealt with exactly as adult persons charged with crime with respect to arrest, detention, and trial. Illinois had been admitted to the Union as a common-law State in 1818. The age of criminal responsibility was therefore 7 years, until the enactment of the criminal code in 1827,¹ which raised the age to 10. The child of 10 or more might, however, still be considered a criminal, and this provision² remains unchanged to the present time, though its importance has been considerably affected by other enactments.

Judge Merritt W. Pinckney, formerly judge of the juvenile court, described the situation of the child of 10 or more prior to July 1, 1899, in the following language:

When a law of the State was violated the State demanded vindication, the same vindication from a lad of 12 as from an adult of 25. Punishment, not reformation, was the first fundamental thought of our criminal jurisprudence; punishment as an expiation for the wrong and as a warning to other possible wrongdoers. The lad of 12 years was arrested, put in jail, indicted by the grand jury, tried by a petit jury, with all the formality of the criminal law, and if 12 men, tried and true, found that he had violated some law, then the great Commonwealth of Illinois, through the judgment of the court, visited its punishment upon him.³

The only point at which the treatment of the juvenile criminal differed from that of the adult was the form that such punishment might take. As early as 1831 certain exceptions are found in the method of punishing minors. An act⁴ of that year providing for the establishment of a State penitentiary stated that persons under 18 were not included in the terms of that law, but were still to be dealt with under the criminal code of 1827.⁵

¹ "An infant under the age of 10 years shall not be found guilty of any crime or misdemeanor." Revised Laws of Illinois 1827, p. 124, sec. 4.

² Hurd's Illinois Revised Statutes 1919, ch. 38, sec. 283.

³ Charity Service Reports, Cook County, Ill., 1913, p. 216.

⁴ Laws of Illinois 1830-31, p. 103, sec. 43.

⁵ This meant considerably lighter sentences for persons under 18. The act of 1831 imposed sentences varying from 7 years to life imprisonment in the penitentiary, while the criminal code of 1827, which was still to remain in operation for young persons, imposed sentences of whipping, fines, and imprisonment, usually not over 3 years, for the same offenses. (Revised Laws of Illinois 1827, p. 124, secs. 29, 46, 47, 48, 50.)

In 1833 the criminal code included for the first time the provision that "persons under 18 shall not be punished by confinement in the penitentiary for any offense except robbery, burglary, or arson; in all other cases where a penitentiary punishment is or shall be provided, such person under the age of 18 shall be punished by imprisonment in the county jail for any term not exceeding 18 months at the discretion of the court."⁶

This provision remained the only statute modifying the treatment of minors until 1867, when provision was made for the establishment of the first State reform school.⁷ This act provided⁸ that "All courts of competent jurisdiction are hereby authorized to exercise their discretion, in sending juvenile offenders to the county jails, in accordance with the laws made and provided, or in sending them to the reform school." The school was established for boys under 18, while girls of that age throughout the State, as well as boys in Cook County, were committed to the reformatory already established in Chicago. Persons under 18 could no longer be committed to the penitentiary for arson, burglary, or robbery, but commitment to county jails for these and other offenses was left to the discretion of the courts.

In 1874 the law concerning jails and jailers was amended by the addition of a provision⁹ requiring that minors should be "kept separate from notorious offenders and those convicted of a felony or other infamous crime."

In 1891 the State reformatory was divided into two departments, one for boys between 10 and 16, the other for boys between 16 and 21.¹⁰ The act passed at this time required that boys under 16 convicted of an offense punishable by imprisonment in a county jail or penitentiary be committed to the reformatory, although those guilty of minor offenses might still be punished in county jails.

The statute authorizing the establishment of the Illinois Home for Juvenile Offenders was enacted in 1893 and provided for commitment to the home, at the discretion of the court, of girls between the ages of 10 and 16 who were convicted of offenses punishable by imprisonment in a county jail or house of correction.¹¹ In 1895 this law was amended to include offenses punishable by imprisonment in the penitentiary.¹²

Thus, until the enactment of the juvenile court law in 1899, the delinquent child between 10 and 16 was subject to all the criminal

⁶ Revised Laws of Illinois, 1833, p. 209, sec. 158.

⁷ *Ibid.*, 1867, p. 42.

⁸ *Ibid.*, sec. 16.

⁹ Hurd's Illinois Revised Statutes 1874, ch. 75, sec. 11.

¹⁰ Laws of Illinois 1891, p. 52, sec. 9.

¹¹ *Ibid.*, 1893, p. 23, secs. 16 and 17.

¹² *Ibid.*, 1895, p. 295.

processes applicable to adults so far as arrest, detention, and trial were concerned and could still be committed to a house of correction or to a county jail at the discretion of the court, except for more serious offenses, for which he was committed to a State reformatory.¹³

For the care of dependent children, provision had been made by "An act to provide industrial schools for girls" in 1879¹⁴ and "An act to provide for and aid training schools for boys" in 1883.¹⁵ These acts provided for the incorporation of industrial and training schools to receive dependent children under 18 who were committed to their care by the county court and for whose support the county might pay a certain amount. The schools were subject to State supervision but received no State appropriations. Cases were brought to the attention of the court by petition, and a jury of six was required to pass upon the question of dependency.

The validity of the earlier of these two acts was attacked in 1882, on the following grounds: (1) That the institutions created under the act were really penal institutions, and, therefore, that commitment was a punishment resulting in the restraint of liberty, and that the procedure, therefore, violated various constitutional safeguards such as trial by a jury of 12; (2) that the institutions might be sectarian within the meaning of the constitutional prohibition against payment of public funds to sectarian institutions; (3) that the liability for the support of dependent female children could not be placed upon the county. None of these objections was, however, sustained by the court. The second of these arguments was the basis for an action brought in 1917, but its validity was again denied.¹⁶ Thus the earlier law was upheld.¹⁷ The validity of the second act has never been attacked.

These acts still remain in operation and were not affected by the passage of the juvenile court law except that jurisdiction in dependent cases was bestowed upon the circuit as well as the county courts in other counties than Cook, in Cook County being restricted to the circuit court.

The so-called juvenile court act of 1899, under which the juvenile court of Cook County was established, was the culmination of nearly 10 years' discussion and experiment on the part of social agencies and of persons interested in child welfare. As early as 1891 the

¹³ Hurd's Illinois Revised Statutes, 1897, ch. 118.

¹⁴ Laws of Illinois 1879, p. 309.

¹⁵ *Ibid.*, 1883, p. 168.

¹⁶ *Dunn v. Chicago Industrial School*, 280 Ill. 613.

¹⁷ *Petition of Ferrier*, 103 Ill. 367, and *County of McLean v. Humphreys*, 104 Ill. 378. Art. VIII, sec. 3, of the State constitution provides that "neither the general assembly nor any county, city, town, township, school district, or other public corporation shall ever make any appropriation or pay from any public fund whatever anything in aid of any church or sectarian purpose, or to help sustain or support any school controlled by any church or sectarian denomination whatever."

Visitation and Aid Society of Chicago¹⁸ introduced into the legislature a bill designed to give an authoritative basis for the work of that society by providing for the commitment of children to the care of organizations of the same general character. The bill, however, failed of passage.¹⁹ It dealt only with dependent and neglected children and, had it been passed, would have solved only part of the problem.

One of the first efforts in behalf of delinquent children was made about 1893, when a school for the boys in the county jail was started by a private citizen and was later taken over, supported, and established on a fairly permanent basis by the Chicago Woman's Club.²⁰ Not the least important of the results of this experiment was the public interest aroused in the number of children confined in the county jail and in the condition of these children. An effort soon developed to secure a special law dealing with the treatment of delinquent children; and in 1895, after a study of the probation system established in 1878 in Massachusetts for both adults and children,^{20a} a bill was drafted at the instance of the Chicago Woman's Club, containing provisions for a separate court and for a probation staff. The question of its constitutionality was raised, however, and the bill was abandoned without being introduced in the legislature. During the next few years the Chicago Woman's Club continued to support the school in the county jail, established manual training in the house of correction, and secured separate housing for boys committed to that institution. Considerable discussion of the various problems connected with the care and treatment of the young offender in Cook County was carried on in the press and in public meetings during this period.

In 1898 the questions of the reform of court procedure and of a probation system were among the subjects discussed by the Illinois State Conference of Charities, and at that time Dr. Frederick W. Wines, the veteran prisoner reformer, formerly secretary of the Illinois State Board of Charities, declared:

We make criminals out of children who are not criminals by treating them as if they were criminals. That ought to be stopped. What we should have in our system of criminal jurisprudence is an entirely separate system of courts for children in large cities who commit offenses which would be criminal in adults. We ought to have a "children's court" in Chicago, and we ought to have a "children's judge," who should attend to no other business. We want some place of detention for those children other than a prison (reference made

¹⁸ Hurley, T. D.: "Development of the juvenile court idea," in *Charities*, Vol. XI, p. 423 (Nov. 7, 1903).

¹⁹ For draft of bill, see Hurley, T. D.: *Juvenile Courts and What They Have Accomplished*. The Visitation and Aid Society, Chicago, 1904.

²⁰ Most of these facts regarding the early history of the Illinois juvenile court movement are drawn from Lathrop, Julia C.: "Development of the probation system in a large city," in *Charities*, Vol. XIII, p. 344 ff. (Jan. 7, 1905).

^{20a} Massachusetts Acts and Resolves, 1878, ch. 178, p. 146.

to the New York system of detention). A thing we want to borrow from the State of Massachusetts is its system of probation. No child ought to be tried unless he has a friend in court to look after his real interests * * * In such cases in Massachusetts the judge sends a probation lawyer to investigate the conditions of the home and all the circumstances surrounding the case.²¹

The Illinois State Board of Public Charities, the Illinois Federation of Women's Clubs, the Chicago Bar Association, the Chicago Board of Education, and the Illinois State Conference of Charities, all interested themselves in the passage of the act entitled "An act to regulate the treatment and control of dependent, neglected, and delinquent children,"²² which was signed April 21 and went into effect July 1, 1899.

This law contained the essential features of later juvenile-court legislation. In it were provisions (1) for the separate hearing²³ of children's cases in a court having chancery rather than criminal jurisdiction; (2) for the detention of children apart from adult offenders; and (3) for a probation system. It was, however, weak at many points, and its administration had often to be supplemented by private effort. A number of amendments²⁴ intended to cure the various weaknesses of the original law have been adopted, and the present organization and practice of courts acting under the statute are the result of a gradual development that is probably not yet complete. The present study deals with only one of those courts, namely, the Cook County court sitting in Chicago. That court operates under such provisions of the act as are of general application and under other provisions applying to counties of more than 500,000 population—that is, to Cook County.

The first session of the Cook County court was held on July 1, 1899, and at that session, Mrs. Alzena P. Stevens, a resident of Hull House, volunteered to serve as probation officer.²⁵ The act had authorized the creation of a probation staff for the probationary care of delinquent children, but it was also specified that such officers should not be paid from public funds.²⁶ The framers of the act had acquiesced in this program for two reasons:²⁷ First, because they feared lest the prospective cost involved in the payment of probation officers might defeat the bill; and, second, because probation officers if paid from public funds might be selected on a political basis. The salaries of Mrs. Stevens and four or five other volunteer officers were raised for the first few years by private subscription.

²¹ Fifteenth Biennial Report of the Board of State Commissioners of Public Charities of the State of Illinois (1898), p. 338.

²² Laws of Illinois 1899, p. 131.

²³ Section 3 required a special court room in Chicago.

²⁴ The law of 1899 was amended: 1901, p. 141; 1905, pp. 151 and 152; 1907, p. 70; and 1911, p. 126.

²⁵ Lathrop, Julia C.: "Development of the probation system in a large city," in Charities, Vol. XIII, p. 345 (Jan. 7, 1906).

²⁶ Laws of Illinois 1899, p. 131, sec. 6.

In 1904 those interested in the support of these probation officers incorporated as the Juvenile Court Committee,²⁷ and by that time the number of officers had increased to 15, of whom 4 were men and 11 were women.

Besides these officers, representatives of various social agencies, such as the Illinois Children's Home and Aid Society (nonsectarian Protestant), the Visitation and Aid Society (Roman Catholic), and the Bureau of Personal Service (Jewish), were commissioned as probation officers. Individuals interested in particular cases were also appointed as volunteer probation officers. Moreover, in 1899 the mayor of Chicago at the request of the judge of the juvenile court directed that two police officers from each station be detailed as probation officers.²⁸

In 1905, 15 probation officers were being paid by the Juvenile Court Committee, and about 20 police officers were assigned to work with the juvenile court.²⁹ In that year an amendment was adopted³⁰ providing that in counties of more than 500,000 population (i. e., Cook County) the judges of the circuit court might determine how many probation officers were necessary, such officers to be appointed in the same manner and under the same rules and regulations as other officers of the county and paid under authorization of the board of county commissioners.

The legal status of the probation staff, however, was not even then determined. The amendment of 1905 had placed payment in the hands of the board of county commissioners, and appointment "in the same manner as other county officers" was understood to mean certification by the county civil service commission. For six years the law was interpreted in this manner, and the number of probation officers paid by the county was increased from 23 in 1905 to 37 in 1911. In that year a newly elected county administration attempted to bring political pressure to bear upon the probation staff. A campaign of abuse was waged in the public press—attention was called to cases which, it was claimed, had resulted disastrously; probation officers were pictured as "child snatchers;" and the work of the juvenile court was rendered extremely difficult. The county civil service commission joined in the attack through a pretended

²⁷ Among the early officers of this committee were Mrs. Joseph T. Bowen, the Very Rev. Dean Summer, Father Andrew Spetz, Dr. Rabbi Joseph Stoltz, Mrs. Charles M. Walker, Mrs. George R. Dean, and Mrs. Wm. Thomas. In 1909 the name was changed to the Juvenile Protective Association of Chicago. The association continued its financial assistance to the court until 1908. Since that time it has been concerned exclusively with community problems affecting delinquency.

²⁸ Testimony of Judge Plockney in Breckinridge and Abbott: *The Delinquent Child and the Home*, Charities Publication Committee, New York, 1912, p. 240.

²⁹ The number was at first about 20 and was increased to 30 in 1908. See *Charity Service Reports*, Cook County, Ill., 1903-1911.

³⁰ *Laws of Illinois 1905*, p. 151.

investigation of the court. These attacks failed to command public confidence, however, and finally the board of commissioners of Cook County was prevailed upon to appoint a committee of five citizens to make an impartial investigation.³¹ On September 28, 1911, before the report of the committee had been completed, however, the president of the county board of commissioners suspended the chief probation officer and filed with the county civil service commission charges against him, alleging "incompetency, lack of executive ability, and neglect of duty." The hearing on these charges extended over a period of three months and included an investigation of the work of the probation department, of the detention home, and of the industrial schools to which dependent children were committed by the court. On January 6, 1912, the civil service commission decided adversely to the chief probation officer and dismissed him. He appealed the case, with the result that that portion of the act providing for the selection of probation officers by the county commissioners was held unconstitutional³² as a violation of the principle of separation of powers laid down in Article III of the Illinois constitution. The right of the court to be free from interference in the selection of its officers was thus recognized. Probation officers were declared to be assistants to the court, performing judicial functions, and as such to be chosen only by popular vote or appointed by the court itself.³³ The selection of probation officers was thus left in the hands of the judges of the circuit court; they agreed to delegate that selection to the judge of the juvenile court, who had suffered greatly from the political attack on the work of the court. He devised at this time a substitute for the civil service test that has worked admirably and is still in use. Since that time probation officers have been appointed by the judge on the basis of competitive examinations, held from time to time under the direction of a committee of citizens³⁴ chosen by the judge because of their unquestioned special fitness for the task and their public spirit. Since 1912 five such examinations have been held, two for chief probation officer, one in 1913 and another in 1918, and three for assistant probation officer, in 1913, 1916, and 1919.³⁵ This

³¹ The members of this committee were Willard E. Hotchkiss (chairman), Saul Drucker, Rev. C. J. Quille, Rev. August Schlechte, and Mrs. James E. Quan. The committee reported in January, 1912. The report is entitled "The Juvenile Court of Cook County, Ill. Report of a Committee Appointed under Resolution of the Board of Commissioners of Cook County, Aug. 8, 1912."

³² *Witter v. Cook County Commissioners*, 256 Illinois, 616. See also *People v. C. B. & Q. R. Co.*, 273 Illinois, 110. The report of the citizens' committee shortly after showed no grounds for this decision of the civil service commission.

³³ This decision did not affect the position of clerical assistants, who are still appointed under civil service regulations.

³⁴ The first committee was composed of members of the Juvenile Court Committee that had chosen and paid probation officers before the amendment of 1905.

³⁵ A fourth examination for assistant probation officer was given in 1922.

device has served to protect the judge from political pressure and to maintain the quality of the probation service.

Again, in 1917, the status of the probation officers was attacked through a bill to enjoin the county treasurer from paying the salaries of any of the probation staff. The bill was dismissed for want of equity by the superior court of Cook County, but appeal was allowed to the appellate court of Illinois, and for more than a year, pending decision, the payment of salaries by the county treasurer was made possible only by the guaranty of funds by private citizens and by a special act of the legislature.³⁴ Finally, on June 14, 1918, the appellate court of Illinois³⁵ confirmed the decision of the lower court, and the status of probation officers was once more assured.³⁶

The constitutionality of the juvenile court law itself was attacked in 1912 by an appeal³⁷ from a judgment of the Cook County court declaring a child to be dependent and appointing a guardian under the act. The supreme court, though it reversed the decision of the court in the particular case, upheld the law at every point at which it was attacked.³⁸

The law of 1899 had contained no provision for the detention of children except one prohibiting commitment of children under 12 to a jail or police station and giving authority to place a child awaiting trial in "some suitable place provided by the city or county."³⁹ Since neither the city nor the county had at first a suitable place, the task of providing one, like that of paying probation officers, was undertaken by private initiative. The Illinois Industrial Association assumed the care of boys awaiting hearing on delinquent petitions, the city and the county each paying half the board of the children.⁴⁰ Dependent children were detained, when necessary, in a room of the Cook County Detention Hospital. In 1903 the Juvenile Court Committee took over the care of all children and established a detention home at 625 West Adams Street. The expenses were paid in part by this committee, but the larger share was borne by the city and the county.⁴⁰

The establishment consisted of an old residence in which dependent children were housed and a remodeled barn for delinquent boys. The delinquent girls were detained in an annex to one of the police stations, where older women were also confined. At first the detention home was placed under the care of a police officer, and little

³⁴ Laws of Illinois 1917, p. 536. This law safeguards a public officer from personal liability for the disbursement of funds in emergencies of this kind.

³⁵ Gilbert et al. v. Sweitzer, 211 Illinois App. 438.

³⁶ See p. 30 of this report for discussion of salaries of probation officers.

³⁷ By a writ of error, Hurd's Illinois Revised Statutes 1919, ch. 23, sec. 190d.

³⁸ Lindsay v. Lindsay, 257 Ill. 828.

³⁹ Laws of Illinois 1899, p. 131, secs. 5 and 11.

⁴⁰ Lathrop, Julia C.: "Development of the probation system," in Charities, Vol. XIII, p. 346 (Jan. 7, 1905).

amusement and no schooling were provided. In 1906, however, the city board of education assigned a teacher for the instruction of delinquent boys.⁴¹

In 1907 a law was passed⁴² authorizing the establishment of a detention home by county authorities on vote of the people of the county; but without awaiting a popular vote, the county and the city entered into a cooperative undertaking to erect a juvenile court building on Ewing Street, accommodating both the detention home and the juvenile court rooms.⁴³ This building is still occupied as a detention home, but in 1913 its crowded condition led to the removal of the court to the county building, where other courts are held.⁴⁴

A third important development in the Chicago juvenile court resulted from the enactment of the funds to parents and aid to mothers laws,⁴⁵ which added to the earlier work of the court a class of cases involving principles of public relief and requiring a complicated administrative machinery. The first of these acts, the funds to parents act,⁴⁶ was a brief amendment to the juvenile court law authorizing in certain dependent cases the granting of relief by the court. That amendment read as follows:

If the parent or parents of such dependent or neglected child are poor and unable to properly care for the said child, but are otherwise proper guardians and it is for the welfare of such child to remain at home, the court may enter an order finding such facts and fixing the amount of money necessary to enable the parent or parents to properly care for such child, and thereupon it shall be the duty of the county board, through its county agent or otherwise, to pay to such parent or parents, at such times as said order may designate, the amount so specified for the care of such dependent or neglected child until the further order of the court.⁴⁷

In 1913 a more elaborately drawn aid to mothers law superseded the amendment of 1911. This law not only defined the group of eligible families to whom grants might be made and fixed conditions under which those grants might be enjoyed but also provided for a special tax to be set aside as a special fund for mothers' pensions.⁴⁸

⁴¹ Thurston, H. W.: "Ten years of the juvenile court of Chicago," in *The Survey*, Vol. XXIII, pp. 656, 662, and 663 (Feb. 5, 1910).

⁴² Laws of Illinois 1907, p. 59. Hurd's Illinois Revised Statutes 1919, ch. 23, sec. 271.

⁴³ First Annual Message of William Busse, president of the board of commissioners of Cook County, in *Charity Service Reports*, Cook County, Ill., 1907, p. 29.

⁴⁴ The building at 202 Ewing Street (now 771 Gilpin Place) has now become inadequate for the detention home and is soon to be replaced. See p. 53.

⁴⁵ Hurd's Illinois Revised Statutes 1919, ch. 23, sec. 298.

⁴⁶ Laws of Illinois 1911, p. 126. See also Hurd's Revised Statutes 1919, ch. 23, sec. 175.

⁴⁷ Laws of Illinois 1911, p. 126. Hurd's Illinois Revised Statutes 1919, ch. 23, sec. 175. The administration of the mothers' pension law has been quite fully discussed. See Abbott, Edith, and Breckinridge, S. P.: *The Administration of the Aid-to-Mothers Law in Illinois*. Children's Bureau Publication No. 82, Washington, 1921.

⁴⁸ Three-tenths of 1 mill on the dollar to be levied on all taxable property of the county. Laws of Illinois, 1913, p. 127; Hurd's Illinois Revised Statutes, 1919, ch. 23, sec. 298 fol. The 1911 act had proved inadequate in many respects other than the financial provisions.

The courts held in 1915, however, that this act did not increase the total amount of the county taxes the county was authorized to spend but merely reduced the amount available for other county expenditures.⁴⁹ The county board therefore appropriated annually for mothers' pensions less than the actual amount of the special tax fund. In June, 1919, however, the law was amended so as to authorize an increase in the total volume of county expenditures and to provide an adequate fund that should be available exclusively for mothers' pensions.⁵⁰

Various aspects of the practice of the court, chiefly those of an administrative nature, will be discussed in the following chapters. It has perhaps been made clear that at no time during the court's existence have the conditions under which it functioned been entirely satisfactory. It has suffered from open political attack, from legislative caution and legislative blundering, from the hostility of other administrative bodies, and from public indifference. These difficulties should be kept in mind throughout the following discussion.

⁴⁹ *People v. Chicago, Lake Shore & Eastern R. R. Co.*, 270 Ill. 477.

⁵⁰ The law was amended June 21, 1919, to provide for a tax of four-tenths of 1 mill on the dollar in counties of over 300,000 population and was further amended nine days later to provide for a tax of four-fifteenths of 1 mill to correspond with a change in the assessed valuation from one-third to one-half the cash value of the property. (See *Laws of Illinois 1919*, pp. 780-781, and pp. 781-782, and *Hurd's Illinois Revised Statutes, 1919*, ch. 23, sec. 313.)

THE JURISDICTION OF THE COURT.

CHARACTER OF THE COURT AND AREA COVERED.

The juvenile court law of Illinois created no new or special courts, but in all portions of the State except Cook County conferred jurisdiction in cases arising under the law upon circuit and county courts. In Cook County, which constitutes an entire and single judicial circuit, original and exclusive jurisdiction was conferred upon the circuit court alone.¹ The juvenile court sitting in Chicago is thus technically the juvenile court of Cook County, and is a division or branch of the circuit court of the county. As such its territorial jurisdiction covers besides the city of Chicago a considerable outlying territory that is both suburban and rural in character. In this outlying district are 5 incorporated cities from 2,000 to nearly 25,000 in population, and about 70 villages of from a few hundred to 19,000 population.² The suburban district covers an area of about 733 square miles and contained in 1910 a population, urban and rural, of 219,950.³ From the point of view of administration such territorial jurisdiction presents many difficult problems.⁴

CLASSES OF CASES.

The jurisdiction exercised by the juvenile court includes three classes of cases. The first is composed of those over which the jurisdiction is original and exclusive under the juvenile court law. These are cases of delinquent children, dependent or neglected children, and mothers' pension cases.

A delinquent child, as defined by the statute,⁴ is a boy under 17 or a girl under 18 who violates any law of the State; is incorrigible, knowingly associates with thieves, vicious or immoral persons; without just cause and without the consent of its parents, guardian, or custodian absents itself from its home or place of abode, is growing up in idleness or crime; knowingly frequents a house of ill repute; knowingly frequents any public shop or place where any gaming device is operated; frequents any saloon or dram shop where intoxicating

¹ Hurd's Illinois Revised Statutes 1919, ch. 23, sec. 171.

² Thirteenth Census of the United States, 1910, Vol. II, Population, p. 445.

³ See p. 32 of this report for organization of work in outlying districts.

⁴ Hurd's Illinois Revised Statutes, 1919, ch. 23, secs. 170, 298.

liquors are sold; patronizes or visits any public pool room or bucket shop; wanders about the streets at night; habitually wanders about railroad yards or tracks or jumps on any moving train, or enters any car or engine without authority; uses vile, obscene, vulgar, profane, or indecent language, or is guilty of indecent or lascivious conduct.

A dependent or neglected child⁵ is a boy under 17 or a girl under 18 who, for any reason, is destitute, homeless, abandoned, or dependent upon the public for support; has not proper parental care or guardianship, habitually begs or receives alms; is found living in any house of ill fame or with any vicious or disreputable person; or has a home which by reason of neglect, cruelty, or depravity on the part of the parents, guardian, or any other person in whose care it may be, is an unfit place for such child; and any child under 10 who is found begging, peddling, or selling any articles or singing or playing any musical instrument for gain upon the street, or giving public entertainments or accompanying any person so doing.

In these cases and in aid to mothers cases as well,⁶ the jurisdiction is technically exercised over the child. Actually, however, the entire family is brought under supervision.

The second class of cases is that in which the juvenile court exercises jurisdiction as a branch of the circuit court. The jurisdiction is therefore not exclusive. These are cases of truants under the parental schools act, feeble-minded children, children given in adoption, and illegitimate children.

Under the parental schools act,⁷ providing for commitment of habitual truants to such schools, jurisdiction is conferred upon the county and circuit courts of the State. In Cook County, under an agreement of the circuit judges with the county judge, this jurisdiction is exercised by the juvenile court alone. Truant officers are, however, appointed by the board of education and subject to that authority, and the only real contact of the juvenile court with the truant child is the hearing in court.

Jurisdiction under the adoption law⁸ may likewise be exercised by the county or circuit courts of the State. All such cases filed in the circuit court of Cook County are, by agreement, heard by the judge of the juvenile court. With the exception of the judge, then, no officers of the juvenile court have any legal authority over cases involving only adoption. In the case of a delinquent or dependent child, however, a petition may be filed under the juvenile court law praying the appointment of a guardian authorized to consent to legal adoption,

⁵ Hurd's Illinois Revised Statutes 1919, ch. 23, sec. 169. The 1899 law defined as delinquent only one who violated a law of the State or a local ordinance. The amendment of 1905, p. 152, included the present definition.

⁶ Hurd's Illinois Revised Statutes, 1919, ch. 23, sec. 298.

⁷ *Ibid.*, ch. 122, sec. 144.

⁸ *Ibid.*, ch. 4, sec. 1. The county judge has entered into no agreement on this subject.

and the court in which adoption proceedings are pending may accept the consent of the guardian appointed without further notice to parents or relatives.⁹ This amounts to the juvenile court's hearing all the evidence in the case, the court before which the case is pending entering the formal decree. Investigations are conducted by probation officers, but adoption proceedings are not included in the legal records of the juvenile court.

The act to provide for the care and detention of feeble-minded persons places jurisdiction in the circuit, county, and municipal courts of the State.¹⁰ When, therefore, a delinquent or dependent child brought before the juvenile court appears to be feeble-minded, the judge may adjourn the proceedings under the juvenile court law and conduct the hearing on a petition under the act for the care and detention of feeble-minded persons.¹¹ This means that the juvenile court has jurisdiction over feeble-minded children only incidental to their being brought into court as dependent or delinquent children. For the sake of securing prompt action, the investigation department brings into court on a "feeble-minded" petition children called to their attention whom they think not only dependent or delinquent but feeble-minded as well, and children in a situation involving dependency are brought by the same process by social agencies before the court. No agreement has been made by the circuit, county, and municipal courts to concentrate these cases in the court of the juvenile court judge, and cases of feeble-minded children who are not dependent or delinquent are heard by other courts.

A recent amendment to the bastardy law provides that the juvenile court shall "with other courts of competent jurisdiction" have jurisdiction over all cases arising under the act.¹² The State's attorney has, however, refused to prosecute such cases before the juvenile court, and the court has not then exercised jurisdiction over this class of cases.¹³ Bastardy cases are tried before the domestic-relations branch of the municipal court under authority of the law which created that court.¹⁴ Juvenile court officers, however, investigate and present in the court of domestic relations bastardy cases in which the mother is under 18 years of age or in which the court has already obtained

⁹ Hurd's Illinois Revised Statutes, 1919, ch. 23, sec. 183.

¹⁰ *Ibid.*, ch. 23, sec. 324.

¹¹ *Ibid.*, sec. 341.

¹² The amendment was passed in 1919. Hurd's Illinois Revised Statutes 1919, ch. 17, sec. 4.

¹³ Since the election of June 6, 1921, this opposition seems no longer an obstacle. The judge has up to the present writing (Dec. 1, 1921) taken no action to claim this jurisdiction, possibly arguing that unless additional resources are placed at the service of the court, the additional burden would be too heavy.

¹⁴ Hurd's Illinois Revised Statutes 1919, ch. 37, sec. 265. "All suits of every kind and nature, whether civil or criminal, or whether at law or in equity, which may be transferred to it, by a change of venue or otherwise by the circuit court of Cook County, the superior court of Cook County or the criminal court of Cook County." But see *Hosking v. So. Pac. Co.* 243 Ill., 320, and *P. v. Olson*, 245 Ill., 288.

jurisdiction over the family through other elements of dependency or delinquency.

JURISDICTION OVER CHILDREN ACCUSED OF COMMITTING SERIOUS OFFENSES.

Under a provision of the juvenile court law defining a delinquent child as a boy under 17 or a girl under 18 who "violates any law of this State,"¹⁵ the juvenile court is apparently given jurisdiction in all cases of children within those ages, however serious the offense with which the child may be charged. The law provides, moreover, that if a child is taken before a justice of the peace or police magistrate, "it shall be the duty" of such justice or magistrate to transfer the case to the juvenile court.¹⁶ This jurisdiction has, however, never been acknowledged by the prosecuting authorities, and a concurrent jurisdiction is exercised by the criminal court of Cook County in the trial of children charged with serious offenses. The chief probation officer, in his annual report for 1920, made the following statement:¹⁷

During the past year there have been a number of cases in which, following the filing of a petition in the juvenile court and while the case was still pending, an indictment has been voted by the grand jury, followed by a hearing in the criminal court. The interesting thing is that after weeks and months of delay, during which time the child was held in the county jail, the criminal court has in each of the cases either referred the case to the juvenile court for disposition or has entered an order placing the child under probation to the adult probation department. The probation orders could have been arrived at with quite as much force and by a much simpler process under the juvenile-court law.

The attitude of State's attorneys in the past has usually been that juvenile-court action in cases in which crimes were committed has been only through the suffrance of the State's attorney; that in any cases which he chooses to characterize as "serious," he might take action in the criminal court. This situation is one which it is hoped may be settled at an early date by a ruling of the criminal court or by a supreme-court decision.

In the case of a 16-year-old boy, for example, who, early in 1921, was charged with the theft from a bank of \$700,000 worth of bonds, a petition was filed in the juvenile court. The State's attorney, however, is reported to have said in answer to a proposal that the case be heard in the juvenile court, "This is a criminal case, and the boy will be tried in the criminal court, regardless of his age. And I believe in speedy trials, too."^{17a} The grand jury was therefore directed to take up the case, and two indictments were voted, one charging embezzlement, and the other larceny. The result of the

¹⁵ Hurd's Illinois Revised Statutes 1919, ch. 23, sec. 169.

¹⁶ *Ibid.*, sec. 178.

¹⁷ Charity Service Reports, Cook County, Ill., 1920, p. 243.

^{17a} Chicago Daily Tribune, Feb. 20, 1921.

trial in the criminal court was a failure of the jury to agree, and a motion was granted for a new trial.^{17a} The judge made no claim to exclusive jurisdiction either in this or in other cases to which the chief probation officer refers. This inactivity on the part of the judge is due undoubtedly to a doubt on his part as to the interpretation the supreme court would put upon the law should the issue be squarely raised and to a hesitation to sacrifice a young person to the confusing and demoralizing experience of being handled by two sets of authorities. His view of what the law should clearly state is expressed in a report made by a committee appointed in 1920 by the director of the department of public welfare and signed by the judge with other members of the committee¹⁸ to the effect that "the circuit, county, and juvenile courts be given original and *exclusive* jurisdiction in all cases coming within the act entitled 'An act to regulate the treatment and control of dependent, neglected, and delinquent children.'"

AGE GROUPS.

The juvenile court law provides that all persons under the age of 21 shall be considered wards of the State and shall be subject to the care, guardianship, and control of the juvenile court.¹⁹ The law then proceeds in its definition of the dependent and delinquent child to include any boy under 17 and any girl under 18. Thus jurisdiction attaches only to the earlier ages, but once obtained may be exercised until the child becomes 21.²⁰

As a matter of fact, it is not the policy of the court to exercise this jurisdiction in the cases of boys between 17 and 21. That is, whenever a boy of 17 or 18 already on probation commits a new offense, it is the policy of the court to allow him to be proceeded against in the criminal court²¹ rather than to attempt again to deal with him. The officers of the court are of the opinion that if probation under juvenile-court officers has not been effective when the boy was younger, it is not likely to be effective as the boy grows older.

^{17a} The second trial came to an end May 19, 1922, with a second failure of a jury to agree. Chicago Daily Tribune, May 20, 1922.

¹⁸ Report of the Illinois Department of Public Welfare Children's Committee (December, 1920, p. 10.)

¹⁹ Hurd's Illinois Revised Statutes 1919, ch. 23, sec. 169.

²⁰ The Hotchkiss committee in 1912 apparently supported this interpretation and urged that the age of obtaining jurisdiction be raised to 21: "The committee feels that the provisions of the juvenile-court law should be amended so that any person under the age of 21 years, regardless of previous contact with the court, may be brought into the juvenile, rather than the police court. At present we have the anomalous situation of a boy of 19, who has never been brought before the juvenile court, arrested and forced to associate in the police court with the worst criminals in the community, while a boy with a long record in the juvenile court, evades police jurisdiction by virtue of this court record. In other words a premium is placed on getting a juvenile court record."—(Juvenile Court of Cook County, Illinois—Report of a Committee appointed under Resolution of the Board of Commissioners of Cook County, p. 25.)

²¹ This may be the boys' court—a branch of the municipal court—a lower court dealing with misdemeanants if the offense be committed outside Chicago, or the criminal court of Cook County.

JURISDICTION OVER ADULTS.

The juvenile court has no jurisdiction over adults except in so far as an order may be entered requiring a parent to contribute to the support of a dependent child committed to an institution. In such cases the court may enforce its order by requiring deductions from wages and by punishment for contempt of court. This lack of jurisdiction over adults will be discussed at a later point.²²

²² See p. 103.

THE ADMINISTRATIVE PROBLEMS OF THE COURT.

In order that the administrative problems of the juvenile court may be understood it is necessary to supplement the definitions of the various types of cases placed under its jurisdiction and to know the number of children brought into court, the relative numbers in the various groups, the conditions in the home and in the community making it necessary for them to be brought into court, and the differences among the various groups that demand differences in the method and treatment. It is difficult, for various reasons, to discover these facts, but certain data have been assembled for the purpose of illustrating the nature of the court's problems and the weight of its burden.

NUMBER OF CHILDREN BROUGHT INTO COURT.

During the first 21 years of the court's existence—that is, prior to July 1, 1920—79,000 children were brought into court.¹ It is impossible, however, to determine without laborious tabulation the number of children who have been handled by the court in each of these years. The total number during the period is the only information that can be given regarding children as distinguished from cases, since the statistics published by the court deal with cases rather than with children. A child may be brought before the judge several times in the same year and may be counted three, four, five, or possibly six times as a case, the number of repetitions varying considerably with the class of case. Thus, it must be remembered that whenever figures from the annual reports of the court are quoted in the following pages they represent cases, not children. From a social point of view this is unfortunate, since it would be desirable to know the facts in their relationship to child life in general. From an administrative viewpoint, however, the case is perhaps more significant, since it represents a certain amount of machinery set in motion each time a child is before the court.

Table I shows the numerical importance of the various types of cases heard by the court during the five-year period from December 1, 1914, to November 30, 1919.

¹ This figure was obtained from the docket numbers. It is customary to give the same number to a child even if he is brought into court again after a release.

TABLE I.—*Class of case; cases heard by the juvenile court, 1915-1919.*¹

Class of case.	Cases heard by the court.	
	Number.	Per cent distribution.
Total.....	37,881	100.0
Delinquency.....	15,143	40.0
Dependency.....	10,631	28.1
Truancy.....	2,327	6.1
Aid to mothers.....	9,470	25.0
Feeble-minded.....	310	0.8

¹ Compiled from figures for fiscal years ending Nov. 30. Charity Service Reports, Cook County, Ill., 1915-1919. For 1920 the figures are as follows: Delinquency, 2,550; dependency, 1,262; truancy, 556; aid to mothers, 3,245; feeble-minded, 58. For 1921 they are: Delinquency, 2,415; dependency, 1,292; truancy, 648; aid to mothers, 1,429; feeble-minded, 69.

As to the problems especially characteristic of these separate groups, the annual reports of the court give little information other than the ages of children, the disposition of cases, and the offenses of delinquent children.

No attempt will be made here to describe the children included in the groups of cases under the acts covering aid-to-mothers, truant, and feeble-minded jurisdiction.²

PROBLEMS RELATING TO THE DELINQUENT CHILD.

With regard to the delinquent children, a study of the delinquent wards of the court during the first 10 years of the court's existence found that the problems of the delinquent child were primarily problems of immigrant adjustment, of poverty, of the broken, the degraded, and the crowded home, of school and neighborhood neglect, and only secondarily and to a very slight extent, of the unmanageable child in the midst of favorable circumstances.³

Among the cases of delinquent children by far the greater number are boys. Table II shows for the five-year period, 1915-1919, 11,799 cases of delinquent boys and 3,344 cases of delinquent girls. The greater number of boys is in part the result of different methods of investigation which will be discussed at a later point, and in part due to the method of reporting cases rather than children, since the boys tend to repeat oftener than girls. It is, also, a matter of difference in character of offense, as the girls are seldom brought to

² For mothers' pension cases, see Abbott, Edith, and Breckinridge, S. P.: Administration of the Aid-to-Mothers Law in Illinois. Children's Bureau, Publication No. 82, Washington, 1921.

³ For cases of truant children, see Abbott, Edith, and Breckinridge, S. P.: Truancy and Nonattendance in Chicago Schools. University of Chicago Press, Chicago, 1917.

⁴ For mental defectives, see Healy, William: The Individual Delinquent. Little, Brown & Co., Boston, 1915; and Mental Conflicts and Misconduct. Little, Brown & Co., Boston, 1917.

⁵ Breckinridge, S. P., and Abbott, Edith: The Delinquent Child and the Home, Chapters III-X, Charities Publication Committee, New York, 1912.

court for childish pranks or gang depredations but nearly always for serious immorality, which necessitates immediate and vigorous action.

While the law names no lower age limits for juvenile-court jurisdiction, the State schools for delinquent boys and girls can receive no children under 10 years of age. All children under that age are therefore treated as dependent rather than delinquent, unless the child's experience has been such that he can not be placed with dependent children. For this reason Table II, which presents the ages of delinquent children, shows only one case of a delinquent child under 10 years of age.⁴

TABLE II.—Age, by sex of child; delinquency cases heard by the juvenile court, 1915-1919.^a

Age of child.	Delinquency cases heard by the court.			
	Number.		Per cent distribution.	
	Boys.	Girls.	Boys.	Girls.
Total.....	11,790	3,344	100.0	100.
9.....		1		(b) 1.1
10.....	350	36	3.0	1.7
11.....	697	85	5.9	3.6
12.....	1,104	120	9.3	7.1
13.....	1,517	238	12.9	15.0
14.....	2,415	501	20.5	23.5
15.....	2,683	787	22.7	25.6
16.....	2,972	855	25.2	21.8
17.....	^e 59	730	0.5	0.6
18.....	^e 1	^e 21	(b)	(b)
19.....		^e 2		(b)

^a Compiled from figures for fiscal years ending Nov. 30. Charity Service Reports, Cook County, Ill., 1915-1919. For 1920 the figures are: Boys, 1,912; girls, 638. For 1921 they are: Boys, 1,754; girls, 661.

^b Less than one-tenth of 1 per cent.

^c Jurisdiction obtained at prior hearing before juvenile-court age limit was reached.

A difference in grouping of boys' and girls' cases might be expected from the difference in age limitation defined by the law—16 for boys and 17 for girls. The wider range exhibited by the girls' cases is therefore of no significance. There is, however, more concentration toward the upper age limit than in the case of the boys. Table II shows, for example, that 31.1 per cent of the boys were under 14, while only 13.5 per cent of the girls were so young. This again is in part the result of the differences in the character of offense, as shown by Table III.

⁴ It is not possible to say definitely, but for this child it is probable that a dependent petition was substituted at a later date for the delinquent petition.

TABLE III.—*Offense, by sex of child; delinquency cases heard by the juvenile court, 1915-1919.*^a

Offense.	Delinquency cases heard by the court.			
	Number.		Per cent distribution.	
	Boys.	Girls.	Boys.	Girls.
Total.....	11,799	3,344	100.0	100.0
Stealing.....	8,067	397	68.4	11.9
Incorrigibility.....	1,900	1,387	16.1	41.4
Malignous mischief.....	605	5	5.1	0.1
Assault.....	509	19	4.3	0.6
Immorality.....	234	1,467	2.0	43.9
Miscellaneous offenses.....	484	69	4.1	2.1

^a Compiled from figures for fiscal years ending Nov. 30. Charity Service Reports, Cook County, Ill., 1915-1919. For 1920 the figures are: Boys, 1,912; girls, 638. For 1921 they are: Boys, 1,754; girls, 661.

The offense, as given in this table, is never stated in the records as a formal charge against the child; but, as pointed out in the report of the chief probation officer, "is the conclusion of the statistical clerk after reading the complaint in the history sheet for each case."⁵ The results shown in the table are therefore open to question because of the vagueness of the terms, the possible variation in classification, the method of classifying when there are two or more offenses, and the inadequacy of the history sheet itself. Nevertheless, the general results compare fairly closely with those presented in "The Delinquent Child and the Home,"⁶ in which the classification was based on a careful reading of the whole case record and in which attention was given to a child accused of two or more offenses. The differences in the results, moreover, may be largely due to the classification by children in one table and by cases in the other.

Stated in general terms as they are, the list includes offenses of varying degrees of delinquency. Under the head of stealing have been grouped all the offenses that the court has separated into larceny, burglary, and robbery, as well as particular kinds of theft, such as the taking of automobiles or mail or stealing from railroad cars. Burglary, larceny, and robbery, however, may be used to describe a great many offenses connected with the taking of property, from the theft of a newspaper at the door to taking merchandise worth several hundred dollars from a store. This group of offenses against property is the most important class of offenses among the boys and contains 68.4 per cent of the cases.

The list of the girls' offenses presents a marked contrast to that of the boys: Nearly 44 per cent of the girls were brought into court for

⁵ Charity Service Reports, Cook County, Ill., 1919, p. 263.

⁶ Breckinridge, S. P., and Abbott, Edith: *The Delinquent Child and the Home*, p. 39, Charities Publications Committee, New York, 1912 (see special discussion pp. 27-30).

"immorality," meaning always questions of sex experience. Another 41.4 per cent were brought in for "incurability," a term used whenever possible in girls' cases to avoid accusation of immorality, but very often indicating either suspected immorality or the danger of its development.

PROBLEMS RELATING TO THE DEPENDENT CHILD.

Very little information regarding the problems of the dependent child is available, except for age, number of times in court, and disposition of cases. The annual reports of the court give only an inadequate classification of home conditions. The problem is often a complicated one; and yet only one circumstance, such as a "drunken father" or "feeble-minded mother," is set down for each child. It is, however, entirely possible to have in the same family a combination of factors, such as both a drunken father and feeble-minded mother. Moreover, no extensive study of case records of dependent children has ever been made. It is, therefore, impossible to state with assurance what children constitute the group termed "dependent."

The ages of dependent children are shown in Table IV. Among these children no appreciable differences are found between the age distributions of the girls and of the boys. The table is therefore presented for both sexes combined.

TABLE IV.—Age of child; dependency cases heard by the juvenile court, 1915-1919.^a

Age of child.	Dependent cases heard by the court.	
	Number.	Per cent. distribution.
Total.....	10,631	100.0
Under 7 years.....	4,137	38.9
7 years, under 14.....	5,661	53.2
14 years, under 16.....	609	5.6
16 years and over.....	134	1.3

^a Compiled from figures for fiscal years ending Nov. 30. Charity Service Reports, Cook County, Ill., 1915-1919. For 1920 the figures are: Dependency cases, 1,262. For 1921 they are: Dependency cases, 1,292.

It appears that during the five-year period 1915-1919 more than one-third, 38.9 per cent of the dependent children, were under 7 years of age; more than one-half, 53.2 per cent, were 7 and under 14; and very few, only 7.9 per cent, were 14 and over. This is in marked contrast to the group of delinquent children, none of whom were under 9 and a large majority of whom were 14 and over—68.9 per cent of the boys and 86.5 per cent of the girls.¹

¹ See Table II, p. 19.

The juvenile court law uses the two terms "dependent" and "neglected" as applicable to the same group of children. It might have been possible to assign certain clauses in the definition implying destitution to a "dependency" classification and others implying the presence of degrading influence to "neglect." Had this been done, a study of the records might more easily have revealed the relative numbers of the two groups. Such a classification has not been made, however, and it has been the custom of the court to call all the children brought in under this section "dependent."

How far the court is concerned with cases involving poverty only, it is therefore impossible to say. The group of children of widowed mothers who formerly might have formed a large part of the group of dependents are now, of course, cared for by the aid-to-mothers division^a of the court. It was never the policy of the court, however, to break up a family on account of poverty only; such examination of the records as has been made indicates that the pension group is a group of children different from those treated under the dependency clause, the only type of case involving destitution alone handled under the dependency definition being that of the child both of whose parents are dead or permanently incapacitated and whose relatives are too poor to assume the responsibility for his care. And this seems to be a rare type of case, for the situation is usually complicated by the incompetence or the neglect of the relatives or of the neighbors who assume the care of children left alone by the death or incapacity of their parents.

Such a case of neglect, for example, was that of four children, three girls and a boy, aged 16, 14, 10, and 6, all the victims of active tuberculosis. The parents were both dead, and the children lived with a young married sister. But her husband worked irregularly, and she was careless about their illness and failed to see that they went regularly to the free dispensary for treatment.

Another case illustrating the fact that with destitution are often found elements of degradation is that of two girls, 15 and 8 years old, and a boy of 13, whose parents were both in a State hospital for the insane. An older sister assumed responsibility for them, but she was only 24 years of age, was divorced, and was suspected of being a prostitute. The 15-year-old girl, lacking the control and help needed, became delinquent before the court's attention was again called to the family.

In some cases illness combines with poverty to prevent the parents from fulfilling their responsibilities to their children.

Such a case was that of four children, all under 13. The mother had died of tuberculosis, and the father, though himself able to work only irregularly because of tuberculosis, was trying to keep the family together. In the end it was necessary for him to go to a sanatorium and to allow the court to make provision for the children.

^a "Mothers' pension division" since enactment of amending law, June 29, 1921. Illinois Laws, 1921, p. 162.

When both parents are living, it is often some neglect on their part that brings the child into court. The neglect, however, may be quite unintentional and the result of ignorance or of sheer inability to meet the situation.

For example, in the case of two Lithuanian children, a girl of 11 and a boy of 8, the mother was a paralytic and had been in the county hospital for months. The father worked in the steel mills 12 hours a day. The children had not been in school all year and were alone all day, doing whatever housework was done.

Perhaps the commonest form of neglect is the desertion of the children by one or by both parents. Neither the deserted wife nor the unmarried mother is eligible to aid under the aid to mothers law. A mother whose husband deserts, leaving her to support several small children, may be able for a time to hold the family together, but if sickness comes or a time of unusual strain, the only course open to her may be to place the children in an institution, and for this purpose she appeals to the court. The child of the unmarried mother frequently becomes "dependent" in the same way.

If the mother is dead, the father finds it even more difficult than the mother to take the place of both parents. Leaving the children with relatives often seems the easiest solution of the problem, but it is not always a satisfactory solution.

Such a case was that of a 12-year-old dependent girl found living with her maternal grandmother and aunt in a house of prostitution. Her mother was dead; her father had married again and had other children. He had allowed the grandmother to keep the little girl. He seldom saw her, and he knew nothing of the conditions in the home.

When the mother has died, the father sometimes attempts to meet the needs of the family by employing a housekeeper. This often leads to friction with the older children and sometimes to irregular sex relationships. It is not then surprising that many fathers who are not very vigorous, despair of finding a way out and, lacking a keen sense of responsibility, desert the home and abandon the children to the mercy of the community. The burden in these cases may fall on older children who are still too young to be expected to assume the cares of a large family, or who already have families of their own. The court is often called upon to assist in the adjustments necessary in situations of this kind.

One father, for instance, deserted six children a few years after the mother's death. He had a housekeeper for a time, who lived with him as his wife, but the children objected, and he finally left home. The 22-year-old married son, who had tuberculosis, was trying to care for a sister of 15 and three brothers of 12, 10, and 8; but his wife's illness made it necessary for him to ask the court to find homes for the children.

Desertion on the part of the mother is probably less common than on the part of the father. There is, however, no reason to believe that if left alone the mother assumes the double burden more willingly than the father whose wife has left him. The mother who deserts is usually one who runs away with another man, leaving the children with their father. The situation that the father must meet is more difficult than that caused by a mother's death, for his sense of responsibility is naturally weakened by her defection and by the feeling that he is after all not entirely to blame for what may happen to the children.

In the case of five children under 14 whose mother deserted, nothing seemed possible but to distribute the children among relatives and institutions.

So far the cases cited have illustrated a comparatively simple form of neglect, that caused by the desertion of one or both parents. More difficult to handle are those cases in which the parents are either incompetent through physical or mental defect or are actually so degraded as to be a menace to the well-being of the children. The presence of mental defect and of tuberculosis is frequently the dominating factor in the situation.

A mother of nine children was found to have a mental age of 11 years. Two of the younger children had glandular tuberculosis, but all the social agencies who had been interested in the family had found it impossible to impress upon her the necessity for sending the children to the dispensary. An 18-year-old daughter was mentally subnormal and became delinquent. The 17-year-old son was in court several times for stealing and was finally committed to the house of correction for burglary. The 13-year-old boy was a truant and stole property from the school. The home was dirty and disorderly. The father seemed no more competent to manage the family than the mother.

It is often particularly difficult in the absence of vigorous control by the health authorities to enforce parental responsibility for the health of the children.

A deserted mother who had pulmonary tuberculosis in such an advanced stage as to be a menace to the health of her three children, aged 7, 5, and 1, finally consented to go to a county sanatorium, where the children were also to be treated for glandular tuberculosis; but when the ambulance arrived she managed to escape, taking the baby and deserting the other two children.

Somewhat special cases are those in which parents try to dispose of their children in return for money.

In one case, an Italian mother was deserted by her husband just before the birth of her second child. The first child was only 14 months old, and she allowed the doctor to give the second baby away. Complaint was made to the court that the baby had been given to a colored woman who kept a disorderly house. The baby was placed for a time in an institution, then given back to the mother. Later, however, the mother gave the child to the same woman on

her promise to pay \$500. Needless to say the mother never received the \$500; but the baby had been removed from the court's jurisdiction, and months of effort on the part of the court failed to locate the child.

From the citation of these cases it will be seen that the problem of the dependent child is a problem into which enter a number of complicating and interrelated factors—destitution, sickness, mental defect, moral degradation, desertion, ignorance, incompetence, and neglect. It is the problem of the juvenile court to break the vicious circle of poor inheritance, lack of training, and social neglect that often characterize the experience of the parents and to lift the dependent children out of circumstances that cause suffering and deprivation or that may lead to delinquency.

ORGANIZATION OF THE COURT.

THE JUDGE.

The judge of the juvenile court is one of the 20 judges of the circuit court of Cook County. As such, he is elected by popular vote for a term of six years and is selected as a judge of the juvenile court by vote of all the circuit court judges of the county. He receives a salary of \$12,000 a year, paid half by the State and half by the county. The selection may, by law, be made "at such times as they shall determine,"¹ but it has been the practice of the circuit court judges in Chicago to continue to select the same person as judge of the juvenile court as long as he remains in office or as long as he can be persuaded to serve. During the 20 years of its existence only four judges have presided regularly over the juvenile court.²

A number of other judges, however, have presided over the court temporarily. When the judge of the juvenile court is on vacation, ill, or necessarily absent from the bench for some other reason one of the other judges of the circuit court hears juvenile cases. Since 1919, moreover, when the work became too heavy for one judge, the judge of the juvenile court has devoted one week in each month to the hearing of contested cases and to special administrative work and during that week another judge sits in his place. That judge is from another circuit and was designated by the supreme court, and so far as possible he acts in all cases in which the judge of the juvenile court can not be present. When he is unable to sit, other judges have to be called in, and they are designated by the circuit court. The hearings, naturally, are noticeably different when one of the judges less experienced in juvenile court work is on the bench. In general, however, the presiding judge is disposed to recognize that he is sitting only as a substitute and to rely upon the probation department for guidance or to continue the more difficult cases until the judge of the juvenile court returns.

¹ Hurd's Illinois Revised Statutes, 1919, ch. 23, sec. 171.

² Hon. Richard S. Tuthill, who served from July 1, 1899, to June 30, 1905, and from July 1, 1907, to June 30, 1908; Hon. Julian W. Mack, from July 1, 1905, to June 30, 1907; Hon. Merritt W. Pinckney, from July 1, 1908, to June 30, 1916; and Hon. Victor P. Arnold, from June 30, 1916, to the present time.

The duties of the judge are both administrative and judicial, but whether or not he takes an active part in the administrative affairs of the court depends somewhat upon his own inclination, for he is given power by law to intrust to the probation department all administrative duties. That it is possible for him to retain the direction of general policies is shown by the testimony of Judge Pinckney³ before the county civil service commission. When, however, the judge is called upon to hear more than 8,000 cases in a year, an average of 30 cases a day, 5 days in the week, it is obviously impossible for him to attend to administrative details. In practice, then, the judge is responsible for the formulation of important general rules of administration, and the actual carrying out of policies is left to the probation staff.

The personality and the high qualifications necessary for a judge of the juvenile court have often been stressed. Judge Mack, formerly judge of the Chicago court, in speaking of the training necessary for the judge, says:

The public at large, sympathetic with the work, and even the probation officers who are not lawyers, regard him (the judge) as one having almost autocratic power. Because of the extent of his jurisdiction and the tremendous responsibility that it entails, it is, in my judgment, absolutely essential that he be a trained lawyer, thoroughly imbued with the doctrine that ours is 'a government of laws, not of men.' He must, however, be more than this. He must be a student of and deeply interested in the problems of philanthropy and child life as well as a lover of children. He must be able to understand a boy's point of view and ideas of justice; he must be patient and willing to search out the underlying causes of the trouble and to formulate the plan by which, through the cooperation, oftentimes of many agencies, the cure may be effected."⁴

The Chicago court has been particularly fortunate in its judges, who have been remarkably free from political influence and have fulfilled as nearly as can be expected the conditions mentioned above. The judge now sitting is said to have an extraordinary patience, sympathy, and capacity for inspiring confidence. It is said that his decisions are rendered after a hearing so fair, gentle, courteous, and firm that they seem to all parties inevitable and conclusive.

WOMAN ASSISTANT TO THE JUDGE TO HEAR CASES OF DELINQUENT GIRLS.

The juvenile court law makes no provision for the appointment of a woman to hear cases of delinquent girls. The difficulties of hearing

³ Breckinridge, S. P., and Abbott, Edith: *The Delinquent Child and the Home*, Appendix II, Charities Publication Committee, New York, 1912.

⁴ Mack, J. W., "Legal problems involved in the establishment of the juvenile court," in Breckinridge, S. P., and Abbott, E.: *The Delinquent Child and the Home*, Charities Publication Committee, New York, 1912, p. 199.

girls' cases in open court, however, led the judge in 1913 to recommend to the county board the creation of a probation officer's position which might serve such a need. The judge was given authority to appoint a woman, who is known as assistant to the judge but has the legal status of a probation officer. The woman appointed was a lawyer who had been for a number of years public guardian. She has served as assistant to the judge from 1913 until the present time. As probation officer she has no power to render a decision in any case, but issues an opinion in the form of a recommendation to the judge, which in practice is rarely reversed.

The adoption of this policy gave rise to certain criticism, however, and in 1915 complaint was made to the grand jury that cases were decided by the assistant, who was sitting "without warrant of law" and holding a "mock court." The result was, nevertheless, a cordial indorsement of the plan, for after hearing many witnesses and after an investigation of the administration of the court by a committee of its members, the grand jury reported to the criminal court of Cook County⁵ that, while it was incompetent to pass upon the legality of the work of the assistant to the judge, it felt that "it would be highly desirable to amend the juvenile court act so as to remove all doubt as to the powers and duties of the woman assistant to the presiding judge. * * * It desires, however, to commend in the strongest terms the idea that cases of delinquent girls should be held, as at present, as privately as possible before a competent court."

THE PROBATION DEPARTMENT.

Appointment and discharge.

Probation officers, as before stated, are appointed by the judge of the juvenile court on the basis of competitive examination. In general no minimum educational requirements are specified, but the committee in charge of the examination may refuse to recommend anyone who fails in the particular examination to give evidence of a certain educational standard.

While this method of selection and appointment has been strictly adhered to, there had, until October 4, 1921, been no similar provision for facilitating the discharge of officers who eventually prove to be unfit for service. It is, of course, a defect of many civil-service systems that the provision for the discharge of incompetent persons is ineffective. The civil service law usually contains a provision for dismissal after a formal hearing on a specific charge of misconduct or incompetency. The Chicago court has established no substitute for this civil-service method. Hence, the exercise of his unquestioned power of dismissal brings upon the judge the entire odium result-

⁵ Charity Service Reports, Cook County, Ill., 1915, p. 224.

ing from the dismissal, and he may hesitate, for various reasons, to dismiss incompetent persons.⁶ As a matter of fact, only one dismissal and one suspension upon a charge of incompetency have occurred since the dismissal of the chief probation officer in 1911.

Number.

The number of probation officers is determined each year by the circuit judges. At the present time⁷ the staff numbers 145 persons—17 civil-service appointees, 26 police probation officers paid by the city of Chicago, and 102 probation officers paid by the county. Among those designated as probation officers are the woman who acts as assistant to the judge, hearing cases of delinquent girls, and the chief probation officer, who is responsible for the direction of the entire staff. Under him are a deputy chief probation officer and 5 assistant probation officers who act as heads of the investigation division, the family supervision division, the delinquent boys' division, the child-placing division, and the aid to mothers' division. Eighty-three assistant probation officers are assigned to these various divisions. Eleven others are assigned to special work and would not ordinarily be considered probation officers. They include a psychologist working with the Institute for Juvenile Research, the secretaries to the judge and to the assistant to the judge, a nurse connected with the court dispensary, four court reporters, two interpreters, and an officer whose function is to see that orders of the court for payment of support are enforced. The 17 civil-service employees are clerical assistants.

Of the 90 officers who carry on the work usually regarded as probation work, 75 are women and 15 are men. Twenty-six were appointed before 1913 and were reappointed without further examination when the portion of the law under which they had been ap-

⁶ On Oct. 4, 1921, however, the following actions on the part of the chief probation officer were authorized:

Suspensions.—The chief probation officer to have authority to suspend any assistant probation officer for a definite period without pay, not to exceed 30 days, by notifying the officer of his suspension either verbally or in writing, and at the same time submitting to the judge of the juvenile court a written statement reciting the name of the employee, the date of suspension, the period thereof and the cause therefor, and in case the suspension is to be followed by charges, a request for discharge or removal. The officer shall have the right to appeal to the judge within 5 days of the date of the suspension.

Removal and discharge.—In case request is made for removal or discharge of any assistant probation officer, written notice of the filing of charges against the officer shall be given to him stating specifically the facts alleged to constitute the cause for removal. A written reply to the charges may be made by the officer to the judge within 5 days.

Causes for removal or discharge.—(1) Has violated a lawful and reasonable departmental order publicly posted in the department.

(2) Has failed to obey a lawful and reasonable direction made and given him by his superior officer where such failure amounts to an act of insubordination or serious breach of proper discipline, or resulted or might reasonably have been expected to result in loss or injury to a child.

(3) That he fails to perform properly the duties of his position.

The fiscal year ending Nov. 30, 1921.

pointed was declared unconstitutional; the other 64 have obtained their positions by passing one of the competitive examinations held by the court itself.

Salaries.

The juvenile court law provides for the payment of the salaries of the probation staff by the county board of commissioners. This means that the amount of the salary is determined by the county board, although the number of officers is determined by the circuit judges and appointment is in the hands of the juvenile court judge. The payment of all salaries depends, of course, upon appropriations of the county board of commissioners. Thus, as in the case of funds for mothers' pensions, the juvenile court is dependent upon a separate and at times hostile department of the government for the provision of funds to establish a competent and sufficient force of probation officers. The complaint is frequently made that the court can not get better trained officers, particularly men, because the salaries paid do not measure up to those in allied professions, nor in some cases to those having a more political character. The salary of the assistant to the judge is at present⁸ \$5,500 a year; that of the chief probation officer, \$3,300; of the deputy chief probation officer, \$2,400; of heads of divisions, \$2,196; of district officers, \$1,788, out of which "field expenses" are paid.⁹ To be sure, the salaries of heads of divisions and district officers compare favorably with the salaries of private case-work agencies doing similar work. For example, the district superintendents of the United Charities receive from \$1,680 to \$2,000 and visitors from \$1,080 to \$1,680. But these positions are largely held by women; the positions are notoriously underpaid, and those organizations, too, suffer from excessive "labor turnover."

Organization.

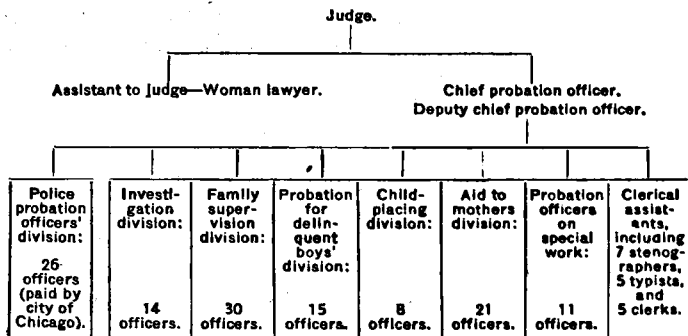
The organization of the probation department is necessarily somewhat complicated. The chief probation officer is the administrative head of the department responsible for carrying out such policies of the organization as have been agreed upon with the judge for the general supervision of the entire staff, for securing cooperative relations with other agencies, etc. The deputy chief probation officer assists the chief probation officer in the discharge of his administrative duties and in the general supervision of the work of the probation officers. In addition, the deputy chief probation officer acts as chairman of the committee that investigates all cases of dependent

⁸ Fiscal year ending Nov. 30, 1921.

⁹ Two of the officers who have charge of farm placements receive \$19 per month extra for field expenses. Tickets to outlying districts are furnished to any of the officers and paid for as office expenses. Ordinary cartfare is, however, paid by the officers.

and neglected children before they are brought into court, receives all applications for the release of delinquent children who have been committed to institutions, and handles the correspondence in the cases of nonresident children who are brought to the court's attention.

ORGANIZATION OF THE PROBATION DEPARTMENT.



The assignment of the probation officers to the various divisions is generally based upon the principle of specialization of function, although as will be seen from the later discussion there are many points at which this principle can not be applied. The investigation division with 14 officers has charge of the investigation of all complaints made directly to the court. The family supervision division includes 30 officers who supervise dependent children and delinquent girls placed on probation in their own homes. The delinquent boys' division with 15 officers is responsible for the probation of delinquent boys; the child-placing division with 8 officers secures family homes for dependent children and delinquent girls removed from their own homes but not committed to institutions; and the aid to mothers division with 21 officers investigates and supervises all mothers' pension cases. The accompanying chart indicates the organization of the probation department.¹⁰

Within the divisions the work is organized in the main along territorial lines, with each officer responsible for the cases in a given district. This system, however, is not uniformly followed. In the investigation division, for example, one officer has developed such skill in handling cases in which delicate moral situations are involved that all such cases are now assigned to her; in the family supervision division two officers devote all their time to follow-up work with the families of children committed to manual-training and industrial schools; and in the delinquent boys' division two officers have entire charge of farm placements.

¹⁰ Chart from Charity Service Reports, Cook County, Illinois, 1918, p. 206 (figures brought up to date).

In addition to the two interpreters mentioned, whose work is in the courtroom, the probation staff includes officers speaking Polish, Hungarian, Italian, German, Lithuanian, and most of the Slavic dialects. Under the district system a foreign-speaking officer is assigned to a district in which his language is prevalent. This does not mean, however, that all foreign-speaking officers supervise only foreign-speaking families or that all foreign families are assigned to officers of their own nationality. Of the five negro officers, however, four work exclusively with negro families.

All the territory in the county outside the limits of the city of Chicago is included in the regular probation districts with the exception of four towns lying to the north. In one of these the secretary of the associated charities acts as truant officer and also takes charge of all dependent and delinquent cases. She is paid by the town and is commissioned as a volunteer probation officer by the juvenile court. The truant officer in another town and the township supervisor of the poor in each of the other two act as volunteer probation officers. All these officers take charge of all police cases, bring children to the detention home, and perform all the functions of the regular county probation officers.

Except in these towns, cases outside the city of Chicago which are reported to the court by police officers are investigated by officers of the investigation division. Most such cases, however, have already been dealt with by justices of the peace and are formally transferred by them to the juvenile court. Children in these districts are placed on probation to the regular probation officers of the juvenile court.

Police probation officers.

The police probation officers form a distinct division of the probation staff. The chief of police has assigned 26 of these officers paid by the city to the juvenile court. They work under the immediate direction of one of their number; but inasmuch as they receive commissions as probation officers from the juvenile court, they are also brought under the supervision of the chief probation officer. In 1899, when the judge of the juvenile court requested the assignment of police officers, such officers met a very real need that could not have been met otherwise. Whether or not it is wise to retain them now that higher standards of work have been developed and better trained officers have been secured by the court is open to question. Two reasons, however, for perpetuating the system are: First, the volume of work which is very great in proportion to the size of the staff; second, the fact that complaints, particularly of delinquent boys, will probably always be made at police stations, and it is well to have a certain officer from each station assigned to handle juvenile cases so that he will receive some supervision from the probation office and become familiar with juvenile court procedure,

The police probation officers are assigned to police districts and within those districts perform some of the functions of the regular juvenile court probation officers. Their duties, however, are now narrowly restricted. They receive complaints filed at police stations; investigate the cases involved, file petitions and appear in court with the children to present the case. They are not allowed to do any probation work, and cases continued under supervision are always assigned to the regular probation officers. The police probation officers wear citizen's clothes and are not to be confused with the uniformed police force of the city, although they are under the authority of the chief of police. The principal importance of their work lies in the more intelligent handling of juvenile cases in the police stations and in the elimination of the uniformed police officer from the juvenile court room. Their work will be described at greater length in the section dealing with methods of investigation.¹¹

RECORDS AND REPORTS.

Annual reports.

The chief probation officer and the matron of the juvenile detention home report annually to the board of commissioners of Cook County. These reports are published each year with the reports of other departments of the county government in the Cook County Charity Service Reports and separate reprints are issued as well.

The annual report of the chief probation officer contains a brief summary of the progress made during the year, the plans for the future, numerous statistical tables, and in some years a history of the court. In 1919, 38 of the 70 pages of the report were devoted to statistical tables. The character of this statistical information has improved within the last few years, at least from the point of view of accuracy, though errors are still not uncommon. The material selected for presentation is not, however, always that of the greatest value to persons interested in the condition of the children who become wards of the court. Tables such as those showing home conditions and offenses are compiled by statistical clerks after hasty reading of parts of the case records. These tables fail by their simplicity to give a picture of the very complicated conditions existing and are, therefore, likely to be misleading. The summary tables of children placed on probation and committed to institutions for each year since 1904 fail to agree with the figures given in other tables presented and seem to be of little value. Finally, the tables present information only for cases, never for children.

Case records.

The records of the juvenile court include not only legal papers but social records giving as completely as possible the information

¹¹ See p. 40.

that the court has obtained with regard to the child and the family. The legal papers, including the petition, the summons, the stenographic report of the hearing, and the judge's order regarding disposition, are in charge of the clerk of the circuit court and are filed in the vaults of the county building. They are public records open to any interested citizen.

The records of the probation department, however, the social records, are private records for the use of the court and are open to outsiders only upon the order of the chief probation officer. This order is usually granted to a representative of a recognized social agency interested in a particular case.

Case records for all the children in one family are kept in folder form, and filed alphabetically—delinquents and dependents in one file, mothers' pension cases separately. Formerly a separate record was kept for each child in court, but the duplication of reports and the cross references involved made the system too complicated for convenience.

These records, dealing sometimes with three or four children of the family, and covering considerable periods of time, become very bulky and difficult to read. They are arranged by sections. One part, for example, may contain all the hearings for all the children at various times, while another part contains the probation officer's reports of the progress of the case. They are difficult to disentangle for any one child or for any one period of time.

Active case records of dependent and delinquent children are filed together in a room devoted entirely to clerical work. Closed cases, pension records, and supervised-complaint records are kept in separate files in this room. Another file contains records of runaway children picked up in Chicago whose cases are investigated by the juvenile court.

Other records and forms.

In addition to the case records, the court keeps two card-index systems—one recording the name and disposition of every child who has ever been in court, the other a record of every case investigated but not brought into court. Besides these, a ledger is kept, in which are recorded the cases assigned each probation officer, the charge, the disposition, and the number of visits the officer makes to each child each month. From this ledger a monthly report is prepared for the chief probation officer and for the heads of divisions, showing for each officer the number of families under care, the total visits made by that officer in the month, and the number of families not visited. These reports are used as a check upon the officers to see that the minimum requirement of one visit per month to each family is fulfilled so far as possible.

PRELIMINARY PROCEDURE.

For the ordinary criminal procedure that might include, according to the seriousness of the offense, arrest by warrant, examination by a magistrate, holding to bail, possibly indictment, and finally trial by jury, the juvenile court process has substituted the less rigorous sequence of complaint, investigation, petition, summons, and an informal hearing. At any point in this process the child may be removed to a special place of detention or may be left at home without bail.

COMPLAINT AND PETITION.

The juvenile court law provides that a case may be brought to the attention of the court by a petition filed by any reputable citizen.¹ This applies to all classes of cases; and when a petition has been filed the case must be heard by the court, no matter what the result of the investigation. In order, then, to eliminate from the docket cases that really have no basis of fact or that could be easily adjusted without court action, the "complaint" system has been devised. That is, whenever "any reputable citizen" reports to the court a condition that, in his opinion, needs investigation, unless he insists upon filing a petition, he is encouraged to state the difficulty in an informal complaint. This gives the court an opportunity to make a preliminary investigation, and a petition is then filed by an officer of the court only if conditions found seem to warrant court action. It may be said that while this seems to place in the hands of the investigation division wide powers of discretion which the law contemplated bestowing upon the judge of the juvenile court, any person who feels aggrieved can insist upon filing a petition. Investigation is, moreover, one of the crucial points of juvenile court procedure; and if a child can be saved even from so informal an experience as a juvenile court hearing and record, the use of this device is highly desirable. The court has been hearing an average of 30 cases a day during the last few years; the immediate filing of a petition for every complaint would lay upon the judge an impossible burden.

INVESTIGATION.

It is the function of the investigation division to receive complaints and to make investigations. The division is theoretically

¹ Hurd's Illinois Revised Statutes, 1919, ch. 23, sec. 172.

responsible for all investigations; in actual practice, however, only cases of dependent children are handled exclusively by its officers. Some cases of delinquent girls are investigated by officers of the family-supervision division under the direction of the head of the investigation division. Cases of delinquent boys reported directly to the court are investigated by officers of the delinquent boys' division, also under the direction of the head of the investigation division; and cases of delinquent boys reported to the police, by far the greater number of delinquent boys' cases, are investigated and brought to court by the police probation officers with no report to the investigation division. Applications for mothers' pensions are investigated by the aid to mothers division, and truancy cases are investigated by the truant officers of the compulsory education department of the city board of education.

When cases are brought to the court by cooperating social agencies, the investigation by the agency is usually accepted by the court. This is particularly true of agencies whose representatives are commissioned as volunteer probation officers, such as the Juvenile Protective Association and the group of Jewish social agencies—including the Bureau of Personal Service and the Jewish Home Finding Society, of Chicago, now organized as the Jewish Social Service Bureau. The court records in such cases are often quite scanty, and it is difficult to say how adequate the investigations have been, particularly when the same agency is given the supervision of the case and when the only contact of the court officers with the case is the hearing.

Dependent children.

It is in the investigation of cases of dependent children that the court most nearly realizes its standards of work. These cases, as it has been said, are handled entirely by the investigation division. The first task of the division is the receipt of complaints and the elimination of all that are too trivial for attention and of those that do not belong to the juvenile court. Anonymous complaints are not received but are turned over to a voluntary organization, the Juvenile Protective Association. Except in the case of well-recognized social agencies complaints are not received by telephone but must be made in person at court, where they are received by a trained investigator, usually the head of the division, who can tell whether the difficulty complained of is properly a matter for juvenile court concern, or whether it should be handled by some other court or agency. To pass judgment on the complaints as they are made requires a nice sense of discrimination, a knowledge of the resources of the community, both public and private, and a familiarity with juvenile court procedure. Approximately one-half of the complaints received

at the desk are disposed of without further attention by the division. Complaints received by mail are carefully studied by the head of the division and eliminated, referred to some other agency, or investigated, as the circumstances require. As a result of this preliminary scrutiny of complaints, the number of investigations undertaken is greatly reduced, and the time and energy of officers are saved for the most important work.

The complaints accepted are first "cleared" at the confidential exchange, known as the bureau of social registration, and a record made of all the social agencies that have known the family. The case, with the list of agencies already registered, is then assigned to an officer for investigation.

Upon receipt of the complaint slip the officer assigned to the case makes the kind of investigation that is made by any good case-work agency. The court is concerned not only with learning the truth or falsity of the allegations of the complainant but also with understanding the whole family situation. The names, ages, occupations, and earnings, or school and grade, of every member of the family are obtained so far as possible, and inquiries are made as to the names of relatives, the date of the parents' marriage, length of time in Chicago, housing conditions, and the family's moral status. The technique is that of a case-work agency, and the investigation must necessarily vary from case to case. The complainant, if he has not been interviewed in the office, is always consulted first and the family itself is always visited. Information is secured from the usual sources: The school, the employer, the church, relatives, and official and social-agency records. A school record must be obtained if the case is to be heard by the court; otherwise, the officer uses her own discretion about obtaining information from the school.

The head of the investigation division keeps in close touch with the progress of the investigation, reads the reports submitted in connection with all visits made, and is at all times accessible to the officer for informal conferences on difficult questions. No complaint can be dropped or otherwise disposed of without her approval.²

Dependent cases are not, however, brought into court on the judgment of the investigation division alone. A committee, known as the dependent-case-conference committee, acts as a board of final review. This committee is composed of the deputy chief probation officer, the head of the investigation division, the head of the family-supervision division, the officer in charge of the work with children committed to institutions, and an assistant from the State's attorney's office. Cases presented to the committee by the investigating officer, with the consent of the head of the investigating division, are subjected to

² The number of complaints adjusted without court action will be discussed at a later point. See p. 42.

a searching analysis by the case conference committee. The committee passes only upon cases for which the investigation division thinks court action is needed and upon cases which the Juvenile Protective Association or the Jewish agencies wish to bring into court. It is not concerned with the large number of cases that the investigation division, on its own authority, decides should not be brought into court. In this respect the work of the committee differs from that of a similar committee of the aid-to-mothers department,⁸ which passes judgment on all cases investigated by that department. After assuring itself that the investigation has been thorough—that is, that all necessary facts have been secured and that they are in convincing form—the committee proceeds to consider whether the case necessitates court action. One principle is always kept in mind, namely, that children are to remain in their homes if possible. A strong reason for removal must exist if the committee is to recommend placing children in institutions or in homes other than their own.

Cases necessitating removal of children from their homes tend to fall into two classes: (1) Those in which the parent or guardian is unable or unwilling to provide maintenance and care for the child; (2) those in which the parents or guardians are mentally or morally unfit to provide proper care. In considering cases of the first type the committee goes carefully into the income and resources of the family. There is no disposition to make it easy for the parent or guardian to shift the burden of support to the county and, ordinarily, even when there seems no alternative to institutional care for the children, the case will not be brought into court if the committee considers the family able to pay for that care. Sometimes, however, even if a parent is able to pay for a child in an institution, the case has to be brought into court because the institutions prefer the security of an order for payment made through the court to the uncertainty of a private agreement. If court action is recommended because of the parents' neglect, the committee makes sure that the neglect is of an obvious and unmistakable kind. For instance, the committee refused to recommend filing a petition in the case of a family complained of because the 11-year-old girl was overworked and undernourished. It was decided, however, to carry the case as a supervised complaint so that the committee might be assured that the parents were living up to the promises they made with regard to the girl's diet. If the moral character of the parents is in question, the evidence must be of a kind that would be admitted in a regular criminal court, and not mere opinion or hearsay.

Whenever the filing of a petition is decided upon, a recommendation for disposition of the case is also prepared, so that the case

⁸ See p. 42 of this report.

usually comes to the judge with a specific suggestion for action. If commitment to an institution is recommended, the officer in charge of the work with institutions makes sure by preliminary inquiry that there is a vacancy in the selected institution. Usually the judge accepts these recommendations and takes advantage of these arrangements.

Delinquent girls.

Cases of delinquent girls come to the attention of the court either through some "reputable citizen" who makes a complaint to the court, as in the case of dependent children, or through the police to whom complaints are frequently made or who arrest girls under various circumstances. In any case the investigation is made by the investigation division with the difference that in cases reported directly to the court the investigation is made before the petition is filed and an attempt is made to adjust the case without court action; whereas in the cases reported to the police the police probation officer files the petition, and the real investigation is made often after the first hearing. This means that it is impossible to spare the girl the necessity of appearing in court or the stigma of a delinquency record.⁴

The investigation is usually made by the officer in the family-supervision division in whose district the girl lives. The officer reports to the head of the investigation division and is under her supervision. The type of investigation made is similar to that in the cases of dependent children. It is concerned primarily with the circumstances of the offense and the character of the girl herself, but also covers the family situation. The methods used, with some minor exceptions, are the same as those used in dependency cases. The rule that school records are to be obtained when the girl is in school is more rigidly enforced than in dependency cases. The petition may be filed with the sanction of the head of the investigation division without consultation with any committee corresponding to the dependent-case-conference committee.

Delinquent boys.

Cases of delinquent boys come to the attention of the court in the same way as cases of delinquent girls—that is, either by direct complaint to the court or through the police; but by far the larger number come through the police. If the case is reported to the court, the

⁴This system of investigating cases of delinquent girls is of recent origin. Prior to 1919 all cases reported to the police were investigated by the police probation officers. In 1919 three policewomen were assigned to the court to investigate these cases. They worked under double supervision, that of the police department and of the head of the investigation division. In 1920 the policewomen were removed and the present method adopted.

investigation is made by an officer in the delinquent boys' division under the direct supervision of the head of the investigation division. The reason for having this work done by the officers in the delinquent boys' division is not only that the officers in the investigation division have not time to investigate all cases, but also that the officers in the delinquent boys' division are men, and the advantages of having men for the work with delinquent boys is thought to compensate for the disadvantages coming from divided authority and lack of specialization in the one field.⁵ This investigation, too, follows the lines described in connection with investigation of dependency. It is an investigation of the family situation by the methods familiar to case-work agencies, as well as an investigation of the truth of the particular complaint.

Police probation officers' investigation.

Most of the delinquent boys' cases, however, as already stated, are reported to the police; and in these cases the police probation officers make their own investigations and file their own petitions without consulting any other department of the court. The police officers work under the direction of one of their own number, designated as the officer in charge of the police probation officers. Except in those cases in which the boy is held in custody in the detention home, they are not required to report to this officer the steps taken in the investigation or the decision reached as to treatment. In these cases a report of the reason for detention and of the plan for action is required. The officer in charge of police probation officers makes a monthly report to the chief probation officer, giving the number of cases handled by each officer and their disposition. He does not report on individual cases. There are no rules governing the process of investigation, and each officer is free to carry on the investigation of each case as he sees fit. He may secure the information he desires by visiting the home or by calling the boy or his parents into the police station. In general, there is no attempt to make a social investigation such as that made by the investigating division, but the inquiry is limited to ascertaining the truth or falsity of the complaint. Many of the officers, however, have worked for several years in their districts, know many of the families, and take cognizance of particularly bad family situations.

The police probation officers do not clear cases with the confidential exchange and make no effort to secure previous social records of the family. Each officer, it is true, keeps a record of all com-

⁵ At one time a man officer was assigned to the investigation division for full-time work and was given the more difficult boys' cases to investigate. This arrangement was very satisfactory to the head of the division, but because of difficulty in securing efficient men for the delinquent boys' division, he was transferred to that division.

plaints that he has handled, from which it is possible to discover whether a complaint has been previously made concerning a particular boy, but in practice the officer usually relies on his memory rather than on his record. No attempt is made, moreover, to use the files of the court for purposes of clearing. A minor offense of a child already on probation is frequently dealt with by police probation officers without consulting the officer of the delinquent boys' division who has the boy under his care and is responsible for his conduct while on probation. After the complaint has been disposed of in such a case the police officer usually reports the facts informally to the head of the delinquent boys' division, who makes a memorandum of the matter and gives it to the officer on the case.

Even when the police probation officer decides to bring into court for rehearing a case already on probation, he makes no special effort to notify the boy's probation officer, and it is sometimes quite by chance that the officer learns of the difficulty.*

The aim of the police probation officers, as of the juvenile-court probation officers, is to settle cases out of court if possible; and the great majority of cases are so settled—14,500 out of 16,995 complaints received by police probation officers in 1919.⁷ While there are no rigid rules determining which cases should be settled without court action and which are to be brought before the court, in general the officers try to settle the less serious complaints, and particularly those involving first offenders.

No established method of adjusting cases out of court has been developed, but in some precincts the custom has grown up of holding a conference with boys, parents, and complainant at the police station in the precinct. Because of the desire not to interfere with the boys' school work the conferences are usually held on Saturday mornings, and in some precincts a number of cases are settled at this time. It is obvious that these hearings may be the source of very real confusion on the part of both boy and parents as to where the authority over children has been lodged.

Other investigations.

The investigation of applications for pensions under the aid-to-mothers law is conducted by the officers of the aid-to-mothers division. The process has been described in a study of mothers' pensions in Illinois.⁸ It is in general the investigation of a relief society, with more rigid rules than are common as to verification from official records of facts relating to the death or incapacity of the father,

* See p. 75, case Edward O.

⁷ Charity Service Reports, Cook County, Ill., 1919, p. 287.

⁸ Abbott, Edith, and Breckinridge, B. F.: "Administration of the Aid-to-Mothers Law in Illinois." Children's Bureau, Publication No. 82, Washington, 1921.

the amount and expenditure of insurance, the marriage of the parents, and the ages of the children. All applications are passed upon by a conference committee consisting of the chief probation officer, the head of the aid to mothers division, and the county agent or his representative. Only those cases which the committee recommends for a pension go before the court, unless the applicant is dissatisfied with the action of the division and gets some reputable citizen other than herself to file another petition.

The investigations of cases of truant children are made by the compulsory-education department of the city of Chicago, and petitions are filed by officers of that department. The juvenile court has no other connection with this work and no other control over it than to determine whether or not the child shall be committed to an appropriate parental school.

Feeble-minded children over whom the court has jurisdiction are brought to its attention because they are dependent or delinquent children. In cases investigated by the court officers the fact of feeble-mindedness is usually discovered in the process of investigation by means of the mental examination described below, and a "petition in the matter of a feeble-minded person" is filed as the original petition. In cases investigated by the police officers or in those cases in which the petition is filed before investigation the original petition has to be dismissed and the case continued for a petition in the matter of a feeble-minded person.

Although adoption cases are outside the jurisdiction of the juvenile court as such, investigations are made by the investigation division of the court, and its recommendations are reported to the appropriate court.

ADJUSTMENT OF CASES WITHOUT COURT ACTION.

Frequent reference has been made to the efforts of the officers to reduce the number of cases brought to court—that is, to settle as many cases as possible without formal court action. Questions arise as to why this is desirable and what happens to the children in such cases. It is argued that if a condition exists that warrants complaint by a "reputable citizen" it is surely the duty of the court to make the adjustment, no matter how slight the trouble, and to see to it that there is no cause for further complaint. The officers of the court reply that court action should be avoided for a number of reasons. First and foremost is the wish to spare the child a court record, for the trial of dependent and delinquent cases in the same court has resulted in attaching a stigma even to dependency proceedings. In the second place, the moral effect of a voluntary arrangement is thought to be happier than that produced by the order of the judge, and even if that order is with the consent of the parents, the flexibility

of an informal disposition is often to be preferred to the rigidity of a court order. In the third place, it is imperative that the overburdened judge shall not waste his time and energy on unnecessary cases. A fourth consideration is the saving of taxpayers' money; every case heard in court involves a certain expense. Adequate investigation of complaints of dependent cases, moreover, often uncovers several possible sources of aid and support that can be resorted to without court action.

The number of complaints adjusted out of court by the investigation division and the police probation officers is shown in Tables V and VI. The statistics presented by the investigation division are for family complaints, and, as stated in the report, the figures must be multiplied by three or four to give the number of cases represented. The police probation officers' figures, on the other hand, are for children or individual cases, and therefore appear to be very much more numerous. The proportion adjusted without court action is somewhat larger in the case of the police probation officers than of the investigation division.

TABLE V.—Disposition; complaints investigated by police probation officers, year ending Dec. 31, 1919.¹

Disposition.	Complaints.	
	Number.	Per cent distribution.
Total.....	16,965	100.0
Brought into court.....	2,495	14.7
Adjusted without court action.....	14,800	85.3

¹ Charity Service Reports, Cook County, Ill., 1919, p. 287. Figures for 1920 are: Brought into court, 2,132; adjusted without court action, 14,316. Figures for 1921: Brought into court, 1,960; adjusted without court action, 13,641.

TABLE VI.—Disposition; complaints investigated by the investigation division, year ending Nov. 30, 1919.¹

Disposition	Complaints.	
	Number.	Per cent distribution.
Total.....	2,914	100.0
Brought into court.....	679	23.3
Adjusted satisfactorily without court action.....	1,075	36.9
Adjusted but not wholly satisfactorily.....	254	8.7
Found not to come under juvenile court jurisdiction.....	640	21.9
Pending at close of year.....	257	8.8

¹ Charity Service Reports, Cook County, Ill., 1919, p. 287. In 1920 there were 2,556 complaints; in 1921, 3,280.

The annual report from which these tables were compiled gives no explanation of the categories used by the investigation division in

classifying its disposition of cases. The terms are difficult to define, for one group is not clearly distinguished from another. Furthermore, the classification of cases under them will always be a matter of individual judgment. The head of the division explains the classification as follows: Cases "not under the court's jurisdiction" are those which, after slight investigation, prove to belong to other agencies. They can not be eliminated without some investigation because either the complainant is not in possession of all the facts in the case or he is not candid in his statements. Cases "satisfactorily adjusted" are those in which after more or less effort the officer has been able to remedy the difficulty complained of; and "cases adjusted, but not satisfactorily" are those in which a difficulty is felt to be latent, although a slight temporary improvement has been effected in the situation, and court action is at any rate postponed. It should be noted that 254 cases, or about 9 per cent of those investigated by the officers of the investigation division in 1919, were considered to be of this nature.

In the case of delinquent boys brought before the police probation officers in the precinct police stations, although a large number of adjustments are made without court action, no attempt is made to follow up the case with any supervision. In cases handled by the investigation division, however, not only is a more prolonged effort made to discover what can be done in the case, but in some cases what amounts to probation work without formal court order is done. Cases treated in this way are known as "supervised complaints."

No statistical study of the treatment of cases by the investigation division has ever been made and a detailed study would be beyond the scope of this inquiry. A reading of some 25 cases at random, however, reveals certain common types of service that the officers of the investigation division often render. One of the most frequent complaints comes from a man who through the death or illness of his wife is left with a family of small children for whom he is unable to care, but for whose support he can afford to pay. He needs expert advice, and this he receives from the probation officer. Perhaps she merely assists him in placing his children with relatives, or she may consult a child-placing agency that makes a specialty of such work. In the course of the investigation as to whether the case lies within the court's jurisdiction a permanent settlement may be reached. In making arrangements with relatives, the home is investigated chiefly with reference to the financial status and moral character of the relatives. The investigation is not as searching as that made by regular child-placing agencies. In general, where the situation is one of dependency due to poverty alone without the elements of neglect or degradation, the officers make the adjustment without court action, provided county

support is not needed and the child has a legal guardian to assume responsibility for the arrangement.

Cases involving neglect or unfitness on the part of the parents or custodians of the child are more difficult than those presenting the problem of destitution. Here the effort of the officer must be to effect some permanent change in the conduct of those in charge of the child. Her weapon is moral suasion, backed by the potential authority of the court.

A successful example of this kind of activity occurred in the case of an unmarried mother, who, after her confinement, wished to place her baby out for adoption and be free. The officer gained her confidence, persuaded her to take a week to think matters over, adjusted difficulties with former employers, induced her to keep the child, helped her to recover a sum of money from the father in the court of domestic relations, and left her in the care of an agency that specializes in finding work for women in her situation.

Usually the adjustment does not come so quickly and easily. Where prolonged effort on the part of the officer is required, the case is carried as a "supervised complaint." Here the work is similar to that of the probation officers of the family supervision division, the only difference being that the authority of the court is potential, not actual, and that the rules for work are more flexible. While no regulations exist governing the length of time during which a complaint may be carried, the division does not intend to allow an unsatisfactory situation to drag on for a long time. If improvement is not evident, steps are taken toward court action.

The following case is an example of a supervised complaint:

An 8-year-old child was reported as being cruelly treated by a stepmother. The officer verified the facts by careful investigation, brought the case into the court of domestic relations, and secured a verdict placing the parents on probation under an adult probation officer. The action of that court, supplemented by frequent visits from the juvenile probation officer, during which good advice about diet and sleeping arrangements were given, effected a change in the conduct of the stepmother.

Another type of supervised complaint occurs when some relief agency feels that it must cease giving relief unless a woman whom it has been helping dismisses a boarder with whom she is suspected of having immoral relations. The relief organization has no authority to force her to comply with the request. The juvenile court officer, however, by threatening to remove the children by court action, can sometimes improve the conditions and will continue to supervise the family, the relief society agreeing to continue its assistance.

The supervised complaint ends sometimes, however, in formal court action. If the treatment under the investigation division has been all that might have been accomplished under court order, nothing

has been lost, but occasionally it seems to be a matter for regret that action was not taken sooner.

Such was the case, for instance, of a 15-year-old boy who had got beyond his mother's control and was continually running away from home. His case was carried for six months as a supervised complaint with no apparent improvement. Then the family moved without notifying the officer and could not be located until the mother, seven months later, reported that the boy had run away taking all the money she had in the house. After several trials in a county institution and on parole, it was necessary to commit the boy to the State school for boys.

Another such case was that of a dependent girl of 14, whose mother had been dead a number of years. The case had once been in court, and the petition dismissed when an aunt in California took charge of her. Several months later, however, she was returned to Chicago, and complaint was made to the court that the relatives could not be responsible for her care. For a year the case was handled as a complaint. From October until April the girl lived with an aunt, who complained of her unruliness. From April until August she was left in the home that her father established with a mentally deficient grandmother as housekeeper, the father working at night. Then the father gave up the attempt to keep a home, and from August until October the girl wandered about from one home to another, staying with friends and becoming more untruthful and dishonest. Part of the time she was working in a department store, and later on as a telephone operator. Finally she became definitely immoral and was brought into court on a delinquent petition.

The above, of course, are isolated cases, and it is not intended to imply that the supervised complaint always or frequently ends in court action. Nor is it certain that court action at first would have been any more successful than informal supervision. The possibility always exists, however, that it might have been more effective if applied promptly. The moral effect of bringing a delinquent boy before the judge is often marked, but, on the other hand, a distracted mother who appeals to the court to control an unruly child may be discouraged by the long-drawn-out process of the supervised complaint.

PHYSICAL AND MENTAL EXAMINATIONS.

For the examination of the child's physical and mental condition by persons competent to pass judgment, special organization is of course necessary.

The law gives the court no specific power to require such examinations. The court may, however, commit a child in need of medical care to a hospital⁹ or may adjourn proceedings for the filing of a feeble-minded petition,¹⁰ and presumably it has authority to inquire into the facts in such cases.

As in the case of payment of probation officers and the provision for a detention home, the machinery necessary for medical and

⁹ Hurd's Illinois Revised Statutes, 1919, ch. 23, sec. 177b.

¹⁰ *Ibid.*, sec. 341.

psychological examinations was first provided by private philanthropy. Medical examination was begun in 1902, when the Children's Hospital Society furnished a trained nurse who was present at each session of the court and secured hospital and medical care for every child committed to her by the court. In 1907 this service was extended by the society, and all children in the detention home, as well as all others whose parents would consent, were given a general medical examination.¹¹ The work thus begun by private funds was taken over by the county commissioners in 1909.¹²

At the present time a physician and dentist working part time and three nurses working full time are paid by the county and employed at the detention home. In addition a woman physician employed by the city examines delinquent girls at the dispensary maintained in the juvenile court rooms.

All children brought in for hearing, with the exception of cases investigated by police probation officers, are given medical examinations. Children placed in the detention home are examined there by the attending physician. Children who are not placed in the detention home are examined at the court by the same physician.

The examination at the court includes the condition of the skin, glands, eyes, ears, nose, throat, teeth, and lungs. In the case of a delinquent girl, when immorality is suspected and if the parents consent, a vaginal examination is also made by the woman physician employed by the city.

Children received at the detention home are immediately taken to the dispensary, where a graduate nurse records temperature, pulse, and respiration, and takes throat cultures and vaginal smears. The children are then isolated until the next morning, when the attending physician makes a thorough physical examination. The report of this examination and any recommendation for treatment are sent to the court before the hearing.

Psychological and psychopathic examinations were first given in 1909, when the Juvenile Psychopathic Institute was established through the generosity of a public-spirited citizen. The institute was organized for five years as a private association directed by Dr. William Healy and was maintained by private endowment, though all of its services were given to the work of the juvenile court. In 1914 the institute was taken over by an appropriation of the board of county commissioners as a regular department of the court. It was continued under county auspices until 1917, when the director¹³

¹¹ Charity Service Reports, Cook County, Illinois, 1907, p. 112.

¹² Thurston, H. W.: "Ten years of the juvenile court of Chicago," in *The Survey*, Vol. XXIII, p. 663 (Feb. 5, 1910).

¹³ Dr. Healy resigned in 1917 and was succeeded by Dr. Herman M. Adler, the present director.

was appointed State criminologist under the Illinois Department of Public Welfare. Opportunity thus being given to extend the work throughout the State, the Juvenile Psychopathic Institute became a State organization under the authority of this department and immediately under the direction of the State criminologist. Under this plan an arrangement for cooperation between the State and the county has been made, the county continuing to contribute to the expenses¹⁴ of the institute in return for the services rendered in examining children brought before the juvenile court. In 1920, after considerable reorganization, the name was changed to the Institute for Juvenile Research.

Cases are referred to the institute by individuals and by social agencies, as well as by officers of the juvenile court, and the court has ceased to have any control over its work.

It has never been possible to have all the children examined, and the problem of selecting those who need examination has not been an easy one for persons untrained in psychiatric and psychological work. At one time an attempt was made to have a psychologist at court to give elimination tests to all children brought in for hearing; but the children were found to be abnormally nervous and excited by the court hearing, and the practice was abandoned. At present all the children who are placed in the detention home even for a day are given brief tests designed to eliminate those who are definitely not feeble-minded. These tests are given by the teachers in the detention-home school and are graded by the two psychologists employed by the Institute for Juvenile Research and stationed at the detention home. A child found by this test to be defective is given a thorough examination by the psychologist; and if any abnormality of behavior is observed he is also given a psychiatric examination by a psychiatrist either at the detention home or at the office of the Institute for Juvenile Research. A diagnosis of the case, together with a recommendation for treatment, is reported to the court at the hearing.

¹⁴The county pays the salary of one psychologist and one stenographer. The work of these persons is not, however, confined strictly to the county.

DETENTION.

DETENTION POLICY.

The juvenile court law provides that "No court or magistrate shall commit a child under 12 years of age to a jail or police station; but if such child is unable to give bail, it may be committed to the care of the sheriff, police officer, or probation officer who shall keep such child in some suitable place provided by the city or county outside of the enclosure of any jail or police station."¹ The building erected, as before stated,² under the amendment of 1907 still serves as a detention home. While children of 12 or more do not come within the prohibition, it has become customary for both the juvenile court and the police to use the detention home for children between 12 and 17 or 18 as well as for the younger children.³

Many children awaiting hearing are left in their own homes. Unless the home is detrimental to the child or unless there is reason to fear that the child or the family will disappear before the hearing, it is the policy of the juvenile court to leave the child in his own home without bond, relying upon the promise of the parent or guardian to produce the child at the specified time.

In practice it has been difficult to maintain a consistent policy of detention, especially with regard to children brought into court by the police probation officers. It is difficult to obtain the figures necessary to determine the proportion of cases held in the detention home among all those brought before the court. The chief probation officer in his annual report for 1918 stated that not more than 15 per cent of the children whose cases were investigated by county probation officers were ever taken into custody.⁴ Cases investigated in this way, however, form a small part of all the cases before the court;⁵ hence, it is the practice of the police probation officers that is more important in this respect, but no statistics are available showing what proportion of children brought in by these officers are placed in the detention home.

¹ Hurd's Illinois Revised Statutes 1919, ch. 23, sec. 179.

² See p. 9.

³ See p. 8 of this report.

⁴ Charity Service Reports, Cook County, Ill., 1918, p. 208.

⁵ In 1919 police probation officers filed 2,495 petitions; the investigation division only 879.

NUMBER OF CHILDREN CARED FOR IN DETENTION HOME.

The total number of children cared for in the detention home in each year for the two years 1918 and 1919 is shown in Table VII.

TABLE VII.—*Source, by years; cases cared for in the juvenile detention home, 1918-1919.*¹

Source.	Cases cared for in the juvenile detention home.	
	1918	1919
Total.....	4,636	5,104
In detention home at beginning of year.....	139	124
Juvenile probation officers.....	626	694
Police probation officers.....	2,648	3,024
Sheriff and Federal officers.....	40	11
Truant officers.....	53	88
Juvenile court.....	944	995
Officers of institutions.....	84	60
Children returned from hospital.....	77	97
Children asking shelter.....	25	11

¹ Figures are for fiscal years ending Nov. 30. Charity Service Reports, Cook County, Ill., 1918 and 1919. For 1920, 4,861 cases were reported as cared for in the juvenile detention home.

It appears from Table VII, which presents the number of entrances to the home rather than the number of children cared for, that children are received from a number of different sources besides the police probation officers who bring in more than one-half and the county probation officers who bring in less than one-sixth of the children. One important source is the juvenile court itself. That is, children are not only brought into the detention home by probation officers to await hearing but are returned there by court order after hearing. This may come about for either of two reasons: The case may be continued and conditions may be unfavorable for the return of the child to his own home, or a delay may occur in carrying out some order of the court. The order may be for the commitment of the child to an institution in which there is no vacancy. Feeble-minded children form only a small part of the detention-home population, but such children are frequently detained for months because of the crowded condition of the State school for the feeble-minded. Or the order may be that the child be placed in a family home, and it may require considerable time to complete the necessary arrangements.

Children are received from officers of institutions either after escape from the institution, or when, for some other reason, the institution finds it impossible to keep them. Children returned from the hospital are those whose examination on entrance to the home showed the need of special treatment or those who became seriously ill while detained.⁶

⁶ Thus a child returned by the court or by a hospital may be counted two or three times during a short period of detention.

The average length of stay for children of all classes was 8 days in 1917,⁷ but in individual cases the period might extend to 25 or 30 days. The average daily population of the home for the last five years has ranged from 105 to 123.

The number of delinquent children detained in 1919 was 4,185; of dependent children, 919.⁸ The number of delinquent cases heard by the court in that year was 3,402; of dependent cases, 1,836.

OVERCROWDING.

More important than the total number of children detained during the year is the number of children in the home at any one time in relation to the facilities for caring for them. This problem has been before the officers of the court frequently during the last few years when the home has been often overcrowded, and it has been necessary to leave children in unsatisfactory surroundings or to take them to police stations.

The legal relationship between the court and the detention home is noteworthy in this connection. The court itself has no authority over the detention home, which was established under a separate act giving the board of county commissioners the authority to establish and maintain a place where children could be kept instead of being sent to jail. The institution is therefore controlled by rules and regulations laid down by the board of county commissioners, and neither the judge nor the probation department has any control over its management.

That this division of authority is wasteful has been recognized since 1912, when the Hotchkiss committee after its investigation both of the court and the home reported:

The real supervision over the home as over the probation department should rest with the court and the cooperation between court, probation department, and home should at all times be full and complete.⁹

No change was made, however, in the control of the home, and in 1918 the situation became urgent. The boys' quarters were particularly crowded. Boys constitute 70 per cent of the population of the home. The two larger wards, for delinquent boys, accommodate 60; but they often housed 70 boys, so that a number of boys were without beds and some slept on mattresses on the floor, others on beds without mattresses. The same overcrowding occurred in the dependent boys' quarters, which were intended for 32 children and often housed from 45 to 60 boys.

In order to learn how much the court could help in relieving the congestion of the home, the judge, in September, 1918, assigned an as-

⁷ Charity Service Reports, Cook County, Ill., 1917, p. 357.

⁸ *Ibid.*, 1919, p. 292.

⁹ Juvenile Court of Cook County, Ill. Report of a Committee Appointed under Resolution of the Board of Commissioners of Cook County, Chicago, 1912, p. 45.

sistant probation officer to work with the officers of the detention home in investigating the causes of overcrowding, and the following analysis was submitted to the court,¹⁰ attributing the conditions of the home to the following causes:

1. Delay in getting cases before the court for hearing because of overcrowded calendar. This delay is ordinarily about 7 days, but during the past year has been as much as 25 or 30 days.

2. Lack of room in both public and private institutions which would enable them to accept children, both dependent and delinquent, who have been committed by the court. Children committed to institutions are usually held at the juvenile detention home until they can be accepted at the institution.

3. The detention of children who have normal homes in which they might remain pending a hearing in the juvenile court. A constant effort is made to keep children in the custody of their parents pending hearing. There is a surprisingly large number of children who will not agree to stay at home until their cases are reached and a larger number of children whose parents refuse to accept responsibility for the child's appearance in court.

4. Unusual cases, including lost children, children who have run away from their homes in other States and in whose cases correspondence is necessary, and children whose cases are continued at the juvenile court for sufficient reason and who must be detained.

So far as the congestion in the home was due to a crowded court calendar or to overfilled institutions, the juvenile court was powerless to effect a remedy. Other aspects of the problem could, however, be dealt with, and as a result of this report certain restrictions were placed upon the freedom of probation officers to place children in the home. A rule was made that no child should be admitted to the home without the approval of the chief probation officer or of the officer in charge of police probation officers. An officer is thus no longer free to take any child to the home on his own responsibility, but must first show his supervising officer why it is not safe for the child to stay in his own home. In practice it has been necessary to modify this rule somewhat, owing to the fact that children are sometimes picked up at night and that emergencies arise making it necessary to act without waiting to secure approval. At present it is, therefore, customary for the police probation officer to take the children to the home and to report the matter at once to their supervising officer, who looks into the facts and releases the child if such action seems advisable.

This new ruling, it seems, has had the desired result, for in his report for 1919 the chief probation officer said:

One of the outstanding things of the year is the successful operation of a plan by which the judge places in the chief probation officer and the officer in charge of police probation officers the responsibility for the detention or release of any child held in the juvenile detention home pending a hearing.

Parents are encouraged to take children home pending investigation and hearing, when, in the judgment of the chief probation officer and the aforementioned

¹⁰ Charity Service Reports, Cook County, Ill., 1918, p. 209.

officer in charge, the public welfare will not be jeopardized by the child's release. All idea of using the juvenile detention home as a place where the child may be held by way of punishment while awaiting trial is done away with. The net result has been a quicker movement of the population of the home, so that at no time during the year was it necessary to refuse to admit children because of overcrowding. This condition is in striking contrast to the three previous years during which the juvenile detention home was crowded practically all the time and children were held in police stations because of lack of room in the home.¹¹

The reduction in overcrowding has meant that it is no longer necessary to hold children in police stations because they can not be admitted to the detention home, a condition to which the chief probation officer had called attention in his reports for 1916, 1917, and 1918. It has not entirely eliminated detention at police stations, however, since a police probation officer, with the consent of his supervising officers, occasionally detains a boy in the police station if the detention home refuses to receive him because he has previously escaped or proved unmanageable.¹² More rarely the police officer keeps a boy in the police station if from his knowledge of the boy he thinks there is danger that he will escape from the home. No figures are available giving the number of children held in police stations in 1919. The chief probation officer, however, estimates the number at approximately 25.

EQUIPMENT OF THE JUVENILE DETENTION HOME.

The present equipment of the juvenile detention home is not of great significance in view of the fact that the voters of Cook County in November, 1919, approved a bond issue of \$1,000,000 for the erection of a new juvenile-court and detention-home building. The erection of this building has not yet begun, however, and meantime the present equipment must suffice.

The present detention home is a three-story brick building, erected in 1907. It occupies three sides of a hollow square with a central quadrangular court and an annex housing the detention-home school. The juvenile detention home belongs to the county; the school belongs to the city and is under the authority of the board of education and under the direction of the principal of the public school nearest the home.

The central part of the first floor of the main building is occupied by offices, the branch office of the Institute for Juvenile Research, and a large reception room in which the children see their parents. The remainder of the first floor is devoted to the boys' and girls' receiving wards and isolation rooms. On the second and third floors are the dormitories, playrooms, dining rooms, kitchen, and pantries.

¹¹ Charity Service Reports, Cook County, Ill., 1919, p. 225.

¹² The authority of the officers of the detention home to refuse any child admittance remains absolute.

The dormitories and receiving and isolation rooms are equipped with toilets and with hot and cold shower baths.

The school was completed in 1915.¹⁰ It is a two-story brick building connected with the main building by ¹⁰two bridges, one leading to the girls' section, the other to the boys' section. On the first floor are five classrooms, a manual-training room, and a gymnasium, and on the second floor, two large dormitories, a manual-training room, a classroom, a sewing room, and a hospital.

The children are divided into five groups, each with a separate dormitory and playroom. In general, the dependents and delinquents are separated, but the smaller boys from 5 to 14 years of age are kept together. This group includes "little dependents, truants, runaways, and trivial first offenders," who have a dormitory of their own with 20 beds, a separate playroom, individual lockers, toilets, and 2 shower baths. This is thought to be very much better than keeping the younger delinquents with the older ones, as was formerly done. In the girls' wing one dormitory is set aside for dependents and another for delinquents, but girls of all degrees of delinquency are kept in the delinquent department.

A graduate nurse is on duty in the home at all times except between midnight and 8 a. m. In addition, a woman is in attendance day and night in the delinquent-girls ward, a man and two women in the dormitories for delinquent boys, and two women in the dependent sections.

RECEPTION OF CHILDREN.

When a child is admitted to the home, important facts regarding the case are recorded. The child is then taken to the graduate nurse, who records temperature, pulse, and respiration, takes a throat culture, swabs the throat with an antiseptic solution, and administers a grain of calomel, followed by magnesium sulphate. If the child is a girl, an examination for gonorrhœa is made as a protection to the other inmates. A shampoo and antiseptic bath are given, and the child is dressed in detention-home clothes, so that its own may be sent to the fumigator.

The house physician is on duty every morning except Sunday and examines each child who has been admitted during the previous 24 hours. The doctor's findings and recommendations are recorded on a card which accompanies the child to court and is given to the judge, who advises the parents if the child needs medical care and obtains their signature if they consent to carry out the recommendations.

As a precaution against the spread of disease all children are kept in the receiving wards after admission to the home until the result of the doctor's examination and the throat and vaginal cultures

is known. This period of isolation is usually from 24 to 48 hours. Most medical and surgical cases, including all gonorrhoeal infections and cases of ringworm of the scalp, are sent to the county hospital for treatment. Certain contagious diseases and some kinds of eye, ear, nose, and throat trouble are treated in the isolation rooms of the home.

As a precaution against the spread of contagion the one or two days that the children are kept under observation in the receiving wards are inadequate. The incubation period of acute contagious disease is from one day to three weeks, but owing to cramped quarters, particularly downstairs in the receiving wards, the children are allowed to go upstairs as soon as their cultures are reported on, providing there is no evidence of disease.

The attending physicians have repeatedly stressed the fact that better isolation facilities should be provided for sick children. In 1917 the home had within its walls 190 cases of acute tonsillitis, 42 of pharyngitis, 45 of impetigo, 68 of venereal disease, 22 of ringworm, 24 of scabies, 3 of trachoma, as well as a few very severe cases of pediculosis and 141 diphtheria carriers, all demanding rigid quarantine.¹³ In 1918, cases of sickness among its inmates numbered 1,650.¹⁴ Thus the request for a separate small hospital building does not seem unreasonable.

The teeth of all children kept in the home over 48 hours are examined, except in the cases of positive throat cultures. A record is made of conditions found and of all work done. So far as possible in the limited time children are under detention, defects are remedied, and the children are taught to care for their teeth. The dentist's services are provided only 18 hours a week, and a great deal more work is needed than can be accomplished in that short time.

THE DAILY ROUTINE.

Much of the work in their own sections is done by the children themselves, thus:

The delinquent children do practically all of the work in their own departments. They rise at 5 a. m., turn back their bedding, throw the windows open, and begin their daily duties. They scrub almost their entire department before breakfast, which is at 6.45 a. m. Immediately after breakfast they clear their tables, wash the dishes, and tea towels, scrub the dining room and make their beds. At 9 a. m., when the work is usually completed, they wash, comb their hair, and change their clothes, ready for school at 9.30 a. m. The girls, besides doing the work in their own section, assist in the preparation of the vegetables and wash the employees' dishes. They also scrub the dormitories of the dependent section and assist in making the beds of that department. The boys scrub the main hall of the dependent section and the kitchen. If at any time the girls are under quarantine, the boys are detailed to the kitchen work.¹⁵

¹³ Charity Service Reports, Cook County, Ill., 1917, p. 319.

¹⁴ *Ibid.*, 1918, p. 269.

¹⁵ Charity Service Reports, Cook County, Ill., 1918, p. 267.

After these strenuous hours the children spend from 9.30 to 12 and from 1.20 to 4 in school. Children under 10 years of age are cared for in a group by themselves, and their work is informal and social. The kindergarten room for little dependents is particularly attractive. Visiting and recreation hours are from 4 to 5 p. m. and from 7 to 8 p. m. Parents may visit the children during these hours five days a week. The boys play outdoors in the court under supervision, but the girls have no outdoor recreation. Time hangs heavy on the hands of the children under observation in the receiving rooms, inasmuch as they can neither go to school nor play outdoors and have no one to direct their play in the house.

The children are entertained every Friday evening with music, lectures, stereopticon views, and aesthetic dancing, and a special entertainment is always provided on holidays. Occasionally the downtown theaters present the home with tickets for some suitable play. Religious instruction is furnished for both Catholic and Protestant children by outside religious organizations.

Discipline is usually left to the nurses in charge. Under no circumstances is corporal punishment resorted to, but occasionally when special severity seems needed, children are put on a bread-and-milk diet and sometimes they are placed in solitary confinement for an hour or two "to think it over."

DIETARY.

A study of the diet made in 1917 under the direction of a member of the home economics department of the University of Chicago, showed the diet to be unsatisfactory. It was monotonous, to some extent poorly cooked, some foods were served too frequently, and the evening meal in particular was not sufficiently satisfying. A new diet was then agreed upon by the superintendent and the dietitian making the study.

CLOTHING.

During working and recreation hours the girls wear blue gingham dresses and the boys overalls and jumpers; during school hours the girls wear blue, brown, tan, and white middies, and the boys khaki suits. The children are put into home uniforms so that their own clothes may be disinfected and cleaned, or possibly destroyed. A majority of the delinquent boys and girls enter the home so dirty that their clothing has to be destroyed at once; almost all the dependent children have to be given new clothing also. Supplying a sufficient number of new outfits has always been one of the problems of the home.

HEARINGS

SUMMONS.

When the investigation has been completed and a date set for the hearing, a summons is served by the probation officer, requiring the parent or guardian to be in court with the child on the appointed day. Summons, less formal than a warrant, does not constitute arrest, but failure to obey constitutes contempt of court.¹ For most cases such informal procedure is sufficient to bring all the needed persons into court. In some instances, however, it is necessary to issue a warrant for arrest served by the sheriff. Occasionally the hearing of a case may drag on for a considerable period of time because of failure to compel attendance.

A social agency complained to the court that two brothers, 8 and 9 years of age, had glandular tuberculosis, that the home was neglected and dirty, and that the mother was mentally defective and refused to take the children to the dispensary for treatment. The court had already had five years' experience with the family because of one delinquent girl and one delinquent boy and had removed three other children from the home as dependents. Four children, all under 10, had been left in the home. It is somewhat surprising, therefore, that the case of these two children who had never been in court before was allowed to drag on for six months before there was a real hearing, being continued six times because no one was present. No mention is made of any effort to secure the cooperation of the father. The following brief statements indicate the difficulties encountered.

November 24, 1919: First hearing. Mother refused to come. Case continued.

December 2, 1919: Second hearing. Mother refused to come. Probation officer asked for a warrant. Case continued.

December 16, 1919: Case in court. No hearing. Continued.

January 6, 1920: Case in court. No hearing. Warrant never served. Case continued.

January 19, 1920: Case in court. Probation officer reported family had moved and could not be located. Case continued generally.

May 28, 1920: Probation officer located family and called to serve summons. Mother denied that children were living with her.

May 11, 1920: Case in court. No one present. Warrants issued. Case continued.

July 6, 1920: Seventh hearing. Children and brother-in-law present. Mother still refused to come. Case continued.

July 13, 1920: Eighth hearing. Probation officer reported that married sister and her husband now in the home were assuming responsibility for the children and conditions were improved.

July 26, 1920: Case continued under supervision.

¹ Hurd's Illinois Revised Statutes, 1919, ch. 23, sec. 173.

September 23, 1920: Conditions greatly improved. Placed on probation.

That is, although the court had the power of the State back of it, it found itself unable for 10 months to secure the presence of a subnormal mother. It is true that the continued effort brought the married sister into the situation; the burden, however, was certainly not one that could be borne wholly by her and her husband, but rather was one that required the aid of the community agency organized supposedly to deal with such situations.

If a parent or guardian is believed to have left the State or if, after reasonable effort he can not be located, the law provides for publication of the case "once" in "some newspaper of general circulation," requiring appearance within 20 days.² Delay is, of course, often the result of conforming with this futile requirement of the statute, incident to such publication, especially since the publication often does not occur until after the case has already been brought into court for hearing.

TIME AND PLACE.

The general equipment of the court has slowly expanded as the number of cases has increased. During the early days of the court, hearings were held only two afternoons a week in the circuit court room of the old courthouse. By 1905 hearings were held two days a week—dependent children in the morning and delinquent children in the afternoon.³ From 60 to 80 cases were heard each day, and as all cases were set for the same hour, many persons were kept waiting for the hearing in which they were interested. In that year the old courthouse was torn down, and the juvenile court was established in a room over a store on a busy street. In 1907, when the juvenile court building was erected, a small court room and several waiting rooms were provided, and five half-day sessions were held.⁴ It was not until September, 1910, however, when the judge began to give his full time to the juvenile court, that more frequent sessions were possible.⁵ Since that time sessions have been held both morning and afternoon, five days a week.

To insure the complete separation of dependent and delinquent children different classes of cases are heard at different sessions of the court. The schedule of the court at the time the investigation was made was as follows: Three mornings a week, cases of dependent children; four afternoons, cases of delinquent boys; one morning, pension cases and cases of feeble-minded children; and one morning, truant cases. Conferences on cases of delinquent girls were heard four mornings a week in a separate room. Facts are pre-

² Hurd's Illinois Revised Statutes 1919, ch. 23, sec. 173. The publication is often inserted in the "Calumet," a paper of 5,000 circulation.

³ Thurston, H. W.: "Ten years of the juvenile court," in the Survey, Vol. XVIII (Feb. 5, 1910), p. 661.

⁴ Charity Service Reports, Cook County, Ill., 1907, p. 111.

⁵ Ibid., 1910, p. 145.

sented by a woman officer to the judge in the regular court room, who satisfies himself as to the wisdom of the recommendation formulated by the woman assistant to the judge, and renders a decision in the case.

Since 1913, when the juvenile court building became too crowded for both the court rooms and the detention home, hearings have been conducted in a building erected jointly by the city and county, containing all municipal and county courts as well as administrative departments. It is located in the midst of a busy downtown district and, except for its central location, has little advantage to offer as a children's court building. The juvenile court occupies a part of one floor and consists of a court room, a small room in which girls' cases are heard, a waiting room, a large room containing desks for probation officers, the dispensary, a record room, and the offices of the judge, the chief probation officer, the investigation division, the family-supervision and the aid-to-mothers division, the delinquent boys', the child-placing, and the police probation divisions. The new building which is to be erected for the detention home will also contain all juvenile court rooms and offices.

Hearings, except those of cases of delinquent girls, are public; but the benches on which both witnesses and outsiders sit are arranged at the back of the room, leaving considerable unoccupied space between them and the judge, and the hearings are conducted in such a way that little can be heard except by persons interested in the case or officially connected with the court.

The judge's desk is not on a raised platform but is, with the reporter's desk and the benches for the jury, separated from the rest of the room by a low railing. Only the width of the desk, placed directly behind the railing, separates the judge from the child whose case is being heard.

PROCEDURE

When the judge comes into the room, court is opened in a formal manner by the bailiff. The clerk then calls each case in order, and the officer who has made the investigation comes forward with the child, his parents if present, and witnesses. They group themselves around the judge's desk, facing him. The probation officer who has made the investigation or filed the petition, the police probation officer in most of the delinquent boys' cases, or the truant officer in truancy cases, makes a brief statement to the judge, outlining the main facts in the case, and then stands aside. He is, of course, ready to give further information and to help in any way that the occasion demands. In general, the attitude of the officer, and this is especially true of the county probation officers, is that of an impartial friend of the child and the family and distinctly not that of a prosecuting officer.

After the probation officer's statement the judge, with the case record of the family before him, begins his questioning. When the case is that of a delinquent or truant boy, he usually begins with the child, sometimes starting with the concrete charge and asking him what his story is, what his reasons were, and working back to his age, his work, what he does with his leisure time, and questions of a more general nature. In other instances he works up to the charge more gradually. If the boy has been in court before, the judge always reminds him of it and of what happened at that time. Perhaps the most striking thing about the questioning of the boy compared with the examination of the accused in criminal courts is that no attempt is made to induce the child to incriminate himself, none of the questions are designed to trap him, none are asked whose bearing he will not see. The judge's manner is friendly but never to the point of seeming to condone the offense, and when the occasion calls for it, he may become very stern and severe. Usually the questioning of the child is followed by questioning of the parents. After this, anyone else who is present is given an opportunity to make such statement as he may desire. The time devoted to a case varies from a few minutes in simple cases to possibly half an hour in cases in which the truth is difficult to establish. In general each case is so dealt with that there is no impression of perfunctoriness or of haste in dispatching the day's work.

Occasionally the boy or the complainant is represented by an attorney, and this usually complicates the proceedings. If a contest over the court's action arises, the case is postponed and heard in the one week of the month devoted to contested cases. Frequently, however, even with an attorney present no contest is involved, and the case is heard in the regular session. Proceedings in contested cases are somewhat more formal; witnesses are sworn, and the attorney does the greater part of the questioning which in other cases is done by the judge. As great care, however, is taken to discover all the facts and to do what is best for the child in those cases in which neither the child nor the complainant is represented by an attorney as when one or both are so represented.

CASES OF DEPENDENT CHILDREN.

The procedure in cases of dependent children differs slightly from that in delinquency cases. In the first place a jury of six is required by the laws providing for commitments to manual-training and industrial schools.⁶ Their service in the Cook County court seems to be largely perfunctory, as the decision is arrived at by the judge and submitted to the jury for their approval, which is seldom withheld. The social value that accrues from acquainting six men who sit in

⁶ Hurd's Illinois Revised Statutes 1919, ch. 122, secs. 323 and 337.

court for two weeks with the problems that confront the youth of the city and with the policies of the juvenile court is, however, very great.

A second difference in the proceedings is caused by the fact that while it is the child over whom the court has jurisdiction, it is the parents who are directly responsible for his presence in court, and it is really the parents who are on trial, although the court has no jurisdiction over them. It is natural, therefore, that the judge should begin his questions in these cases with the parents and should devote most of his time to them. Frequently the child is not questioned at all except to establish his identity. At times also, when the facts to be brought out are not such as a child should hear, the judge directs the officer to take the children to the rear of the room.

CASES OF DELINQUENT GIRLS.

The real, as distinguished from the technical, hearings in delinquent girls' cases are held in a private room before the woman assistant to the judge. This room is in appearance a small and attractive office, having no suggestion of a court room. No one is admitted to this room except the persons directly concerned with the case and the officers of the court. Ordinarily, no one is present but the assistant to the judge, the girl, her mother, her father whenever possible, the probation officer, a court stenographer who is a woman, and the police probation officer who filed the petition in those cases in which the complaint was made to the police. This officer is usually the only man present aside from the girl's father. The proceedings are even less formal than those in open court; the hearing is in reality a helpful, friendly conference of all concerned. If the petition has been filed by a police officer he gives his information relating to the case; the probation officer who has made the social investigation then presents the facts she has learned and describes the conditions as she sees them. The girl is encouraged to state her side of the case and to express her feelings and point of view. The difficulty is discussed with the parents and the probation officer, and they are consulted with regard to the wisest plan to pursue. Every effort is made by the judge's assistant to establish confidential relations with the girl and to make her feel that here she has a real friend genuinely interested in her welfare. She and her parents stand close to the desk during proceedings, no strangers are present before whom she hesitates to tell her story, and it is seldom that she fails to be more or less won by the evident friendliness of the atmosphere. After the facts have been brought out, the assistant tries to persuade the parents to agree to what seems to her the best course of action and in any event makes a recommendation as to the disposition of the case. The probation officer then takes the girl and her parents, with the

legal papers, before the judge and reports to him the facts of the case with the recommendations of the assistant to the judge. The judge acquaints himself quickly but adequately with the problems; but if there are no objections on the part of the parent, he generally concurs in the recommendation of his assistant. Neither the girl nor the witnesses are questioned, nor is any statement of the case made in open court. Any parent or his representative may, however, object and demand that the judge himself hear all the facts in the case. If that is done, the case is heard in open court in the week devoted to contested cases. That means, of course, that the privacy with which the court has tried to shield the girl can no longer be maintained. It is very rarely, however, that an open hearing is insisted upon, for in general the parents and friends of the girl are impressed with the fairness of the private hearing and appreciate what the court is trying to do.

CASES OF FEEBLE-MINDED CHILDREN.

Hearings in cases of feeble-minded children are conducted by the judge and a commission appointed by him as required by law.⁷ In practice this commission always consists of two representatives of the Institute for Juvenile Research. Since an examination of the child must be made by an expert before the case is brought into court, the hearing is merely a report of the result of this examination, followed by a formal order for disposition.

AID TO MOTHERS CASES.

Mothers who are to receive pensions under the aid to mothers law must appear with their children before the judge to have their applications granted. The hearings in these cases are usually brief, as in most instances it is necessary only to ratify the action of the committee composed of the chief probation officer, the head of the aid to mothers division, and the county agent or his representative.

⁷ Hurd's Illinois Revised Statutes, 1919, ch. 23, sec. 328.

THE COURT ORDER.

The real test of the value of the juvenile court as an enduring social institution lies perhaps in the character of treatment that is provided for the child after the hearing of the facts of the case. It is a comparatively simple task for the legislature to do away with the forms of the criminal procedure, to say that the child is not a criminal but a delinquent "misdirected and misguided and needing aid, encouragement, help, and assistance,"¹ and as such that he shall not be punished but shall be placed in such surroundings and under such influences that he will cease to be even delinquent. But it is not so easy for the judge and probation officers of the juvenile court to determine in each case what method of treatment is most likely to bring about definite improvement, nor for the probation officer who is intrusted with the supervision of the child to embody in concrete results whatever ideals of probation work he may have. In the case of the neglected child the task is even more difficult, for it then involves reorganizing a whole family and helpful cooperation often secured from the parents of a delinquent child may be lacking.

DISMISSAL AND CONTINUANCE.

Dismissed and continued generally.

The form that the court order may take varies with the class of case, the legal restrictions, and the public provision for the care of each group of children. There are, however, two broad lines of action that the court may take in all classes of cases. It may assume responsibility for the child or it may refuse to assume that responsibility. In the Chicago juvenile court practice a child is never "discharged" or "acquitted," for these terms imply that he was formally accused of a specific offense. If the facts brought out in the investigation or in the hearing do not reveal conditions that warrant the court's assuming control over the child the case may be either "dismissed" or "continued generally." A case is dismissed when the facts seem to indicate that there is no need for court action. "Continued generally" amounts to continued indefinitely in contrast with continued for a definite period of time or to a specified date. A case is "continued generally" when conditions do not seem to warrant the supervision of a probation officer and yet

¹ Colorado Revised Statutes, 1908, sec. 597.

the judge is unwilling to dismiss the case. The orders of "dismissed" and "continued generally" are alike in that neither provides for further work on the case. They differ in the fact that if a "dismissed" case is to be again brought into court a new petition must be filed, while a case "continued generally" remains nominally under the court's jurisdiction and a new petition is unnecessary. In neither case does the child receive supervision.

The "continued generally" order may also be used as a temporary expedient when (before a case has reached the stage of a definite order) the family moves without notifying the probation officer. In such cases, instead of entering an order of continuance for a definite period, the judge continues the case "generally" to allow the probation officer to locate the family and to bring in the case whenever it is possible to do so. The purpose here, of course, is quite different from that first mentioned. In Table VIII the numbers of cases of the various types dismissed and continued generally are shown for the three-year period 1917-1919.

TABLE VIII.—*Dismissal and general continuance, by class of case; cases heard by the juvenile court, 1917-1919.*¹

Class of case.	Cases heard by the court				
	All cases.	Dismissed.		Continued generally.	
		Number.	Per cent of total.	Number.	Per cent of total.
Total.....	23,270	1,439	6.2	2,060	8.9
Delinquency:					
Boys.....	7,281	683	9.4	1,575	21.6
Girls.....	2,164	279	12.9	93	4.3
Dependency.....	5,992	381	6.4	309	5.2
Truancy.....	1,614	27	1.5	69	4.3
Feeble-minded.....	192	11	5.8	14	7.3
Aid to mothers.....	6,027	58	1.0		

¹ Compiled from figures for fiscal years ending Nov. 30. Charity Service Reports, Cook County, Ill., 1917-1919. Figures for 1920 are: Dismissed, 521; continued generally, 544

Among 23,270 cases heard by the court in the three-year period 1917-1919 only 1,439, or 6.2 per cent, were dismissed and only 2,060, or 8.9 per cent, were continued generally. The use of these orders varies somewhat with the type of case. Aid to mothers cases are never continued generally and are rarely dismissed, because the investigation is necessarily very complete and the pension must be recommended by the conference committee before a petition is filed. Among the feeble-minded children the fact that even 14 cases were continued generally is explained by the court as meaning "that the whole situation of the child was not serious enough for the court to order a commitment as feeble-minded, but that it was bad enough

so that it might later become necessary to make a commitment. Under this order the court retains jurisdiction, so that the child can be brought into court without filing a new petition.”^a

Continued for a definite period.

Before the court definitely dismisses the case or by some other final order assumes the care of the child, cases are frequently continued for a definite period. This order may be used for two reasons: First, because the child or its custodian fails to appear in court, sometimes even necessitating delay for publication; and, second, in the hope that the child may improve in conduct or the home conditions may be so changed as to render a final order unnecessary. Under such circumstances the case may be dismissed, and the child saved from whatever stigma may be attached to a juvenile court record.

The essential difference between continuing a case generally and continuing it for a definite period is in the supervision provided in the latter case. As long as the judge orders the continuance of a case with the definite intention of having it brought into court at a later time, the officer who has made the investigation, unless some other officer is designated, is responsible not only for the child's ultimate appearance in court, but for whatever developments may take place in the meantime. Children brought to court by police probation officers are never left under the supervision of these officers but are placed, by special order, under the supervision of some other officer, usually the probation officer for the district in which the child lives.

The effect, then, of the order for definite continuance, usually stated in the case record as “continued under supervision,” seems to be practically that of probation. Certain administrative differences exist, however. Many of the supervising officers, especially in the cases of children brought in on dependent petitions, are officers of the investigation division. In such cases the children receive adequate care. The work of the division may, however, be seriously disorganized by the necessity of caring for a great number of supervised cases, and the practice is recognized by the chief probation officer as a violation of the principle of specialization of function maintained in the organization of the staff, to which he credits a considerable part of its successful work.

The relation of the court to the problem of the child during these periods of continuance is one that has been very little discussed. As has been said, neither the annual reports of the court nor of the chief probation officer contain data with reference to it. It is, how-

^a Charity Service Reports, Cook County, Ill., 1919, p. 285.

ever, evidently a relationship of sufficient importance to be of interest to the student of the court. The following cases, while few in number, illustrate situations that are typical of many situations with which the court deals through this device:

Virginia D., aged 15, was brought into court by her mother. She had been keeping late hours in bad company, and one night stayed out until 2 a. m. The case was continued for seven months under the supervision of the district officer.

October 27, 1919: First hearing. Virginia working without a certificate. Disobedient and defiant. To live at home under supervision.

November 7, 1919: Probation officer visited. Virginia had obtained a work certificate. Was doing office work and going to night school.

November 26, 1919: Case in court. Virginia had stayed away from home all night. Found in park next morning. Said she had ridden round on street cars all night. Given another chance at home.

December 2, 1919: Probation officer reports home conditions poor, but Virginia behaving better.

January 19, 1920: Virginia left home. Family learned that she was staying with a family in Geneva, Ill., who were at first willing to keep her, but a month later sent her home, as they did not wish to be responsible for her.

March 29, 1920: Case in court. Virginia working and causing no trouble. Continued to April 23, 1920.

April 2, 1920: Probation officer visited. Virginia working.

April 16, 1920: Virginia admits she has not been working for a week. Mother can not manage her.

April 23, 1920: Case in court. Virginia again working. Has lied about her age to employer and is not going to night school. Case continued.

May 20, 1920: Virginia ran away from home. Picked up by the police and taken to the detention home.

June 2, 1920: Case in court. Virginia had been unmanageable in detention home. Placed under supervision of child-placing division to live at M. E. Club.

June 30, 1920: Case in court. Virginia had run away from club and had been immoral. Probation officer on case stated that she had never seen the girl. Committed to the House of the Good Shepherd.

Harriet L., a colored girl, aged 17. Mother dead, father married again. Stepmother complained that girl had stolen money from her father and had torn up her stepmother's clothing. Case continued five months.

December 30, 1919: First hearing. Evidences of mental defect, but father and probation officer have been unable to get her to the psychopathic institute for an examination. Case continued to January 6, 1920.

January 6, 1920: Case in court. Continued for a warrant, as girl refuses to come to court or to have psychopathic examination.

January 21, 1920: Case in court. Continued for report of examination.

January 28, 1920: Case in court. Psychopathic institute reports that Harriet is neither feeble-minded nor insane, but has very peculiar reactions. Girl complains of stepmother's treatment. Willing to try working in a private home. Continued under supervision of district officer. To be placed in private home.

February 2, 1920: Case set for hearing before Judge Arnold to confirm assistant's recommendation. No one present. Continued.

February 21, 1920: Placed in working girls' home. Matron refused to keep her because she was so slovenly. Discharged from laundry because too slow.

March 11, 1920: Placed in another family. Probation officer visited once. Found that Harriet was doing day work and was dirty and untidy. Her father

had given her money for clothes. A friend of hers was interviewed a month later, but the girl was not seen.

June 4, 1920: Case in court. No one but probation officer present. Girl was then 18. No improvement was reported, but the case was continued generally.

Irene T., aged 13. Neighbors complained of her conduct and case was brought to court by police probation officer. Continued eight months.

June 10, 1919: First hearing. Girl had been out of school. Neighbors had complained that she was often alone in the house with a man who, according to her mother, was a friend of her brother's. Mother refused to allow a medical examination, but had a satisfactory statement from her own doctor. Case continued, with no order for supervision.

June 27, 1919: Case in court. Truant officer testifies that absence from school accounted for by illness. Mother objects to suggestion of sending her to a convalescent home. Case continued.

Case in court four times between June 27, 1919, and January 6, 1920. Each time mother failed to appear, and the case was continued.

January 6, 1920: Case in court. Irene had given birth to a child on Christmas day. A few weeks before this the mother had had her married at the city hall by giving her age as 16. She had paid a doctor \$2 to give her the statement presented to the court at the first hearing. Case continued.

January 20, 1920: Case in court. Irene complains that she was forced to give the child to her sister-in-law for adoption. Continuance one week to investigate the matter.

January 27, 1920: Case in court. Irene to live at home. Child to remain with aunt. Marriage has been annulled. Irene's brother undertakes to see that she does not live with the man again until she is 18 and can be legally married. Case dismissed.

Richard R. was a dependent boy 9 years old. His parents were divorced, and his mother worked as a housemaid in a private family. He had been under the court's jurisdiction since 1918 and had been placed in several homes. In 1919 his custodian complained of his bad habits and stealing and refused to keep him any longer. The case was brought to court for rehearing in February, 1919, and was continued seven times during a period of nine months, ending in dismissal.

February 24, 1919: Case in court. Probation officer requests continuance to see what she can do with child.

March 12, 1919: Case in court. Temporary home found by Illinois Children's Home and Aid Society. Continued.

March 12, 1919: Case in court. Probation officer has found home. Continued.

March 31, 1919: Case in court. Report that child is provided for until September. Continued.

July 2, 1919: Case in court. Report that child is provided for until September. Continued.

September 8, 1919: Case in court. No one present. Continued.

September 17, 1919: Case in court. Boy so attached to custodian that arrangement prolonged until January.

January 6, 1920: Case in court. No one present. Continued.

January 19, 1920: Case in court. Custodian wishes to keep child. Case dismissed.

The record contains no report of any visit to this family or of the conditions in the home. It is probable that the home was approved by the Illinois Children's Home and Aid Society.

John C., a delinquent boy, 13 years old, in company with another boy had been involved in six different burglaries.

October 31, 1919: Case in court. Good home. Parents want to give boy another chance. Continued under supervision of district probation officer.

January 29, 1920: Case in court. John placed in a farm school by probation officer and his father. Judge approves arrangement. Case continued.

May 12, 1920: Probation officer learns that John had taken a large sum of money from his father and had run away from the school with several other boys. School refused to take him back.

June 4, 1920: John working in his uncle's cigarette factory. Reports favorable.

June 23, 1920: Case in court. John registered for a summer camp. Case dismissed.

A brief summary does not wholly reveal the work of the court, as it is impossible to note all the work done in each case. The difficulty is due, however, not only to the method of presentation but also to the inadequacy of the court record in these cases. It is often difficult to ascertain what work the probation officer has done. Each hearing, however, has been included, and all other steps that seemed to have an important bearing on the case. The reader of these cases is struck in some instances by a somewhat hasty dropping of the case by a "dismissed" or "continued generally" at the first indication of improvement, especially when the boy or girl is near the upper age limit, so that if the jurisdiction of the court be lost it can not again be obtained.

The published reports of the court do not include the number of continuances, since they are not final orders. An idea of the extent to which this order is used, however, was gained by reading a number of selected records of cases heard by the court during the first two weeks of January, 1920. Among 86 records of delinquent and dependent children, 66 cases had been continued at least once. As many as 35 of these continuances had lasted from 1 to 3 months, 20 from 4 to 10 months, and only 11 had been continued for less than 1 month. Continuances of less than one month were for the most part necessary for technical reasons, such as changing the petition from delinquent to dependent, feeble-minded or truant, or in order to bring into court persons interested in the case. Sometimes these arrangements cause long continuances that are very difficult to bring to an end.

THE FINAL ORDER.

The final order of the court does not always result in treatment that differs from the treatment under an order for continuance for a definite period. It creates a different status, however. It is more definite. The case is no longer frequently brought before the judge but can be reopened only by a new petition or a notice of rehearing. In cases of feeble-minded and truant children and under the mothers' pension law the possible methods of disposition are limited by the special character of these cases. The methods of disposition in such cases will be briefly indicated, and the remainder of the chapter

will be devoted to the more complicated methods of handling cases of delinquent and dependent children.

Table IX shows the disposition of feeble-minded cases for each year, beginning with 1915, that is, with the first year that the court was given jurisdiction in cases of feeble-minded children.

TABLE IX.—Disposition of cases, by year; cases of feeble-minded children heard by the juvenile court, 1915-1919.¹

Disposition.	Cases of feeble-minded children heard by the court.				
	1915	1916	1917	1918	1919
Total.....	(²)	79	60	58	74
Dismissed.....	(²)	4	4	1	6
Continued generally.....	(²)	4	4	6	4
Committed to State school for the feeble-minded.....	39	71	52	51	64

¹ Figures for fiscal years ending Nov. 30. Charity Service Reports, Cook County, Ill., 1915-1919. Figures for 1920 are: Dismissed, 3; continued generally, 14; committed to State school for the feeble-minded, 41.

² Figures not available.

As might be expected, by far the greater number of such cases are committed to the State school for the feeble-minded at Lincoln, since a feeble-minded petition is never filed until after an examination by the Institute for Juvenile Research and a recommendation for institutional care. The capacity of the State school is inadequate to care for all the feeble-minded needing institutional care and as a result the court is obliged to commit only those children whose need is most pressing. Even so, the school can not receive all the children committed by the court, and the detention home is frequently obliged to care for these children for months pending their transfer to the institution.

Table X shows the disposition of truant cases in 1919, the first year since the establishment of the Chicago Parental School for Girls. The school for boys has been in existence since 1902.

TABLE X.—Disposition of cases, by sex of child; truancy cases heard by the juvenile court, year ending Nov. 30, 1919.¹

Disposition.	Truancy cases heard by the court.			
	Total.		Boys.	Girls. ²
	Number.	Per cent distribution.		
Total.....	623	100.0	570	53
Dismissed.....	15	2.4	11	4
Continued generally.....	47	7.6	40	7
Placed on probation to truant officer.....	33	10.1	31	2
Committed to Chicago Parental School.....	498	79.9	458	40

¹ Charity Service Reports, Cook County, Ill., 1919. Figures for 1920 are: Dismissed, 24; continued generally, 49; placed on probation, 80; committed to parental school, 453.

² The Parental School for Boys was established in 1902; that for girls in June, 1919. Figures for girls are, therefore, for five months only.

Nearly 80 per cent of these truant children are committed to the parental schools. Children are in fact generally brought into court by the compulsory-education department of the city board of education for the express purpose of commitment to the parental school. The compulsory-education department, through its truant officers, has itself the authority to visit and supervise truant children. Thus no real need for court action exists unless the child has proved too unmanageable to be left at home and must be placed in the parental school. As previously stated the only contact of the juvenile court or its officers with the truant child is through the hearing in the court. The work of supervision as well as that of investigation is performed by the compulsory-education department.

The order in a mother's pension case may take the form of "dismissed," "granted," "increased," "reduced," or "stayed," that is, discontinued.

In dealing with delinquent children the court is acting under the law to which it owes its existence and attacking the problem for which it was primarily created.

Table XI gives the final orders of the court in cases of delinquent children during the five-year period, 1915-1919.

TABLE XI.—Disposition of case, by sex of child; delinquency cases heard by the juvenile court, 1915-1919.¹

Disposition.	Cases of delinquent children.			
	Boys.		Girls.	
	Number.	Per cent distribution.	Number.	Per cent distribution.
Total.....	11,799	100.0	3,344	100.0
Dismissed.....	1,020	8.6	425	12.7
Continued generally.....	2,751	23.3	111	3.3
Placed on probation.....	4,113	34.9	1,039	31.1
Committed to institutions.....	2,603	22.1	1,333	39.9
Guardian appointed.....	621	5.2	330	9.8
Placed in hospitals and in schools for defectives.....	16	0.1	7	0.2
Deported.....	6	0.1	2	0.1
Held to the grand jury.....	70	0.6	.....	.....
No change of order in rehearings ²	599	5.1	97	2.9

¹ Compiled from figures for fiscal years ending Nov. 30. Charity Service Reports, Cook County, Ill., 1915-1919. For 1920 the figures are: Boys, 1,912; girls, 638. For 1921 they are: Boys, 1,754; girls, 661.

² A rehearing is counted as a new case.

For both boys and girls probation and commitment to institutions are the most important orders, including 57 per cent of the boys' cases and 71 per cent of the girls' cases. A comparatively small number are placed under the care of a guardian, committed to hospitals or schools for defectives, deported, or held to the grand jury for indictment on criminal charges. "No change of order" indicates

merely that a case has been reheard but that the disposition of the child remains the same as before.

Before discussing the various methods of treatment set forth in Table XI it is well to consider a similar table dealing with dependent children; for at certain points the treatment of dependent and delinquent children overlap, and the machinery of the court set up for one group serves also the other group. In Table XII is presented the disposition of cases of dependent children during the period 1915-1919.

TABLE XII.—Disposition; dependency cases heard by the juvenile court, 1915-1919.¹

Disposition.	Cases of dependent children.	
	Number.	Per cent distribution.
Total.....	10,631	100.0
Dismissed.....	635	6.0
Continued generally.....	584	5.5
Placed on probation.....	2,896	26.4
Committed to institutions.....	4,336	40.7
Committed to child-placing societies.....	491	4.6
Guardian appointed.....	1,341	12.6
Placed in hospitals and schools for defectives.....	63	0.6
Deported.....	46	0.4
No change of order in rehearings.....	336	3.2

¹ Compiled from figures for fiscal years ending Nov. 30. Charity Service Reports, Cook County, Ill., 1915-1919. In 1920 there were 1,262 cases of dependent children; in 1921, 1,292.

In 26.4 per cent of the cases of dependent children, the child was placed on probation, and in 40.7 per cent committed to institutions. Commitment to child-placing societies, appointment of a guardian, placing in hospitals, and deportation provided for the remainder of the group.

Probation.

Cases placed on probation, as shown in Tables XI and XII, include 34.9 per cent of the delinquent boys, 31.1 per cent of the delinquent girls, and 26.4 per cent of the dependent children. The probation order means that the child may live in his own home or in the home of relatives or close friends designated by the court, subject to the supervision of the district probation officer. The policy of the court is to use this order whenever the circumstances are not such as to render it obviously imprudent. The court prefers to make its errors on the side of too frequent rather than too slight use of probation.

The number of cases in which children were placed on probation in their own homes and in family homes other than their own is shown in Table XIII.

TABLE XIII.—*Probation, by class of case; delinquency and dependency cases heard by the juvenile court, 1915-1919.*¹

Class of case.	Dependency and delinquency cases.			
	Total.	Placed on probation.		
		Total.	To live at home.	To live in other homes.
Total.....	25,774	7,957	6,688	1,271
Delinquency:				
Boys.....	11,799	4,113	3,965	148
Girls.....	3,344	1,039	878	161
Dependency.....	10,631	2,805	1,843	962

¹ Compiled from figures for fiscal years ending Nov. 30. Charity Service Reports, Cook County, Ill., 1915-1919. For 1920 the figures are: Probation at home, 806; in other homes, 125. For 1921 they are: Probation at home, 763; in other homes, 90.

In more than one-third of the cases of dependent children placed on probation the child is placed in a home other than his own. The home in which the dependent child is placed on probation is usually that of a friend or relative, not one that the court finds for him. The distinction should be made here between the technique of placing a child on probation in a home other than his own and what is known as "child placing." The former work is under the direction of the family-supervision division, the latter under the direction of the child-placing division, whose chief officer is appointed guardian of the child with the right to place and sometimes the right to consent to adoption. The probation order is generally used to meet problems more temporary than those met by child-placing.

Probation is handled by two separate departments of the court—the family-supervision division and the delinquent boys' division. The work of supervising dependent children and delinquent girls falls to the officers of the family-supervision department and is described as follows in the annual report of the court for 1918:

The task of reconstructing homes which have been found by the court to be unfit is one that can only be successfully performed by experts. It is a task in which organization and system play a considerable part, but which would fail entirely without the personal appeal of the probation officer. Only women probation officers are assigned to this division. Visits to the home are employed largely to establish the necessary personal contact which makes possible many helpful relations. The work here is friendly supervision and sympathetic help as contrasted with surveillance. Some of the things in the way of special help which the probation officers of this division are able to do are the following:

- Finding new quarters for the family.
- Teaching mothers how to care for their children.
- Showing mothers how to buy to advantage, etc.
- Securing legal advice.

Securing medical aid.
 Securing employment for different members of the family.
 Sending children and mothers to the country for vacations.
 Making outside contacts for the family with individuals and associations,
 such as settlements, recreation centers, etc.

The average number of families assigned to a probation officer of this division is 54.³

This statement of kinds of service rendered represents an ideal toward which the probation department is striving rather than an actual accomplishment, inasmuch as with the large number of cases assigned each officer it is quite impossible to secure such detailed supervision in all instances. The court recognizes the value of supervision; and the work of the officers is directed by the head of the division, who reads all reports of visits made by the officers, makes suggestions about matters needing attention, and confers with the officers about families who present special difficulties. In addition to this an attempt was made in 1919 to secure more efficient work by the adoption of a set of rules intended to serve as minimum standards for probation work. These rules were drafted by a committee of the heads of the divisions and are as follows:

1. Read record before going out on case.
2. First visit within one week; report of first visit should include—
 - (a) Tentative plan.
 - (b) Definite statement of reason for court action and what should be accomplished by probation.
 - (c) Environment sheet must be completely filled out if same was not done at time case was brought into court.
 - (d) Definite information must be gotten as to the name and address of employers of the working members of the family as well as amount of wages.
 - (e) First report must be plainly and definitely marked "first report" so that same can be margined by typists.
3. Division head to specify minimum number of visits on each case per month and how frequently child itself should be seen.
 - (a) Division head will notify officer on receipt of first report as to this.
 - (b) Division head will also make such notation on the record.
4. Report of child's progress in school should be made once a month; if same is unsatisfactory, matter should be taken up at once.
 - (a) School reports will give information as to deportment, attendance, application, appearance, and any other information gleaned from teacher and principal.
 - (b) School report should be plainly marked "school report" so that same can be margined by the typist.
5. Every member of the family and household should be seen at least once during the probation period.
6. At the end of a six months' probation a summary should be made showing what was accomplished, and if the cause for court action has not been remedied, why.

³ Charity Service Reports, Cook County, Ill., 1918, p. 217.

It is the intention of the present head of the family supervision division that cases which show no improvement after they have been on probation for a year or more shall again be brought into court.

In addition to the rules quoted, which apply to all officers having charge of children on probation, officers having supervision over delinquent girls are required to visit employers, when the girls change jobs, to verify the girls' statements about their work and earnings and to visit the girls themselves, as well as their families, at least once a month. In cases of dependent children it is considered sufficient if the family with whom the child is living is interviewed periodically at longer intervals. Occasionally, if circumstances seem to warrant it, delinquent girls are directed to report to their officers at a settlement or at some similar convenient place.

Delinquent boys placed on probation are under the supervision of the officers in the delinquent boys' division, all of whom are men. These officers are under the supervision of the head of that division, who directs their work in much the same way as that described above. The rules already cited apply to them as well as to the officers in the family supervision division. The work is primarily with the offending boys, but the officers recognize the importance of family conditions and, so far as possible, adjust any difficulties they may observe or call in the service of an agency better adapted to deal with the problem.

The rule is that boys be visited in their own homes at least once a month. Some of the officers supplement their visits to the boys by having the boys report to them at stated times, usually at a settlement house in the district. The head of the division does not object to this practice if the individual officers think it successful, but he does not encourage officers to adopt it, as he is convinced that the difficulties connected with the practice are likely to outweigh its advantages. In no case are the reports to the officer allowed to take the place of visits to the boys in their homes, but are always used to supplement the regular visits. Aside from the rules quoted above there are few regulations governing the work of the officers, but each case is dealt with as the situation seems to demand. School reports must be obtained if the boy is still in school; employers, however, are seldom seen unless the position was obtained with the assistance of the probation officer, as it has been found that attempts to cooperate with the employer occasionally lead to the discharge of the boy, and in more cases cause fear of discharge on the part of the boy and irritation on the part of the boy's parents. Special attention is paid to boys during the early part of the probation period, as this is recognized as the crucial period.

Depending as it does upon the varying conditions in the individual cases, it is difficult to make any general statement about the actual

work of probation. In reading a number of cases selected at random it has been apparent that the rules of the department are not slavishly followed. They are, if these cases are typical, often overlooked, sometimes with good reason, sometimes apparently through carelessness. The following summaries of cases of children placed on probation for a considerable period of time will present a better picture of the situation than any general statements could convey. Despite the inadequacy of the records, some idea may be gained from these cases of the difficulties both of the child and the probation officer.

Edward O., a fatherless delinquent boy 14 years old, had been on probation for nine months when the case was read. He was one of eight children. Three older boys were living at home and supporting the family. He was brought into court first in 1917, when he was accused of throwing a stone and breaking a church window. He denied the charge, and as no evidence was produced in support of the charge, the court was satisfied with his denial and the case was "continued generally."

Edward was next brought to court more than a year later after stabbing and wounding another boy. His mother was working. An older brother offered to pay the costs and promised to look after the boy, but the court ordered Edward to pay \$3 a week for three weeks to pay the doctor's bill. (He was at that time earning \$10 a week, but the record does not give his occupation.) The case was continued under the supervision of a probation officer who received payments from the boy but reported no other supervision or visits. When the required payments had been made in April, 1919, Edward was placed on probation. The probation officer reported his first visit one month later. Edward was then working at "some steel company" as an errand boy, earning \$9 a week. Three more visits to the home were reported during the next five months, but the boy himself was not seen until October 25, when he was out of work. The probation officer sent him to the vocational bureau to get a job, but received no report and did not see him again until he was again brought into court on December 1. A few days before this the officer had visited Edward's mother and happened to learn that the boy had stolen \$5 from his mother, had run away from home, and finally had been arrested for stealing some flashlights from an automobile. A police probation officer had filed a petition. The case was continued under supervision. The subsequent history may be summarized as follows:

The next day after the hearing Edward reported to probation officer and was sent to the vocational bureau to get a work certificate. Got a job as errand boy at \$10 a week.

Three weeks later: Visit of probation officer to mother. Report favorable.

Two weeks later: Case in court on continuance. Probation officer had not seen boy since day after hearing, but reported his conduct satisfactory and recommended probation. Court ordered probation.

Three weeks later: Probation officer visited mother. Report favorable.

Two weeks later: Vocational bureau notified probation officer that boy had been discharged for unsatisfactory work. Probation officer promised to visit but did not do so.

Five days later: Vocational bureau requested probation officer to call at office, as boy had stolen \$2 from doctor's office while waiting to be examined. Advised court action, but probation officer decided to have a psychopathic examination first, which showed a mental age of 12 years; that is, some retardation.

A physical examination showed incipient pyorrhea. The vocational bureau refused a new work certificate until the boy's teeth were in good condition, and he was sent to a dentist. When the probation officer next visited, Edward was away on a vacation, and a month later was working. This was the last record when the case was read two months later.

Anna G., a 15-year-old girl, was brought into court for immorality. She had left home and with two other girls rented a room in a hotel. She admitted having had immoral relations with one man previous to this time, and her mother was willing that she should marry him, but as she was only 15, under the law of Illinois she could not be married. The case was continued during the time the man's case was pending in the morals court, and Anna was kept for more than a month in the detention home. At the end of this time she was placed on probation, and the whole family was thoroughly impressed with the fact that the marriage could not take place for five months. The probation officer made four visits during this time, but saw Anna only once. She had not passed the fifth grade and could not get a working certificate, but apparently no attempt was made to keep her in school. About the time she was 16 she began to work. The man was allowed to call, but the family were quite anxious to cooperate with the officer in looking after Anna, and there was no further trouble. She was married as soon as she was 16 and was released from probation.

Mary B., a 15-year-old colored girl, was reported to the court by a school principal for writing indecent notes and for immorality. She was one of eight children, and the home was poor and neglected. Commitment to the State school for girls was recommended by the assistant to the judge, and Mary was sent to the detention home to await the judge's confirmation of this recommendation. Meantime Mrs. W., for whom Mary had worked after school, asked the court to allow Mary to work at her house every day from 9 until 7 instead of sending her to Geneva. The arrangement seemed satisfactory to the probation officer, and the judge placed Mary on probation to live at home.

When the probation officer visited less than two weeks later, Mary wanted to work in a factory because she could earn more. The family had moved, and conditions were improved.

A week later when the officer called the family had decided that Mary should go back to school and graduate, as she was too young to work.

A month after this the probation officer called and found that Mary was in school and was working for Mrs. W. after school. For two months Mary remained in school, and the reports of her conduct were good. The probation officer enlisted the cooperation of a social agency working with colored families, and this agency persuaded Mary and her sister to join the Y. W. C. A. and a community club. After school was out in July the officer visited and found that Mary was staying at home during the day with younger brothers and sisters while her mother worked. She seemed dissatisfied with this arrangement, however, and wanted herself to go out to work. For four months after this the family was not visited, and in November when the officer finally called the family had moved. Two weeks later when the record was read they had not been located.

Frances L., a colored girl of 16, had been brought to court in 1917, after she had run away from an institution for dependent girls. She had stolen money from one of the girls there and had been immoral. Both her parents were dead, and she was committed to the State training school for girls. In 1919 an aunt of the girl's asked for her release from the institution. The institution reported that the girl was mentally defective, had congenital syphilis, and was

losing her eyesight. The court therefore continued the case for three months. At the end of this time the report as to the girl's condition was still unfavorable, but a probation officer reported favorably upon the aunt's home, and the judge released Frances on probation on condition that she be given close supervision.

For two months Frances remained in her aunt's home helping with the housework. The probation officer visited twice during this time. When the officer visited the aunt the next month, Frances was in the county hospital for eye treatment. She remained in the hospital for three months and the officer visited her aunt twice. For nearly three months more conditions remained about the same, Frances staying with her aunt and doing very well. Then the aunt reported to the probation officer that Frances was having immoral relations with one of her lodgers. (Up to this time there has been no mention of lodgers in the home.) The court physician reported that Frances was pregnant. Nearly two months later the probation officer visited and found that Frances had been away from home for two weeks. After several weeks it was discovered that she had been living with a man and working to support him.

The case was then brought into court for hearing. Frances's statements seemed to point to the fact that her aunt was keeping a disorderly house. When the home was first visited a man was present, but the aunt had told the probation officer that he was not living there and that she had no lodgers. She admitted in this hearing that she had had lodgers at that time. The case was continued for a week for further investigation, but when brought in again, the aunt was ill. Since Frances had no other place to go and the aunt needed her help, the court made no change of order. The record was read a few days after this hearing.

Mrs. M. asked the court to place her four children—three girls and a boy, all under 14. Her husband's whereabouts was unknown, and she was working as a waitress earning \$10 a week. During the investigation the mother was arrested for shoplifting. She was sent to the county jail for 10 days, and meantime the children were placed in the detention home. While in jail the mother was given a mental examination and was reported to be feeble-minded and "almost committable."

November 26, 1919: First hearing. The mother's statements seemed quite contradictory and unreliable. The case was continued for publication for the father, who, according to Mrs. M., had died in France. The mother and children were placed in a charity lodging house.

December 20, 1919: Mrs. M. left the lodging house and applied at a police station for lodging, saying she had no money.

December 23, 1919: Case in court. Mrs. M. still unreliable. Case continued under supervision of child-placing division.

December 31, 1919: Mother placed by the adult probation officer of the municipal court in the psychopathic hospital for observation. All the children taken to a rescue mission in a suburb.

January 6 and 12, 1920: Case in court. Mother still in hospital and case continued.

January 16, 1920: Mother called at court asking for children. Had been discharged from hospital diagnosed as psychopathically unfit to care for the children.

January 19, 1920: Case in court. Leona, aged 13, and Ione, aged 11, committed to an industrial school for dependent girls; Jack, aged 4, and Mazy, aged 2, to an orphanage. Adult probation officer is to be responsible for the mother.

At this time information was received from a social agency in another city that the two younger children were illegitimate and that the mother had taken the two older ones from a home in which they had been placed.

May 3, 1920: Mother asked for release of children. Was working in a hotel, earning \$20 a week.

May 7, 1920: Mother called with a man for whom she was to keep house. Probation officer consulted with sisters of a convent who recommended the man, and probation officer approved the plan. The man had four children.

May 28, 1920: Children released and placed on probation to live with mother.

June 5, 1920: Probation officer visited. Home dirty. Children away. Mrs. M. sullen and resentful.

June 26, 1920: Mrs. M. took her children and left her place of employment, going to the charity boarding home.

July 7, 1920: Probation officer visited family at boarding home. Mrs. M. working in a hotel. Children well cared for in the nursery.

September 17, 1920: Probation officer visited. Mrs. M. not seen, but matron gave good report.

October 14, 1920: Mrs. M. called at office. Raved incoherently. Wanted court to leave her alone.

October 15, 1920: Probation officer consulted matron of home, who reported that Mrs. M. had left with her children and did not say where she was going, although she had told some one she was leaving the city.

Two months later, when the record was read, the family had not been located.

These cases reveal the paucity of community resources for meeting many of the needs revealed by the court hearing. The ease with which families move from one city to another renders the task of supervision extremely difficult; there is the difficulty of seeing the older children if they have gone to work; making an investigation on which to base a plan of permanent care takes time. These few cases illustrate the way in which officers cooperate with the vocational bureau, with the organization intended to deal especially with problems among colored people, with the settlement, the Y. W. C. A., and with the members of the adult probation department. They illustrate, too, the kind of situation in which the authority of the court constitutes an important factor in the exercise of parental or filial responsibility.

Appointment of guardian.

Another order that the court may enter in cases both of delinquent and of dependent children is the appointment of a guardian. For delinquent children the provision of the juvenile court law reads as follows:

The court may appoint some proper person or probation officer guardian over the person of such child and permit it to remain in its own home, or order such guardian to cause such child to be placed in a suitable family home.⁴

The provision for dependent children is as follows:

If the parent, parents, guardian or custodian consent thereto, or if the court shall further find that the parent, parents, guardian or custodian are unfit or

⁴ Hurd's Illinois Revised Statutes, 1919, ch. 23, sec. 177.

improper guardians or are unable or unwilling to care for, protect, train, educate or discipline such child, and that it is for the interest of such child and the people of this State that such child be taken from the custody of its parents, custodian or guardian, the court may make an order appointing as guardian some reputable citizen of good moral character to place such child in some family home or other suitable place which such guardian may provide for such child.⁵

This order is used in general in those cases in which it appears that the arrangement made must be of relatively long duration; that is, when the home is unfit and no possibility of its improvement appears to be likely in the near future, when both parents are dead and no relatives are found to care for the child, and when the mother is dead and the father is unable to provide care for the child and prefers placing in a family home to commitment to an institution. In cases of delinquent children special consideration is given to the possibility of the child's making good in new surroundings.

The order appointing a guardian may be stated in either of two forms, "with the right to place" or "with the right to consent to adoption." The second of these two orders was authorized by an amendment to the juvenile court law passed in 1907 and providing that—

the court may in its order appointing such guardian empower him to appear in court where any proceedings for the adoption of such child may be pending, and to consent to such adoption; and such consent shall be sufficient to authorize the court where the adoption proceedings are pending to enter a proper order or decree of adoption without further notice to or consent by the parents or relatives of such child.⁶

The order giving the guardian the right to consent to adoption, a stronger order than the one merely giving the right to place in a home, is used only in those cases in which it is desired to effect a permanent separation of the child from its parents or from those who have the custody of the child. This order, it should be noted, gives the guardian only the right to consent to adoption; no child can be adopted until a proper petition has been filed in a court of competent jurisdiction and the fact established that the state of affairs justifies adoption. The effect of this order is that the parents from whom the child has been taken by court order need not be made defendants in the adoption proceedings as would otherwise be required.

The comparative infrequency with which the order appointing a guardian is used is indicated in Tables XI and XII. Only 5.2 per cent of the cases of delinquent boys, 9.8 per cent of the cases of delinquent girls, and 12.6 per cent of the cases of dependent children have been disposed of in this manner, in contrast with 34.9 per cent, 31.1 per cent, and 26.4 per cent, respectively, placed on probation, and 22.1 per cent, 39.9 per cent, and 40.7 per cent committed to institutions. It is,

⁵ Hurd's Illinois Revised Statutes, 1919, sec. 175.

⁶ Ibid., ch. 23, sec. 183.

however, an important authority for the court to possess. Such an authority would be an essential factor in a policy of child-placing were the court ever given the resources to develop the field of placing in family homes as a substitute for the institutional care on which it must at present so largely rely.

The "reputable citizens" appointed as guardians are either persons known to the parent, though such persons are rarely appointed, or officers of the court. In the cases of both delinquent and dependent girls and a few of the younger dependent boys the officer appointed as guardian is the head of the child-placing division. This division was organized about 1914 in order to provide private boarding homes for semidelinquent girls, for whom a change of environment was considered advisable and who were not delinquent enough to be sent to an institution for delinquent girls. The work soon proved so useful that the division extended its activities to dependent children also. The annual report of the juvenile court for 1918 gives the following account of the work of this division:

Officers of the child-placing division place in family homes or in private institutions children who have been committed to their care by the judge of the juvenile court. During the past year 704 children, approximately one-third of whom were delinquent girls and the other two-thirds dependent boys and dependent girls, were so placed. No public money is paid for the support of these children. In some cases the parents pay the child's board. The older schoolgirls and girls of working age, who are placed in family homes, receive compensation ranging from \$1.50 to \$6 per week for services which they render in these homes. On December 1, 1918, 423 children were in the care of officers of this division.¹

Most of the girls placed are 15 or 16 years old. An effort is usually made in the case of dependent girls to secure for them positions as mothers' helpers, a type of work chosen because it brings the girl into intimate relationship with the family life and puts her under the close supervision of her employer. Delinquents and semidelinquents are more likely to be employed as maids in private families. Children under 12 years of age are generally placed in institutions, though sometimes in free private homes where they may be given the opportunity to go to school.

Applications from women who wish to take wards of the court into their homes are investigated by a special officer of the division. She is expected to visit the home and to talk with the mistress, to learn the composition of the family and the number and condition of the rooms, and to assure herself that the girl will have a bedroom of her own which is provided with a key. No effort is made to see other members of the family, and the woman's word is taken as to the absence of boarders. At least two persons, not relatives,

¹ Charity Service Reports, Cook County, Ill., 1918, p. 219.

given as references by the family, are also visited. Any woman who wishes to take a girl must agree to the following conditions:

1. That the girl be allowed to attend night school if she chooses.
2. That she report twice a month alone in person to her probation officer at the Mary B Home.
3. That she shall not be required to do any washing.
4. That she is to be in the house by 9 o'clock at night.
5. That she is not to go out in the evening with anyone of whom the mistress of the house does not approve.

The extent to which these instructions are carried out by the officer can not be judged from the records of the division, as those records are very slight. The results of the carefully outlined investigation of homes are not recorded in detail. The only report of conditions in a foster home selected by the division, aside from remarks entered in the case records of an individual child, is that recorded on a four by six card which contains the name and address and the number of persons in the home.¹²

One of the great difficulties with which the child-placing department was formerly confronted was that of finding working homes for girls fresh from the court room. They are likely at first to appear too friendless and woe-begone to be attractive to strangers. Thus a pleasant temporary home where the girls might rest and recover self-possession and a little courage was greatly needed. This need was met by equipping from private funds two small clubs to which girls could be sent directly from the court. One, known as the Mary B, is for dependents; and the other, the Mary A, is for semidelinquents. The board of directors publishes a circular in which the clubs are described as follows:

In 1914 money was raised to furnish a six-room flat, which later grew into a two-story-and-attic house. Here the girl remains for a day, a week or perhaps longer, as the case requires, the thought back of the home being to acquaint her with the requirements, responsibilities, and joys of real home conditions. She is helped to wash and mend her clothing and takes part in the pleasures as well as the work of the household. If frail and undernourished, she remains until able to take a place where she may earn her livelihood or perhaps work her way through school. If adenoids or tonsils should be removed, she is cared for at the club while convalescing from these minor operations. While her physical wants are thus cared for, the moral and spiritual help she receives from the knowledge that somebody really cares about her welfare and that there is a place she may always call home, brings to her self-confidence and courage to take her place in life.

The need of the girl whom we might term a semidelinquent was quite as urgent as that of the dependent girl, and friends came forward again in 1916 and established a second home.

The Mary B club for dependents accommodates 18 girls; the Mary A cares for 8.

¹² Since this writing a new system of records for the child-placing department has been established and complete reports of investigations of foster homes are now kept on file.

Many of these girls are entirely destitute except for the clothes they are wearing, and before leaving the club for a new home each girl is given a small suit case containing a change of underwear, a night dress, a comb and brush, and various other articles necessary for care of the person and helpful in properly starting a new career.

No girl committed by the court to the head of the child-placing division may be released, without special application to the court, before she has reached the age of 18. During this period the girl is under the close supervision of some officer in the division who must make monthly written reports to the head of the division. Every two weeks, as has been stated, the girl reports to the officer, and she is visited once a month in her home. When the girl has shopping to do, she brings her wages and is assisted by the officer in making her purchases. The division handles savings accumulated by the girls that range from \$5 to \$450. The social life of these girls has received special attention during the last two years. On Sundays they may entertain their callers in the Mary B home. Outings, concerts, and entertainments are arranged for by societies interested in the recreation of young girls. In general, girls under 17 are not allowed to receive callers in their homes, though exceptions are made in special cases.

Until recently the officers of the child-placing division worked only with children who were to be placed in homes and had no contact with the child's own home. These officers are now required to keep in touch with the home as well, and to make an effort to deal with the entire family situation.

It frequently happens that when a girl reaches the age of 16 and is free to select an occupation she prefers an occupation other than domestic work, such as, for example, that of telephone operator or office work. In that case the department finds for her another home where she can pay board. Although wards of the division are released from guardianship at the age of 18, they frequently avail themselves of the help and advice of the officers for a few years longer.

The following case supervised by the child-placing division illustrates the difficulties of finding satisfactory homes, the danger of delinquency developing in uncongenial surroundings, and the methods employed by the division:

Victoria J., aged 17. Father and mother both dead. Under the court's care as a dependent since 1910. She had been at first on probation, later placed in an institution for dependents, and since October, 1915, had been under the care of the child-placing division. During this time she had remained for three years in one family home which proved to be very satisfactory. Then her custodian died, and during the next nine months she was placed in four different homes. She was not contented in any of these, complained of being ill, and upon examination was found to be pregnant. She was then sent to a

maternity home, but the matron found her unruly and refused to keep her. On October 8, 1919, she was brought into court on a delinquent petition. A mental examination two days before this showed her mental age to be 12 years. The case was continued five months under the supervision of the child-placing division.

October 8, 1919: In court. Continued to January 5, 1920. Maternity home willing to give another trial.

October 14, 1919: Sent with probation officer's approval to work in the kitchen of a large hospital until her confinement.

January 5, 1920: Confinement. Arrangements made for Victoria and baby to go to an infant's home until bastardy case against the man responsible is heard.

March 1, 1920: Baby died. Victoria in family home. Man paid burial expenses, and bastardy charge dismissed.

March 19, 1920: In court. Delinquent petition dismissed.

April 8, 1920: Victoria complains of loneliness in private home.

June 10, 1920: Custodian reports Victoria keeping late hours.

July 5, 1920: Continues to keep late hours. Custodian suspects immorality.

July 9, 1920: Victoria admits immoral relations. Taken to detention home.

July 12, 1920: Case in court on delinquent petition. Victoria committed to the House of the Good Shepherd.

In the cases of delinquent boys and dependent boys over 12 years of age, the guardian appointed is the head of the delinquent boys' division, who assigns the care of these boys to three officers of the division, two handling cases of Catholic boys, the third those of Protestant boys. The two Catholic officers have 180 boys under their care, and the Protestant officer has had as many as 90, but in 1920 he reported about 50. Although the boy may be placed in any situation that the officer deems suitable, and some boys are allowed to enlist in the Army or Navy, a farmer's home is generally selected. It has been the experience of the officers that the farm with its outdoor life, contact with animals, and opportunities for hunting and swimming, makes a strong appeal even to the city-bred boy and often proves so attractive to him that he remains on the farm after his period of supervision by the court is over. This terminates by law at his twenty-first birthday, and may be ended before that time.

No specific regulations governing the activities of these officers exist. Each one is given great latitude in working out his own method of procedure. Farms within a radius of 50 miles of Chicago are usually investigated personally by the officer who has been assigned the case. Farms at a considerable distance from Chicago are not personally investigated, but references from prominent citizens in the town near which the farmer lives are taken instead. Until about 1920 boys were widely scattered over Illinois and adjoining States, but since that time an effort has been made to place them on farms within convenient distance of Chicago. Each officer has his own standards of conditions which make a farm a suitable place for a boy. Moreover, these standards vary according to the

individual needs of the boy concerned. Comfortable quarters, arrangements for bathing, and wages of at least \$10 a month to cover the cost of clothing are some of the requirements. No stipulation about conditions of work is made, but farmers with a reputation for overworking their employees are avoided. The officer is not in a position to make too precise demands because the farmer feels that it is a favor to take the boy at all. In selecting a farm, the character of the boy is always kept in mind. For instance, a home with young children would not be selected for a boy who had immoral tendencies, nor one with unusual opportunities for stealing for a dishonest boy. Although the officer states the truth when asked, he avoids going into detail about the boy's past record.

If a boy is not satisfied with the first home in which he is placed, he is given a chance to try others. Rarely an officer brings a boy back to court. He prefers changing him about many times to giving up the plan of placing him on a farm.

As in the child-placing division, the officers make a monthly report with regard to each child under their care. The boys make no regular reports to the officers. Those at a distance write letters, while those near Chicago are frequently conferred with by telephone and visited approximately every six weeks. As many of the boys as possible are sent to a particular district about 50 miles from Chicago because of the greater ease of supervision. The sheriff of the county in which this district lies is especially interested in keeping in touch with the boys and makes them feel that they can come to him if they get into any difficulty. Cooperation of public officials with probation officers is of peculiar importance when, of necessity, the officer is not readily accessible to his charges.

Boys under the guardianship of these officers are encouraged to go to school, but it is seldom that they attend beyond the age of 16. Those wishing to go to high school are not sent out on farms. The problem of securing education for even the younger boys presents difficulties, owing to the dislike of school authorities and parents for having city boys, many of them with undesirable records, attend the small country schools.

Commitment to child-placing societies.

A small proportion of dependent children, 4.6 per cent, as shown by Table XII, were committed to child-placing societies during the five-year period 1915-1919. The only societies of whose services the juvenile court now avails itself are the Illinois Children's Home and Aid Society, the Jewish Home Finding Society of Chicago,³ and the

³ Now a division of the Jewish Social Service Bureau.

Catholic Home Finding Association of Illinois. The effect of this order is not essentially different from the preceding, except that the care of the child passes to others than court officers. Children committed to these societies are placed in family homes or in institutions and are supervised by agents of the societies. No reports are required from these agencies, but the Illinois Home and Aid Society reports every three months to the chief probation officer regarding children received for placing but not for adoption. The court, however, takes no action upon these reports and a change in the status of the child is made only at the request of the society.

Commitment to hospitals and schools for defectives.

The juvenile court law gives the court authority to place a delinquent or dependent child found to be in need of medical care in a public or private hospital or institution for special treatment.⁹ In a small number of cases, less than 1 per cent of each group in the period 1915 to 1919,¹⁰ the child was committed to such institutions. Most of these children were placed in the county hospital and the county tuberculosis sanitarium, but a few were sent to the State school for the blind and to a home for destitute crippled children in Chicago. In these cases in which a child is to be placed in a public institution at county expense the procedure is commitment to the county agent.

Deportation.

A few children each year are deported.¹⁰ This means usually that they are turned over to the county authorities to be returned to other counties or States in which the family has a legal residence.

Commitment to institutions.

An order for commitment to an institution is a last resort on the part of the court. Most delinquent children are tried on probation or are placed in family homes before it is finally thought to be necessary to place them in institutions. In cases of dependent children perhaps even greater effort is made to find a suitable and normal home environment before resorting to commitment to an institution. Nevertheless, from Tables XI and XII it appears that in 22.1 per cent of the cases of delinquent boys, 39.9 per cent of the cases of delinquent girls, and 40.7 per cent of the cases of dependent children, the child was committed to an institution, a higher proportion of the last two groups than that of cases in which the child was placed on probation. This is largely due to the fact that for dependent children every possible plan is tried before bringing the case into court, while the seriousness of the offense and the difficulty of supervising a girl in the old sur-

⁹ Hurd's Revised Statutes 1913, ch. 23, sec. 177b.

¹⁰ See Tables XI and XII, pp. 70 and 71.

roundings often makes commitment the only possible plan for the delinquent girl.

Dependent children.—The juvenile court law provides for the commitment of dependent children to “some suitable State institution,” to a manual-training or industrial school, or to a private association.¹¹ As a matter of fact, only one institution for dependent children supported by public funds is in existence, the Soldiers’ Orphans’ Home at Normal, Ill. This institution is at present used by other counties of the State for dependent children as well as for soldiers’ orphans, but is used by Cook County only for its original purpose. With the exception of a few orphanages, therefore, the institutions to which dependents can be sent are those organized under the acts establishing industrial schools for girls and manual-training schools for boys.¹² Under these acts any seven persons with the approval of the governor and the secretary of State may incorporate to maintain an institution for the education and care of dependent children.¹³ When organized under these acts they have certain privileges not given to other private associations, by far the most important of which is the right to receive from the county \$15 a month for each girl and \$10 a month for each boy committed to their care by order of the court. Under these circumstances it is not surprising that in Cook County one after another of the institutions caring for dependents has reorganized under the industrial or manual training school act¹⁴ until there are now 18 such schools in the county, 10 for boys and 8 for girls. Most of the schools are organized for children of foreign-born parents, along national and religious lines, and the court, as required by law, exercises scrupulous care in committing children to institutions where they will be given religious training in accordance with the faith of their parents.

The policy of the court with reference to the commitment of dependents to institutions has always been to avoid commitment whenever possible, in accordance with the principles set forth by the White House Conference of 1909 that “Children of worthy parents or deserving mothers should, as a rule, be kept with their parents at home” and that “Homeless and neglected children, if normal, should be cared for in families, when practicable.”¹⁵ The court has been hampered in carrying out this policy by the fact that there has been no public money available for the support of children in boarding homes and the resources of private agencies have been inadequate. Under these circumstances the court has been forced to commit to institutions

¹¹ Hurd’s Illinois Revised Statutes, 1919, ch. 23, sec. 175.

¹² See p. 8.

¹³ Hurd’s Illinois Revised Statutes, 1919, ch. 122, secs. 320–347.

¹⁴ *Ibid.*, ch. 23, sec. 185.

¹⁵ Proceedings of the Conference on the Care of Dependent Children, Held at Washington, D. C., Jan. 25, 26, 1909, p. 8. Washington, 1909.

children whom it was necessary to separate from their parents, unless the separation promised to be of such long duration that more or less permanent placing in a family home was possible.

When the parent or parents are financially able to contribute to the support of their children in an institution the court has authority to order the payment of a stated sum each month.¹⁶ This money is not paid directly to the institution, but to the clerk of the court and is turned over by him to the county treasurer, who pays the institution. If parents fail to make the payments ordered, they may be brought before the court on contempt proceedings and punished by commitment to the county jail. The process, however, is cumbersome, and enforcement of orders by this means is very difficult. In recent years the major part of the time of one officer has been devoted to this work, with the result that collections on orders for support of children, either under guardianship or in institutions, have increased from \$1,107.66 in 1912 to \$48,513.84 in 1920.¹⁷

Delinquent boys.—Two public institutions are available for the care of delinquent boys, one the St. Charles School for Boys, maintained by the State, and the other the Chicago and Cook County School for Boys, jointly maintained by the city of Chicago and by Cook County. The policy of the court is against commitment of first offenders except for the most serious offenses, and against commitment until the boy has been given every chance, to make good under some other treatment. Boys who have committed serious offenses and frequent repeaters are sent to the St. Charles School for Boys for an indefinite period that may legally extend through minority unless the boy is previously released. For first commitments or in cases of less serious nature the boy is usually sent to the Chicago and Cook County School for Boys, where the period of detention is shorter, varying from a few weeks to perhaps a year, depending upon behavior.

The Chicago and Cook County School for Boys was established in 1915 to take the place of the John Worthy School in the house of correction. It will be recalled that separate housing of the boys committed to the house of correction had first been brought about. Later a school in the confines of the institution was organized and the segregation of the boys was effected. In 1915 the use of that school was replaced by commitment to a farm school.

Table XIV shows the number of boys committed to these various institutions in each of the years 1915-1919.

¹⁶ Hurd's Illinois Revised Statutes, 1919, ch. 23, sec. 190.

¹⁷ Charity Service Reports, Cook County, Ill., 1920, p. 240.

TABLE XIV.—*Institution to which committed, by year; cases of delinquent boys committed to institutions, 1915-1919.*¹

Institution.	Cases of delinquent boys committed to institutions.					
	Total.	1915	1916	1917	1918	1919
Total.....	2,603	425	379	453	493	853
Chicago and Cook County School.....	1,130	3	153	202	252	520
John Worthy School.....	166	166				
St. Charles School for Boys.....	1,307	256	226	251	241	333

¹ Figures for fiscal years ending Nov. 30. Charity Service Reports, Cook County, Ill., 1915-1919. For 1920 the figures are: Chicago and Cook County School, 444; St. Charles, 193. For 1921 they are: Chicago and Cook County School, 460; St. Charles, 178.

About 60 per cent of the commitments in 1919 were to the Chicago and Cook County School, the remainder to St. Charles.

Delinquent girls.—Delinquent girls may be committed to one of three institutions, the State Training School for Girls at Geneva, the House of the Good Shepherd—a Catholic home—and the Chicago Home for Girls, Protestant, though nondenominational. The last two receive per diem payments from the city of 40 cents a day for each girl, paid through the city house of correction. Only girls from the city would be sent to either of these institutions. The Chicago Home for Girls also receives a considerable sum from private contributions.

Table XV gives the number of girls committed to each of these institutions in the five years, 1915-1919.

TABLE XV.—*Institution to which committed, by year; cases of delinquent girls committed to institutions, 1915-1919.*¹

Institution.	Cases of delinquent girls committed to institutions.					
	Total.	1915	1916	1917	1918	1919
Total.....	1,333	257	210	279	286	301
Chicago Home for Girls.....	234	54	40	57	44	39
State Training School for Girls at Geneva.....	439	81	61	85	97	115
House of the Good Shepherd.....	660	122	109	137	145	147

¹ Figures for fiscal years ending Nov. 30. Charity Service Reports, Cook County, Ill., 1915-1919. For 1920 the figures are: Chicago Home for Girls, 31; Geneva, 34; House of the Good Shepherd, 100. For 1921 they are: Chicago Home for Girls, 54; Geneva, 50; House of the Good Shepherd, 132.

With certain exceptions, delinquent girls are sent to the State school in only the more serious cases. About 60 per cent of them were committed in 1919 to the Chicago Home for Girls and the House of the Good Shepherd. The State school will not receive pregnant girls and these are committed to the Chicago Home for Girls.

Transfer to the criminal court.

The juvenile-court law provides that the court may in its discretion permit a delinquent child to be proceeded against in accordance with

the laws of the State governing the commission of crimes or violations of city ordinances.¹⁸ This authority has been exercised in serious cases involving a few boys each year. The delinquent petition is dismissed, and the boy is held to the grand jury for indictment on a criminal charge. In Table XVI the number of such cases is given for each year since 1915.

TABLE XVI.—Cases held to the grand jury by the juvenile court, by year; delinquent boys, 1915-1919.¹

Year.	Cases of delinquent boys.		
	Total.	Held to the grand jury.	
		Number.	Per cent.
Total.....	11,709	70	0.6
1915.....	2,326	24	1.0
1916.....	2,192	25	1.1
1917.....	2,328	7	0.3
1918.....	2,306	2	0.1
1919.....	2,647	12	0.5

¹ Figures for fiscal years ending Nov. 30. Charity Service Reports, Cook County, Ill., 1915-1919. In 1920, 17 cases were held to the grand jury; in 1921, 6.

The proportion of cases disposed of in this manner as compared with all cases of delinquent boys appears from Table XVI to be very small, less than 1 per cent during the five-year period 1915-1919. All these boys were at least 16 years of age. Many had been tried on probation or had been at one time committed to institutions for delinquent boys. A few had never been in court before but were nearly 17. The offenses charged were for the most part deeds of violence, daring holdups, carrying guns, thefts of considerable amounts, and rape. The decision of the judge in these cases usually depends upon his belief that the boy is too experienced in wrongdoing to be manageable in the State institution for delinquent boys and that he should therefore be committed to the State reformatory established for boys between 16 and 26. A boy can not, however, be committed to this institution under the juvenile-court law but must be transferred to a court having criminal jurisdiction. The judge is also cognizant of the fact that in many of these cases the officers of the court have tried for some time and have failed to effect any change in the boys. No detailed study of these cases has been possible. The following paragraphs, however, indicate the type of case dealt with by transfer to the criminal court:

George J. had never been in court before. With three other boys carrying a gun he held up a man and stole an automobile. The same week he and another boy robbed a store, using force with the storekeeper. He was held to the grand jury under \$10,000 bond. The other boys were committed to the St. Charles School for Boys.

¹⁸ Hurd's Illinois Revised Statutes 1919, ch. 23, sec. 177a.

Tony M. had been previously committed to the Chicago Parental School, to the Chicago and Cook County School for Boys, and to the St. Charles School for Boys. He was involved in two robberies, one the theft of an automobile.

Alex B. had previously been committed to the Chicago and Cook County School for Boys. He was accused of rape.

Joseph G. had once shot another boy and had been in the Chicago and Cook County School for Boys. He was involved with several other boys in a holdup.

William M. had been known to the court for four years. He and another boy with a revolver held up a man and took an automobile and a watch. The same night they held up a man and woman and took another watch and some money.

Herman S. had never been in court before. He was involved in two holdups, one with a gun.

Other procedure in cases of delinquent children.

Besides the methods of disposing of cases of delinquent children especially provided by law and included in the official reports of the court, other methods of treatment are sometimes used, usually to supplement an order specified in the law.

The detention home is theoretically a place for safe-keeping pending hearing and not a place for detention as a punishment. In rare instances, however, during the service of a temporary judge, children have been sent to the detention home during short continuances as a disciplinary measure.

Restitution for damages is another form of procedure not contemplated by the law. Fines as such are never imposed, but in case of theft a boy is not infrequently required to make good the actual pecuniary loss; and this practice of the court is sometimes extended to other offenses besides stealing. In one instance noted a boy was required to pay the doctor's bill of the boy he had stabbed. In another, a boy who had accidentally shot a companion was ordered to pay \$2.50 a week until he had paid \$20, the money to be given to the family of the injured child. The boys required to make restitution are all of working age and the amount ordered is paid in weekly installments at the office of the chief probation officer. A check is then mailed to the person who is to receive the money. During 1920 the chief probation officer received and paid out \$3,706.23 in this manner.¹⁹

¹⁹ Charity Service Reports, Cook County, Ill., 1920, p. 241.

SUBSEQUENT RELATIONSHIP OF THE COURT, THE CHILD, AND THE CUSTODIAL AGENCY.

The problem of retaining jurisdiction after a final order has been entered placing a child under the care of persons other than officers of the court is one of very real significance; it is, however, a problem that has not as yet been satisfactorily dealt with in Illinois. If jurisdiction over the child is to continue, the court must be able to exercise its authority in three ways: (1) By inspection or visitation to make sure that the child is receiving the proper treatment and is returned to his own home at the earliest possible moment; (2) by requiring from the custodial agency regular reports showing the disposition of each child under its care; and (3) by the exclusive power of release. Under the Illinois law, as at present interpreted, the court does not possess complete authority to exercise any of these powers.

The following provisions of the juvenile-court law apply alike to dependent, neglected, and delinquent children whether committed to the care of a guardian, to an institution, or to an association:

The guardianship¹ under this act shall continue until the court shall by further order otherwise direct, but not after such child shall have reached the age of 21 years. Such child or any person interested in such child may from time to time upon a proper showing apply to the court for the appointment of a new guardian or the restoration of such child to the custody of its parents or for the discharge of the guardian so appointed.²

Whenever it shall appear to the court before or after the appointment of a guardian * * * that the home of the child is a suitable place * * * the court may enter an order to that effect returning such child to his home under probation, parole, or otherwise. * * * *Provided, however,* That no such order shall be entered without first giving 10 days' notice to the guardian, institution, or association to whose care such child has been committed, unless such guardian, institution, or association consents to such order.³

The court may, from time to time, cite into court the guardian, institution, or association to whose care any dependent, neglected, or delinquent child has been awarded, and require him or it to make a full, true, and perfect report as to his or its doings in behalf of such child; and it shall be the duty of such

¹ Whenever a child is committed to an institution, the head of that institution is appointed guardian. This should not be confused with the appointment of a reputable citizen as guardian, which is an order quite distinct from commitment. Guardianship in the provision quoted means *custody* in general, whether that of a guardian, institution, or association.

² Hurd's Illinois Revised Statutes 1919, ch. 23, sec. 177c.

³ *Ibid.*, ch. 23, sec. 177d.

guardian, institution, or association, within 10 days after such citation, to make such report either in writing verified by affidavit, or verbally under oath in open court, or otherwise as the court shall direct; and upon the hearing of such report, with or without further evidence, the court may, if it see fit, remove such guardian and appoint another in his stead, or take such child away from such institution or association and place it in another, or restore such child to the custody of its parents or former guardian or custodian.⁴

With regard to associations it is provided that—

The court may at any time require from any association, receiving or desiring to receive, children under the provision of this act, such reports, information, and statements as the judge shall deem proper or necessary for his action, and the court shall in no case be required to commit a child to any association whose standing, conduct, or care of children, or ability to care for the same, is not satisfactory to the court.⁵

These provisions of the juvenile court law seem to establish the following principles with regard to the court's jurisdiction: (1) Any disposition ordered by the court may be terminated only by a subsequent order of the court—that is, the court has sole authority to release; (2) any person may reopen the case by petition to the court; (3) the court may remove a child from custody with the consent of the guardian, institution, or association, or after 10 days' notice may remove the child *without* such consent; (4) the court may require a report from the custodian with regard to a particular child and may, with or without further evidence, remove the child from such custody; and (5) the court may at any time require such information as it desires from an association receiving children under the juvenile court law. These principles seem to give to the court a fair amount of control over the ultimate disposition of the child. The application of these principles formulated in the juvenile court law is, however, modified by the interpretation of the laws relating to State institutions for delinquent children and of the laws establishing industrial and manual-training schools for dependent children. Moreover, in some instances, even when the juvenile court's jurisdiction has appeared to be clear, the court has hesitated to press a claim against the opposition of an important and influential institution.

THE COURT AND THE GUARDIAN.

The question of the court's relation to the "reputable citizen" appointed as guardian is probably the least difficult both in theory and practice of the questions presented by these sections of the law. The policy of the court in this matter is in fact determined not so much by a principle of law as by a question of expediency. Judge Pinckney stated in 1911 before the county civil service commission⁶ that

⁴ Hurd's Illinois Revised Statutes, 1919, sec. 177e.

⁵ *Ibid.*, sec. 181.

⁶ Testimony of Judge Pinckney in Breckinridge, S. P., and Abbott, E.: *The Delinquent Child and the Home*, Charities Publication Committee, New York, 1912, p. 213.

such citizens were chosen because of their reputable character and their recognized ability to care for the child and that interference by a probation officer or other representative of the court would seriously impair their service. The practice of appointing reputable citizens outside the court has, moreover, fallen into disuse almost; in recent years, and, as previously stated, the citizens usually appointed are the head of the child-placing division and the head of the delinquent boys' division, who are directly responsible to the chief probation officer.

THE COURT AND THE INSTITUTION.

The control exercised by the court over children placed in institutions is more limited than that over children placed under guardianship.

Institutions for delinquent children.

In the case of institutions for delinquent children none of the principles formulated above are held to apply. The Cook County board of visitors in 1912 reported on the question of release from these institutions as follows:

The relation of the juvenile court to the two State institutions for delinquent children is governed definitely by statute. The custody during minority of every child committed to either of these institutions passes to the institution at the time of commitment. The responsibility for the child's care, training, and supervision rests with the institution. The length of stay of a boy in St. Charles School for Boys is determined by the superintendent and State board of administration, and so with the State Training School for Girls.⁷

The act establishing the St. Charles School for Boys⁸ contains no reference to the manner of permanent release, although it is provided that the board of trustees may make such provisions as it sees fit as to placing boys in homes, obtaining employment for them, or returning them to their own homes. The act providing for the establishment of the State Training School for Girls at Geneva provides not only for parole but for permanent release by the governor of the State or by the board of trustees.⁹

As a matter of fact these two institutions and the Chicago and Cook County School for Boys¹⁰ parole children without reporting to the court, and a violation of parole may mean return to the institution without another appearance in court. The State institutions are required by law to appoint agents to visit and supervise children released on parole. Permanent releases are made by these institutions without the knowledge of the court. They are also in some cases

⁷ Report of the County Board of Visitors of Cook County, Ill., for the year ending Nov. 30, 1912, p. 22.

⁸ Hurd's Illinois Revised Statutes 1919, ch. 23, sec. 191-215.

⁹ Ibid., sec. 236.

¹⁰ Established in 1915.

made by the court at the request of a parent or guardian after notice to the institution.

A somewhat different situation exists with regard to the court's relationship to private institutions receiving the custody of delinquent children. The authority of these institutions is defined only by the juvenile court law, not by separate acts such as those which govern the State schools for delinquent children. The power of a private institution to parole a child without consulting the court is not questioned, but the juvenile court law provides for the appointment by the institution of an agent to visit homes in which children are paroled "for the purpose of ascertaining and reporting to said court whether they are suitable homes."¹¹ The law evidently contemplated such control on the part of the court over homes in which children are placed by the institutions as may be exercised through visitation of those homes.

In the matter of permanent release by private institutions some conflict of opinion exists. The chief probation officer made an effort in 1918 to secure an agreement on the part of the private institutions to release children only through the court, but one institution, on legal advice, maintained its right under the law to effect permanent releases without court action; the assistant State's attorney assigned at the time to the juvenile court, concurred in this opinion of the institution's authority, and the effort was pushed no further. Another view of the law is at least possible, and it is to be hoped that a more liberal view of the court's power may find the opportunity of submitting the matter to judicial determination by the higher court, so that the juvenile court's claim of continuing jurisdiction over the child and exclusive authority permanently to release a child from a private institution may be affirmed, or, if finally denied by the court, obtained through amendment of the law.

The authority to require reports¹² has never been interpreted by the court as applying to public institutions, nor has the court had any power of visitation and inspection. Public institutions receiving delinquent children are subject to the inspection and control of the Illinois Department of Public Welfare, and private institutions must be certified by the same body.

Institutions for dependent children.

More serious difficulties have been met with, however, in retaining jurisdiction over dependent children. The institutions receiving these children are more numerous than those receiving delinquents, and all are under private management.

¹¹ Hurd's Illinois Revised Statutes 1919, ch. 23, sec. 160.

¹² See p. 96.

The apparent intent of the juvenile court law was to limit release to the court and to subject all institutions receiving dependent children to a certain amount of control by the court.¹³ It was specifically provided,¹⁴ however, that the juvenile court law should not in any way conflict with the earlier laws providing for the establishment of the industrial and manual-training schools.¹⁵ These acts provided for discharge at any time by the court committing, with the restriction in the case of the industrial schools that the power could be exercised only if the girl was still in the school. But the acts also provided¹⁶ that any girl committed to an industrial school or any boy committed to a training school might be "discharged therefrom at any time, in accordance with the rules thereof, where, in the judgment of the officers and trustees, the good of the girl (or boy) or the school would be promoted by such discharge," and discharge might also be ordered by the governor of the State. The industrial and manual-training schools have therefore claimed the right to dispose of children without reference to the court. As early as 1907 the chief probation officer pointed out¹⁷ that this procedure had already in many cases rendered ineffectual the work of the court, since children were returned almost immediately to homes that the court had declared unfit for them. An effort was made at that time to prevent the continuance of this practice by informal agreement with the institution, but the effort was unsuccessful. In 1912 the Hotchkiss committee, after investigating the relationship of the court and the institutions, made the same criticism and proposed the following remedy:

The law should be so amended as to make each institution responsible to the court at least for continued custody of every child committed to its care. In case a child escapes from such custody notice should at once be filed with the court which should then have power to institute appropriate measures for the child's apprehension. The return of a child without court consent to an environment which the court has just found to be unfit is a humiliating travesty on judicial procedure, and is in no way necessary to uphold the autonomy of institutions.¹⁸

While there has been no amendment in accordance with these suggestions the practice of the industrial schools has in the last few years been somewhat modified. For a great many years the institutions had been represented at the court by police officers, commissioned as probation officers, whose primary duty it was to convey to their respective institutions the children committed. In 1917 these

¹³ See pp. 91-92 for provisions applying to these institutions.

¹⁴ Hurd's Illinois Revised Statutes 1919, ch. 23, sec. 188.

¹⁵ *Ibid.*, ch. 122, secs. 333a and 347.

¹⁶ *Ibid.*, ch. 122, secs. 332 and 345. The words of the two acts are practically identical in these sections.

¹⁷ Charity Service Report, Cook County, Ill., 1907, p. 123.

¹⁸ The Juvenile Court of Cook County, Ill. Report of a Committee Appointed under Resolution of the Board of Commissioners of Cook County, p. 17. Chicago, 1912.

officers were removed by the general superintendent of police at the time of a reorganization of the police department which abolished "special details." The police department felt that the work which these officers performed could not strictly be called police work. Several of the institution superintendents felt that the institutions should not bear the expense of an officer to convey children to the institution following commitment. In the emergency the court dealt directly with the managing officers of institutions until some plan for institutional representation at the court should be worked out. The court had already made a first step in dealing directly with the institutions through the inauguration of an effort during the previous year to keep in touch with dependent children committed to institutions. To the officer in charge of this work was assigned the new task of making arrangements with the institution authorities for the admission of children, conveying children to the institutions, and conducting correspondence in matters relating to the welfare of the children. This plan still continues in effect, and the result has been most satisfactory to both the court and the institutions. Misunderstandings which were almost inevitable when transactions were made through a third person have to a large extent disappeared.

Moreover, in January, 1917, Judge Arnold obtained from the superintendents of the industrial and manual-training schools, whom he had called together for conference, an agreement to give the court 10 days' notice of an intended discharge or parole. The court was in this way given an opportunity to make an investigation and to suggest any plans it deemed advisable in connection with the disposition of the child. This arrangement has resulted in closer cooperation between the court and the institutions, though the schools have not always rigidly adhered to the agreement.

The power to require reports from these institutions, as interpreted by the court,¹⁹ is limited to specific instances in which complaint has been made with regard to particular institutions. Thus the court does not have the authority to require periodic reports from institutions concerning their general organization or their disposition of children committed by the court. A report, required in a specific instance may be made under oath and is not subject to verification by representatives of the court. For assurance that the institutions are in general performing their functions in a satisfactory manner, the court relies upon the annual certification of the State department of public welfare.

Under authority of section 18 of the juvenile court law²⁰ a board of visitation to inspect institutions receiving children from the juve-

¹⁹ The interpretation is that stated by Judge Pinckney in 1911 before the county civil service commission. Later judges have for the most part followed his interpretations of the law.

²⁰ Hurd's Illinois Revised Statutes 1919, ch. 23, sec. 186.

nile court may be appointed by the county judge. Under section 19 this power may be exercised in counties of over 500,000 by the judge of the juvenile court.²¹ It was originally held, however, that this authority lay with the county judge alone. Thus during 20 years of the court's existence the only board of visitation created was that appointed by the county judge of Cook County in 1911 and lasting only a short time. This board employed an executive secretary paid from private funds and made an investigation of the 33 institutions then receiving children on commitment from the juvenile court. The board reported to the county judge on conditions prevailing during the year ended November 30, 1911.²² The services of a paid secretary were not retained, however, and the board ceased to function after the presentation of their report. In 1920 the judge of the juvenile court for the first time decided that authority to appoint such a board of visitation lay within his powers, and a board of two members was appointed. One member was the former chief probation officer, who was at the time superintendent of the United Charities; the other was a physician. A few institutions were visited by these gentlemen acting as a board. They are both very much overworked men; they had no secretary nor provision for clerical help, and up to the present time, except so far as the institutions visited may have profited from suggestions made by them, no obvious results of the experiment can be pointed to.

RECOVERY OF CHILDREN WHO ESCAPE FROM INSTITUTIONS.

The possibility of escape from an institution raises the interesting question of responsibility for the recovery of a runaway child. Two cases of runaway children were among the records read for this study. A 16-year-old boy who had been committed to the Chicago and Cook County School for Boys ran away from the school. A letter was received by the court from a social agency in a town in a neighboring State saying that the boy was being held in the county jail there. The juvenile court replied that the parents refused to pay his return transportation; and since the school had no funds for this purpose, the social agency would have to dispose of him as best it could.

The other case is that of a 14-year-old delinquent girl. She had once run away from home with a woman of questionable character, taking \$195 from her mother and going to Mississippi. Her mother had sent her money to return. When she ran away a second time, the mother appealed to the court, and the girl was found in Chicago. She was then committed to the State Training School for Girls at Geneva, and after eight months escaped from the institution. A month later

²¹ Hurd's Illinois Revised Statutes, 1919, sec. 187.

²² Report of the County Board of Visitors of Cook County, Ill., for the year ending Nov. 30, 1911. Chicago, 1912.

the mother received a letter from a probation officer in a Mississippi town asking for authority to place the girl in the house of correction. The mother notified the court, and the court in turn informed the authorities at the institution of the situation. These authorities requested the probation officer in Mississippi to take her into custody and sent the court a notice of this action, saying, "if we are able to return her to the school, we will notify you."

In neither of these cases, then, did the court exercise the right to deal independently with the child but rather treated the costs of securing the return as a burden to be borne by the institution.

The expense incurred by a public authority of another locality within the State in returning these children to their homes could presumably be collected as a charge against Cook County. In practice this collection is not made, but Cook County often bears the expense of returning to their homes runaway children from other counties.²³ The court itself, however, and the institutions from which they escape seem to be unable to authorize such expenditure or to expedite in any way the transfer of the children.

FOLLOWING UP THE DEPENDENT CHILD AND HIS FAMILY.

Since February, 1916, the court has made an effort to keep in touch with families of dependent children who have been committed to institutions. This work grew out of an inquiry conducted by the county bureau of public welfare, which was established by the board of commissioners of Cook County in April, 1914. This bureau investigated the cases of a number of children who had been in institutions for a considerable time and who were not frequently visited by relatives. In some cases the results were startling, and the reunion of relatives and children through the bureau was in some cases dramatic. When the value of such investigations became apparent, the court itself took over this part of the work of the bureau of public welfare, and in February, 1916, began the practice of assigning officers to visit the families of children in institutions.

This work is at present under the direction of the head of the family-supervision division and under the immediate supervision of the assistant to the head. Investigation and supervision of families of dependent children in institutions are assigned to the regular district officers. The volume of work was very great when this system

²³ The problem of the "runaway" to Cook County (Chicago) is an interesting one. Six hundred and eleven such children were dealt with by the probation staff during the year 1919. In approximately 85 per cent of these cases, the parents or near relatives supply transportation for the return of the child. In those cases in which the relatives are not financially able to do this, the county agent on recommendation of the court supplies the transportation. (Charity Service Reports, Cook County, Ill., 1920, pp. 241-42.)

was established; but, with the better technique of investigation of new cases developed within the past few years, constant improvement in the follow-up work is expected. A periodic investigation and report is required by the head of the family-supervision division for every child in an institution, the interval between reports varying with the circumstances of the particular case. Through this periodic review an effort is made to restore the child to community life, either in his own home or a foster home, at the earliest possible moment.

COOPERATION WITH OTHER AGENCIES.

SOCIAL AGENCIES.

As a case-work agency dealing with family problems, the juvenile court necessarily has relations with private organizations in Chicago that are working in the same field.

Attention has been called in a preceding section¹ to the court's use of the confidential exchange, or the registration bureau, as it is called in Chicago, to learn what agencies have known the family under investigation; consultation with these agencies, either by reading their records or by personal interviews, is a part of the work of investigation. It has also been pointed out that complaints revealing situations upon which no court action can be taken yet requiring treatment are referred by the court to an agency organized to handle the particular difficulty.

In other ways, too, the court cooperates with outside agencies. These can best be made clear by a discussion of the relation of the court with two agencies with which perhaps it comes in closest contact, namely, the Juvenile Protective Association and the Jewish Social Service Bureau.

The Juvenile Protective Association² is the successor of the Juvenile Court Committee organized in 1899 to pay the salaries of probation officers, there having been no provision for salaries in the juvenile court law. While this defect in the law was remedied in 1905,³ the committee continued its support of four officers until 1909, when it was reorganized as the Juvenile Protective Association and turned its attention to community conditions affecting child life. The association, however, continues its case work for the protection of children found in dangerous or unwholesome surroundings. Its work is largely with the same classes of children as those dealt with by the court, and close relations with the court are necessary in order to avoid duplication and disagreement. At the present time the division of work between the two organizations is briefly as follows: The Juvenile Protective Association confines its attention to cases of a less serious nature, in which it is thought court action will prove to be unnecessary. Cases that seem to call for court action are referred directly to the court without preliminary investigation by the association. The association also does work that the court does not feel it can undertake, such as the investigation of anonymous

¹ See p. 37.

² It was known for a brief time as the Juvenile Protective League.

³ See p. 6 of this report.

complaints and work of a detective nature. All such work that comes to the attention of the court is turned over to this association. In turning over cases that seem too trivial to require court action, the court uses its own discretion. If the situation is such that action, but not necessarily court action, appears to be required at once, the case is ordinarily referred to the association. If, on the other hand, this does not become evident until the officers of the court have made a partial or complete investigation, it is often thought better for the court, which is familiar with the facts and through its officer has established relations with the family, to continue the work. This is especially true if it seems at all probable that court action may be necessary later.

The Juvenile Protective Association on its side finds it difficult to know immediately what cases will require court action. A condition seeming to call only for friendly supervision may on further investigation prove to require more drastic treatment or one originally not serious may in the course of months or years become such that court action is necessary. To avoid the duplication of work that would occur in cases of this kind if the association turned them over to the court as soon as it saw the necessity for court action, the court and the association have agreed that if the association has done much work on the case before court action is seen to be necessary or before the case is referred to the court by an outsider, the association is to complete the investigation, which the court will accept. For this purpose workers of the association are commissioned as volunteer probation officers by the juvenile court. In making their investigations they are not subject to the supervision of the head of the investigation division, but they bring cases involving dependent children before the dependent-case-conference committee before they file petitions.

The court's method of cooperating with the agencies that care for Jewish families, until recently known as the Jewish Aid Society, the Jewish Home Finding Society of Chicago, and the Bureau of Personal Service (now organized as the Jewish Social Service Bureau) is somewhat different from its method of working with other agencies in the city. The Jewish agencies maintain in relation to the court the same policy that they hold with reference to most organizations, namely, that Jewish families can be dealt with more intelligently by Jewish workers and Jewish organizations and that these organizations alone should work with them. The court has acquiesced in this policy to a large extent, and at the present time the great majority of Jewish cases are handled by Jewish agencies with the power and authority of the court behind them. All complaints that are received regarding Jewish families are turned over to the Jewish Social Service Bureau for investigation. This agency investigates and keeps

a record of its work in its own office; it does not, however, report to the court the details of the inquiry or what action it has taken.²² If it is thought that court action is necessary, a conference is held of representatives of the three Jewish agencies. Dependent cases are taken before the dependent case conference committee only if the action contemplated requires spending public money for the support of the child. The relation of the officers of the Jewish agencies to complaints of delinquent boys is like that of the court probation officers; that is, investigation of delinquent boys' cases is made by the Jewish agencies in those cases in which the complaint is made directly to the court; in other cases the police probation officers investigate the complaint of Jewish boys as they investigate cases of non-Jewish boys.

In cases of dependent children and of delinquent girls, if the court orders probation or appoints a guardian, a representative of the Jewish agencies is always named as the probation officer or guardian. If the order is "guardianship with the right to place in a home," the agency makes no further report to the court. If, on the other hand, the order is probation, the representative of the agency is nominally at least under the supervision of the head of the family-supervision division and submits written reports to the court in accordance with rules covering reports on probation cases.

The court comes in constant contact with the United Charities since many cases, both dependent and delinquent, have at some time been known to that agency. No formal plan of cooperation now exists. At one time the society maintained an officer at the court, and recently one visitor of the society was assigned to all cases involving action in any court. These plans, however, have at the present time been abandoned. The probation officers are invited by the United Charities to attend district case conferences but rarely find themselves able to accept this invitation.

Successful cooperation often depends, of course, upon the willingness of other social agencies, both public and private, to carry through plans initiated by officers of the court. The work of the court can be rendered futile by the failure of the agency on which it must rely for special service. The following case illustrates the very great waste of effort caused by such lack of cooperation on the part of an agency through which alone the object sought by the court in behalf of the family could have been obtained.

Three children, a girl of 7, a boy of 5, and a girl of 1 year, all had glandular tuberculosis. Their mother had an active case of pulmonary tuberculosis. The father of the two older children had deserted, and the baby was an illegitimate child. In March, 1919, the case was placed on probation, and in June the proba-

²² Since July, 1921, complete reports of investigations in these cases have been made to the court.

tion officer placed the mother and her three children in a county tuberculosis sanitarium. In July she was given a pass by the sanitarium to go to the juvenile court with all the children, but she did not appear in court and did not return to the sanitarium. It was October before the family was again located and December before the probation officer had persuaded the mother to return to the sanitarium. When the ambulance arrived, however, she escaped with the baby through the back door, abandoning the two older children. The case of these two children was brought into court for rehearing on January 7, 1920. The following is a brief summary:

January 7, 1920: Case in court. Continued for three months in order to locate mother. Children to be placed meantime in tuberculosis sanitarium. Publication for mother ordered.

April 7, 1920: Case in court. Mother still missing. Sanitarium will keep children for another three months. Case continued.

May 12, 1920: Case in court. Mother still not located. Continued for publication for father.

August 10, 1920: Probation officer learns from sanitarium that on July 27, 1920, the children had been released to an uncle who had come for them, and the sanitarium had no record of their whereabouts. The "uncle" was unknown to the court.

August 11, 1920: Case in court. Family not located. Case dismissed.

RELATIONSHIP TO OTHER COURTS.

As explained in an earlier section, the juvenile court has no jurisdiction over adults except in the matter of enforcing an order for the support of a child removed from its own home. The lack of criminal jurisdiction has two important results. The first is that it becomes necessary for the probation officer handling the child's case, whenever court action against a parent or another adult is needed in behalf of a child, to institute proceedings in another court. The second is that a number of dependent or neglected children whose parents have been prosecuted in another court by persons outside the juvenile court never come to the attention of juvenile probation officers and never benefit from the services of the court.

Reports of the juvenile court contain repeated references to the first of these difficulties and point out the waste involved in the necessity of having to carry cases into other courts and in sometimes having two probation officers at work on the same family, one representing the adult probation department, the other the juvenile court. In 1916, for example, the report of the court contained the following statement:

In studying the records of dependent children one can not help reaching the decision that the present overlapping of courts in Cook County is nothing short of ridiculous. In the same case the parents might be taken before the municipal court of domestic relations or the children before the juvenile court of Cook County or both parents and children might be taken before the different courts. Some day the courts will be combined. If that is not done in the near future, the adult and juvenile probation forces should be united so that the probation officers will at least work under one head.⁴

⁴ Charity Service Reports, Cook County, Ill., 1916, p. 299.

Neither of these hopes has been so far fulfilled, but the court has made some progress in its cooperation with other courts. The offenses for which adults have been prosecuted most frequently by juvenile court officers are those of contributing to delinquency or dependency, nonsupport, abandonment, adultery, abduction, rape, bastardy, crimes against children, incest, abortion, selling liquor to children, and disorderly conduct. Within the city of Chicago, most of these cases may be prosecuted in the domestic-relations branch of the municipal court, which has jurisdiction in all criminal cases except those punishable by death or imprisonment in the penitentiary and in all cases which may be transferred to it by the circuit, the superior, and the criminal courts of Cook County.^{4a} The more serious cases are held to the grand jury and tried in the criminal court of the county. In 1915 the juvenile court reported that 72 cases had been taken into the criminal court on charges made by wards of the court.⁵ The offenses charged in these cases were rape and assault to rape, 41; crimes against children, 21; contributing to delinquency, 1; incest, 4; crime against nature, 1; seduction, 1; inducing female to enter house of prostitution, 1; and harboring females, etc., 2.

The charges in 348 cases taken into the court of domestic relations during 1916 are shown in Table XVII. The most frequent charges by juvenile court officers in this court are contributing to delinquency or to dependency, nonsupport, and bastardy.

TABLE XVII.—*Charge; cases against adults prosecuted by juvenile court officers in the court of domestic relations, year ending Nov. 30, 1916.*¹

Charge.	Cases against adults.
Total.....	348
Contributing to delinquency.....	114
Contributing to dependency.....	104
Nonsupport.....	80
Bastardy.....	31
Rape.....	4
Crimes against children.....	5
Disorderly conduct.....	4
Selling liquor to minors.....	5
Abortion.....	1

¹ Charity Service Reports, Cook County, Ill., 1916, p. 300. In 1920, 261 cases were prosecuted in the municipal and criminal courts; in 1921, 456 cases.

Since 1915 an assistant State's attorney has been assigned to the juvenile court to advise the probation officers concerning cases taken into other courts, and no prosecution may be begun without her assent and the assurance that the evidence is sufficient.

^{4a} Hurd's Illinois Revised Statutes 1919, ch. 37, sec. 265. See p. 13.

⁵ Charity Service Reports, Cook County, Ill., 1915, p. 229.

So long as cases of abandonment, contributing to dependency and delinquency, bastardy, etc., can be prosecuted without the children involved ever coming to the attention of the juvenile court, the development of a uniform policy of child care in Chicago is impossible. The report of the court of domestic relations for the year 1917⁶ shows that during that year 5,651 children were involved in 3,687 cases of non-support alone. Children were also concerned in 319 cases of contributing to delinquency, 137 cases of contributing to dependency, and 435 bastardy cases.

No investigation has been made as to the number of children under the jurisdiction of other Chicago courts who have never been brought to the attention of the juvenile court; but probably few of these children were known to the juvenile court. Many cases heard by the court of domestic relations, however, are taken into court by a social agency such as the United Charities and the provision for the children and the supervision of the family under such an agency may be as satisfactory as that possible through juvenile-court action. But many dealt with by the court of domestic relations are not under the care of any social agency.

Formerly a juvenile-probation officer was assigned to the court of domestic relations to present cases in that court and to receive cases that might be transferred from the court of domestic relations to the juvenile court. This custom has been discontinued, however, and the cooperation between the two courts is far from complete. Both courts have at various times expressed the opinion that their work should be combined under one court having jurisdiction in all cases involving family life. In a recent report of the court of domestic relations the presiding judge expressed the opinion of that court as follows:

As has been pointed out before, the domestic-relations branch would at once enter upon a greater program of usefulness to the public were the law-givers to enlarge its jurisdiction to take in all matters affecting the family that require judicial adjustment. If it be admitted that public policy of the present day and faultless administrative methods of justice call for special service, then, obviously, it follows that such special courts should be endowed with ample powers to handle their special problems. This argument means that all family troubles ought to be taken care of in one tribunal, doing away with a multiplicity of courts, with conflicting interests and consequent confusion, expense, delay, waste of time of litigants and lawyers, armies of witnesses, and scores of jury panels.⁷

It is obvious that both the juvenile court and the court of domestic relations are conscious of the need of change in the structure of the

⁶Tenth and Eleventh Annual Reports of the Municipal Court of Chicago for the years Dec. 6, 1915, to Dec. 2, 1917, inclusive, p. 98.

⁷Tenth and Eleventh Annual Reports of the Municipal Court of Chicago, for the years Dec. 6, 1915, to Dec. 2, 1917, inclusive, p. 97.

judicial system, so that the work they may be said to share may be more efficiently and satisfactorily done. To determine what the nature of that change should be will require careful examination of the constitutional limitations as well as the accumulation of a large body of data as to the exact nature and volume of the service to be rendered. The two courts do not exercise jurisdiction over the same geographic area, as the jurisdiction of the court of domestic relations extends over the city only, while that of the juvenile court covers the entire county. The court of domestic relations is a branch of the municipal court,⁸ which as the successor of the earlier justice of the peace and city magistrates court, is a court of less dignity and of lower judicial rank. The judges of the municipal court, who are elected for terms of six years, in whose hands lies the appointment of a certain number of the members of the adult probation department, have never adopted the policy initiated by Judge Pinckney of making appointments from an eligible list prepared by a nonpolitical expert committee on the basis of competitive examination. The services of the adult probation department are by the terms of the statute under which the department is organized⁹ much more restricted than those of the juvenile probation staff, as they can be utilized only when the accused has been convicted. These limitations were discussed at length in 1915 in a report to the city council by a committee of which Prof. Charles E. Merriam was chairman,¹⁰ and conditions remain to-day substantially as they were at that time.

Under the clerk of the municipal court a social-service department has been organized. But in that department no principle of selection corresponding to the juvenile-court examinations has been applied; the staff consisted during 1919 and 1920 of only seven persons, though during the year 1919, 16,931 complaints were received, resulting in the issuing of 3,986 warrants, while in 1920, 38,441 complaints were received and 3,342 warrants issued.¹¹ Obviously in the present organization of the court of domestic relations no such basis exists for the development of a general family court as might be found in the juvenile court. The development of the juvenile court into a tribunal competent to deal with the various problems both civil and criminal that now characterize the treatment of the family groups of which dependent and delinquent children are members will require constitutional interpretation and possibly constitutional amendments that will demand a study of the entire judicial system of Cook County. Family problems in Cook County are, moreover,

⁸ Hurd's Illinois Revised Statutes 1919, ch. 37, sec. 264 fol.

⁹ *Ibid.*, ch. 38, sec. 509b.

¹⁰ Report of the City Council Crime Committee of the City of Chicago, Mar. 22, 1915, p. 60 fol.

¹¹ Twelfth, Thirteenth, and Fourteenth Annual Reports of the Municipal Court of Chicago, Dec. 2, 1917, to Dec. 5, 1920, p. 154.

dealt with not only by the circuit court and the court of domestic relations but also by the superior, probate, and county courts, all of them constitutional tribunals. The constitution confers, too, upon the criminal court of Cook County the criminal and quasi-criminal jurisdiction that is exercised by the circuit courts in other counties.¹² Such jurisdiction is not, however, specifically denied to the circuit court by the constitution; and it is possible that over certain classes of offenses concurrent jurisdiction with the criminal court might be granted to the circuit court and that agreements similar to that already arrived at in the handling of truant children might place the handling of the problems of the adult involved in a family situation in the juvenile branch of the circuit court.¹³

One difficulty now constantly confronting the juvenile court, however, is the large number of cases as well as the great variety of problems. It is therefore difficult to contemplate any considerable increase in the court's burden. If certain questions of jurisdiction now at issue between the juvenile court and other courts, such as that of jurisdiction over older boys, continued jurisdiction over children committed to institutions, or bastardy jurisdiction, could be so determined as to fix the court's responsibility for those groups of problems, other adjustments looking toward a corresponding reduction of the court's burden might be contemplated. Nor can the ultimate development of the court be profitably discussed without at the same time giving thorough consideration to the development of the public-relief agencies of the community, and to the provision of greater facilities for doing certain work with which the court is already charged, as, for example, giving to it adequate provision for "placing out" the children under its care *with* as well as *without* the payment of board. In this discussion, it is, however, impossible to go into these questions of enlarged community resources for child care.

¹² Constitution of 1870, Art. VI, sec. 26. Hurd's Illinois Revised Statutes 1919, p. LXVII.

¹³ Since this was written the Illinois Constitutional Convention, now sitting, has formulated proposals for the consolidation of the courts of Cook County that would obviate the difficulties referred to. The convention's plan contains express sanction for the establishment of a juvenile or domestic relations court as a branch of the contemplated consolidated court. See Report of the Committee on Phraseology and Style of the Illinois Constitutional Convention of 1920. Report No. 18, p. 16.

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1895, p. 295.
1899, p. 131.
1901, p. 141.
1905, pp. 151, 152.
1907, pp. 59, 70.
1911, p. 126.
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 ch. 17, sec. 4:
 ch. 23, secs. 169, 170, 171, 172, 173, 175, 177, 177a, 177b,
 177d, 177e, 178, 179, 180, 181, 183, 185, 186, 187,
 188, 190, 190d, 191-215, 271, 298 fol., 313, 324,
 328, 341;
 ch. 37, secs. 264 fol., 265;
 ch. 38, secs. 283, 509b;
 ch. 122, secs. 144, 320-347.

INDEX.

- Abbott, E., and Breckinridge, S. P.:**
Administration of the Aid to Mothers Law in Illinois, footnotes on pages 9, 18, 41.
Truancy and Nonattendance in Chicago Schools, 18 (footnote).
See also Breckinridge, S. P., and Abbott, E.
- Adjustment of cases without court action:**
Agency cooperation in, 100-102.
Extent and method of, 42-46.
In delinquent boys' cases, 41.
In delinquent girls' cases, 39.
Informal complaint giving opportunity for, 35.
- Adoption:**
Appointment of guardian with authority to consent to, 12-13, 79.
Investigations, 42.
Proceedings, 13.
- Adults:**
Lack of jurisdiction over, 16.
Relationship between juvenile and other courts in cases involving, 103-104.
- Age groups under court's jurisdiction, 11, 12, 15, 19.**
- Age of criminal responsibility, 1.**
- Aid to mothers cases:**
Conference committee, 41-42, 62.
Disposition, 64, 68, 70.
Hearings, 62.
Investigation, 36, 38, 41-42.
Jurisdiction, 11, 12.
Number, 17-18.
Records, 34.
Supervision of, 12, 31.
- Aid to mothers division:**
Committee reviewing investigations made by, 38, 42.
Function, 22, 31.
Investigations of applications for mothers' pensions by, 36, 38, 41-42.
Records, 34.
Staff, 31.
Supervision by, 12, 31.
- Aid to mothers law:**
Disposition of cases under, 68.
Funds for pensions granted under, 9-10.
History of, 9-10.
- Annual reports:**
Citations, 14, 52-53, 80.
Contents, 33.
Statistics from, 17-21, 43-44.
- Anonymous complaints, 36, 101.**
- Appointment of probation officers, 7-8, 28-30.**
- Arnold, Judge Victor P., 26 (footnote).**
- Arrangement of court room, 58-59.**
- Arrest of children, 1, 35, 57.**
- Assistant to judge in girls' cases:**
Appointment, 27-28.
Legal status, 28.
Methods, 61-62.
Powers, 28.
- Attorney, representation by, 60.**
- Bastardy, 12, 13-14, 45, 104, 105.**
- Board of Commissioners of Cook County:**
Appropriation of funds for mothers' pensions by, 10.
Committee to investigate court appointed by, 7, 15.
Determination of probation officers' salaries by, 30.
Management of detention home by, 30, 51.
Power to select probation officers, 6, 7.
Taking over of medical examinations by, 47.
- Breckinridge, S. P., and Abbott, E., The Delinquent Child and the Home, footnotes on pages 6, 18, 20, 27, 92.**
See also Abbott, E., and Breckinridge, S. P.
- Bureau of Personal Service (Jewish Social Service Bureau), 6, 36, 101.**
- Bureau of social registration, 37, 40, 100.**
- Case records:**
Access to, 34.
Filing, 34.
Information included in, 33-34, 73, 74.
Lack of study of, 21.
Making out of, at detention home, 54.
Use of, in probation work, 73.
- Case stories, 57-58, 82-83, 89-90, 97-98, 102-103.**
Continued for definite period, 66-68.
Of children placed on probation, 75-78.
Of neglect, 22, 23, 24-25, 45, 46.

- Cases, classes of, under court's jurisdiction, 11-14.
- Cases cited:
- County of McLean *v.* Humphreys, 104 Ill. 378, 3' (footnote).
 - Dunn *v.* Chicago Industrial School, 280 Ill. 613, 3, (footnote).
 - Gilbert et al. *v.* Sweitzer, 211 Ill. App. 438, 8 (footnote).
 - Hosking *v.* So. Pac. Co., 243 Ill. 320, 13 (footnote).
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 - People *v.* Chicago, Lake Shore and Eastern R. R. Co., 27 Ill. 447, 10 (footnote).
 - Petition of Ferrier, 103 Ill. 367, 3 (footnote).
 - Witter *v.* Cook County Commissioners, 256 Ill. 616, 7 (footnote).
- Catholic Home Finding Association of Illinois, 85.
- Chancery jurisdiction, 5.
- Character of the court, 11.
- Charity Service Reports, Cook County. *See* Cook County Charity Service Reports.
- Chicago and Cook County School for Boys, 87, 88, 93.
- Chicago Bar Association, 5.
- Chicago Board of Education:
- Assignment by, of teacher to detention-home school, 9.
 - Compulsory-education, department of, 12, 42, 70.
 - Cooperation of, in securing passage of juvenile court act, 5.
- Chicago Home for Girls, 88.
- Chicago Parental School for Boys, 69.
- Chicago Parental School for Girls, 69.
- Chicago Woman's Club, 4.
- Chief probation officer:
- Duties, 30-31.
 - Examinations for position of, 7.
 - Membership on committee passing on mothers' pension cases, 62.
 - Report of, 14, 33, 49, 52-53.
 - Reports to, of child-placing agency receiving children for placement, 85.
 - Reports to, of officer in charge of police probation officers, 40.
 - Representation on dependent-case-conference committee, 37.
 - Responsibility of, for children placed under guardianship of court officers, 93.
 - Restitution for damages received and paid out by, 90.
 - Suspension of, by president of board of county commissioners, 7.
- Child-placing division:
- Appointment of head of, as guardian, 80, 82, 93.
 - Clubs established for wards of, 81-82.
 - Conditions of placement in homes by, 80-81.
 - Distinction between "child placing" under, and supervision of child in home other than his own by family-supervision division, 72.
 - Function, 31, 80.
 - Number of cases cared for by, 80.
 - Records of, 81.
 - Reports of officers, 82.
 - Requirements formulated by, for homes in which wards of the court are placed as mothers' helpers, 80-81.
 - Savings handled by, 82.
 - Staff, 31.
 - Supervision by, 82-83.
- Child-placing societies, commitment to, 71, 84-85.
- Children's Hospital Society, 47.
- Circuit court:
- Chicago juvenile court as branch of, 11.
 - Hearing by juvenile court of adoption cases filed in, 12.
 - Jurisdiction of, over dependency cases, 3.
 - Jurisdiction of, over family cases, 106-107.
 - Selection of judge of juvenile court by judges of, 26.
 - Selection of probation officers delegated to judge of juvenile court by judges of, 7.
- Civil-service appointees to probation staff, 29.
- Civil-service commission, 6, 7.
- Civil-service method of appointment, 28.
- Colorado Revised Statutes, 63 (footnote).
- Commissioners of Cook County. *See* Board of Commissioners of Cook County.
- Complaints:
- Anonymous, 36, 101.
 - Clearing of, at confidential exchange, 37.
 - Handling of, by police probation officers, 32, 40-41.
 - In delinquent boys' cases, 32, 39-41.
 - In delinquent girls' cases, 39.
 - In dependent children's cases, 36-37.
 - Informal adjustment of, 42-46.
 - Preliminary scrutiny of, 36-37.
 - Substitution of, for petitions, 35.
 - Supervised, 38, 44, 45-46.
 - Treatment of, regarding Jewish families, 101-102.
- Compulsory-education department, Chicago board of education, investigation of truancy cases by, 12, 42, 70.
- Concurrent jurisdiction, 13, 107.

- Confidential exchange (Registration bureau), clearing complaints at, 37, 40, 41, 100.
- Constitutionality:
Of appointment of probation staff, 6-8.
Of juvenile court law, 8.
- Contested cases, 26, 60, 62.
- Continuance:
For definite period, 65, 68.
General, 63-64, 68, 69, 70, 71.
- Continuing jurisdiction, 91, 94.
- Cook County, jurisdiction in, 11.
- Cook County Board of Visitors, 98, 97.
- Cook County Charity Service Reports, 83, and footnotes on pages 1, 6, 14, 20, 28, 31, 41, 47, 49, 51, 52, 53, 55, 58, 65, 73, 80, 87, 90, 98, 103, 104.
- Cook County Detention Hospital, 8.
- Cooperation:
Of employers with juvenile court, 74.
Of other courts with juvenile court, 103-107.
Of public officials with probation officers, 84.
Of social agencies with juvenile court, 30, 36, 37, 100-103.
- County agent:
Commitment to, of children placed in public institutions at county expense, 85.
Membership of, on committee passing on mothers' pension applications, 62.
Payment of funds to parents by, 9.
- County board of commissioners. *See* Board of Commissioners of Cook County.
- County bureau of public welfare, 98.
- County of McLean v. Humphrys, 3 (footnote).
- Court order:
Continued for definite period, 65-68.
Continued generally, 63-65.
Dismissed, 63-65.
Final order. *See* Final order.
Payment for support of dependent child in institution, 16, 38, 87.
- Court procedure:
At hearings, 59-60.
Need for reforming, prior to passage of juvenile court law, 4.
- Crimes against children, 104.
- Criminal code, 1, 2.
- Criminal court:
Jurisdiction, 107.
Procedure in cases of older boys on probation committing new offense, 15-16.
Transfer of juvenile-court cases to, 88-90, 104.
Trial of children committing serious offenses, 14-15.
- Criminal procedure, 35.
- Criminal responsibility, age of, 1.
- Custodial agencies, relation of, to juvenile court, 91-99.
- Defectives, schools for, commitments to, 70, 85.
- Delinquency, contributing to, 104, 105.
- Delinquent boys:
Age, 19, 21.
Division in charge of, 31, 36, 39-41, 72, 74.
Institutions for, 87-88.
Investigation of cases involving, 36, 39-41.
Offenses, 18-19, 20, 89.
- Delinquent boys' division:
Care of boys under guardianship, 83-84, 93.
Conditions of placement in farm homes by, 83.
Function, 31.
Investigations by, 36, 39-40.
Monthly report of officers of, 84.
Probationary supervision by, 72, 74.
Reports of boys placed on farms to officers of, 84.
Staff, 31.
- Delinquent children:
Age distribution, 18, 19, 21.
Commitment to institutions, 70, 55-86, 87-88.
Definition, 11-12, 14, 15.
Detention, 49, 51, 54, 55, 90.
Disposition of cases involving, 63-68, 70-71, 87-90.
Guardians appointed for, 78-84.
Hearings, 58, 59-60.
Investigation of cases involving, 35-36, 39-41.
Jewish, 101-102.
Number of cases involving, 17-18, 19, 20.
Offenses, 18-19, 20-21.
Probationary supervision of, 71-78.
Problems of, 18, 25.
Sex, 18, 19.
- Delinquent Child, The, and the Home, by Breckinridge, S. P., and Abbott, Edith, 20.
- Delinquent girls:
Age, 19, 21.
Divisions in charge of, 31, 36, 39, 72.
Hearings, 27-28, 61-62.
Institutions for, 88.
Investigation of cases involving, 39, 61.
Offenses, 18-19, 20-21.
- Dependency, contributing to, 104, 105.
- Dependent-case-conference committee, 30-31, 37-39, 102.
- Dependent children:
Age distribution, 21.
Commitment to child-placing societies, 71, 84-85.
Commitment to institutions, 38, 60, 65, 66-67.
Definition, 12, 15, 22.
Detention, 51, 54.
Disposition of cases involving, 63-68.
Guardians appointed for, 70, 71, 78-81.

- Dependent children—Continued.
 Hearings, 60-61.
 Investigation of cases involving, 36-39.
 Jewish, 101-102.
 Number of cases involving, 17-18, 21.
 Problems of, 21-25, 75-78.
 Sex, 21.
 Supervision of cases involving, 71-74.
 Deportation, 70, 71, 85.
 Deputy chief probation officer, 30-31, 37.
 Detention:
 Before 1899, 1, 4.
 First detention facilities provided, 8-9.
 Juvenile court laws, provisions in, regarding, 5, 8, 35, 49.
 Policy, 49, 52-53.
 Use of police stations, 53.
 Detention home:
 Average daily population, 51.
 Average length of stay in, 51.
 Building, 8-9, 53-54.
 Clothing of children, 56.
 Daily routine, 55-56.
 Dental work, 55.
 Dietary, 56.
 Equipment, 53-54.
 Investigation of, by Hotchkiss committee, 51.
 Management of, 51.
 Medical, psychological, and psychiatric examinations, 47-48.
 Number cared for, 50.
 Overcrowding, 51-53.
 Reception of children, 54-55.
 Recreation, 56.
 Report of matron of, 33.
 Return to, after hearing, 50, 69.
 School, 9, 53, 55-56.
 Sources from which children were received, 50.
 Use of, as disciplinary measure, 53, 90.
 Development of the court, 5-10.
 Discharge of probation officers, 28-29.
 Dismissed cases, 63-64, 68, 69, 70, 71.
 Dispensary in juvenile-court rooms, 47.
 Disposing of children for money, 24-25.
 Disposition of cases:
 Adjusted without court action, 43-44.
 Dismissal and continuance, 63-68.
 Final order—
 Delinquency cases, 70.
 Dependency cases, 71.
 Effect, 68.
 Feeble-minded cases, 69.
 Mothers' pension cases, 70.
 Truancy cases, 69.
 Supplementary methods of treatment of delinquent children, 90.
See also Appointment of guardian, Commitment, Deportation, Probation, and Transfer to criminal court.
 Domestic-relations branch of municipal court, 13, 104, 105-106.
- Dunn v. Chicago Industrial School, 3 (footnote).
 Employers, visits to, 36, 74, 80-81, 83, 84.
 Equipment of juvenile detention home, 53-54.
 Evidence:
 As to moral character of parents, 38.
 In adoption cases heard by juvenile-court judge, 13.
 Examinations:
 Mental, 42, 46-48.
 Physical, 46-47.
 Exclusive jurisdiction of juvenile court, 11, 15.
 Family problems, jurisdiction over cases involving, 103-107.
 Family-supervision division:
 Follow-up work of, 98-99
 Function, 31.
 Investigations by, 36, 39.
 Representation on dependent-case conference committee, 37.
 Return to court by, of cases not showing improvement, 74.
 Staff, 31.
 Supervision by, 72, 74.
 Farm placements, 31, 83-84.
 Feeble-minded cases:
 Detention, 50.
 Diagnosis, 47-48.
 Disposition, 64, 68, 69.
 Investigation, 42.
 Hearings, 62.
 Jurisdiction over, 13.
 Number, 13.
 Fifteenth Biennial Report of the Board of State Commissioners of Public Charities of the State of Illinois (1898), 5 (footnote).
 Filing system, 34.
 Final order of court:
 Delinquency cases, 70.
 Dependency cases, 71.
 Effect, 68.
 Feeble-minded cases, 69.
 Mothers' pension cases, 70.
 Truancy cases, 69.
See also Appointment of guardian, Commitment, Deportation, Probation, and Transfer to criminal court.
 Fines, 1 (footnote), 90.
 Follow-up work with dependent child and family, 31, 82, 98-99.
 Foreign-language-speaking officers, 32.
 Funds to parents act, 9.
See also Aid to mothers act.
 Gilbert et al. v. Sweitzer, 8.
 Grand jury:
 In cases of children committing serious offenses, 14, 70, 89.
 Investigation of court by, 28.
 Guardian:
 Consent to adoption, by, 12-13.
 Contact with child's own home, 82.

- Guardian—Continued.**
 Frequency of appointment of, 70, 71, 79.
 Order, 78-79.
 Persons appointed, 80, 83, 102.
 Placing of children by, 80-84.
 Subsequent relation of court to, 91-93.
- Health, parental responsibility for, 24.**
Healy, Dr. William, 47-48.
 Individual Delinquent, 18 (footnote).
 Mental Conflicts and Misconduct, 18 (footnote).
- Hearings:**
 Adoption cases, 13.
 Aid to mothers cases, 62.
 Compulsory attendance at, 57-58.
 Contested cases, 26, 60, 62.
 Delay in, 52, 57, 65.
 Delinquent boys' cases, 59, 60.
 Delinquent girls' cases, 61-62.
 Dependent children's cases, 60-61.
 Feeble-minded children's cases, 62.
 Number, 35, 58, 64, 69, 70, 71.
 Summons, 57-58.
 Time and place, 58-59.
 Truancy cases, 12, 59-60.
 Home visits, 34, 40, 72, 74.
 Hosking v. So. Pac. Co., 13 (footnote).
 Hospitals, commitment to, 70, 85.
 Hotchkiss committee, 15 (footnote), 51, 95.
 House of correction, 3, 4, 87-88.
 House of the Good Shepherd, 88.
 Hurley, T. D.:
 Development of the Juvenile Court Idea, 4 (footnote).
 Juvenile Courts and What They Have Accomplished, 4 (footnote).
- Illegitimacy, 12, 13-14, 45, 104, 105.**
Illinois Children's Home and Aid Society, 6, 84, 85.
Illinois Department of Public Welfare, 48, 94.
Illinois Federation of Women's Clubs, 5.
Illinois Home for Juvenile Offenders, 2.
Illinois Industrial Association, 8.
Illinois State Board of Charities, 4, 5.
Illinois Juvenile court act:
 Date enacted, 2, 3, 5.
 History of, 3-5.
 Original provisions, 5.
 See also Juvenile court law.
Illinois State Conference of Charities, 4.
Imprisonment of minors in penitentiary, 1 (footnote), 2.
Incompetent probation officers, dismissal of, 28-29.
Indictment, 14, 85, 70.
Industrial schools:
 Acts providing for, 3, 86.
 Follow-up work with families of children committed to, 81.
 Procedure in commitment to, 60.
 Number of, 86.
 Relation of court to, 92, 95-96.
- Informal adjustment of cases. *See* Adjustment of cases without court action.**
Inspection of custodial agency, 91, 94.
Institute of Juvenile Research, 47-48, 53, 62, 69.
- Institutions:**
 Certification of, 94.
 Commitment to, of—
 Delinquent boys, 70, 85, 87-88.
 Delinquent girls, 70, 85-86, 88.
 Dependent children, 38, 60, 85, 86-87.
 Feeble-minded children, 69.
 Truants, 69-70.
 Follow-up work with families of children committed to, 30-31, 98-99.
 Placement of children in private, by child-placing division, 80.
 Recovery of children escaping from, 97-98.
 Relation of court to, subsequent to commitment of—
 Delinquent children, 30-31, 93-94.
 Dependent children, 94-97.
- Interpreters, 29, 32.**
- Investigation:**
 Adoption cases, 13, 42.
 Aid-to-mothers cases, 41-42.
 Bastardy cases, 13-14.
 By private agencies, 36, 100-102.
 Delinquent boys' cases, 39-40.
 Delinquent girls' cases, 39.
 Dependent children's cases, 36-39.
 Divisions and agencies making, 35-36.
 Elimination of complaints not requiring, 86-87.
 Feeble-minded cases, 13, 42.
 Police probation officers', 40-41.
 Prior to filing petition, 35.
 Truancy cases, 42.
- Investigation division:**
 Adjustment of complaints, 43-44.
 Function, 31.
 Investigation of cases, 35-37, 39-40, 42.
 Reception of complaints, 35.
 Relation to dependent-case-conference committee, 37-38.
 Reports on adoption cases, 42.
 Staff, 31.
- Investigation of juvenile court, 6-7.**
- Jail:**
 Commitment of children to, 2, 3.
 Detention of children in, 1, 2, 49.
 School for boys in, 4.
- Jewish agencies, 6, 36, 38, 100, 101.**
Jewish Aid Society, 101.
Jewish Social Service Bureau (Jewish Home Finding Society of Chicago), 36, 84, 100, 101.
- John Worthy School, 87, 88.**
- Judge of juvenile court:**
 Duties, 12, 27.
 Method of conducting hearings, 53-60.
 Policy with reference to serious offenses, 14-15.

Judge of juvenile court—Continued.

- Qualifications, 27.
- Salary, 26.
- Selection, 26.
- Substitute, 26.
- Woman assistant hearing delinquent girls' cases, 27-28.

Jurisdiction :

- Age groups, 11, 12, 15, 19, 21.
 - Area covered, 11, 106.
 - As branch of circuit court, 12-14.
 - Classes of cases, 11-14, 43-44.
 - Cook County, jurisdiction in, 11.
 - Duration, 15.
 - Lack of criminal, 103.
 - Original and exclusive, 11-12.
 - Over adults, 16, 61, 103, 104.
 - Over children accused of committing serious offenses, 14-15, 88-90.
 - Over family cases, 105-107.
 - Policy with reference to exercise of concurrent, 12-13, 14, 15, 105, 107.
 - Retention of, after final order, 91-92.
 - Retention of, by use of general continuance order, 64-65.
 - See also* Follow-up work with dependent child and family; Guardian, subsequent relation of court to; Institution, relation of court to, following commitment; and Recovery of children escaped from institutions.
- Jury, 1, 35.
- In dependency cases, 3, 60-61.
- Justice of the peace, 14, 32, 106.
- Juvenile court building, 9, 53, 58-59.
- Juvenile court law :
- Act of 1899, 5, 8, 11.
 - Amendments enacted, 5, 6, 9, 10 (footnote), 79, 100.
 - Appointment of guardian, 78-79.
 - Authority for mental and physical examinations under, 46.
 - Board of visitation, 96-97.
 - Commitment to institutions, 85, 86, 87.
 - Constitutionality, 7, 8.
 - Delinquent child as defined by, 11-12, 14, 15.
 - Dependent or neglected child as defined by, 12, 15, 22.
 - Efforts to secure enactment, 3-5.
 - Initiation of case, 85.
 - Legal status of minors prior to passage of, 1-3.
- Related acts—
- Aid to mothers, 9-10.
 - Detention home, 9.
 - Domestic-relations branch of municipal court, 104, 106.
 - Industrial and manual training schools, 3, 60, 86, 95.
 - Parental schools, 12.

Juvenile court law—Continued.

- Relation of court to private institutions, 94.
 - Retention of jurisdiction over committed children, 91-92, 95.
 - Transfer of cases to criminal court, 88-89.
 - See also* Jurisdiction.
- Juvenile Court of Cook County, Ill., The, Report of a Committee Appointed under Resolution of the Board of Commissioners of Cook County, Aug. 8, 1912, 7 (footnote), 15 (footnote), 51 (footnote).
- Juvenile Protective Association (Juvenile Court Committee), 6, 8, 38, 38, 100.
- Juvenile Psychopathic Institute (Institute of Juvenile Research), 47-48, 53, 62, 69.
- Lathrop, Julia C., Development of the Probation System in a Large City, 4 (footnote), 8 (footnote).
- Legal papers, 33-34.
- Legal relationship of detention home and juvenile court, 51.
- Legal status of probation staff, 5, 6-8.
- Legal status of woman assistant to judge, 28.
- Lindsay v. Lindsay, 8 (footnote).
- Mack, Judge Julian W., 26 (footnote), 27.
- Legal problems involved in the establishment of the juvenile court, 27 (footnote).
- Manual training schools, 3, 31, 60, 86, 92, 95-96.
- Mary A Home, 81, 82.
- Mary B Home, 81, 82.
- Massachusetts, probation system, 4, 5.
- Massachusetts Acts and Resolves, 1878, 4 (footnote).
- Medical care, 46, 47.
- In detention home, 53-55.
- Medical examinations, 46-47.
- Mental examinations, 42, 46-48.
- Merriam, Prof. Charles E., 106.
- Mothers' helpers, 80-81.
- Mothers' pensions. *See* Aid to mothers cases.
- Municipal court :
- Domestic-relations branch, 13, 104, 105-106.
 - Tenth (and eleventh annual reports of, 105 (footnote).
 - Twelfth, thirteenth, and fourteenth annual reports of, 106 (footnote).
- Nationality as basis of assignment of probation cases, 52.
- Neglected child, 5, 9, 12, 63.
- See also* Dependent children.

- Negro probation officers, 82.
 New York system of detention, 4-5.
 Nonsupport, 104, 105.
 Number of children brought into court, 17-18.
 Number of families assigned to a probation officer, 73.
 Number of probation officers, 29-30.
- Offenses of delinquent children, 18-19, 20-21.
 Offices, 53, 58-59.
 Organization of the court:
 Judge, 12, 26-27, 59-60.
 Probation officers—
 Appointment and discharge, 28-29.
 Number, 29-30.
 Organization, 30-32.
 Police probation officers, 32-33.
 Salaries, 30.
 Records, 33-34, 40-41.
 Reports, 33, 40.
 Woman assistant to judge, 27-28, 61-62.
- Origin of the court, 1-5.
 Original, exclusive jurisdiction of juvenile court, 11, 15.
 Outlying districts, probation work in, 32.
 Overcrowding of juvenile detention home, 51-53.
- P. v. Olson*, 13 (footnote).
 Parental schools, 12, 42, 69-70.
 Parental school act, 12.
 Parole, 93, 96.
 Payment by parent for institutional care of child, 16, 38.
 Penitentiary, imprisonment of minors in, 1, 2.
People v. C., B. and Q. R. R. Co., 7 (footnote).
People v. Chicago, Lake Shore & Eastern R. R. Co., 10 (footnote).
- Petition:
 By whom filed, 35.
 Change of, 68.
 Dismissal of, in transferred cases, 89.
 For appointment of guardian, 12.
 For commitment to industrial or training school, 3.
 In cases of feeble-minded children, 13, 42, 69.
 In cases reported by police, 39, 40.
 Investigation prior to filing of, 35, 37-38, 39.
 Presence at hearing of officer filing, 59, 61.
 Public record, 34.
Petition of Ferrier, 3 (footnote).
 Physical examinations, 46-47.
 Pinckney, Judge Merritt W., 1, 26 (footnote), 27, 92-93, 106.
 Place of hearing, 58-59.
 Police magistrate, 14, 35.
- Police probation officers:
 Assignment, 6.
 Investigations by, 36, 40-41, 42, 43.
 Limitation of duties, 33, 65.
 Number, 81.
 Organization, 31, 32-33.
 Presence at hearings, 59.
 Records, 40-41.
 Reports, 40.
 Representatives of institutions, 95-96.
 Supervision of work of, 32.
 Value of, 32, 33.
- Police stations:
 Conferences with boys, parents, and complainant at, 41.
 Detention of children in, 8, 49, 53.
 Reception of complaints at, 32, 33.
- Policy of juvenile court:
 Application of probation system, 71.
 Carrying out of, by chief probation officer, 30.
 Commitment to institutions, 85, 86.
 Detention, 49, 52-53.
 Dismissal and continuance, 63-68.
 Exercise of jurisdiction over older boys, 15.
 Forming of, by judge, 27.
 Guardianship, 92-93.
 Separation of families because of poverty, 22.
See also Cooperation with other agencies.
- Preliminary procedure:
 Adjustment without court action, 42-46.
 Complaint and petition, 35.
 Investigation, 35-42.
 Physical and mental examinations, 46-48.
- Private nature of social records, 34.
- Probation:
 Child-placing as distinguished from, 72.
 Continuance for definite period compared with, 65.
 Delinquent children placed on, 70, 72.
 Dependent children placed on, 71, 72.
 Effect of order, 71.
 Frequency of, as compared with other orders, 79.
 Homes in which children are placed during, 72.
 In truancy cases, 69-70.
 Jurisdiction of court over older boys on, who commit new offenses, 15, 68-69.
 Policy in application of, 71.
 Standards of probation work, 73-75.
 Supervision of delinquent boys on, 74-75.
 Supervision of delinquent girls and dependent children on, 72-74.
- Probation department:
 Development, 5-8.
 Organization, 30-32, 65.
 Records, 34.
 Reports, 34, 40.

U. S. DEPARTMENT OF LABOR
WOMEN'S BUREAU

THE EMPLOYMENT OF
WOMEN IN HAZARDOUS INDUSTRIES
IN THE UNITED STATES

A Brief Résumé of State and Federal Laws
Regulating the Employment of Women in
Hazardous Occupations : 1919



BULLETIN No. 6



WASHINGTON
GOVERNMENT PRINTING OFFICE
1919

THE EMPLOYMENT OF WOMEN IN HAZARDOUS INDUSTRIES IN THE UNITED STATES.

Laws prohibiting employment of women in certain industries.

The employment of women in mines is prohibited by law in 17 of the States—Alabama, Arizona, Arkansas, Colorado, Illinois, Indiana, Maryland, Missouri, New York, Oklahoma, Ohio, Pennsylvania, Utah, Washington, West Virginia, Wisconsin, and Wyoming. The law in Alabama, Colorado, and West Virginia relates specifically to coal mines.

Laws regulating the employment of women only.

Handling lead.—The employment of women in handling “any dry substance or dry compound containing lead in any form in excess of 2 per cent” is prohibited by law in Pennsylvania and New Jersey.

Using abrasives.—The employment of women is prohibited “in operating or using any emery, tripoli, rough corundum stone, carborundum, or any abrasive or emery polishing or buffing wheel where articles of the baser metals or of iridium are manufactured” in New York State.

In Ohio women are not allowed to “operate or assist in operating emery wheels or belts of solid emery, leather, leather-covered felt, canvas, linen, paper, cotton, or wheels or belts rolled or coated with emery corundum, or cotton wheels used as buffs.”

Oiling moving machinery.—Women are not permitted to oil or clean moving machinery in four States—Louisiana, Minnesota, Missouri, and West Virginia.

Making cores.—New York, Ohio, and Pennsylvania have laws which regulate the employment of women in core making. The New York law provides that “no woman shall be employed or permitted to work in any brass, iron, or steel foundry at or in connection with the making of cores where the oven in which the cores are baked is located in or operated in the same room or space in which the cores are made.” In Pennsylvania and Ohio no woman is allowed to handle cores which have a temperature of more than 110° F.

Lifting weights.—In Ohio and Pennsylvania a woman may not handle cores when the combined weight of core, core box, and plate at which she is working exceeds 15 pounds. In Massachusetts any boxes, baskets, and other receptacles which with their contents weigh 75 pounds or over and which are to be moved by female employees in any manufacturing or mechanical establishment must be provided with pulleys, castors, or some other mechanical device so that they

can be moved easily. In New York women in the core rooms of foundries are prohibited from lifting more than 25 pounds.

In addition to these provisions which actually prohibit women from working under certain conditions or in certain industries, each State has many laws and rulings which prescribe the conditions under which women should work, covering such matters as the lifting of weights, provision of seats, and proper provision for sanitation and comfort.

Laws regulating the employment of all workers in hazardous industries.

The use of white phosphorus in the manufacture of matches is prevented in this country by the imposition of a Federal tax of 2 cents per hundred on all matches manufactured with this material. The importation of matches made from white sulphur is prohibited.

Rulings for various hazardous industries, affecting both the men and women workers, are found in many States. Industrial commissions in six States—Colorado, Montana, New York, Pennsylvania, Utah, and Wisconsin—have the power to make regulations for the health and welfare of workers. The California, Oregon, and Washington commissions have power to make regulations only for women and minors, and the Kansas commission for women, minors, learners, and apprentices. The Colorado commission has the power to make regulations only to enforce existing laws.

In addition to the rulings of the industrial commissions, which are too vast in number and minute in detail for quotation, the laws of several States contain special regulations for all workers, with certain specified dangerous or poisonous materials or in certain hazardous industries. Employers in Illinois, Missouri, New Jersey, Pennsylvania, and Ohio are required to provide for employees, working in certain processes which are mentioned below—

1. Proper working clothing, which shall be kept in good condition.
2. Respirators, where employees are exposed to noxious or poisonous dusts.
3. Medical examination by a competent physician at least once a month.
4. Dressing rooms with separate compartments in which workers may keep street clothes, and lavatories with adequate washing facilities. Clean towels and soap.
5. Suitable provision for enabling employees to take their meals outside of the workrooms where poisonous substances or injurious or noxious fumes, dusts, or gases are present.
6. Sanitary drinking fountains.
7. Special ventilating and cleaning systems for carrying off injurious dusts and gases.

The processes for which these regulations are made vary slightly in the different States. The laws in Pennsylvania, Ohio, and New Jersey cover "every work or process in the manufacturing of white lead, red lead, litharge, sugar of lead, arsenate of lead, lead chromate, lead sulphate, lead nitrate or fluosilicate * * * in which the workers are exposed to lead dusts, lead fumes, or lead solutions." New Jersey, however, also specifies "every work or process in the manufacture of pottery, tiles, or porcelain enamel sanitary ware, where employees are exposed to heat, dusts, lead, fumes, or lead solutions." This is the only case in which the pottery industry is specifically mentioned.

Missouri stipulates these conditions for those working in the "carrying on of any process, or manufacture or labor in which antimony, arsenic, brass, copper, lead, mercury, phosphorus, zinc, their alloys or salts or any other poisonous chemicals, minerals, acids, fumes, vapors, gases, or other substances are generated or used, employed or handled by the employees in harmful quantities or under harmful conditions or come in contact with in a harmful way."

The Illinois law includes "any process of manufacture or labor in which sugar of lead, white lead, lead chromate, litharge, red lead, arsenate of lead, or Paris green are employed, used, or handled, or the manufacture of brass or the smelting of lead or zinc."

Laws regarding compulsory reporting of industrial diseases.

Fifteen States have laws making it compulsory for physicians to report some or all occupational diseases to either the State board of health or the State labor department. In addition to these 15, in California, Wisconsin, and Hawaii industrial diseases come under the workmen's compensation act, which makes the reporting of these diseases compulsory. In 12 States—Connecticut, Massachusetts, Michigan, Minnesota, Maine, Maryland, New Hampshire, New Jersey, New York, Ohio, Rhode Island, and Wisconsin—every physician who attends a patient suffering from any or from certain specified occupational diseases must report to either the State board of health or the State labor department. In the other 3 States—Pennsylvania, Missouri, and Illinois—this reporting is only required of the physicians conducting the examination required by law in certain hazardous occupations.

Ten States among these 15 require that all occupational diseases shall be reported, while Michigan, Minnesota, and New Jersey specify only cases of poisoning from lead, phosphorus, arsenic, mercury, or their compounds, or anthrax, or compressed-air illness. The New York law enumerates as being reportable these same diseases, and also brass and wood alcohol poisoning. Wisconsin also enumerates the same diseases, but omits anthrax. In five States—Connecticut, Massa-

chusetts, Michigan, Minnesota, and New York—reports must be made to the State labor department; in Pennsylvania and Ohio reports must be made to both the State labor department and the State board of Health; in Wisconsin reports must be sent to the State board of health and the bureau of vital statistics; and in Maine, Maryland, Missouri, New Hampshire, New Jersey, Illinois, Rhode Island, reports are made to the State board of health.

Workmen's compensation laws which include industrial diseases.

In only 3 cases—California, Hawaii, and Wisconsin—out of the 38 States and 3 Territories which have workmen's compensation laws does the law specifically include industrial diseases. In Massachusetts, however, although the law requires that the injury for which compensation is claimed must be caused by "accident," the courts have decided that occupational diseases shall be included. In Illinois a similar ruling has been made by the industrial commission. In Michigan, after the industrial commission interpreted the law as including occupational diseases, the court ruled to the contrary.

The workmen's compensation act for the civilian employees of the Federal Government authorizes compensation "for 'the disability or death of an employee resulting from a personal injury sustained while in the performance of this duty,' excluding cases of willful misconduct, etc. The commission administering the law took the view that the term 'personal injury' as used in the act covers 'not only accidents as ordinarily defined, but also any bodily injury or disease due to the performance of duties and causing incapacity for work.'" ¹ In New Mexico any employee in any smelting works who becomes disabled and unfit for work because of lead poisoning must be provided by his employer with medical attention and sustenance during the period of his disability.

Need for definition and understanding of industrial hazards for women.

Although legislation on the subject shows that some attention has been given to special hazards to which women are exposed in industry, it also shows that there has been little, if any, real attempt to discover what are the special hazards for women.

Expert observers, both in this country and abroad, have held that women are more susceptible than men to the effects of lead. The more serious danger for women in occupations in which they are exposed to lead poisoning is due to the effect of lead on the generative organs. Those who have suffered from lead poisoning are more likely to be sterile or to suffer miscarriages, or to bear dead children or to lose their children as infants. Lead poisoning in men

¹ U. S. Department of Labor, Bureau of Labor Statistics, Bul. No. 243, *Workmen's Compensation Legislation of the United States and Foreign Countries, 1917, and 1918.*

has not been known to have any ill effects upon the offspring, but for women the poison affects not only herself but her children in the future, and these serious results occur more frequently if she works in the lead industries after her marriage. Dr. Alice Hamilton, one of the foremost authorities in this country on the subject of lead poisoning, has recommended¹ that women should not be employed in—

Lead smelters.—Tending and discharging Hunting-Heberlein pots, tending and discharging hand-rabbed reverberatory furnaces, tapping blast furnaces, working on Scotch hearths or open hearths, working in the flues and bag houses.

Lead refineries.—Doing furnace work or handling dross.

Manufacturing white lead.—Stack setting in blue beds when old buckles are used; stack stripping—"stripping the white beds"; dry-pan room; packing dry white lead; grinding white lead in oil; on Carter process, except in packing lead nicil.

Painting trade.—Dry rubbing down of lead paint; mixing dry lead compounds with paint; using dirty drop cloths; chipping off old lead paint.

In the manufacture of storage batteries—Manufacture of storage batteries.—Mixing paste and applying it to the plates.

Compounding rubber.—These recommendations were only made after a careful study of all the processes in the various industries. It is interesting and significant to note that even in fact of the special danger to women in the lead industry Dr. Hamilton has not recommended the prohibition of the employment of women in the entire industry, but rather that, except on certain processes so dangerous as to make the safeguarding of the worker extremely difficult, the industry should be made safe for both men and women.

And yet in face of the definite assurance that lead poisoning is particularly dangerous to women, only two States in the Union have laws prohibiting or regulating women's employment in industries where they are in danger of lead poisoning. In fact, in most cases the laws which prohibit their employment have little bearing on the real hazards to which they are exposed. If a woman's hand may get crushed while she oils moving machinery, so may a man's, and his hands are as valuable as hers. If a man can be taught to oil that moving machinery so that he will not be injured, a woman can learn the same method; but if safety can not be assured, then the machine should be adequately safeguarded so that neither man nor woman will run the risk of injury. Prohibiting the employment of women on certain dusty processes does not solve the problem of any industrial disease in a community. Men also are liable to contract pulmonary diseases from exposure to dusts. Dusty processes and machines should be ventilated and hooded, so that men and women both

may work at them with impunity. It is very possible that under the guise of "protection" women may be shut out from occupations which are really less harmful to them than much of the tedious heavy work both in the home and in the factory which has long been considered their special province. Safe standards of work for women must come to be safe standards for men also if women are to have an equal chance in industry. Only in cases where conditions are more harmful to women than to men should their employment be prohibited. Except for the lead industry, so little information exists in this country as to the special effect on women of the various industrial poisons that it would seem essential, in order to guarantee that the women workers of the country be protected but not discriminated against, to make extensive investigations before recommending the exclusion of women from any industries or processes.

Laws making it obligatory to report industrial diseases such as exist already in one form or another in 15 States are the first step in establishing a satisfactory policy regarding the employment of women in hazardous industries. A further step will be the inclusion of industrial diseases under the workmen's compensation law. The operation of this law will stimulate management to make progress in the engineering problems of safety and sanitation, and will insure more effective health supervision, while the facts disclosed will furnish information on which to base conclusions as to the greater liability of women to industrial poisons, and as to the more serious effects of such poisons.

RUSSELL SAGE FOUNDATION

OUTDOOR RELIEF IN MISSOURI

A STUDY OF ITS ADMINISTRATION BY
COUNTY OFFICIALS

By
GEORGE A. WARFIELD
PROFESSOR OF SOCIOLOGY UNIVERSITY OF DENVER

PREPARED UNDER THE DIRECTION OF
THOMAS J. RILEY, PH. D.
WHILE DIRECTOR OF SCHOOL OF SOCIAL ECONOMY, ST. LOUIS, MISSOURI

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NEW YORK
SURVEY ASSOCIATES, INC.
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INTRODUCTION

THIS study of county outdoor relief in Missouri was made in the department of research in the St. Louis School of Social Economy, under my direction. It represents two years of field work for the furtherance of which financial assistance was received from the Russell Sage Foundation. During the first year, 1908, the work was in the hands of William T. Cross, now secretary of the National Conference of Charities and Correction, and Edwin B. Miller, now business manager of the Hale County (Texas) *Herald*. Assistance was given for a short while by Miss Ecel Hayes, now welfare secretary of the Northwestern Telephone Company, Minneapolis, Minnesota, and H. R. McClain, now a probation officer in the juvenile court at St. Louis. During the second year George A. Warfield, now professor of economics and sociology in the University of Denver, concluded the field work. The compilation and writing of the report, which was entirely in Mr. Warfield's hands, has been unavoidably delayed, chiefly on account of sickness and the pressure of professional duties.

During the past year, 1914, the text of the original report has been considerably revised, and footnotes have been added wherever the original statements in regard to any matters of importance appeared to require modification because of later developments. Unless otherwise specified, however, the statements made in the report refer to conditions as noted by the investigators during the years 1908, 1909, and 1910.

The records of poor relief, as given in the reports made to the state auditor, were so incomplete and unsatisfactory that it was found impossible to use them much for statistical purposes. The investigators were compelled, therefore, to collect nearly all their statistical information, as well as their other information, by consulting records kept in the counties and by calls upon the beneficiaries themselves.

The report is a terrible indictment of county outdoor relief in Missouri. The main counts are:

INTRODUCTION

1. That the judges of the county courts, who are the poor relief officers, are usually without knowledge of the conditions and needs of those who are relieved and hence

2. That the money and other relief given are very often direct encouragements to indolence, drunkenness, and immorality, and go directly or indirectly to the support of ablebodied beggars, prostitutes, and criminals.

3. That a surprisingly large proportion of the persons relieved are feeble-minded, or are in distress because of some feeble-minded relatives, and that county money encourages such persons to live at large and propagate their kind, or at least makes it possible for them to do so.

4. That such unconsidered and misdirected charity, besides adding to the burden of pauperism, defectiveness, vice, and crime, fails to give relief adequately or wisely to the needy who apply, and gives no relief whatever to many who are most in need but are least willing to ask for help.

There is no defense for county outdoor relief as it is practiced in Missouri at the present time. Either it must be abolished or thoroughgoing reforms must be wrought out. The report recommends a number of important changes, among which may be mentioned:

1. That the county records of outdoor relief be kept on a uniform basis, and that the Board of State Charities be given legal authority to require such records.

2. That in regard to all applicants a thorough inquiry be made by trained representatives of the court into the circumstances at the time of application; and that this be supplemented by visits to the applicants as long as they remain under care, in order that, when possible, rehabilitation plans may be made and carried out. Relief should certainly not be continued for longer than one year without reinvestigation.

3. That the Board of State Charities be given increased authority and funds to enable it (still, however, as an advisory body) to bring about co-operation among the various public and private charitable agencies of the state, and to make available the charitable experiences of other states.

4. That to provide proper and convenient custodial care for

INTRODUCTION

indigent defectives, especially the mental defectives, a system of county or district asylums on the cottage plan be developed, and that appropriate institutional care be made the preferred and, so far as possible, the only form of county charity for persons of this class.

One of the striking facts brought out by the investigation was the large number of those relieved who were interrelated by blood or marriage. So striking was this fact that it raises a question whether the dependent element of the population, and, from many indications, the defective and criminal elements also, do not belong to a comparatively small number of families in which degeneracy is marked. There are reasons for believing that this would prove an important and timely subject for further investigation in Missouri, as well as in Indiana, where the records are so much fuller.

So serious and so well proved are the charges against county outdoor relief in Missouri that the people of the commonwealth can not hold themselves guiltless so long as these abuses remain or the evils continue. So clear, so reasonable, and so necessary are the recommendations that inaction can only mean indifference to the welfare of the poor and of the state, a penny-wise-pound-foolish policy, or moral cowardice.

There are no reasons for thinking that the conditions with respect to outdoor relief in the country districts of Missouri are very different from those in other central and southern states. This report has, therefore, more than local significance.

THOMAS J. RILEY.

TABLE OF CONTENTS

	PAGE
INTRODUCTION	iii
LIST OF TABLES	ix
I. The Aims and Methods of the Study	1
II. Missouri as a Field for the Study of Outdoor Relief	6
III. How State and County Share in Poor Relief	10
IV. The Almshouse as a Related Problem	14
V. Statistics and Development of County Outdoor Relief	19
VI. Relief Classified by Kinds	29
VII. Private and Municipal Charity and Its Relation to County Outdoor Relief	37
VIII. Administration by the Court Directly or Through Guardians	43
IX. Some Results of the Court's Frequent Ignorance of Conditions	50
X. Comparison with Methods and Results in Indiana	60
XI. General Analysis of Cases	66
XII. The Physically Defective and the Sick	73
XIII. The Aged	79
XIV. Mental Defectives	84
XV. Mothers with Dependent Children	94
XVI. County Aid to Negroes	100
XVII. Ignorance and Inefficiency	104
XVIII. Crime and Moral Degeneracy	109
XIX. Hereditary Dependency	113
XX. Summary and Conclusions	118

APPENDICES

I. First Schedule Used in Investigating 165 Cases in 1908	125
II. Second Schedule Used in Investigating 165 Cases in 1908	126
III. Schedule Used in Investigating 199 Cases in 1909-1910	127

TABLE OF CONTENTS

	PAGE
IV. Schedule Used in Tabulating Poor Relief Expenditures from the Annual Statements of the Counties of Missouri, 1898-1907	128
V. Schedule Used in Tabulating Outdoor Relief Expenditures from Original Records of 17 Counties in Missouri, 1902 to 1906 Inclusive	130
VI. Form of Report to the State Board of Charities, Adopted by the State Board of Charities and Corrections Under the Act of May 25, 1913	131
INDEX	133

LIST OF TABLES

TABLE	PAGE
1. Counties included in statistical study of 1908, and cases included in case studies of 1908 and 1909-1910	4
2. County and state expenditure for poor relief, by kind of relief. 1913	11
3. Cases receiving county outdoor relief, regular pensioners, persons boarded out, and expenditure for outdoor relief. 1910	19
4. County expenditures for outdoor relief in 48 selected counties for the years 1899 to 1906 inclusive, and for 1910	20
5. Expenditure for outdoor relief and almshouse care in 97 counties which had almshouses, and in 17 counties which had no almshouses. 1910	22
6. Expenditure per capita of the total population for outdoor relief in 91 counties which had almshouses, and in 17 counties which had no almshouses. 1910	26
7. Expenditures per capita of the total population for outdoor relief and for almshouse care in 74 counties which had almshouses, and for outdoor relief in 17 counties which had no almshouses. 1910	27
8. Percentage of outdoor relief given in cash in 17 selected counties, grouped according to population. 1903-1907 inclusive	30
9. Nature of expenditures for outdoor relief other than cash payments to beneficiaries, in 17 selected counties. 1903-1907 inclusive	31
10. Supplementary aid received by 127 cases receiving outdoor relief. 1908	37
11. Sex, nativity, and color of beneficiaries in 364 cases specially studied	66
12. Disabilities in 364 cases specially studied.	68
13. Combinations of disabilities in 364 cases specially studied	69
14. Summary of disabilities in 199 cases studied in 1909-1910	70
15. Additional disabilities of 27 women with dependent children under wage-earning age	94
16. Occupations of the 150 male beneficiaries in the 364 cases specially studied	106
17. Occupations of the 214 female beneficiaries in the 364 cases specially studied	106

THE AIMS AND METHODS OF THE STUDY

THE administration of public outdoor relief in cities has been the subject of much discussion and some investigation. In New York City, Philadelphia, and Baltimore, relief of this type has been abolished because of abuses which had been revealed, all relief to the poor in these cities being now given by individuals or by private organizations. Such organizations do not exist, however, in country districts, and in small towns they are rarely strong enough to cope with the problems which local poverty presents. Public outdoor relief is almost universal in such communities and the facts in regard to it are, therefore, of great social significance. So far as the authors are aware, the present study is the first attempt, in any part of the country, to ascertain what these facts are; that is, what is the extent and character of this system of relief giving, and what are its social effects.

It has been said that "the end of philanthropy must be to lift up the manhood of the poor by making them independent, physically, mentally, and morally." Throughout the investigation this question has been before the authors: Does the Missouri system raise people to independence, or does it, as many believe, tend to foster pauperism by encouraging people to rely upon public aid?

Since 1908, when the work was begun, three investigators, at different times, have made special studies of this question in different counties of the state of Missouri, as well as in Indiana, where another method of administration furnished opportunity for instructive comparison and contrast. There are 114 counties in the state. None of these includes the city of St. Louis, which is usually excluded from the tables in this report. The attempt was made to study 17 typical counties thoroughly. From the county clerk's records the investigator drew off all information

OUTDOOR RELIEF IN MISSOURI

there found regarding persons who were then, or had been recently, on the county lists; that is, total expenditures, times and amounts of each payment, to whom each was made and for whom. Certain records have been traced back to their beginnings in searching for the complete history of cases of long standing or for the names of parents or other members of families that may have been county pensioners in past generations, as their children and grandchildren are now. One county's records have been compared with another's in an effort to trace the movements of certain people or families to different parts of the state. Records of criminal institutions and records of marriage and divorce have been searched for facts which would supply additional information; nor have facts as to property once owned, and positions and honors once enjoyed, been overlooked.

Because of poor and incomplete records this labor was tedious and less fruitful in results than it should have been. Some of the older records are almost unintelligible, and many clerks even now fail to itemize their accounts or index them in any way. In some records the names of the persons who finally received the relief did not appear, and inquiry showed that they were known neither to the officials nor to the merchants who had supplied them with goods. The record bore only the name of the "guardian" to whom the money or order was paid.*

From the names of recipients of poor relief, lists were made of those still living and still residing within the county, and an attempt was made to gather all possible information about each. It was even found possible to trace, by correspondence, some of those who had removed to other counties or even into other states. Interviews were had with public officials, business and professional men, friends and neighbors. Newspaper files and local histories were consulted, and much was learned from the older men and women in each community. The attempt was then made to visit each of the poor people in their homes and so learn their stories. This frequently proved a very difficult matter, especially where the officials did not know the names or the exact residences of their beneficiaries. Moreover, these people often lived in most remote and inaccessible places regarding which it was impossible

* See page 45.

AIMS AND METHODS

to get accurate directions even from neighbors. Many miles had to be traveled over difficult roads, and considerable hardship was sometimes experienced. Tact was required to get frank and full statements, especially where facts were involved derogatory to the person interviewed or to his relatives. The answers to all questions asked were finally recorded upon uniform blanks.*

The stories these beneficiaries told were not taken without testing their accuracy. Interviews were held with many other persons, such as public-spirited officials, ex-officials, physicians, and intelligent neighbors. In this way it is believed that most errors and mis-statements, which are not uncommon, have been corrected and that substantial accuracy has been assured. A special effort has been made to insure fairness. Many accounts had to be rejected as mistaken or biased. Some seemed mere gossip, unsupported by substantial evidence. Estimates of physical and mental disability involved much difficulty and have been taken almost exclusively from the statements of physicians, who had personal knowledge of the people. Acknowledgment should be made of the many courtesies received at the hands of physicians and other busy men who gave generously of their time because of their interest in human betterment and in the advancement of science. Facts as to criminality were sought in the records of municipal, county, and federal courts. It is needless to say that these records of convictions, fines, and imprisonments far understate the facts in such instances. The great amount of labor which such searches involved may seem disproportionate to the facts revealed. It is believed, however, that these facts are significant, and that they will be of use to students and social investigators in other states as well as of immediate and practical value to citizens of Missouri.

During the year 1908 a statistical study was made in the 17 counties selected because they seemed to be typical of the state outside of the city of St. Louis. Also, during that year, a study was made of 198 cases in these counties. During the years 1909 and 1910, in six of these counties and in four additional ones, 199 cases were similarly studied, but much more intensively. Because of 33 duplications with the later investigation only 165 of

* See Appendices I, II, and III, pp. 125 ff.

OUTDOOR RELIEF IN MISSOURI

the 198 cases studied in 1908 are recorded in the figures which follow. There were thus 364 cases covered by the two investigations, numbering altogether over 1,000 individuals.

In a few cases, although outdoor relief had been given up to a very recent date, it was not being given at the time the inquiry was made at the beneficiary's home. Most of the information obtained has been given confidentially, but even if this were not the case it would be unfair to give the sources of information or to publish the names of the poor people. When names are used, they are merely common typical names. The facts as learned by the investigators are given exactly, however.

The 17 counties selected for the statistical study in 1908, and the four additional ones included in the case study of 1909 and 1910, were as follows:

TABLE 1.—COUNTIES INCLUDED IN STATISTICAL STUDY OF 1908, AND CASES INCLUDED IN CASE STUDIES OF 1908 AND 1909-1910

Counties	Cases studied in 1908	Cases studied in 1909-1910	All cases studied
Counties studied statistically in 1908			
Andrew	12	..	12
Atchison	10	..	10
Cape Girardeau	12	..	12
Cooper	2	27	29
Dade	7	..	7
Franklin	17	..	17
Gasconade	12	1	13
Grundy	15	..	15
Harrison	14	..	14
Howard	3	..	3
Howell	6	..	6
Lawrence	12	..	12
Montgomery	14	..	14
Ripley	10	18	28
St. Francois	5	27	32
Saline	1	103	104
Vernon	13	1	14
Counties not studied statistically in 1908			
Carter . . . . .	..	9	9
Clinton . . . . .	..	6	6
Jasper . . . . .	..	5	5
Webster . . . . .	..	2	2
Total	165	199	364

AIMS AND METHODS

In addition to the statistical study made in these 17 counties, a more general statistical study was also made, in 1908, from unpublished reports to the state auditor. This study attempted to cover all counties in the state, but the figures presented hereafter are usually confined to the 48 counties for which complete returns were found. Finally, considerable statistical use has been made of the figures that appear in the report for 1910 of the State Board of Charities and Corrections of Missouri.

II

MISSOURI AS A FIELD FOR THE STUDY OF OUTDOOR RELIEF

IN many respects Missouri affords an excellent opportunity for the study of outdoor relief. It is a large and populous state, rich in wealth and natural advantages; the people are typically American and a generous policy of poor relief, dating back nearly to the beginning of state history, invites investigation because of its spontaneous and unconscious development. The state includes some of the richest agricultural land to be found in the world, while important mining communities are growing up about rich deposits of lead, zinc, iron, and coal.

The census of 1910 shows a population of 3,293,335, nearly one-third living in the three leading cities.* The rural population exceeds that of all the cities, large and small, taken together.† The 157,452 Negroes, who made up nearly 5 per cent of the population in 1910, add a perplexing race problem.‡ The white people of the state are noted for their hospitality as well as for their natural conservatism. They are sincerely attached to the principles of democracy and to local self-government. The temper of the white people of the state, like their climate, is neither distinctly "Southern" nor yet "Northern,"§ but thoroughly American. As the state is neither "Eastern" nor "Western," so its history and stage of development mark it as neither old nor new.

The state, furthermore, enjoys the distinction of being free

* Thirteenth Census of the United States, 1910. Abstract. Statistics of Population, etc., pp. 24 and 64.

† Ibid., p. 57.

‡ Ibid., pp. 82 and 86.

§ Missouri extends farther south than Virginia and farther north than Kansas. It is situated at the geographical center of continental United States.

MISSOURI AS A FIELD FOR STUDY

from debt. Low tax rates* are appreciated and jealously guarded. The northern and central part of the state is a rich agricultural region. Here social conditions are favorable and there are many public-spirited little cities. Yet there is also much pauperism—some of it of the worst type. The very wealth and generosity of the rich counties seem to attract to them a certain number of the shiftless and ignorant class. The wretchedness and squalor of some of the “shack towns,” in which this class lives, are amazing. Some of the houses are so small and dark that it is necessary to stoop to enter the door, and too dark inside to see to write. The Negro settlements, sometimes in a separate quarter of the town, sometimes off to one side, are indescribably filthy and wretched.

There is much of the stubborn conservatism which refuses to introduce reforms—political, social, or material. Rich counties refuse to provide good roads, continue to do business in decaying court houses, and neglect to provide decent jails and almshouses. There is much unnecessary disease and a refusal or inability to care at all adequately for the insane, epileptic, and feeble-minded, who are propagating to the degradation of the other classes.

The land in the valleys of the Mississippi and Missouri rivers is extremely fertile, but often floods destroy the crops, sometimes for several years in succession, causing much hardship, discouragement, and poverty. There is naturally much malaria and other sickness. Whole families are sometimes helpless with chills and fever. Much wooded land in the southeast corner of the state is flat and covered with a shallow sheet of water, so that travel is impossible except along “skidways” prepared for hauling logs. People occupy muddy tracts of this land waiting for the construction of the promised drainage ditches. Until these are built poverty and fever will remain.

Much of the southern part of the state, rough and partly covered with native forests, is suited to grazing and diversified farming. The inhabitants for the most part are used to hardship and are always near the border line of poverty. From the center of the state to the Kansas line, however, there are rich counties, like those of the northern group. While this country has scen-

* The state tax rate for the year 1904 was 17 cents on \$100. Report of the state auditor, 1903-04, Table 8, p. 411.

OUTDOOR RELIEF IN MISSOURI

ery of great beauty, and also agricultural possibilities, the lives of many of the people are hard and narrow.

Melancthon Zimri Yarberry* seemed typical. Now nearly eighty years of age he sits each day before the roofless shanty that was once his blacksmith shop. It is on the mountainside, miles away from any inhabited dwelling. Fifty years ago he tended a coke oven. Because of an affair in which he struck a man on the head, he left the mines and sought the remotest forests of the Ozarks. He is feeble now and very lame. Two years ago his old wife was living and the county gave to each \$5.00 every quarter; since her death he receives \$10. Far down in the valley live his son and two daughters. The only grandson is but four years old, yet he smokes his corn-cob with manly dignity.

The old man trudges wearily down the mountain and fords the stream each night. He sleeps in the crowded cabin with the children and the dogs, and then, after a coarse, meager breakfast, climbs back to sit all day in the shadow of his dilapidated smithy. These Yarberrys are ignorant, rough, and unused to regular work. They move about from year to year, for they have never had the enterprise to acquire land of their own, although it could have been had for the taking and clearing. Bill Henry Yarberry, the old man's younger son, lately started in the blacksmith business in the county seat, a small town without a railroad. Knowing his unusual skill with tools, the village banker had persuaded him to buy a little shop upon which he himself advanced \$200. When the work began to come in, Bill Henry shut up the shop and went fishing. The banker remonstrated and explained the necessity of building up a steady custom. The next day was Saturday and the rush season of the spring. Patrons brought in 15 dollars' worth of blacksmithing. Bill Henry looked it over and then deliberately put on his hat and started off to a shooting match. The next day he sold the shop and outfit for \$50 and announced that he would move back to the woods. He will, no doubt, die a county charge as his father will, and as his mother and cousin did. It is not that he is ignorant or inefficient, but that his free spirit revolts at the tyranny of a steady job.

The great mining centers are in St. Francois County, near the Mississippi, and in Jasper County about Joplin. The ore is very rich in lead and zinc. Both these districts present the peculiar characteristics of mining regions. Much money is made and spent. Men and women are rough and hard. Many cripples are seen, due to accidents in the mines. There is a noticeably large

* The real names of these people are not given.

MISSOURI AS A FIELD FOR STUDY

number of blind men, some of whom have lost their eyes in premature blasts. Houses are unpainted, small, and crowded together. The dooryards are of clay, grassless and dirty. Schools and churches are small and neglected.

There are foreigners of all kinds in the mining country, but throughout the state they are few and scattered as compared with more northern states. Most of those found are German and Irish who came with an earlier immigration. There are, however, a few distinctly foreign settlements like Gasconade County, and especially Hermann, its county seat. This interesting village is like a little bit of the Fatherland, with its vineyards, its wine cellars, and the scenery of the Rhine suggested by the bluffs which overlook the Missouri River. The place is picturesque and restful, with German gardens and architecture. The colony was established before the war, but German is still used in business, church, and school. German habits and styles prevail. Beer and wine are used almost universally, and in generous quantities.

III

HOW STATE AND COUNTY SHARE IN POOR RELIEF

OUTDOOR relief in Missouri can not be understood without a brief statement of the three or four other forms of public aid to the poor. Three government agencies—the state, the county, and the city—take part in the work of relief, and most of the counties divide their funds between their almshouses and their outdoor charges. In addition, every county contributes toward the support of its inmates in the state institutions. Counties without almshouses, when they assist their poor, must do so by outdoor relief or place them in state institutions. The records show that they tend to make more use of both of these methods of relief than do counties with almshouse accommodations. The latter, however, are inclined to keep many in their almshouses who should have care and treatment in one of the specialized state institutions.

Almost every serious case of distress raises two questions: Shall the state or the county assume the responsibility, and, if the latter, should there be almshouse care or outdoor relief? It is the purpose of this section to show how the total burden of charitable relief is shared between the state and the county, and to tell of the special work done by the state institutions. The almshouse, which sustains the most direct and intimate relation to outdoor relief, will be discussed in Section IV. In passing it should be observed that St. Louis and Kansas City maintain certain municipal charitable institutions and to a degree do the same kind of work as that of the state. St. Louis also maintains an almshouse, the largest in the state, reporting 1,336 inmates in 1910, or more than half the number reported for the state.*

The state has 13 eleemosynary and penal institutions.†

* Report of the Missouri State Board of Charities and Corrections, 1909-10, p. 179.

† *Ibid.*, p. 109.

STATE AND COUNTY RELIEF

They house a large inmate population and on the whole seem to be economically administered. While not proportionally equal in capacity, equipment, or administration to those of the most progressive northern and eastern states, they are probably better than the average of the surrounding states.

The following table shows the total county and state expenditure for poor relief in Missouri for the year 1913.

TABLE 2.—COUNTY AND STATE EXPENDITURE FOR POOR RELIEF, BY KIND OF RELIEF. 1913^a

Kind of relief	Expenditure
County expenditure for:	
Outdoor relief	\$104,805
Almshouse relief	168,373
Support of the poor in state institutions	
In hospitals for the insane	576,908
In state school for the deaf and dumb	6,157
Total	\$856,243
State expenditure for:	
Support of the poor in state institutions	
In hospitals for the insane	\$200,472
In other state institutions ^b	457,842
Total	\$658,314
Grand total	\$1,514,557

^a This table, furnished by the secretary of the Missouri State Board of Charities and Corrections from as yet unpublished records, has been substituted for tables prepared by the authors in 1908. No figures are available to show the amount expended by the counties for the care of their poor sent to the state schools for the blind, and to the State Colony for the feeble-minded and epileptic. Since the only expense defrayed by the counties in these institutions is the cost of transportation and clothing, the sum can not be large.

^b Includes the school for the deaf and dumb, the school for the blind, and the state colony for the feeble-minded and epileptic.

Approximately a million and a half dollars was spent for the support of the poor from state and county funds, the counties paying considerably over half of this. Moreover, the total county expenditures for their poor seem to be increasing.

A significant fact is the work which the state leaves undone, for this usually means an added burden which the counties must meet by greater expenditures for almshouses and for outdoor re-

OUTDOOR RELIEF IN MISSOURI

lief. Many classes which in other commonwealths are provided for at state expense are left entirely to the counties in Missouri. The state makes no provision for blind Negroes, or for feeble-minded and epileptic Negroes except in hospitals for the insane. Wayward colored girls are also entirely without state care.* For all of these classes the need for state care is very great. Their numbers are unusually large, and the treatment accorded to the Negro outside of state institutions is worse than that given to white people. Several states provide workshops for their adult blind. Missouri leaves such unfortunates to make their own way or to be cared for by their counties. Several states have reformatories for younger criminals and first offenders, but Missouri's large and crowded penitentiary at Jefferson City serves for all alike.

The provision for the insane is noticeably inadequate. The charge to the county of \$2.50 per week, recently raised to \$3.00,† has been sufficiently high to deter county officials from sending to the hospitals many of the unfortunates in need of treatment. Instead, they have often been mistreated or, at least, badly neglected. This is unfortunate but natural under the county charge system, for local officials hesitate to commit an insane person to a state hospital, realizing that this means a fixed weekly charge upon their county for an indefinite period which possibly may not terminate until the patient's death. Similar considerations have affected the use of some of the other state institutions.

State provision for the feeble-minded and epileptic is strikingly inadequate. One small institution, the admirable colony at Marshall, is all that is provided for these classes, of whatever age or grade. Many are, therefore, denied admission. The superintendent estimates that there are 10,000 in the state who are proper subjects for care in the colony which is now crowded beyond its capacity in the attempt to shelter a few hundred.

The whole system of state institutions is rendered more inadequate and its administration more inefficient by the reign of the political spoilsman. The welfare of the state and the

* A special state institution for this class is now (1914) under construction.

† Missouri R. S., 1909, Amended Laws, 1911, p. 115. The \$3.00 is the maximum charge.

STATE AND COUNTY RELIEF

policy of the institutions must bow to the exigencies of party politics. Deals and trades must be made and the faithful party workers rewarded with lucrative appointments. It was a disheartening spectacle to see distinguished ability and long and efficient service disregarded recently to make room for new and untried political appointees. Missouri is not worse in these respects than many other states, and it would be unfair to blame any political party or administration for doing that which has been the theory and practice of all; but these political changes still go on to the detriment of the state's charities and to the dismay of social workers and public-minded citizens.

IV

THE ALMSHOUSE AS A RELATED PROBLEM

NO other form of charity is so closely related to the problem of outdoor relief as is the county almshouse. Where the two kinds of relief are given, the same county court controls and administers both and the three judges decide what shall be the plans and policies of both. Moreover, in regard to each new case of destitution they are obliged to choose between these forms of relief. Usually the decision is not difficult, but it sometimes requires, or should require, the most careful consideration and the finest discrimination. As the judges vary in ability and ideals there is a great lack of uniformity. Some emphasize the "almshouse test"—the offer of almshouse care—and are inclined to apply it to every applicant for aid, even sometimes publishing the rule that no one shall receive aid except at the almshouse or county farm.* Other counties have no almshouses and all the relief given is given in the homes, unless the applicant is sent to a state institution.

In the succeeding section, figures are presented to show the effect which the possession of an almshouse has upon a county's outdoor relief and upon the extent to which it makes use of the state institutions for special classes of dependents. In this section attention is directed to the almshouses themselves.

In 1910, 17 counties were without almshouses. These were, generally speaking, the poorer and less prosperous counties. Two of the 17 showed a decline in population since 1890.† It is in fact because these counties are poor and the number of their county charges is small that no almshouses are provided. There is much poverty of the most distressing kind, but few are so much poorer than their neighbors that it is considered necessary or proper

* These terms are used interchangeably hereafter.

† Abstract of the United States Census, 1910, pp. 41 and 42.

THE ALMSHOUSE A RELATED PROBLEM

to aid them. The county officers declare that a county farm is more expensive than the assistance which they are accustomed to give. One county clerk writes:

"Our county owned a farm for about four years and found it was more expensive to maintain its paupers so than to 'farm' them out to private individuals on bids once a year. The inmates of the farm were not able to do any farm work and it was not possible to make the farm pay more than the expense of keeping it up."

On the other hand, several counties that have recently purchased farms are very enthusiastic. They report that the plan is more economical, that the poor are better cared for, and that many cease to be public charges when offered the alternative of almshouse care. This was particularly true in Gasconade County, where it was asserted that more than half of those previously receiving aid became self-supporting, while those who entered the almshouse were better housed and fed than ever before. The number of those receiving regular aid from that county has been reduced from 31 to 13 since the poor farm was established. Eleven live at the farm and two, one an idiot and the other suffering from syphilis, receive aid while living with relatives. Dent County likewise reports that its list of public charges decreased 50 per cent and that the county will be decidedly benefited financially by the change. Each of these counties has over 12,000 inhabitants, and it is probable that any county of that size will find the county farm equally profitable. In Wisconsin small counties unite with others in maintaining district almshouses, thus obtaining all the benefits enjoyed by the larger and richer counties.

In the absence of action by the state, the smaller and poorer counties will probably long continue without almshouses. The poor not sent to state institutions must then either be given money and provisions in their homes or boarded out. The danger of abuse under the boarding-out plan is unavoidable. It is not to be expected that good homes will be opened to those who are frequently diseased, disagreeable, and repulsive. Unless a man is himself very poor he would not wish to supplement his income by taking such boarders. Therefore it is the worst and dirtiest places to which these unfortunates are taken. Insanitary conditions, exposure to cold and dampness, improper and insufficient

OUTDOOR RELIEF IN MISSOURI

food, neglect, imposition, and positive mistreatment are common. The places selected are far below the average of the almshouses, wretched though these sometimes are. In three counties it was observed that poor persons were sent to be kept in places which bore the reputation of being immoral. Two such places seemed to be regular county boarding places, for each had recently housed from four to six of the county's poor. One of these was the home of a wellknown prostitute. When defective women and immature boys are sent to such places the results can be too easily foretold. Stories related in other parts of this report* suggest the depths of misery and shame that may be involved.

The county records for the period before the Civil War show that the boarding-out of county charges was then the prevailing method. This form of relief was still employed to some extent in every one of the 17 selected counties† and was in reported use in at least 22 out of the total number of counties in 1910.‡ The state board's schedule question, which received this answer, was, "Does the county board out any paupers with parties who bid lowest for keeping them?" The State Board of Charities and Corrections has asked the legislature repeatedly, but without avail, to pass a law prohibiting this method of caring for the poor. It is condemned by all social workers and all students of philanthropy.

Where such conditions exist they reveal the standards of public opinion in social matters, as expressed through the county judges. It is partly for the sake of learning more completely what these standards are that it is important to note some disagreeable facts regarding the almshouses as administered by the county judges, for these are the officials who also administer the county outdoor relief.

Though there has been some improvement in recent years conditions are still very bad. Many of the houses are old, insanitary, and practically unfit for habitation. Some are without foundations, having their rough floors laid directly upon the ground. Roofs are sunken and walls swaying, seemingly about

* See page 90.

† Only one of these counties, however, mentioned the practice in its official report to the State Board of Charities and Corrections for that year.

‡ Report of State Board, 1909-10, pp. 194-196.

THE ALMSHOUSE A RELATED PROBLEM

to fall upon the inmates. The superintendent is generally without means of properly segregating the sexes. Almost every one of the larger institutions has in it one or more sexual perverts, irresponsible idiots, insane men or women, some of them dangerously insane. These he can keep from acts of brutal immorality only by constant vigilance, beatings and threats of flogging, or by locking them up in separate rooms. One almshouse was observed where an attempt was made to separate the men and women by a high cage-like fence of barbed wire. Yet like the others it had its scandalous history of disgraceful happenings and illegitimate births. This failure to control the moral condition and the bringing into existence of unfortunate children in our almshouses is one of the most distressing features of the whole system and one which under the circumstances can not fairly be charged to the underpaid and overworked superintendents. Fortunately several of the counties have become aroused to the situation and are now constructing new and better buildings.

A report issued by the state board in 1910 notes many objectionable features. Skilled nurses for the sick and infirm in the almshouses were usually conspicuous by their absence. Most county farms were apparently better supplied with barns and sheds for stock than with dwellings for their human tenants. At least 30 farms were still under the objectionable lease system.*

* "One-third of the county homes are operated under what is generally known as the lease system. There are several different forms of this system, but its chief characteristic is that instead of employing a superintendent on salary and paying all expenses of operating the farm the county court leases the farm to a superintendent at a given rental, requires him to furnish all supplies, and pays him a stipulated per capita per week for boarding the paupers it sends to him. Thus, you see that it is a financial saving to the county to lease the farm at as high a rate as possible and to pay as low a per capita for the keep of the paupers as possible. On the other hand, the superintendent has his opportunity to make money by feeding and clothing the poor as cheaply as he can. The lease system emphasizes making money at the expense of the defenseless poor. I would not have you get the idea that superintendents working under the lease system are necessarily villains, together with the courts that perpetuate the system, for I know some very progressive and humanitarian superintendents working under that plan. But to indicate which way the stream is flowing I will merely present you these three propositions: First, that in the last nine years half the counties that had the lease system have abandoned it for the salary system; second, that the Missouri Association of Almshouse Officials, which contains members working under both systems, have by resolution condemned the lease scheme; third, that the most flagrant evils Miss Forrester has found have been in the institutions operating under the lease system." —Extract from an address by the secretary of the State Board of Charities and Corrections, printed in report of 1911-12, p. 71.

OUTDOOR RELIEF IN MISSOURI

Notwithstanding the new buildings noted, the typical "poorhouse" is an old, dreary, dilapidated, and insanitary structure. The average date of its building is twenty-six years ago.*

Nearly half of the inmates of these institutions, according to an investigator for the state board in 1911, were mentally defective.† The present secretary of the state board reports from records as yet unpublished that, in 1913, 26 per cent of the almshouse inmates, outside of the city of St. Louis, were mentally defective. He considers this figure too low, however. It is no doubt cheaper to keep an insane person in a cage than to pay for the special care, nurses and physicians, good food and treatment that would be accorded at a state hospital. Many almshouses, therefore, still have rooms with grated bars.

The nearly 800 feeble-minded in these crowded institutions are not sufficiently safeguarded. Probably 50 per cent of the almshouses are not "specially constructed with a view to strict segregation of the sexes."‡ Over 70 per cent of the inmates are defectives either physically or mentally.§

There is no excuse to justify keeping children in such an environment; if defectives, they should go to the specialized state institutions; if normal, it is monstrous to permit them to develop under such surroundings. Yet reports made at different times reveal the presence in the almshouses of the state of from 66 to 79 inmates under fourteen years of age.**

With conditions such as these existing in some of our county almshouses, it is but natural that officials should hesitate to condemn unfortunate but very respectable persons to such a life. Many of the inmates are noisy and disgusting, and the crowded condition frequently requires two to four to occupy each small room.

The coroner's inquest in a certain county showed that Herman Berger came to his death by drowning in a well. Inquiry showed that he had been an inmate of the county poorhouse. He was an old and indigent German, intelligent and self-respecting but unable to speak a word of English. The indications were that disgust at a loathsome bunkmate caused him to end his life by suicide in the poorhouse well.

* Report of State Board, 1909-10, p. 83.

† Ibid., 1911-12, p. 70.

‡ Bulletin of State Board, May 1, 1910, p. 10. § Ibid., p. 8. ** Ibid., p. 8.

V

STATISTICS AND DEVELOPMENT OF COUNTY
OUTDOOR RELIEF

IT is impossible to state with exactness the total amount paid in outdoor relief by the counties of Missouri. The reports made to the State Board of Charities and Corrections during the year 1909-10 are partly estimates, but they show approximately the amounts paid and the number aided for that year.

TABLE 3.—CASES RECEIVING COUNTY OUTDOOR RELIEF, REGULAR PENSIONERS, PERSONS BOARDED OUT, AND EXPENDITURE FOR OUTDOOR RELIEF. 1910^a

	Cases aided	Cases of regular pensioners	Persons boarded out	Total expenditure
Counties supplying data . .	106	94	22	102
Figures for counties supplying data				
Total	6,711	1,623	129	\$109,577
Average per county	63.3	17.3	5.9	1,074
Estimated figures for 114 counties	7,181	1,964	b	121,631

^a Report of State Board, 1909-10, pp. 190-196.

^b No estimate made, for boarding out is not practiced in all counties.

The figures here quoted in regard to the number of cases aided must be read with a great deal of caution. The inquiry on the schedules which the state board used read, "How many different cases (either individuals or families) has the court aided outside of the almshouse during the year?" Aside from possible misunderstandings of the term "case," as so defined, there is a strong probability that some of the local officials did not successfully eliminate duplicates in counting these cases so as to get a count of different cases.

OUTDOOR RELIEF IN MISSOURI

So large an expenditure in poor relief as is shown by this table is undoubtedly a growth of the last quarter century. It is impossible, however, to demonstrate this statistically. Most counties have records extending back for many years, but to examine these for even a few years was an impossible task. An inspection of the records of several typical counties for a long term of years was, therefore, substituted. This showed that outdoor relief was rare before the Civil War. It might be supposed that during the war and immediately afterward there would have been an increase, but this was not the case. If there were more crippled men and widows and orphans in destitute circumstances, they were either cared for in some other way or left to suffer without special help. The indication is that most of those aided were defectives who would now be regarded as fit subjects for custodial care. In the later 60's there begin to appear a few names of individuals and families now upon the lists. Since 1870, regular lists are found and the system apparently became established in accordance with which the court takes up, each quarter, this list of applicants for outdoor relief.

The following figures for the 48 counties for which complete figures were obtainable show the changes in the outdoor relief situation in recent years:

TABLE 4.—COUNTY EXPENDITURES FOR OUTDOOR RELIEF IN 48 SELECTED COUNTIES FOR THE YEARS 1899 TO 1906 INCLUSIVE, AND FOR 1910^a

Year	Expenditure
1899	\$54,574
1900	56,975
1901	69,880
1902	63,160
1903	46,714
1904	49,245
1905	50,485
1906	46,451
1910	43,812

^a The figures for the years 1899 to 1906 inclusive were compiled by the authors in 1908 from unpublished reports made by county clerks. The figure for 1910 has been added from pages 194-196 of the report of the State Board of Charities and Corrections for that year—the first year in which these figures were published. The

DEVELOPMENT OF COUNTY OUTDOOR RELIEF

The authors are unable to give any satisfactory explanation of the variations in the preceding totals. As opposed to the general tendency, referred to above, toward larger expenditures in the last quarter century, a general tendency toward decreased expenditures seems to be shown by this table for the years since 1899.

Figures not presented here for 70 selected counties* seem to indicate that outdoor relief, between 1899 and 1906 inclusive, in comparison with other county expenditures for the poor, reached the maximum of its importance in 1901, amounting to 26 per cent of the total in that year, and steadily declined in relative importance until it amounted to but 18 per cent of the total in 1906. Of these 70 counties 63 had almshouses, but this fact apparently did not lead them, as compared with the remaining seven, to make much less use of the institutions provided by the state for the care of special types of dependents. During the eight years, the counties which had no almshouses expended 54 per cent of their poor funds for the care of their charges in these specialized state institutions, as compared with a but slightly smaller proportion—49 per cent—

48 counties covered by this table were the following:

Andrew	Dunklin	Macon	Ralls
Atchison	Harrison	Moniteau	Ray
Barton	Hickory	Monroe	Ripley
Bollinger	Holt	Morgan	St. Charles
Caldwell	Howard	Newton	St. Louis
Callaway	Howell	Oregon	Saline
Cape Girardeau	Iron	Osage	Schuyler
Chariton	Jefferson	Perry	Scott
Christian	Johnson	Phelps	Shelby
Clay	Laclede	Pike	Warren
Clinton	Lawrence	Pulaski	Webster
Dale	Linn	Putnam	Wright

* The 70 counties selected are the 48 for which full figures were available (with the exception of Howard, Oregon, Phelps, St. Louis, and Webster), and the following 27 in addition: Boone, Carter, Cedar, Cooper, Crawford, Dent, Franklin, Greene, Grundy, Henry, Lafayette, Marion, New Madrid, Nodaway, St. Clair, Shannon, Sullivan, Washington, St. Francois, Butler, Carroll, Cole, Jackson, Lewis, McDonald, Stoddard, and Worth. These figures were compiled by the authors from unpublished reports.

OUTDOOR RELIEF IN MISSOURI

so expended in the counties which had almshouses. This tendency, though slight, toward local care of dependent patients, is one which, under existing almshouse conditions, must usually be deplored.

In Table 5 the 114 counties of the state are arranged in the order of their expenditures per capita of the total population for outdoor relief in 1910, the counties without almshouses being purposely grouped by themselves.

TABLE 5.—EXPENDITURE FOR OUTDOOR RELIEF AND ALMSHOUSE CARE IN 97 COUNTIES WHICH HAD ALMSHOUSES, AND IN 17 COUNTIES WHICH HAD NO ALMSHOUSES. 1910

County	Total population	EXPENDITURE FOR		EXPENDITURE PER CAPITA OF THE TOTAL POPULATION FOR		
		Almshouse care ^a	Outdoor relief ^b	Alms-house care (cents)	Out-door relief (cents)	Almshouse care and outdoor relief (cents)
Counties which had almshouses						
Chariton . . .	23,503	\$3,000.00	..c	12.8	..c	..c
Gentry . . .	16,820	2,000.00	..c	11.9	..c	..c
Henry . . .	27,242	2,540.59	..c	9.3	..c	..c
Lewis . . .	15,514	800.00	..c	5.2	..c	..c
New Madrid . . .	19,488	..c	..c	..c	..c	..c
Pettis . . .	33,913	..c	..c	..c	..c	..c
Morgan . . .	12,863	700.00	\$30.00	5.4	.2	5.6
Dallas . . .	13,181	..c	34.86	..c	.3	..c
Jasper . . .	89,673	3,500.00	300.00	3.9	.3	4.2
Randolph . . .	26,182	..c	100.00	..c	.4	..c
Dade . . .	15,613	1,200.00	75.00	7.7	.5	8.2
Dent . . .	13,245	1,800.00	60.00	13.6	.5	14.1

^a Missouri State Board of Charities' report, 1909-10, pp. 187-189.

^b *Ibid.*, pp. 194-196.

^c Information not available.

DEVELOPMENT OF COUNTY OUTDOOR RELIEF

TABLE 5.—(Continued)

County	Total population	EXPENDITURE FOR		EXPENDITURE PER CAPITA OF THE TOTAL POPULATION FOR		
		Almshouse care	Outdoor relief	Almshouse care (cents)	Outdoor relief (cents)	Almshouse care and outdoor relief (cents)
Christian . . .	15,832	\$1,125.00	\$100.00	7.1	.6	7.7
Iron . . .	8,563	1,200.00	50.00	14.0	.6	14.6
Platte . . .	14,429	1,700.00	104.60	11.8	.7	12.5
Wayne . . .	15,181	.. ^{a,c}	100.00	.. ^a	.7	.. ^a
Callaway . . .	24,400	4,530.00	200.00	18.6	.8	19.4
Greene . . .	63,831	5,926.90	500.00	9.3	.8	10.1
Monroe . . .	18,304	.. ^a	144.05	.. ^a	.8	.. ^a
St. Charles . . .	24,695	6,867.00	200.00	27.8	.8	28.6
Howard . . .	15,653	.. ^a	155.00	.. ^a	1.0	.. ^a
Cass . . .	22,973	.. ^a	250.00	.. ^a	1.1	.. ^a
Clark . . .	12,811	2,979.15	147.25	23.3	1.1	24.4
Marion . . .	30,572	14,000.00	380.95	45.8	1.2	47.0
Washington . . .	13,378	800.00	159.75	6.0	1.2	7.2
De Kalb . . .	12,531	600.00	190.00	4.8	1.5	6.3
Livingston . . .	19,453	600.00	300.00	3.1	1.5	4.6
Macon . . .	30,868	2,728.52	450.00	8.8	1.5	10.3
Maries . . .	10,088	780.00 ^c	160.00	7.7	1.6	9.3
Stone . . .	11,559	360.00	180.00	3.1	1.6	4.7
Sullivan . . .	18,598	2,875.11	300.79	15.5	1.6	17.1
Butler . . .	20,624	3,118.75	350.00	15.1	1.7	16.8
Clinton . . .	15,297	.. ^a	312.00	.. ^a	2.0	.. ^a
Johnson . . .	26,297	2,050.00	520.00	7.8	2.0	9.8
Linn . . .	25,253	780.00	500.00	3.1	2.0	5.1
Polk . . .	21,561	200.00	420.00	.9	2.0	2.9
Knox . . .	12,403	1,014.00	260.00	8.2	2.1	10.3
Lincoln . . .	17,033	1,200.00	350.00	7.0	2.1	9.1
Mississippi . . .	14,557	102.00	300.00	.7	2.1	2.8
Ray . . .	21,451	.. ^a	445.00	.. ^a	2.1	.. ^a
Shelby . . .	14,864	2,847.48	309.50	19.2	2.1	21.3
Warren . . .	9,123	1,200.00	195.00	13.2	2.1	15.3
Bates . . .	25,869	400.60	575.00	1.5	2.2	3.7
Crawford . . .	13,576	800.00	300.00	5.9	2.2	8.1
Gasconade . . .	12,847	1,000.00	311.25	7.8	2.4	10.2
Barry . . .	23,869	155.00 ^b	600.00	.6	2.5	3.1
Dunklin . . .	30,328	400.00	756.00	1.3	2.5	3.8
Pike . . .	22,556	3,161.58	600.00	14.0	2.7	16.7
Boone . . .	30,533	3,903.00	863.60	12.8	2.8	15.6
Cape Girardeau . . .	27,621	700.00	786.50	2.5	2.8	5.3

^a Information not available.

^b Figure obtained by authors from unpublished records.

^c Has no almshouse now (1914).

OUTDOOR RELIEF IN MISSOURI

TABLE 5.—(Continued)

County	Total population	EXPENDITURE FOR		EXPENDITURE PER CAPITA OF THE TOTAL POPULATION FOR		
		Almshouse care	Outdoor relief	Almshouse care (cents)	Outdoor relief (cents)	Almshouse care and outdoor relief (cents)
Ralls	12,913	485.00	360.00	3.8	2.8	6.6
Schuyler	9,062	78.00	265.00	.9	2.9	3.8
Webster	17,377	2,500.00	500.00	14.4	2.9	17.3
St. Francois	35,738	2,924.00	1,115.20	8.2	3.1	11.3
Stoddard	27,807	1,318.43	849.00	4.7	3.1	7.8
Worth	8,007	.. ^a	250.00	.. ^a	3.1	.. ^a
Harrison	20,466	540.00	656.50	2.6	3.2	5.8
Jackson	283,522	.. ^a	9,000.00	.. ^a	3.2	.. ^a
Lawrence	26,583	1,249.83	848.00	4.7	3.2	7.9
Holt	14,539	1,800.00	500.00	12.4	3.4	15.8
St. Clair	16,412	650.00	568.71	4.0	3.5	7.5
Clay	20,302	1,400.00	727.43	6.9	3.6	10.5
Adair	22,700	565.60	860.00	2.5	3.8	6.3
Cedar	16,080	.. ^a	650.00	.. ^a	4.0	.. ^a
Pemiscot	19,559	900.00	776.00	4.6	4.0	8.6
Texas	21,458	1,010.00	874.45 ^b	4.7	4.1	8.8
Cooper	20,311	1,200.00	850.00	5.9	4.2	10.1
Putnam	14,308	2,000.00	600.00	14.0	4.2	18.2
Vernon	28,827	.. ^a	1,200.00	.. ^a	4.2	.. ^a
Andrew	15,282	1,100.00	650.00	7.2	4.3	11.5
Laclede	17,363	1,000.00	780.00	5.8	4.5	10.3
Ste. Genevieve	10,607	2,311.37	480.00	21.8	4.5	26.3
Howell	21,065	.. ^a	969.72	.. ^a	4.6	.. ^a
Bollinger	14,576	414.75	686.00	2.9	4.7	7.6
Caldwell	14,005	1,246.28	700.00	8.5	4.8	13.3
Atchison	13,604	2,000.00	693.20	14.7	5.1	19.8
Carroll	23,098	1,059.71	1,213.82	4.6	5.3	9.9
Grundy	16,744	1,475.00	908.15	8.8	5.4	14.2
Moniteau	14,375	300.00	776.00	2.5	5.4	7.9
Audrain	21,687	600.00	1,200.00	2.8	5.5	8.3
Scotland	11,869	.. ^a	652.25	.. ^a	5.5	.. ^a
Montgomery	15,604	1,000.00	899.50	6.4	5.8	12.2
Jefferson	27,878	1,624.00	1,756.00	5.8	6.3	12.1
Mercer	12,335	2,181.50	772.00 ^b	17.7	6.3	24.0
Barton	16,747	1,055.00	1,121.54	6.3	7.0	13.3
Pulaski	11,438	185.00	800.00	1.6	7.0	8.6
Franklin	29,830	.. ^a	2,194.00	.. ^a	7.4	.. ^a
Nodaway	28,833	2,925.00	2,500.00 ^b	10.1	8.7	18.8
Buchanan	93,020	.. ^a	8,206.87	.. ^a	8.8	.. ^a

^a Information not available.

^b Figures obtained by authors from unpublished records.

DEVELOPMENT OF COUNTY OUTDOOR RELIEF

TABLE 5.—(Continued)

County	Total population	EXPENDITURE FOR		EXPENDITURE PER CAPITA OF THE TOTAL POPULATION FOR		
		Almshouse care	Outdoor relief	Almshouse care (cents)	Outdoor relief (cents)	Almshouse care and outdoor relief (cents)
Cole . . .	21,957	.. ^a	\$2,000.00	.. ^a	9.1	.. ^a
Osage . . .	14,283	\$896.26	1,500.00	6.3	10.5	16.8
Perry . . .	14,898	2,000.00	1,682.65	13.4	11.3	24.7
Scott . . .	22,372	1,200.00	2,742.13	5.4	12.3	17.7
Saline . . .	29,448	3,500.00	3,737.99	11.9	12.7	24.6
Daviess . . .	17,605	2,100.00	2,756.81	11.9	15.7	27.6
Newton . . .	27,136	2,425.00	5,110.70	8.9	18.8	27.7
Lafayette . . .	30,154	2,160.00	4,768.00 ^b	7.2	44.5	51.7
Counties which had no almshouses						
Shannon . . .	11,443	..	39.00	..	.3	..
Taney . . .	9,134	..	100.00	..	1.1	..
Phelps . . .	15,796	..	300.00	..	1.9	..
St. Louis . . .	82,417	..	2,962.06	..	3.6	..
Miller . . .	16,717	..	772.00 ^b	..	4.6	..
Oregon . . .	14,681	..	670.37	..	4.6	..
Madison . . .	11,273	..	700.00	..	6.2	..
Douglas . . .	16,664	..	1,060.40	..	6.4	..
McDonald . . .	13,539	..	1,150.00	..	8.5	..
Wright . . .	18,315	.. ^c	1,801.42	..	9.8	..
Ozark . . .	11,926	..	1,200.00	..	10.1	..
Camden . . .	11,582	..	1,200.00	..	10.4	..
Carter . . .	5,504	..	671.95	..	12.2	..
Benton . . .	14,881	..	2,000.00 ^b	..	13.4	..
Ripley . . .	13,099	.. ^c	2,167.21	..	16.6	..
Reynolds . . .	9,592	..	2,000.00	..	20.9	..
Hickory . . .	8,741	..	1,927.08	..	22.0	..

^a Information not available.

^b Figures obtained by authors from unpublished records.

^c Has an almshouse now (1914).

In order to bring out their significance the figures in this table have been summarized in Table 6, p. 26.

From a comparison of the two averages shown in Table 6, as well as from the distribution figures, it is apparent that ordinarily outdoor relief is much less, proportionately, in the counties which have almshouses as an alternative. Thus, 93 per cent of

OUTDOOR RELIEF IN MISSOURI

the almshouse counties, in regard to which information was given on this point, kept their outdoor relief down to less than 10 cents per capita of the total population, as compared with but 59 per cent among the "no-almshouse" counties. The opposite table has been prepared in order to see whether the same contrast is true when, in the almshouse counties, the cost of almshouse maintenance is added to that of outdoor relief and the whole compared with outdoor relief alone in the other counties.

TABLE 6.—EXPENDITURE PER CAPITA OF THE TOTAL POPULATION FOR OUTDOOR RELIEF IN 91 COUNTIES WHICH HAD ALMSHOUSES, AND IN 17 COUNTIES WHICH HAD NO ALMSHOUSES. 1910

Expenditure per capita of the total population	COUNTIES WHICH HAD ALMSHOUSES		COUNTIES WHICH HAD NO ALMSHOUSES	
	Number	Per cent	Number	Per cent
Less than 5 cents	69	76	6	36
5 cents and less than 10 cents	15	17	4	23
10 cents and less than 15 cents	4	4	4	23
15 cents and less than 20 cents	2	2	1	6
20 cents and less than 25 cents	1	1	2	12
Total	91	100	17	100
Information not available	6	..	..	..
Grand total	97	..	17	..
Average per capita	4.6 cents		7.3 cents	

It is clear from Table 7 that, when the combined almshouse and outdoor relief expenses are considered, the almshouse counties are not, as a rule, the ones showing the smaller totals per capita. Thus, of the 74 almshouse counties for which full information was had, only 45 per cent had a total per capita of the total population of less than 10 cents, as compared with 59 per cent in the 17 no-almshouse counties.

The great variations among the individual counties in per capita outdoor relief, as shown in Table 5, raise the question of cause. No satisfactory answer regarding this was obtained from any source and none, therefore, is offered here.

DEVELOPMENT OF COUNTY OUTDOOR RELIEF

TABLE 7.—EXPENDITURES PER CAPITA OF THE TOTAL POPULATION FOR OUTDOOR RELIEF AND FOR ALMSHOUSE CARE IN 74 COUNTIES WHICH HAD ALMSHOUSES, AND FOR OUTDOOR RELIEF IN 17 COUNTIES WHICH HAD NO ALMSHOUSES. 1910

Expenditure per capita of the total population	COUNTIES WHICH HAD ALMSHOUSES		COUNTIES WHICH HAD NO ALMSHOUSES	
	Number	Per cent	Number	Per cent
Less than 5 cents	9	12	6	36
5 cents and less than 10 cents	24	33	4	23
10 cents and less than 15 cents	17	23	4	23
15 cents and less than 20 cents	13	18	1	6
20 cents and less than 25 cents	5	7	2	12
25 cents and less than 30 cents	5	6	..	..
45 cents and less than 50 cents	1	1	..	..
Total	74	100	17	100
Information not available	23	..	..	..
Grand total	97	..	17	..
Average per capita	13.1 cents		7.3 cents	

The individual sums paid in outdoor relief in Missouri are generally very small. Whether the charitable agent be a private association, a city, or a county, the payments are often so inconsiderable as to justify the characterization of it as the "dole system." Payments for temporary relief of \$1.50 or even 50 cents are common. Smaller sums are frequently recorded. Even the county's regular "pensions" are not much better. Five dollars a quarter is a common sum. This is about five and one-half cents a day, and some of the families contain five or more persons—a penny per day per person! It is inconceivable that this pittance measures the difference between any family's success or failure; and the whole system becomes ridiculous where, as in cases studied, the beneficiary boasts that he can earn in a half day more than the county gives him in three months, or the families receiving this small sum quarterly contain one, two, or even as many as six or eight fully competent wage-earners. It is impossible to avoid the judgment that to many of these families the small sums are given merely because courage to refuse is lacking.

OUTDOOR RELIEF IN MISSOURI

Inadequate as \$20 a year is in any case of destitution, the sum is nevertheless sufficient to tempt many poor people to lay aside small scruples and pride and endeavor to obtain for themselves what others are getting so easily. The system of small doles to many applicants seems, therefore, to be well adapted to break down independence and self-reliance and thus to pauperize our poor. It is true, of course, that small amounts are frequently all that is needed in the way of material relief. It is often possible, for example, by providing money for some such purpose as a needed surgical operation or capital to obtain necessary tools or business equipment, to enable those who must otherwise have remained destitute to become independent wage-earners. It is also true, however, that a wise policy frequently calls for the appropriation of considerable sums.

VI .

RELIEF CLASSIFIED BY KINDS

FROM unpublished reports made to the State Board of Charities and Corrections for the years 1903-07 inclusive, it is possible to form a general idea of the way in which the total expenditure for outdoor relief was made up. Table 8, page 30, shows for the 17 counties investigated what proportion was given in cash, the remainder being given in orders for supplies, burial, medical attendance, and so forth.

The counties in that table are arranged in descending order according to population, and it will be noticed that the larger counties are in general the ones which give the largest per cent of their relief in cash. There seems to be a preference for relief "in kind," but when a county is large and populous, the adaptation to individual needs which this requires, or should require, apparently causes a substitution of cash payments. In St. Francois County the exceptional situation is probably due to the fact that that county had the co-operation, in its relief distribution, of private societies in several places—most of which gave their relief in kind.

For one who has but a few dollars to spend each month, the best use of this small sum is an important problem. Most poor people, however, use but little judgment in the spending of their money, sometimes spending a large part of their means for things that are purely frivolous. There is also the danger that drink, gambling, and other vicious practices will be encouraged if assistance is given in the form of money. For these reasons it was at one time held by those in charge of relief work that assistance should always be given in the form of food, clothing, fuel, and other specified necessities rather than in money. In recent years, however, there has been a reaction against this view—at least against such a hard-and-fast program. Social workers whose

OUTDOOR RELIEF IN MISSOURI

TABLE 8.—PERCENTAGE OF OUTDOOR RELIEF GIVEN IN CASH IN 17
SELECTED COUNTIES, GROUPED ACCORDING TO POPULATION.
1903-1907 INCLUSIVE

County	Popula- tion ^a	OUTDOOR RELIEF		
		Total expendi- ture	Expenditure in cash	
			Amount	Per cent of total ex- penditure
St. Francois	35,700	\$2,757	\$584	21
Franklin	29,800	9,392	8,130	87
Saline	29,400	18,161	16,711	92
Vernon	28,800	4,069	2,192	54
Total for four counties	123,700	\$34,379	\$27,617	80
Cape Girardeau	27,600	5,437	4,497	83
Lawrence	26,500	4,328	2,614	60
Howell	21,000	3,168	683	22
Harrison	20,400	5,115	3,484	68
Total for four counties	95,500	\$18,048	\$11,278	62
Cooper	20,300	4,275	2,874	67
Grundy	16,700	3,790	1,314	35
Montgomery	15,600	3,577	1,573	44
Howard	15,600	910	27	3
Total for four counties	68,200	\$12,552	\$5,788	46
Dade	15,600	1,689	255	15
Andrew	15,200	3,041	1,753	58
Atchison	13,600	3,481	864	25
Ripley	13,000	6,633	1,439	22
Gasconade	12,800	10,724	2,167	20
Total for five counties	70,200	\$25,568	\$6,478	25
Grand total	357,600	\$90,547	\$51,161	57

^a Population in 1910. Abstract of the census, pp. 41-42.

aim is family rehabilitation have come to see that after a family has been put into an independent position it will have to handle money in making its own purchases, and that it is the part of wisdom to train such families, as soon as it is possible, to spend judiciously. An increasing proportion of the assistance given by modern relief agencies is therefore in the form of cash. This is usually limited to families which are receiving regular allowances,

RELIEF CLASSIFIED BY KINDS

great pains being taken, through the help of paid and unpaid visitors, to have the home maker of the family trained in the proper spending of the allowance. Practically no such oversight of those assisted, as has just been described, is practiced by the county authorities.

The expenditures, other than cash expenditures, are classified in the following table:

TABLE 9.—NATURE OF EXPENDITURES FOR OUTDOOR RELIEF OTHER THAN CASH PAYMENTS TO BENEFICIARIES, IN 17 SELECTED COUNTIES, 1903-1907 INCLUSIVE

Nature of expenditure	Amount
Board	\$17,270
Medicine	9,167
Burial	6,406
Food	4,517
Transportation	1,169
Fuel	441
Clothing	278
Rent	138
Total	\$39,386

The proportions between these items, other than the preponderance of the first one, have little social significance. They merely show either what the applicants thought was needed, and so asked for, or what the officials thought was needed. The classification is convenient, however, in connection with the description of the problem as it has been worked out in the various counties, and it is retained here for that purpose.

The largest item in the above table—for boarding out the county charges—brings again to attention that most objectionable system, discussed previously, on page 15.

Every county pays out a considerable sum for medical and quarantine relief. During 1910, \$25,176 was paid out in the state as a whole to county physicians (90 of the 114 counties reporting), \$5,500 to other physicians (62 counties reporting), and \$8,011 to the poor who were under quarantine (52 counties reporting).*

* Report of Missouri State Board of Charities and Corrections, 1909-10, p. 190.

OUTDOOR RELIEF IN MISSOURI

first of these sums was not all for attendance upon the poor in their homes, for it included the cost of medical attendance to almshouse inmates and to prisoners in county jails.

During the five years studied, the 17 selected counties buried 711 persons at a total expense of \$6,405, or \$9.00 for each burial.* There is a great difference of practice in the various counties in this matter. Some have strict rules and maximum prices above which they will not pay. Some go further and limit the total cost of an assisted funeral, while others permit friends and relatives to pay as much more as they desire.

Certain counties let out all their public burials for each year, giving the contract to the lowest bidder. Other counties deal with each case as it arises and try to pass the work around, giving some to each undertaker. The highest price observed to have been paid for any one public burial was \$29. The lowest was one-fourth of a cent. This last was the regular contract price paid one year for each of the 24 burials in the Joplin district. The undertaker declared that all were given decent burial and that he came out about even, financially, due to the fact that so many strangers and men of no property meet violent deaths there, and after the public undertaker has been given charge of the body it often happens that well-to-do relatives appear who are able and willing to pay liberally. It is this feature which causes the keen competition for public burials. A rival firm had secured the monopoly of these cases the year before by bidding for all cases at one cent each. Ten dollars is a frequent maximum. Several counties pay \$7.50 for each adult and less for children. The limit is sometimes placed at three or four dollars. One county pays never more than \$1.50 and uses rough pine boxes. Some counties pay for good coffins and even give extra amounts for shrouds, livery hire, embalming, and similar charges. Few people would make objections to a few dollars spent in honor of some poor but respected person. Such things are seldom questioned. Perhaps that is the reason that a certain species of graft has crept into this, the saddest part of outdoor relief.

In the course of this investigation many undertakers' books were inspected and the fact was developed that the amount paid

* Figures compiled by the authors from unpublished records.

RELIEF CLASSIFIED BY KINDS

by the county is sometimes a very small part of what the undertaker gets out of the case. Numerous cases were noted where, though the county was charged from \$5.00 to \$10, the total bill collected from the friends was \$20, \$30, \$50, and even \$100 more. Even in counties where the rules of the court prescribed that no such extra amounts should be charged, it was proved to be a regular practice. Friends of the deceased would be encouraged to order an expensive funeral and then the county officials would be skilfully approached for an additional amount. Instead of being helped, the poor relatives are often burdened by a serious debt which means great suffering to them but which they feel is a sacred duty to assume. How hard the struggle was is frequently seen by long records of partial payments, sometimes of very small amounts, such as 50 cents or \$1.00 a month. Such records sometimes ran for years and showed many relatives paying a little at a time. One old widow and her idiot boy, already public charges themselves, were found to have made payments like this upon the husband and father's funeral expenses, and then after months of struggle to have finally mortgaged the family cow, their only possession. The record showed that the undertaker eventually got the cow and much money besides. Negroes are especially inclined to expensive funerals. They frequently live in the direst poverty, but keep something laid aside or carry a little industrial insurance to cover burial expenses. It is frequently remarked what elaborate funerals the poorest Negro families have. It is not enough that they have a fancy casket, fine hearse and livery, flowers and the like; the body must be embalmed and all the extras included. The poor old Negro may have been a county charge for years and the officials may be easily persuaded to appropriate an additional five or ten dollars to give him a decent burial, but in too many cases it becomes merely an encouragement to folly and extravagance. No one's poverty is relieved and the only beneficiary is the undertaker.

During the five years studied, the 17 counties spent over \$1,100 upon transportation of homeless persons out of their communities. One hundred and seventy-four people were thus passed on to other states and counties.*

* Figures compiled by the authors from unpublished records.

OUTDOOR RELIEF IN MISSOURI

Transportation is often a wise step in a plan of relief, but it is a step that should never be taken unless its wisdom has been made clear by some confirmation of the applicant's story. His statement that he will be cared for in the place to which he wishes to be sent, or that he can be self-supporting there, can never be accepted with safety. "Passing on" is a game at which all localities can and do play, and an attempt to apply the Golden Rule to this problem has resulted in the adoption of a transportation agreement by over 500 public and private charitable agencies in the country, in accordance with which they bind themselves to furnish transportation only when they have ascertained from the locality to which an applicant is to be sent that his prospect of support or self-support will be improved by this change. Only 36 public agencies in the country are parties to the agreement, this number including, however, the mayor's office in St. Louis.*

If the total expense of this form of giving by counties, cities, and charitable societies could be known it would be surprisingly large. Not all of it is misdirected charity but most of it certainly is. In Missouri, each county and city passes undesirables on to the next, or, preferably, into Illinois, Arkansas, or Kansas. Of course the counties and states so imposed upon retaliate by shipping these and other unfortunates on to their next neighbors or beyond.

G—— County sent a woman named White to M—— in W—— County. She was rather young and goodlooking but apparently feeble-minded. She said she came from A—— and that her original home was in Kansas. W—— County promptly sent her back to G—— and it as promptly sent her back to W—— only to have her again returned. The poor woman was in great distress, but she was again put upon the train and told to go to M——. The W—— County officials were now thoroughly aroused and this time the county not only paid her way back but also paid the way of their county clerk who accompanied her and sought out the officials and threatened suit if she was sent to them again. After that they saw no more of her, and it is to be presumed that she was sent somewhere else next time, possibly to Kansas or Arkansas. Each time she was put upon the train to be transported

* Further information regarding this agreement will be furnished by the Charity Organization Department of the Russell Sage Foundation, 130 East Twenty-second Street, New York.

RELIEF CLASSIFIED BY KINDS

she wept and protested but was told that she must go. The clerk did not make it plain whether it was the county or city officials who were responsible for her repeated transportation.

P— and S— counties once had a similar contest over an insane woman, who finally became the cause of a bitter and expensive lawsuit. A county judge in R— County told this story:*

A man giving his name as Webster Brown appeared upon the streets of the county seat, accompanied by his wife and leading several small children. He was carrying in one hand a pillow case apparently filled with a few clothes and personal belongings. He told a sad and tragic tale. His home had just burned and he was barely able to rescue his wife and children and the few articles in the pillow case. All the rest was lost and he asked help to reach relatives, said to live in a near county. The judge gave money and generous-hearted citizens made up an additional amount to help the unfortunate family upon its way. Some weeks later the judge, while visiting in another county, learned that the man, with the same story and methods of procedure, had recently deceived the people there. Inquiry in several other counties brought the information that "Mr. Brown" had been there with his forlorn-looking family and his pathetic-heroic story of fire, rescue, and destitution. Each county passed them on to "relatives" somewhere else. Long after this the judge stepped off a train in a distant city in Arkansas and was much interested to see Mr. Brown filing out of another coach with his much-rescued and much-transported family. He hastened to inform the city and county officials and business men generally of the tale that was about to be unfolded to them. Sure enough, the same old program was begun, but for once it did not bring its customary response. Mr. Brown, who later saw the judge and recognized him as the cause of his failure, took occasion to let him know what he thought of him for interfering with his affairs. The judge is still wondering how far the Browns traveled and how many "relatives" they were able to reach.

In addition to the short-sighted social policy shown in the following, there is a cruelty to the victim which is distressing to contemplate:

A blind man was recently put off the train at——. Neither city nor county officials would take any responsibility in the matter and for

* See these and other similar stories, quoted from the first reports of this investigation, in *Passing On*, a pamphlet published by the Charity Organization Department of the Russell Sage Foundation.

OUTDOOR RELIEF IN MISSOURI

three or four days the old man sat in the depot. No one knew what to do with the poor old fellow until finally two "hoboes" came along and offered to take him away if they were given money for their fares and his. The money was given, he was entrusted to their care, and the three started toward Kansas City.

The mayor of a large town stated that he had no money for charity. He added, however, with a show of pride, "Whenever any paupers get off the train, the money is always ready to pay their way to the next place. We never let the sun go down on them in our city."

VII

PRIVATE AND MUNICIPAL CHARITY AND ITS RELATIONS TO COUNTY OUTDOOR RELIEF

COUNTY outdoor relief is naturally much affected by other local charity, both public and private. The family aided may be receiving help from several sources. If this is wisely given and there is a good understanding between the various givers much good may be accomplished. But if this co-operation is wanting, the dangers of pauperization are much increased. The extent to which this supplementary aid complicated the question in the 198 cases* first investigated may be seen from the following table:

TABLE 10.—SUPPLEMENTARY AID RECEIVED BY 127 CASES RECEIVING OUTDOOR RELIEF. 1908

Status with respect to supplementary aid	Cases
Received supplementary aid	127
Did not receive supplementary aid	70
Information not available	1
Total	198
Received supplementary aid from	
One source	90
Two sources	34
Three sources	3
Total	127
Source of supplementary aid	
Neighbors and friends	81
Relatives	42
Churches	30
Organized charities	10
Municipalities	4
Total	167^a

^a As some of the cases received supplementary aid from more than one source, the number of sources exceeds the number of families which received such aid.

* These 198 cases include the 165 in the first group referred to on pages 3 and 4, together with 33 of the cases in the second group, these latter having been covered by both the first and the second investigation.

OUTDOOR RELIEF IN MISSOURI

Thus, in 127 cases, nearly two-thirds of the 198 considered, help was being received from some other sources, and in 81 of the 127 cases the help was being received from neighbors and friends. Some of the relatives who gave help lived in distant parts of the country.

There is much indiscriminate giving in Missouri. Begging is common. Even in the large cities, fakirs, peddlers, and musicians, as well as plain beggars, are permitted to display their afflictions in the most public places. Begging is most conspicuous in the winter months, families being reported who disappear in the summer but each winter return to town and to the old neighborhoods where they can beg. Many of these wellknown beggars are found enrolled upon the lists of the county, both for temporary aid in the shape of fuel, food, clothing, or medical aid, and sometimes as regular pensioners for a certain sum each quarter. They are also generally found repeating on the records of charitable societies.

The people of Missouri are generous. Well-to-do citizens take a pride in "keeping up" old friends and neighbors who may have become destitute. Old servants or employes of the family, both black and white, are frequently the objects of care. Sometimes a house and garden will be furnished, rent free, and regular supplies of fuel and food provided in addition. Often it is understood that store orders for small amounts will be honored. Sometimes a whole community takes responsibility for some favored family. Farmers will haul loads of wood, a neighbor will stop on the way from town and leave a sack of flour or a piece of meat. One little town has its annual "old maids' supper" for two old sisters, eighty and ninety years old, who have lived nearby since girlhood. The school children give concerts for their benefit and many neighbors help. The community insists that they shall not be taken to the county home and that they shall receive just as much from the county in outdoor aid as is given to any others in the county. The reasons given are that the old sisters are Democrats and are the only ones in their township receiving county aid. In a similar way another town supports two old maiden sisters and their feeble-minded and deformed cousin. The county has helped for the last thirty-five years. Indeed, some member of

PRIVATE AND MUNICIPAL CHARITY

that family, it is said, has been a county charge since 1861 or before.

Nineteen counties reported payments to municipal and private relief agencies during the year 1909-10. The total of the amounts thus reported as having been given indirectly to the poor by the counties was over \$16,000.* Other counties not so reporting are known to make such payments. Jackson and Buchanan counties report having paid most of all, giving \$6,800 and \$7,400 respectively. In these counties are Kansas City and St. Joseph, the second and third largest cities in the state, both of which have organized public charities with which and through which the counties work.

A special act of the legislature, passed in 1911, authorized pensions for poor widows with young children, but this provision applies only to the county in which Kansas City is located. The municipality also pensions the families of workhouse prisoners. In St. Joseph at the time the field study was made the mayor and the presiding judge of the county court were members of the city board of charity. The other six members were chosen half by the court and half by the mayor and city council.† St. Louis and Kansas City had private agencies which, besides doing a general relief work, sought to coordinate the work of all the societies and institutions in their cities. It was the policy of the city of St. Louis to give nothing in outdoor relief aside from transportation.

In the smaller cities of the state, plans of co-operation between the county and the local public and private agencies were various and often incomplete. Thus in Booneville, Cooper County, the private charity of the city was in the hands of the Women's Club. Its work was largely confined to the winter months and to the people who received aid from the county also.

At Marshall, in Saline County, this work was in the hands of a business men's organization which obtained its funds by subscription. The society had businesslike methods and able leadership, but the county did not contribute and the two bodies acted inde-

* Report of State Board of Charities and Corrections, 1909-10, pp. 191-193.

† This arrangement has been changed since the creation of the board of public welfare.

OUTDOOR RELIEF IN MISSOURI

pendently. The beneficiaries of the society included many of those who were also on the county list. The business men who handled the funds believed that aid was given only to those who were really in need, but much was paid to worthless people and those of bad character.

Pettis County co-operated with the city government of Sedalia, city and court jointly employing a superintendent of charities. Springfield, on the other hand, was a perfect chaos of conflicting organizations. For years the county had appointed a relief officer who kept excellent reports, but who was so old and broken in body and mind that the granting of the office to him was almost in the nature of a charity. He was a superannuated minister, of moderate ability, but too feeble to visit the people and so nearly blind that, it was said, he could not distinguish one person from another. He had the confidence of neither the business men, the churches, nor the city government. The ministerial alliance had passed resolutions against his continuance in office. This having no effect, the alliance withdrew from co-operation with the county and attempted to organize an inter-church charitable society. When this seemed to be falling to pieces, each denomination tending to become a separate benevolent organization, the mayor of the city appointed a member of the police force as humane officer and he opened an office and began to dispense aid to the city's poor. Just how many agencies were finally at work in the field it was hard to say.

Joplin, besides its resident county physician, had a woman regularly employed by the city as secretary of charities. She gave all her time to the work and, though without special training, kept a card index of all cases, and proceeded in an energetic and businesslike way. The list of those aided, however, showed much duplication of the county list. Each agency knew of the other's work but there was no acting together.

One of the most enthusiastic of the local private societies was found at Doniphan, a remote little place with only 1,225 people. Here business men, who were also active in the churches, had organized to study their local problems of poverty. It was the policy of the officers to give nothing to regular beggars but

PRIVATE AND MUNICIPAL CHARITY

to seek out those really in need and surprise them with unexpected donations. There was no co-operation with the county.

In Bonne Terre, a place of about 8,000 inhabitants, the Provident Association was composed of representatives from all churches and fraternal orders. It had a president, vice-president, a secretary-treasurer, and an executive committee of three men. All were leading citizens. The county made quarterly appropriations to this society, and gave some regular allowances to well-known cases, such as a certain blind man, but there was no duplication or lack of co-operation. For the year ending February 28, 1910, this society received \$361, most of which was spent in outdoor relief.

A general criticism met with upon the work of such organizations was that they caused the shiftless class to gather into the cities where the most charity was to be expected.*

The matter of co-operation between private societies for organizing charity and public relief agencies is one in regard to which there is much difference of opinion. There is little doubt that ordinarily the public agencies' work is better done when partly passed over to those employed by the private societies. The question is, however, whether this gain is not, from the start, offset by certain unfortunate effects upon the independence of the societies, and whether such a solution does not postpone the day when the public agencies shall do their own work well. It is clear that this transfer of public duties to a private society has its greatest dangers when it takes the form of a public subsidy to the society. All of the evils so frequently described in connection with subsidized philanthropy† are constantly menacing the society and the community which attempts to run this course. So objectionable is this arrangement that it has been abandoned in many communities after its dangers have been demonstrated.

Less objectionable is the plan under which there is a shift of the financial burden in the opposite direction—workers employed by the societies making the investigations needed in connection with all who apply for public assistance, the public offi-

* Other cities in which there are now (1914) private relief societies are Columbia, Hannibal, Jefferson City, Moberly, Mexico, Springfield, and Kirksville.

† See Warner's American Charities, Chapter XVII.

OUTDOOR RELIEF IN MISSOURI

cials usually basing their action upon the results of such investigations. This, of course, avoids the demoralizing tendencies of the subsidy system, but many social workers doubt its wisdom. They argue that faster progress is made, in the long run, if they aim to get their standards and methods adopted by the public agencies rather than by relieving them of what is properly their task just because, at the present moment, social workers think they can do it better. Many of the best societies are working along this line, and the regularly rising standard of public relief work in their communities is proof that the program is a possible one.*

* Francis H. McLean, secretary of the American Association of Societies for Organizing Charity, adds the following comment on this point:

"In some communities with a population of under 5,000, or in some less well-to-do communities with a population of under 10,000, the support of one good social worker may be all that the public treasury and private effort can unitedly undertake. In such a case, it may be wise for one person to act as public relief officer and at the same time as secretary of the private society. But the necessity for this arrangement should not be assumed; it should be demonstrated after careful study. It must always be remembered, moreover, that under such an arrangement the public board should not bear more than 50 per cent of the cost of the joint undertaking. If it does, the joint official is no longer free to speak his mind under all conditions, no matter who is affected. He should always be free to be a critic of conditions—a critic speaking as a private citizen."

VIII

ADMINISTRATION BY THE COURT DIRECTLY OR THROUGH GUARDIANS

THE county courts, which the laws of Missouri make responsible for the relief of the poor, are not courts of criminal or even civil jurisdiction. Their "judges," therefore, do not preside at trials but are the general administrators of county affairs. They resemble the county commissioners of some of the other states, both in organization and also in the importance and great variety of their duties. In each county there are three judges elected by the voters. Two are from districts which they are supposed to represent, while the third, called the presiding judge, is elected at large. The county clerk or his deputy is present at all sessions of the court to present matters for its consideration and to keep a record of all business. The fact that he can always be found at his office in the court house, even when the court is not in session, causes him to be the one generally approached by those who desire to obtain action by the court in any matter. It is to him, consequently, that men and women commonly go with their stories of destitution and requests for county aid. He also has the best opportunity to talk with visitors from the different parts of the county and thus to learn the latest news about those who are asking or receiving county assistance. Some of the courts seem to rely somewhat largely upon opinions formed by the clerk in this way.

The court holds frequent sessions, and the relief of the poor may come up as a matter of business at any time and in any order. The main business, however, is transacted at the regular quarterly meetings in February, May, August, and November. At these times regular county bills are considered, settlements are made with county officials, and warrants ordered drawn, including those for all regular county charges. At such times are considered also

OUTDOOR RELIEF IN MISSOURI

any changes in these lists. New names may be added, old names dropped, or amounts changed. Visitors at these sessions are generally very few, unless some such question as the change of a road or the building of a bridge has brought out the people whose interests are affected. Sometimes the poor who desire help are present or have friends there who plead for them. A common method is to have some influential neighbor present a petition with numerous signatures. Very commonly, however, the court is found carrying on its business with none present save its own members.

As a rule the judges represent the average substantial men of their communities. They are commonly successful farmers, anxious to give general satisfaction and to keep down expenditures. For the most part, they are men of very little training, who regard the county poor as a necessary evil of small consequence but the cause of much trouble.

Each judge, in a general way, is supposed to be familiar with the poor people from his own district. The truth is, however, that there are many regularly receiving aid who are not known to individual judges, and some about whom no member of the court has any knowledge. It is not the result of conscious neglect of business, but because other apparently more important matters press for hearing, and political interests and affairs involving large sums of money tend to overshadow and crowd out the apparently petty business of granting a few dollars per quarter to some poor person. Again, this is *ex parte* business where there is usually no opposition to contest the case or point out objections.

In the less populous counties and all those having but a small number of charges it is not impossible for the court to keep informed about individual cases. But this is not true in counties where the number relieved is great. The members of the court desire accurate knowledge, but they have other duties and can not be expected to make personal investigations. This is everywhere recognized and no court undertakes such work. No other means of knowledge is prescribed by law or sanctioned by custom. Under such circumstances it seems necessary to be guided by the statements of the more prominent people of each community. They are supposed to know the people of their own neighborhood.

ADMINISTRATION BY THE COUNTY COURT

In fact, it is generally these very people who call the court's attention to their local poor. The usual practice is to appoint such interested and sympathetic friends as "guardians" and to rely almost solely upon their advice. They, of course, have various standards, are without social training, and are very easily misled by their sympathies, especially in cases where they are old friends or even relatives of those receiving aid. It is almost inevitable that they will be influenced by a narrow or local view. Persons whose misfortunes they know seem much more in need of aid than others of whose troubles they never hear. Men feel that their township should have as much county aid for its poor as other townships get. Therefore they present the names of their own poor and demand for them the same treatment accorded to those in other parts of the county. The court knowing neither claimant often chooses the path of least resistance and gives the same amount to each.

Sixty-six of the 114 counties report that it is their practice to appoint special guardians and that they give over 26 per cent of their relief in this way.* In many of these instances this appointment of a guardian is the only pretense at supervision. A wise and careful guardian can be of the greatest helpfulness, especially where for any reason the poor persons are comparatively helpless. Often the recipients of relief are lacking in intelligence, sound judgment, or business ability. Many more are handicapped by some serious physical defect such as blindness. Others are drunken or otherwise morally irresponsible. In all such cases the plan of appointing a guardian or sponsor has obvious advantages.

There is, however, a twofold source of danger in the system. The court without a personal knowledge of the families may rely too implicitly upon the word and judgment of the guardian, and the fact that aid may be given without the knowledge of anyone save the court and the guardian opens the way to much questionable practice. Where no record is made of the beneficiary's name, as is still the practice in some counties, the possibility of error or abuse is increased. Thus, the simple device of having two guardians enabled one woman to draw two warrants at the same time,

* Report of State Board, 1909-10, p. 190.

OUTDOOR RELIEF IN MISSOURI

while in several instances the guardian seems to have permitted persons other than the original beneficiary to enjoy the sum provided by the county. In other instances allowances were continued after they should have been terminated, widows still receiving allowances after their remarriage, and other persons after their removal from the county or the state. In some instances men who should have supported aged parents without public aid have collected money from the county in their behalf as guardians, and have then apparently used it to their own advantage. The system also affords a cheap and easy way of posing as a benefactor at public expense.

Some guardians keep the beneficiary's allowance and personally see to its expenditure. Great good can be done in this way by a careful and conscientious guardian. Ofttimes, however, it is possible to accomplish fully as much merely by a little friendly advice and general oversight. Sometimes the one who received the warrant is a local merchant, and the poor man naturally feels that he is expected to come in and trade it out. This would seem to be mutually beneficial, especially where the same merchant is sponsor for a number of poor people. In one little town there was a peculiar situation. It was an exceptionally rich region where few poor people would be expected, but there was an unusually long list—20 county charges. One man was guardian of practically all of these. He was found to be the business partner of the local judge and his son was a merchant with whom many of these poor people appeared to trade. A kinswoman of the guardian was upon the list, although she had several sons able to support her. In fact, this man's whole list was noteworthy for its large proportion of those who, though really poor, could and should have been supported by worthless relations who appeared instead to be the real beneficiaries of the county aid. Yet he did not seem to be consciously fostering that kind of pauperism, but rather appeared to be an amiable old gentleman who stood high in the community, and for years had taken special satisfaction in helping his friends to get on the list. For years past—long before his business partner became judge—he had been gradually working up his list to its present record-breaking number.

A natural and common thing for a guardian to do is to draw

ADMINISTRATION BY THE COUNTY COURT

the money and pay it over to the beneficiary, asking no questions. The benefit of such guardianship needs to be searched for.

One of the county charges is an old Negro man, immoral and untruthful. He was a professional gambler in his younger days, and is still noted as a "crap shooter." He will borrow a quarter or half a dollar and get it changed for nickels. "What are you going to do, Bill? Shoot craps?" "No, no, of course not. I nebber shoot craps any more." A few hours later the officers will raid a gambling place and pull Old Bill out from under a bed or table. This has happened again and again. He was once sent to the poor farm but refused to stay because the superintendent expected him to work, and he claims to be unable to do that, especially on certain days when his rheumatism is worse because of the weather. On the day of the interview, however, the weather was especially bad and yet the old fellow boasted he had cleared \$5.00 at his regular business, that of scavenger, and had worked only half time, too. The county gives him \$5.00 every three months. His former guardian, a prominent business man, was careful and used every endeavor to see that Old Bill spent his money for necessary provisions. He was lied to and deceived by every sort of clever trickery until at last he refused to act further as guardian, and gave his reasons to the authorities. They merely appointed another guardian who simply pays the old man his \$5.00 and lets him do as he pleases with it. In discussing this phase of the business Old Bill said, "I had rather not have it at all than have them dole it out to me in groceries and such truck. If they give me the money, I know how to use it so it will be some good to me. If they won't pay it to me so I can get some good out of it then they can just keep it, and I won't go to the poorhouse neither." This man does not require help, and the court has been so informed. Nevertheless, the county is still furnishing him with gambling money with the tacit understanding of court, guardian, and community.

Where the one to be helped is an invalid or is irresponsible because of old age, guardianship amounts to practically the same thing as the boarding out of the county poor to the lowest bidder. When the guardian is kind and personally interested in the one put in his charge, this is a most kindly arrangement. It must be stated, however, that some instances of the most brutal neglect and mistreatment were found under this arrangement. That such a thing is possible even in the treatment of a helpless mother by her only son shows how futile it is to trust to guardianship alone to obtain proper supervision of outdoor relief.

OUTDOOR RELIEF IN MISSOURI

Though the records of relief given are legally public records, they are seldom consulted by others than the court officials and would often prove unintelligible if they were consulted. As a result, friends and neighbors of beneficiaries are often in ignorance of the true state of affairs. The recipients are sometimes found living and dressing so well that their next-door neighbors or people living in the same house with them can not believe that they are receiving county aid. Some were found who were themselves ignorant of the county aid given in their behalf. One old Irishman declared with much emphasis and warmth that he had never had one cent of aid, and declared over and over again that he was fully able to support himself without any other help. Nevertheless, his wife regularly drew a county warrant in his name. Relatives sometimes pose as supporting those related to them and conceal the fact of county aid from the public and from the dependents themselves.

A Mr. Jackson was reported to have supported his deceased brother's children and to have used up the property left in his keeping for their support. He also made them work very hard; the young girl in his hotel, the boy on a farm. He himself collected the latter's earnings, quietly asked for county aid besides, and obtained it for years without the knowledge of the other relatives.

One old Negro reported a condition which he thought very puzzling. He was badly crippled and was receiving \$5.00 from the county every three months. He declared that when a younger man he was very strong and, despite his injury, very much in demand as a farm hand. He was employed by a certain white man (now deceased) and had made his home with him for years. Being the best harvest hand upon the farm, he was the first to be hired and the last to be laid off. He liked the employer and stayed with him for years even though other neighbors tried to hire him away by offering much higher wages. At the time, he had not the least suspicion of the fact that the employer was regularly receiving \$10 per quarter from the county for his support. This continued for some time, and it was only by accident that the colored man discovered the true condition. "Now," said the old Negro, "why did they pay him \$10 per quarter for supporting me when I was the best hand upon his place, while \$5.00 is the most that they will give me myself, now that I am old and of no account?"

Such discriminations as these seem to be merely a matter of

ADMINISTRATION BY THE COUNTY COURT

influence. It is easy to understand how insidious is the temptation to shift a burden to the public when it can be so quietly done that it is not known by neighbors, relatives, nor even by the dependent ones themselves. One can even pose before the public as a philanthropist and claim the gratitude of an old parent or other relative by this insincere procedure, when only contempt and obloquy would greet the attempt to place the kinsman "upon the county" by sending him to the almshouse. Many of these evil effects could be effectually checked by a businesslike method of keeping records. Where these records, though legally open to the public, are unintelligible, abuses of the sort described are made easy.

IX

SOME RESULTS OF THE COURT'S FREQUENT IGNORANCE OF CONDITIONS

ANY system of poor relief depends for its success upon a careful adjustment of means to the circumstances of each case. Many delicate personal questions are involved as well as a knowledge of the applicant's history and present environment. Success can not be hoped for where those who have the matter in charge are ignorant of these facts. That such ignorance does exist in the administration of our county outdoor relief is abundantly shown by this investigation.

One judge in explaining his lack of information remarked: "When I came upon the bench five years ago there were many names upon the list. In adding new names we have tried to know whether the persons are worthy, but that old list we have never concerned ourselves about. They were passed upon by former courts, and must have been all right. We have just taken them for granted. It is hard enough to learn something about the new cases." Some critics of poor relief methods have suggested that the true test of success or failure in all outdoor relief should be "Do the people so aided become self-supporting, provided they are capable of self-support?" This judge evidently had no such standard. Investigation showed that the spokesman had not misrepresented the attitude of his colleagues, and that this policy of inertia had not lasted for five years only as stated, but probably for two or three times as long. This is not in some primitive, out-of-the-way section, as one might imagine, but in one of the large, rich, progressive, and public-spirited counties. In one of the first records on this county's list incomplete knowledge is suggested.

"——— Monk," the beneficiary's name, does not appear in full, but quarter after quarter for years past a regular sum has been sent to a

RESULTS OF IGNORANCE OF CONDITIONS

merchant in a nearby town for someone whose only description was the single word "Monk." Failing to learn from the judges who this Monk might be, the investigator visited the village, half expecting to find some old ex-slave who went by that name. It was learned, however, that he was an old white man who had been granted aid at the petition of the people of the community because he was a little peculiar, and so badly crippled that he could not earn a living. He had died, and for some time it had been his widow, Mrs. Monk, who received the money. She was in good health, owned a little property, was socially ambitious, dressed better than her neighbors, and was, at the time, in Texas on a visit to her only daughter whose husband was well-to-do. She had left word, however, that she would be back in three months to claim her next warrant. Neighbors and relatives all declared that she did not need the money. She had been known to send it to a drunken brother. One of her relatives expressed doubt as to whether the court would send more, as he understood the judges knew the circumstances. Her son-in-law, who rented a farm of 500 acres, and owned a half interest in an oil well that netted him \$9.00 per day, stated that he would gladly give Mrs. Monk a home and make it pleasant for her because his wife desired her mother's help and counsel in the care of her two children. He added that the older woman had plans in mind for a new and quite ambitious matrimonial alliance. Later inquiry indicated that the old lady had collected another warrant as usual.

Roger Ballard had had regular help for years and was supposed to be an invalid. The court did not know the real nature of his infirmity or just exactly where he could be found. A long and difficult drive was made into a rough neighborhood where he was supposed to live. Inquiry was made of the driver of an approaching team. Yes, he knew Ballard; lived right beside him and certainly was a good hand, young and strong and always in demand as a laborer. "But is he really able-bodied? Has he not some infirmity?" "Now, see here, stranger, if you are looking for a hand I can tell you that man Ballard is all right. If you want to know about him I will tell you. I am pretty strong myself, as you see. I have hired Ballard lots of times, and he can cut as much brush in one day as I can in two, the best I can do." It seemed impossible to drive up the hill to where the Ballard cabin was supposed to be. A walk through muddy fields, however, brought into view a little old cabin in the midst of 20 acres of poor brush land. A queer family inhabited it. Ballard, a tall, muscular, nervously organized man of thirty-eight, lived there with his old mother and his younger unmarried sister, the mother of three of the four illegitimate children whom he helped to support. Some years before

OUTDOOR RELIEF IN MISSOURI

he had suffered from a painful disease, but a successful surgical operation had entirely relieved his difficulty and for six years he had been in perfect health and a giant in strength. The sister was asking people to help her get an allowance from the court in addition to her brother's warrant.

It was a matter of common knowledge that a certain widow who was receiving county aid had married a man able to support her, but had, nevertheless, continued to draw her pension under her old name for a year thereafter. This was dismissed at the time as mere gossip as the people were wellknown and lived in the same town with one of the judges. Subsequent inspection of the records, however, proved that the facts were exactly as reported, except that the period during which the imposition had been kept up was much longer than stated. This record reads about as follows:

"November 10th, 1901, James K. Scott for Lulu Lee and children, paupers, \$5.00 per quarter."

One year later it was ordered that the amount be doubled. Mr. Scott, the woman's father, was the guardian. For two years the records show that he drew \$10 each quarter for his daughter and her children. One payment of \$10 was made to the widow Lee in May, 1904; then came this record in the register of marriages for 1904:

"May 24th, Lulu Lee, married to Franklin Pierce Smith."

But the record of county relief continues as follows:

August	24, 1904	—	J. K. Scott for Lulu Lee and Children, \$10.
November	11, 1904	—	" " " " " " " " 10.
February	9, 1905	—	" " " " " " " " 10.
May	4, 1905	—	" " " " " " " " 10.
August	8, 1905	—	" " " " " " " " 10.
November	8, 1905	—	" " " " " " " " 10.
February	9, 1906	—	" " " " " " " " 10.
May	9, 1906	—	" " " " " " " " 10.

One can but wonder whether Mr. Scott himself used the money after Mrs. Lee became Mrs. Smith, or whether he presented it to his son-in-law.

Mrs. Myer, another widow, had apparently sought to avoid the loss of the stipend by omitting the second marriage ceremony. The investigator discovered the new condition in 1908 when she was found to be living with a Mr. Singleton whom she claimed as her husband and the father of her youngest child, aged two years. She claimed that he was supporting her as the first husband, a drunkard, had never done and that

RESULTS OF IGNORANCE OF CONDITIONS

she no longer needed or received county aid. When the county was again visited over a year later it was found that she had continued to draw her county relief under the name of Mrs. Myer until very recently, when the attention of the court had been called to it and her name dropped because of the irregular marriage. She called and made a vigorous protest. -

A neighboring county showed similar cases. Here money was recorded as being paid for the relief of one man when in reality another of different name was getting it. The court seemed to know nothing about the real beneficiary.

Another case showed that for a long period of years money had been paid for the relief of a certain woman and "sister." When visited, the "sister" proved to be an illegitimate daughter, and the woman herself unmarried. The man whom she named as her husband and the father of her two children was a brother, who had fled because of a murder he had committed. They owned a home and 40 acres of poor land and enjoyed a United States pension.

The officials in a neighboring town in a very rich agricultural district claimed that it had no one receiving county aid. The list, however, showed the name of a Negro. When seen he explained that he had been somewhat ill and had received aid but had recovered and was regularly employed and no longer received county money. His employer confirmed these facts, as did the cashier of a bank at which he had had his checks cashed. But the records showed the money as paid, and as there was another bank in the little village, its cashier was also interrogated. He had cashed several warrants—the last one just three days before. The man had been well for nearly a year, the whole community had been deceived, and he himself was so ashamed of his deception as to deny it. His name is George Washington!

So noticeable was the lack of anything like real knowledge on the part of the judges that a test was made. In one county, which for years had paid out large sums each year in poor relief, a judge admitted that he was completely ignorant of the merits of 76 out of 100 names then upon the list, though many of these people were in his own town. He did not know the people, where they lived, what was the cause of their dependency, their condition, character, or anything about them. Regarding eight of the remaining names he claimed to have some knowledge, but not much. How slight this was appeared in serious errors and misinformation given about four of them. A colleague who had

OUTDOOR RELIEF IN MISSOURI

been longer upon the bench and had a wide political acquaintance admitted that he knew no more of the county's pensioners, and gave wrong information about as many. He claimed to know something about only 24 of the 100 cases—exactly the number with whom the first judge claimed to be at least acquainted. The third judge had just come upon the bench and did not claim to know much about the list except the surprisingly long one of those in his own little village.

A study of the records in that county showed an unusually large number of instances in which the judges were unquestionably ignorant of the conditions. Many persons were found who were receiving county aid because of rheumatism or some similar affliction, notwithstanding the fact that there were several full-grown, ablebodied sons living at home and doing little or no work. Several families were found where husbands and sons spent their earnings in drink while the county helped the wife to support the household.

One woman of questionable character, the mother also of two rich and immoral daughters, and of a son of twenty-five, a criminal and gambler but ablebodied and unmarried, supported her whole household at the washtub, while her husband, a teamster, spent his earnings and a government pension besides for drink and personal indulgence. The county paid her a pension while neither he nor the children paid one cent for rent, fuel, or groceries. She had first received her pension while a widow, but continued a pensioner after her remarriage. The presiding judge who claimed to know the situation, said, in explanation, that he understood she had lost the use of her right hand some years ago because of a cancer. He said he had always intended to inquire about it, but never had done so. Her hand had been injured resulting in the loss of a finger, but when she was interviewed it had entirely healed. She had done five washings besides ironings that week.

The list showed several women of questionable character who were generally supposed to have other sources of revenue besides their work and their county relief. Some of them admitted that they did not work and did not expect to. One shameless beggar, blatant in manner and disreputable in character, boasted that she had not worked in thirty years and that she could and would "lick" anyone who said "poorhouse" to her. She

RESULTS OF IGNORANCE OF CONDITIONS

had recently attempted to chastise a merchant who asked payment of a bill.

A warrant is regularly made out to "Orpha Wilson," although there is no such person and never was, so far as is known. Mrs. Weysman is the real beneficiary. She lives with an unmarried son, and also has a married daughter. They stated to the investigator that they could and would support her without county aid.

A professional nurse in middle life and excellent health, owning property, and having no one dependent upon her but an adopted daughter old enough to earn her own way, explained that she had more cases than she could attend to, so that she had not been able to spend a night at home for the last five weeks. Yet this woman drew her regular county allowance.

Mrs. Kerton has several relatives who say that they are able and willing to support her. But she has an unmarried son of forty who lives with her. He is drunken and lazy and has served eight years in the penitentiary for burglary. She is able to keep him by county aid. She stated in his defense that he sometimes nearly paid his own way.

Mrs. Tudor, called Eliza Lenn on the county's books, has an unmarried son, thirty-three years old, besides five married children and numerous grandchildren. A daughter whose husband rents a good-sized farm stated that they give her food and clothes and a home and that her other children are able and ready to do the same, so that there is no necessity for the older woman to draw county money. Her doing so she declared to be a mere whim due to second childhood. Some of her children who helped support her were ignorant of the fact of the county aid.

Where no investigation is made, nor any attempt to keep in touch with the families, most unexpected and ludicrous developments may result. All three of the following instances are found in one county in a rich agricultural section in central Missouri:

The name of Mrs. Sarah Johnson appears upon the list for the maximum sum usually given to the most urgent and helpless. A search of the records for the past five years shows that for fourteen years or more she has been a regular pensioner for this amount. Yet no one seemed to know what her circumstances were nor just where she was to be found. A city delivery man thought that a woman of her name lived in a certain block in a nice residence district. Inquiry failed to find her. The information was more than once given that no poor people lived in that

OUTDOOR RELIEF IN MISSOURI

neighborhood. A Mrs. Johnson was said to live in one pretty cottage, but she was not at home and neighbors on both sides declared that she could not possibly be the person sought, for she was a woman only a little past middle age, in perfect health, and in very comfortable circumstances. Her four children are all grown and exceptionally prosperous. Two daughters are married. The husband of one is a contractor; the other's husband is owner of a half interest in a wellknown grocery store. Her son is a rising young carpenter and her youngest daughter a milliner. They keep up a beautiful home in which the mother is housekeeper. Mrs. Johnson, when questioned, freely admitted that she was in no need of county poor relief and had not needed it for years. She even promised that she would no longer accept it. But she stoutly insisted that it had been needed and came as a veritable godsend when it was first given, for then her husband had but recently died and she and several of the children were seriously ill with typhoid fever about the same time. That was fourteen years ago, however. She had not asked again for help or said anything about it, but each quarter her check came regularly. "It always came in handy," she said, "and I took it and used it just like anyone else would do. But, if you say it is not right for me to take it, I won't any more. But I do not know how to get them to stop sending it. How can I?" "Just go to the county clerk or send him a note telling him that you no longer need county aid." "Very well, I shall, but please don't say anything at all about this to the men at the court house, nor to the neighbors, for you know how people gossip about every little thing." Subsequent investigation disclosed that Mrs. Johnson had made a similar confession and a similar implied promise about two years before. An inspection of the records, after the next quarterly pay day, indicated that she got her warrant as usual.

Mrs. Jones (given name not recorded) had been drawing a regular sum since 1898. The presiding judge who had been long on the bench had no idea who she was. Business men, charitable people, and city officials were equally nonplussed. She was ultimately found, however, not far from where the judge lived, residing in a very nice house for which she pays \$12 per month rent. She has two sons, both young men living at home. All are of good general health, and all wage-earners. Mrs. Jones herself is the "very picture of health," the proverbial handsome young widow not yet forty years old. She is employed as a telephone "girl" and makes fair wages. Her older son is a teacher in the public schools, and the younger boy, while keeping up his studies as a senior in the high school, is also reported as earning on an average of \$15 per month by work done after school hours. Ten years ago the husband and father had died of tuberculosis, leaving Mrs. Jones with small chil-

RESULTS OF IGNORANCE OF CONDITIONS

dren to support. Today she has a well managed, admirable family, enterprising, intelligent, and successful. Great credit is surely due to any system of relief which comes into a broken home and achieves results like these. The pity is that aid should have been continued long after the family had ceased to be in need. Mrs. Jones admitted that it did not look just right for her to be receiving aid which she did not need while many others were suffering for help they could not get. Even her own brother, who was also upon the list, was much more needy than she, for he had a large family of young children and was suffering with tuberculosis. She did not even pretend to be in need of the money she had received, but argued that it was not wrong to take it, "For," said she, "if they had ever asked me I would have told them that I did not need it; but they never did and so I just took it. I could always find use for it."

A third instance seems to cap the climax of official ignorance. The name "Johnson" appears twice upon the list in close proximity and credited to the same small town, the home of one of the judges. One is "Mamie Johnson" and the other is "Bettie Johnson." Each has been drawing her regular amount each quarter since 1899. As they evidently lived in the same neighborhood a question of possible relationship naturally arose. Inquiry brought out the fact that "Mamie" and "Bettie" are very closely related indeed, in fact, the same person! Her full name is Mary Elizabeth Johnson, and she had even occasionally drawn money under that name in addition to the checks in favor of Mamie and Bettie. This had gone on for ten years and the true condition was not even suspected until it was discovered a few months ago. The story of how her name got on the list twice and remained there is simple. She had two guardians. One drew a certain sum for Mamie and the other drew a different sum for Bettie, and both turned them in.

While these are some of the most striking instances of official ignorance, yet many others presented peculiar conditions which could be explained only upon this hypothesis. One man had just been dropped from the list because of the discovery that he had been receiving a United States pension in addition to the county warrant. A woman's allowance was cut off when a business transaction revealed the fact that she had owned a 160-acre claim in addition to the 10 acres which were left her by her father. People are receiving aid as invalids whose physicians say they are not sick. But the worst showing is made in the large number of those who look to the counties for support when near relatives

OUTDOOR RELIEF IN MISSOURI

could and should keep them. The beneficiary may be blind or afflicted in some other way, and helpless enough, but there will sometimes be found in the same home from four to eight able-bodied young people—often athletic-looking young men, any one of them fully able to support the parent or other afflicted kinsman and really willing to do so if it were not so easy and customary to get aid from the public. In other instances, no justification whatever could be found for public aid. A middle-aged woman was a regular pensioner. She claimed no special infirmity, seemed of average health, and was certainly of unusual strength. She had no one depending upon her, but was housekeeper for her brother, a single man who worked a farm. The only explanation seemed to be that her mother and sister had both had help for years, and she and others apparently thought that it was her turn to have similar aid. We scarcely need to be told that other relatives were eager to be placed upon the list of that county's dependents.

A final instance indicates complete ignorance on the part of all concerned—clerk, court, guardian, and neighbors. It appears, moreover, that the beneficiary lives with relatives in another county and that none of those through whom the assistance is given has ever seen her or has any idea whether she is in need or why relief is given. This whole story is shrouded in mystery.

Mollie Waters receives \$10 per quarter from the county. She is recorded as living at N——, a little hamlet of but 78 people. All three of the county judges confessed ignorance regarding her. The clerk knew nothing about her except that she is "a colored woman" who lives at N——. No reason for her dependency was known, and in fact nothing whatever about her. A special trip was made to the little village. No one had ever heard of such a person. The oldest and best informed Negro of the place declared that there had never been any such person in that neighborhood. There was a white woman of similar name who was poor, but she had had no help. Business and professional men became much interested and all declared that no such person, Negro or white, had ever lived there. The merchant who cashed her warrants could not be found, being away on business; the clerks were as ignorant of Mollie Waters as were the others of the little community. A letter was written

RESULTS OF IGNORANCE OF CONDITIONS

later to the merchant through whom her money was paid, stating these facts and requesting a full explanation. The following reply was received:

N—————, Mo., 6-9-10

Mr. G. A. Warfield,

Dear Sir:

In reply to yours of opposite page would say that Mrs. M—— W—— is a white woman and is now at this time living in Pettis County, Mo., lives near Sedalia, on R. F. D. She visits her children there part of the time. I do not know what her ailment is, as I never saw her. Only she sent here to me and took up her poor fund allowance. Any other information I can give you, write me.

Yours resp.,

X

COMPARISON WITH METHODS AND RESULTS IN INDIANA

INDIANA enjoys high rank in the work undertaken by the state in the line of social reconstruction. No part of her work has been of more significance than her treatment of the problem of outdoor relief. Fifteen years ago Indiana had a more burdensome and perplexing problem than that which now confronts Missouri. Five years of systematic effort under a well thought out plan sufficed, however, to effect a saving of 45 per cent in the total amount expended in relief,* while the poor of the state were much better and more wisely cared for. Missouri can well profit by Indiana's experience. The fact that the two states have much in common makes the comparison the more pointed. Realizing how much of value could be learned from the experience of such a state, Mr. Cross, one of the special investigators for this study, went to Indiana and spent considerable time familiarizing himself with the county and township poor relief. The present chapter is largely the result of this work done by Mr. Cross.

The two states are much alike in soil, climate, and natural wealth, and so, also, in the occupations and wealth of their people. There is little difference in the number of farms, or their valuation, or in the total annual product of grains, minerals, or manufactured goods. To make the comparison complete, the population of the two states is almost the same, if we except St. Louis, which has been shown to be practically independent in all that pertains to public charity. Missouri, however, is something more of a farming state and decidedly more of a stock raising country; while Indiana's manufacturing interests are over twice as important as those of Missouri, outside of St. Louis. The im-

* Report of Indiana Board of State Charities, 1911, p. 81.

METHODS AND RESULTS IN INDIANA

portant fact for this comparison is that Missouri is much more distinctly rural.

Each state has a supervisory board of charities and corrections, not an executive board of control. The Indiana Board of State Charities was organized in 1889, and by the time Missouri had taken this important initial step (in 1897) the work of the Indiana board was so well under way as to have already obtained important reform legislation,* according to which all expenditures for outdoor relief were reported to the Board of State Charities. The revelations made by these reports and the publicity given them by the state board led to additional legislation until the high rank of administration of outdoor poor relief in that state has come to be recognized all over the country. For these reforms, chief credit must be given to the supervision and educative work of the Board of State Charities.

There has been a uniform development of the almshouse system of Indiana, so that at present the 92 poor asylums, one in each county,† report in detail to the state office, and through its helpful advice and its power to suggest legislation the board has eliminated all of the worst abuses in their management.

Indiana has an extensive system of caring for orphaned and other dependent children, but in Missouri there are no institutions for the care of such children, operated by public authority, state, county, or municipal.‡ Thus the neglected children of Missouri are left to aggravate the problems of outdoor relief both during their childhood and later when they too often develop into undesirable citizens.§

Indiana makes more generous provision also for all her dependent classes. The township trustees are the overseers of the poor. Every three months, under the law passed in 1895, both the board of county commissioners and the state board receive reports from each township of the quarter's work in helping the poor, sick, and needy who are not in public institutions. These

* Indiana Laws, 1895, Chapter 120.

† Report of Indiana Board of State Charities, 1912, pp. 110-112.

‡ The St. Louis Industrial School has a department for dependent children.

§ A recent statute gives the Missouri State Board of Charities authority to place children in family homes in the state.

OUTDOOR RELIEF IN MISSOURI

reports are made by the township trustees in triplicate on blanks designed to show the full name, age, sex, color, civil condition, and nationality of the persons aided, the length of their residence in the township, and the dates and amounts of relief given. If the help is given for a family, the blanks show in addition the sex and age of each person sharing the aid.

When a request is made for aid the overseer is required to investigate the circumstances with a view to ascertaining the applicant's legal settlement, the cause of his distress, his physical condition, his present and previous occupation, and his age, ability and capacity for labor. These last three facts are to be given also regarding each member of his family. The overseer is also required to ascertain whether there is any relative able and willing to help. He is not expected to give aid from the township funds (except in emergency cases) until he has exhausted all other possible sources of relief.

The law requires him to make an effort to obtain employment for those who are ablebodied and to ask the assistance of relatives. He must co-operate with any benevolent society which may exist in his township to the end that unnecessary duplication of relief may be avoided. Whenever within one year the aid an overseer has given, exclusive of medical relief, burial, or assistance to children under the compulsory education law, amounts to \$15, and more help is asked, the trustee can not grant it without authority from the county commissioners. This provision is designed as a protection to the trustee. The law thus contemplates that he shall give only temporary aid and "shall from time to time, as persons shall become permanent charges upon their respective townships as paupers, have such persons removed to the county asylums." Sometimes, however, it is not wise to take this step—in fact it would be the worst thing to do. The law anticipated this contingency and wisely made provision for it in the manner noted above.

A law passed in 1897 requires the township overseers of the poor to levy a local tax from which to reimburse the county for money advanced by it to the townships to cover their poor relief.* This has brought the responsibility home to the people

* Indiana Bulletin of Charities and Correction, January 31, 1906, p. 74.

METHODS AND RESULTS IN INDIANA

and officers of the smaller political subdivision where the beneficiaries lived and were best known. Such a law would entirely change the attitude noted in Missouri, where leading men of particular townships are often zealous to see that as much county poor relief is dispensed in their own community as is given to any other township.

It is at once evident, also, that this system of administration makes possible a personal contact between the overseer of the poor and those who are receiving aid, and thus permits of a more intimate knowledge of their history, character, and needs. Moreover, in Indiana the administration of poor relief is regarded as an essential duty of the township trustee, whereas in Missouri it is considered as merely an incidental part of the manifold work of the county court. All of the above considerations are favorable to a better administration of outdoor relief under the Indiana laws than could be expected under conditions now existing in Missouri.

Statistical comparison, in regard to outdoor relief, is not possible between the two states, partly because the statistical units used are not the same, and partly because of the fact that the year 1910 was the first one in which statistics were collected in Missouri by the State Board of Charities and Corrections. The returns, therefore, were quite incomplete and their value frequently impaired by evident misunderstandings on the part of the local officials who supplied them. Furthermore, up to the time of writing no figures at all complete have been published showing the total amount of outdoor relief in Missouri. A considerable amount of such relief is given by municipalities* but the total so given is not included in the general figures gathered by the State Board of Charities and Corrections in 1910.† In Indiana, however, all public outdoor relief is given by the township trustees and it is not possible to separate from the total the amount given in cities. This makes a fair comparison with the Missouri figures impossible.

The results of the various reform measures passed in Indiana are shown in a falling off in the amounts spent in outdoor

* See Section VII, p. 37.

† Such figures will soon become available as a result of the reports to the state board required by the Act of 1913. See Appendix VI, p. 131.

OUTDOOR RELIEF IN MISSOURI

relief, and an equally decided decrease in the number of those receiving aid. Most significant is the decline in the amount of outdoor relief in the five years from 1895 to 1900. The law requiring accurate records and reports went into effect in 1895. The effect was instant and most startling, the next year showing a decrease of nearly one-half in outdoor relief.* The second and third laws, the former bringing the financial responsibility home to the township trustees, and the latter requiring the application of charity organization methods to poor relief, were passed in 1897 and 1899 respectively. This completed the work of reform. During the first five years under the new régime (1896 to 1900 inclusive) the average annual expense for outdoor relief was 45 per cent less than in the preceding five years.†

Running parallel with this decreased cost of outdoor relief there has been a relative decrease in the number of almshouse inmates—this tendency being just the opposite to what was feared by many, when the law was passed in 1899 restricting the aid which the township trustees might give. The number of these inmates in 1899 was 3,133, while in 1905, in spite of the increase of the state's population, they numbered but 3,115.‡

A measure of the success of the more recent régime in Indiana on the basis of financial economy is, of course, inadequate. We must know, negatively, that the economy revealed was not at the expense of individuals who were in need; and positively, that the greater care in handling funds has been accompanied by a development of constructive work by the townships for their public charges. These are facts which can not be measured statistically. It was the opinion of Mr. Cross, however, gained from his observations in Indiana, that, as compared with Missouri, there was much less inadequate relief and that progress was being made toward constructive work with the families on the list. The terms of the various reform laws, referred to on a previous page, show the standards of the state board in this regard, and it is clear that the board is getting these standards adopted to a considerable extent by the local authorities.

* Indiana Bulletin of Charities and Correction, January 31, 1906, p. 73.

† Report of Indiana Board of State Charities, 1911, p. 81.

‡ Indiana Bulletin, *supra cit.*, p. 77.

METHODS AND RESULTS IN INDIANA

Missouri's problem has never been so grave as Indiana's was in 1895. Today she has fewer on her lists and spends less in their support than Indiana does. But Missouri is a younger state with greater area and much natural wealth. She is evidently dispensing much misdirected outdoor relief. She should purge her lists as Indiana has done. Her task is lighter and results should come more quickly and be more complete.

XI

GENERAL ANALYSIS OF CASES

BEFORE attempting to give a description of the dependent classes covered in this study, it is necessary to have clearly in mind what is meant by the word "case." This term is used in this report to describe a person or family given outdoor relief and made the subject of special study. A family consisting of father, mother, and minor children was considered one case. So, also, any persons making up a part of a family group, living together and receiving and sharing the aid granted to one of the group, were recorded as one case. Each adult receiving aid and not a member of a family group was also recorded as a case. In some instances aid was granted specifically to two members of a family group. Each of such beneficiaries was recorded as a separate case. As has already been stated (see Table 1, p. 4), the total number of cases specially studied was 364.

The sex, nativity, and color of the beneficiaries in these 364 cases, so far as given on the schedules, are shown in the following table:

TABLE II.—SEX, NATIVITY, AND COLOR OF BENEFICIARIES IN 364 CASES SPECIALLY STUDIED

Sex, nativity, and color	Beneficiaries
Sex	
Male	150
Female	214
Total	364
Nativity	
Native born	344
Foreign born	20
Total	364
Color	
White	283
Negroes	72
Information not shown on schedules	9
Total	364

GENERAL ANALYSIS OF CASES

The excess of females is, of course, common to all outdoor relief, reflecting as it does the greater mortality of husbands and their frequent desertion, leaving women who frequently have young children dependent upon them. The problem which the Negro population presents is commented on in a later section. The foreign problem is shown by this table to be almost negligible. The countries chiefly represented among the foreign born are Germany and Ireland. Of the 318 native-born persons whose state of birth was known, 191, or 60 per cent, had been born in Missouri; other states being drawn upon in the following order: Kentucky, 22; Virginia, 18; Tennessee, 17; and Indiana, 11.

Students of the problems of poverty have sometimes had a fondness for classifying dependents according to what were believed to be the causes of their poverty. In recent years, however, it has become recognized that poverty is far too complicated a matter for so simple an analysis. Into almost every man's poverty a series of causes enters, and it is for this reason that tables showing the causes of poverty have almost entirely disappeared from the reports of social agencies with the modern point of view. In his *Misery and Its Causes*, Dr. Edward T. Devine has pointed the way for a more scientific classification of dependents in the care of a society or of a public agency.* Its basis is not "causes" but "disabilities." A record is made of all of the disabilities which are found to exist in each of the cases studied at the time of the investigation (or, in cases not then receiving relief, at the end of the relief period), and the cases are then grouped according to the particular combination of disabilities that they show. As far as possible this method has been applied here to the analysis of the 364 cases specially studied. It is apparent, however, that only the more conspicuous disabilities could be recorded in this study, for there was no opportunity to have each of the cases under observation for a period of months or years, as is often true in family rehabilitation treatment.

The schedules used with the 165 cases first studied (in 1908) were much shorter, and the study itself much less intensive than the later study of 199 cases (in 1909 and 1910).† The disabilities

* Devine, Edward T.: *Misery and Its Causes*. New York, MacMillan, 1909.

† See copies of the schedules used, in Appendices I, II, and III, pp. 125 ff.

OUTDOOR RELIEF IN MISSOURI

recorded are, therefore, considerably more numerous in connection with the later study. For this reason in Table 12 the figures for the two studies are not combined, as they were in Table 11.

TABLE 12.—DISABILITIES IN 364 CASES SPECIALLY STUDIED

Disability	165 CASES STUDIED IN 1908		199 CASES STUDIED IN 1909-1910	
	Cases affected	Individuals affected ^a	Cases affected	Individuals affected ^a
Old age (60 years or over) of beneficiaries or those dependent on them	87	96	95	101
Physical disability of beneficiaries or those dependent upon them				
Chronic physical disability:				
Tuberculosis	8	8	17	18
Venereal disease . . . . .	..	..	13	16
Rheumatism	25	25	36	36
Defective vision	18	18	29	29
Deaf or deaf and dumb	4	4	12	12
Crippled and deformed	15	16	19	19
Other chronic physical disability	39	44	48	50
Temporary physical disability	21	21	4	4
Mental disability of beneficiaries or those dependent on them				
Insanity	4	4	5	5
Epilepsy	1	1	8	8
Other mental defect	14	17	68	78
Moral disability of beneficiaries				
Intemperance	4	..	12	..
Criminal record . . . . .	..	..	3	3
Mother of illegitimate children	3	..	19	..
Otherwise immoral	2	..	19	..
Lack of normal support for beneficiaries				
Women lacking their husbands' support				
Widowed	54	..	60	..
Deserted by husbands	3	..	16	..
Not supported by husbands	2	..	4	..
Husbands in prison	1	..	3	..
Husbands confined in asylums for the insane . . . . .	..	..	2	..
Divorced from husbands	2	..	2	..
Women lacking support by the fathers of their illegitimate children	1	..	3	..
Desertion or non-support by the beneficiaries' fathers	2	..	1	..
Non-support by ablebodied children of working age	36	..	48	..
Chief wage-earner, beneficiary's son, in prison	1	..	..	..
Orphan child as beneficiary	3	..	3	..

^a Entered only regarding the groups in which more than the beneficiaries are considered.

GENERAL ANALYSIS OF CASES

A single illustration will make clear the distinction that is made in the foregoing table between the number of cases having a given disability and the number of individuals affected. The table shows 87 cases in the first group in which old age was noted, while there were 96 persons affected. The excess of nine represents nine old persons who were living, as dependents, in families in which there were aged beneficiaries.

Combinations of certain of these disabilities, and certain others, are shown in the next table.

TABLE 13.—COMBINATIONS OF DISABILITIES IN 364 CASES SPECIALLY STUDIED

Combination of disabilities	Cases studied in 1908	Cases studied in 1909-1910
Old age (60 years or over), combined with childlessness	19	26
Children under wage-earning age dependent on mother, combined with:		
Widowhood	20	14
Desertion by husband	2	7
Non-support by husband	1	1
Divorce from husband	1	1
Non-support of illegitimate child by its father . . . . .	..	1
Imprisonment of husband . . . . .	..	2
Confinement of husband in asylum for the insane . . . . .	..	1

The various disabilities revealed in the two preceding tables are considered in succeeding sections. Comment on them is, therefore, omitted at this point. Because of the more intensive character of the later study, the figures quoted will always be from that group. The chief disabilities there shown are summarized for convenience in Table 14 on the following page.

It will be realized that some cases have more than a single disability. Some feeble-minded, for example, are epileptic. This fact causes duplications in Table 12 above. In Table 14, however, the duplications within each group are eliminated.

In a few particulars it is possible to compare the above second group figures with those presented by Dr. Devine for the 5,000 cases under the care of the New York City Charity Organization Society. When this is done it becomes apparent that two

OUTDOOR RELIEF IN MISSOURI

TABLE 14.—SUMMARY OF DISABILITIES IN 199 CASES STUDIED IN 1909-1910

Disability	Cases
Chronic physical disability of beneficiaries, or of those dependent on them (see Section XII, p. 73)	121
Old age of beneficiaries, or of those dependent on them (see Section XIII, p. 79)	95
Mental disability of beneficiaries, or of those dependent on them (see Section XIV, p. 84)	74
Non-support of beneficiaries, by ablebodied children of working age (see Section XIII, p. 80)	48
Lack of normal support of female beneficiaries having children under working age dependent on them (see Section XV, p. 94)	27

very different types of families or individuals are being considered. To a limited extent the New York society's figures may be regarded as typical of charity organization societies in other large cities—especially those in which, as in New York, no public outdoor relief is given. The proportion of cases in which chronic physical defects were noted is much larger in the Missouri counties studied than in New York City—61 per cent as compared with less than 47 per cent.* Rheumatism showed 18 per cent in the Missouri counties as against 7 per cent in New York City. In the case of tuberculosis the situation is reversed, the Missouri counties showing 9 per cent, while New York showed 12 per cent. One reason for this seeming exception to the general uniform difference is that the Missouri figure probably very much understates the situation there. In New York a reliable physical examination is obtained, wherever possible, for persons under the care of the society who are suffering from any possibly serious ailment. Thus the presence of tuberculosis ordinarily becomes known, while for the lack of such an examination in the Missouri counties, its presence might go unrecorded. Another reason for the lower proportion of tuberculosis cases in the Missouri counties—possibly the chief reason—is the fact that tuberculosis is a disease which preys usually upon

* This figure is the sum of tuberculosis, 12.38 per cent; rheumatism, 6.94 per cent; and other chronic physical disabilities, 27.30 per cent. These percentages probably contain some duplication (whenever disabilities from two or all three of the groups were noted regarding a given case) and the New York figure truly comparable with the Missouri figure quoted must, therefore, be somewhat less than 47 per cent.

GENERAL ANALYSIS OF CASES

young adults, and this is the very class which is proportionately smaller in country districts than in cities.

The general excess of chronic ailments among the Missouri cases is probably due to the few private institutions in the Missouri counties to which chronic invalids may be sent as compared with New York City or most other large cities.

Persons familiar with relief work by private societies in large cities will at once recognize how different the proportion of old persons, shown above, is from that which obtains in the families under the care of such societies. The New York figures show that, among the 5,000 families studied, the head of the family had reached the age of sixty in only 12 per cent of the cases, while in Missouri 48 per cent of the beneficiaries were in this old-age group. To make the figures more nearly comparable a special count has been made which shows that 68 of the 95 aged beneficiaries, in the Missouri counties, were also the heads of their family groups in the sense in which that term was used in the New York study. In some cases they were single old people living alone. In other cases they were married couples. These 68 heads of families that were in the aged group in Missouri constitute 38 per cent of the cases studied as compared with but 12 per cent in New York City. One reason for this situation, in addition to the ordinarily larger proportion of old people in country districts, is probably the absence of almshouses in certain of the counties studied, and the character of the almshouses in others. Moreover, in the cities in which relief societies are well organized there are usually private institutions for the aged. There are practically none of these in the Missouri counties studied. Many old people, therefore, who in many other communities would become inmates of such private institutions, are relieved in their homes in Missouri.

The contrast between the two sets of figures is still more marked in the case of mental defects—37 per cent of the Missouri cases showing such defects as compared with but 5 per cent in New York City. This great difference is explainable, probably, as the other differences have been, by the greater lack of provision for institutional care for this class in Missouri.*

* Regarding both the mentally defective and the aged, a tendency was noted by the Missouri investigators, in accordance with which the persons so affected

OUTDOOR RELIEF IN MISSOURI

Non-support by children of working age was not included in the New York table, but comparison is possible in regard to desertion and non-support by husbands. These two classes, together with the cases of non-support by fathers of illegitimate children and by divorced husbands (see page 68), amount to 25, or 13 per cent of the total. The New York proportion is almost the same—12 per cent.

were regarded as worthy, and therefore given relief, even though less needy than certain others.

XII

THE PHYSICALLY DEFECTIVE AND THE SICK

PHYSICAL defects were claimed for at least some member of most of the families given outdoor relief. The trouble was generally evident and distressing, but sometimes slight or wholly imaginary. In regard to 121, or 61 per cent, of the 199 cases in the second group* it was claimed that there were chronic ailments or disabilities. In two additional cases there were temporary ailments only.†

Temporary ailments constitute a most common reason for temporary aid. The diseases most frequently mentioned are malaria and typhoid fever. These are very common in certain districts. Many children have suffered and died of diphtheria and measles, and several very old people are also known to have lost health or mind from the attacks of these diseases supposed to be characteristic of childhood. Typhoid fever frequently affects whole families and often permanently impairs the vitality of its victims.

Pneumonia fever, as it is commonly called, is reported in many cases. It is especially prevalent in winter when it is not uncommon to see two or three members of a household suffering at the same time. In several instances a grandparent, parent, and child were found occupying the same bed. For the ravages of this disease some explanation is found in the conditions under which the poorer people live. They are improperly clothed and frequently exposed to cold and dampness. They work outdoors or live in imperfectly heated houses in which one must pass from a very warm room to a very cold one, or perhaps from a hot kitchen to a washing in the yard. Grown people and children were

* See page 70.

† Two of the four cases of temporary physical disabilities shown in Table 12 had chronic disabilities also.

OUTDOOR RELIEF IN MISSOURI

seen working in the mud and water without overshoes or other protection from the cold or dampness.

Tuberculosis ranks as one of the most dangerous and difficult of all the diseases of the poor. It was noted in 17, or 9 per cent, of the 199 cases in which there was chronic disease or disability. There were sufferers from this disease related to seven other cases, though not dependent on them. In addition, there was a long list of deaths of dependents in these families due to tuberculosis, two at least of these having occurred only a few months before the inquiry. The idea is very prevalent, in certain sections, that the disease is hereditary, and those families that have suffered most from it are so pessimistic that they neglect the precautions which would prevent its further spread.

A widow, Martha Craig, was sought for, as she had been the recipient of outdoor relief. It was learned that she had been doing washing to support herself and two halfgrown boys, one of whom was a victim of epilepsy. She had recently died of tuberculosis, leaving the boys to shift for themselves. A few years ago hers was a well ordered family, but her husband, in a fit of anger over a trivial matter, shot his brother-in-law and was sent to the penitentiary. He contracted tuberculosis in that disease-infected place, and when it was apparent that he could live but a little longer he was released and returned to his wife. But after the loss of his support she had lost her home and had sunk into a very low estate. The burden of supporting and caring for her husband was more than she could bear. A kind neighbor offered them a room in her own home, and there Mrs. Craig watched over her husband until the end came, but the faithful wife, weakened by fasting, toil, and sleepless nights, fell an early victim to the same disease. It was during her last illness that the county gave a little aid. Another link was added to this chain of sorrows when a bright young girl of seventeen years, the only child of the kind neighbors who had befriended and sheltered the family, fell ill and died of tuberculosis.

The questions that are raised by tuberculosis and other diseases of social significance form an important and promising field for the work of the medical expert, but unfortunately the county physicians can rarely be put in this class. Very many of these men are deficient in education and in ability as practitioners. It was frequently remarked that they were more successful as politicians than as doctors. County physicians were

PHYSICAL DEFECTIVES AND THE SICK

found who were practically without professional practice, except as applicants for county aid came to their offices and were sent away with simple remedies. A few betrayed ignorance of even matters of common information. One of them reported the case of a feeble-minded young woman, and told how he had repeatedly urged her parents to take her to some eminent "atheist" for examination. Men of higher standards must be appointed to such offices, and certainly men of skill and professional ability can be found who would be willing to devote themselves to this important work, even at the expense of their more lucrative practice.

One suggestion for improvement in this direction concerns the compensation of county physicians. In many places it is the practice to let out the county work to the lowest bidder, and the amounts paid for a year's work are incredibly low. One man had complete charge of the county relief in an important city. He not only ministered professionally to all the indigent sick, but dispensed poor relief to all who must be aided. For this responsible and important work he received as compensation but \$300 a year, and was evidently without other practice. For the community's sake, as well as for the sake of the patients, a greatly increased compensation is needed. To pay so small a bill for medical care is only to run up a much larger bill in other ways.

A number of those receiving aid are classed as crippled or deformed. Nineteen cases of the 199 in the second group included persons so afflicted. Some of these, of course, are practically helpless. In many cases, however, what is most needed is some suggestion or assistance toward finding the sort of work which the person would be able to do in spite of his affliction. The case of a little hunchback will illustrate:

Garry Wilson is a crippled boy, nineteen years old. When a child his back was broken by a fall from a swing, and though nearly grown to manhood he is small and misshapen, weighing less than 50 pounds. His father is dead and he lives with a relative—a poor man—to whom the county for years past has made a regular allowance for the sake of the boy. The boy is intelligent, reads and writes, is very businesslike and is interested in business affairs. It is suggested that if he could be aided to gather together a little stock of useful goods, which he might sell to the neighbors, he might very soon become successful as a merchant in spite of

OUTDOOR RELIEF IN MISSOURI

his handicap. He has already made several fortunate trades which suggest that he has ability to make his own way if given a start.

Twelve of the 199 cases included persons who were deaf, though but one of these was deaf and dumb. There were, however, more instances of blindness, total or partial blindness being noted in 29 of the 199 cases.

Karl Hubbard had both eyes destroyed by a premature blast two years ago. He was twenty-three years of age and his wife but nineteen. The mining company paid \$2,000 in settlement, and refunded his expenses for medical attention. A large fee went to his lawyer. Three hundred dollars was lost in a venture in which the blind man undertook to conduct a pool room. A farm, team, and other equipment was next bought. His brother was to manage this for him. The only result was the loss of more money. Much was squandered in dissipation. His own father and brothers were frequently seen leading him from one saloon to another. While the money lasted he was considered rich. Now it is believed that all is spent. A baby was born four months ago. The youthful father is entirely helpless. Too ignorant to take care of money if he had it, he is entirely without training for any work. He has now ceased to try and strolls about with those who care to talk. A new sign stands in front of the little rented cottage announcing cheap board. With but five customers, the young wife and mother has begun the struggle to support her infant son and her almost equally helpless husband.

If this unfortunate young miner lives to an old age and other children are added to the mother's burden, the county must continue to contribute to their support for many years. What the near future may bring to them seemed foreshadowed in the history of a similar instance met with in another mining region.

Fillmore Monroe was seriously injured while working in his own stone quarry ten years ago, the blast horribly mutilating his face. Nothing but his most unusual strength and vitality saved his life. A mortgage took the quarry and nothing was left except a small house and an acre of ground belonging to his wife's mother who has always lived with them. She is old and feeble and her daughter, Mrs. Monroe, is very frail and ill. Her shattered nerves and hollow cough foretold an early end to her feeble efforts to support the increasing family. One child died of pneumonia. Five remain, ranging from two to fourteen years old. The blind father has seen but two of them. They were babies then. His work is sawing wood, but the new steam saw which has come to the village can cut more

PHYSICAL DEFECTIVES AND THE SICK

in a day than his slow efforts can accomplish in a week. There is little to do and wages are low. When visited the father was away, having started to walk to another county to ask a relative for help. His two older children, aged fourteen and twelve, led him. His mission was to ask the relative to accept the children's labor in exchange for fodder for the family cow.

The best looking and most intelligent inmate of a county almshouse was a young woman, entirely blind. She was upon her hands and knees scrubbing the floors, but when the visitor arrived she fled in embarrassment to comb her hair and change her muddy skirts and stockings. Among the blind who are receiving outdoor relief there are many like this woman—willing to work and able to render services of considerable value if they had a little help and direction. A pathetic case was that of a blind woodsman who felt about for trees and stumps in an effort to support a large family by clearing timber at \$10 an acre. Another blind man sold shoe-strings upon the street quite recently. He told with great enthusiasm of starting a new business. He and a partner, who can see, sell sand. It is necessary to shovel it out of water two feet or more deep. The blind man, powerful physically, stands in water which rises above his knees and shovels the sand upon a screen. His partner, upon the dry ground, handles the screen and deals with customers. For a week past the blind man's share of the earnings averaged from 90 cents to \$1.00 per day. He was very proud and hoped to be able to obtain needed medical attention for an invalid child.

Industrial opportunities are now provided for the adult blind by state aid and private philanthropies in at least 20 states, including Massachusetts, Pennsylvania, and Ohio. The last state is carrying on the most recent experiment in this line by sending work into the homes of the blind scattered throughout the state. During the second year of this activity the state has reached upwards of 400 people. Though in no one of these endeavors is the work carried on without a deficit, the system is abundantly justified as a substitute for planless relief for this afflicted class. There is important work which they can do without risking life or health or being treated or classed as county charges. The man who risked rheumatism to earn 90 cents a

OUTDOOR RELIEF IN MISSOURI

day rather than beg upon the streets furnishes an argument for such a chance. So also does the other, groping his way in competition against a steam engine and trying to sell his children's labor that the babies might have milk. Blind men should not be risking health, and life itself, by exposure to winter rain and falling limbs while feeling for trees to cut and roots to grub in the forest.

The other chronic diseases or defects specified in the table on page 68 were rheumatism, recorded regarding 36 persons,—one in each of the 36 cases,—and venereal disease, recorded regarding 16 persons in 13 cases.

XIII

THE AGED

It will be noted, by reference to page 70, that old age is the disability which affects the largest number of the cases studied. In 95, or 48 per cent, of the 199 cases, this disability was noted, involving 101 old people. The cases where there were two or more old persons usually represent or include old couples. Twenty-six of these 101 old people were childless at the time of this study. Of these, 17 had remained single during their long lives. Among the poor a childless old age very often means dependence on the public for support.

Amelia Anne Evans was eighty-four years of age. She suffered from Bright's disease and rheumatism, and could walk only by holding to a chair which she pushed before her. She was without relatives; her husband, a woodchopper with no other occupation, died eleven years ago. They were childless and he left no property. They had been generous and very improvident people who saved nothing. She lived in a little brick out-building and tried to do her own work. It took her several minutes to come from the bed to the door, a distance of about 12 feet. Yet she lived entirely alone, cooked her own meals and cared for her room. She could, of course, do nothing toward her own support. The amount given her by the county is only \$10 each quarter. She had to pay \$2.00 per month as rent for the little out-building in which she lives. She gets a little help from the Baptist church and from the women's club of the town. She probably does not have more than fifty or sixty dollars per year to spend for food.

Another poor woman was evidently very aged. It was impossible to learn how old, as her mind had begun to fail. She was so feeble that she sometimes fell and lay all night helpless upon the dirt of her floorless shanty.

One woman was an invalid, confined to her bed. She was without relatives or anyone to care for her, and according to her story and the stories of her neighbors she remained alone in her room except as neigh-

OUTDOOR RELIEF IN MISSOURI

bors came to lend a little assistance. These women could certainly be better cared for in a county home.

Two old men, both foreign born, have lived their rather shiftless lives spending everything in private indulgence. They were mine workers, making and spending much. In old age both became penniless. One, an Irishman, suffered from rheumatism and became unable to do anything useful. The county, having no almshouse, paid for his board. The other, a German, became entirely helpless from dropsy, supposed to be due to intemperance. His county paid \$10 a quarter for his support. Unable to rise from his bed and without anyone to help him, he was left alone in a little cabin. A neighbor sometimes cooked food and carried it to him, and but for her assistance he would have died of hunger and neglect. He was a great sufferer and the conditions under which he lived were indescribably bad.

Two other very old people lived in tents the entire winter, because of their poverty. Both were very feeble. Each was blind and a sufferer from rheumatism, which must have been rendered worse by the conditions under which they lived. The tents were without floors and the ground was damp and cold.

Archibald Borden was seventy-four years old and his wife about seventy-two. He owned 50 acres of land but it was useless to him because he was too feeble to farm it. In attempting to work he suffered an accident which resulted in the fracture of his knee. His aged wife tried to care for him and do the work, but her cane broke and she fell, breaking her leg. Hearing her fall he tried to go to her assistance but fell also, breaking his collar bone. Since these people were so aged, none of the fractured bones would heal and the two old people were completely and permanently crippled. Thus they became county charges, although they owned their home and a little property.

Neglect by children of wage-earning age was met with repeatedly in course of this study, this fact being noted in 48 of the 199 cases in the second group. In 33 of these the parent was sixty years old or over. Thus 33, or over a third of the 95 aged beneficiaries, were not receiving the support which their children were legally bound to give, and which, in the judgment of the investigators, they were able to give. There were other children, not included above, who were doing nothing toward their parents' support, but whom the investigators judged to be unable to give any help.

THE AGED

Two men lived in the same village with their aged mothers, but for years they have neither visited nor spoken to them. Both were most excellent women but completely dependent and very much pitied by the people of their communities. One of these ungrateful sons brought his mother to poverty by squandering the money and estates which she entrusted to his care. Both were men well able to support their mothers. One was a man of education—an editor and politician; the other was a prosperous land owner. Both were much condemned by their neighbors for their reprehensible conduct.

In another instance the son had gone to a distant town, having first placed his mother in the keeping of a neighbor. He promised to pay for her support but later refused to do so. She had been a woman of refinement, the widow of a well-to-do physician. He finally moved to another county and left his mother to be boarded about by the county to the lowest bidder.

Mrs. Melissa Frederick is seventy-seven years old and a native of Prussia. She has been a farm laborer and very industrious but is now penniless. She has two sons, one a merchant in Kansas City, supposed to be well-to-do, and the other, until recently, a clerk in a large store in a neighboring city. She also has a married daughter who lives in a neighboring village, but none of these children do anything for their mother, who lives in abject poverty. She declares that she has no income except the \$40 a year which the county gives. A lady permits her to live in a back room of her house and she apparently has but the \$10 each quarter from the county to spend for food.

An old man had a large family of sons and daughters who permitted him to become a county charge and tried to have him sent to an asylum for the insane in order to avoid the trouble and expense of his keeping. It was the judgment of all that he was entirely sane except for the weakness of old age which affected his mind and body alike.

James Venerable was eighty-eight years old. He had been a minister of the Cumberland Presbyterian church for fifty years. He preached to the soldiers during the war when he was a member of one of the state regiments. He was the father of 17 children, most of whom were living, scattered about in many states and in various parts of Missouri. One daughter, who lived near her father, was married and owned a good farm. She was active in religious work as an exhorter, and kept her father for awhile, during which time she is supposed to have obtained from him about \$700 in money and valuable papers. She got the last \$150 less than a year ago. She then tried to have him declared insane. When

OUTDOOR RELIEF IN MISSOURI

the jury had heard the evidence and pronounced him sane, she was very angry and left him in the streets of the little town. She has not seen him or done anything for him since. As the county has no almshouse, he was boarded out.

Isaac Marshall was said to be over one hundred years old. He had been a farmer but was ignorant and poor. He was the father of nine children, seven of whom were living near. Most of them were young married people, some of them without children, and all had regular employment. The old man lived at the home of a daughter. He was too old to answer questions or to express his wants intelligently. He was too feeble to walk but was left most of the time sitting in his armchair. Sometimes he was left alone. His children were disrespectful and treated him with harshness and impatience. He had evidently been neglected and in trying to help himself had fallen and suffered injury to his hip. His face was also much bruised and discolored. A few days after he was interviewed the old man died. The county was giving \$10 each quarter for this man's support.

One of the worst instances of neglect and abuse was found in a northern county, where an old mother was neglected and mistreated by the son whom she permitted to live in her own house, while the money which the county gave was appropriated by him and his family:

Mrs. Anne Thurman was eighty years old. Her husband had been a physician and well-to-do, and both were people of education and refinement. He died thirty years ago and her property dwindled until nothing remained but a house and lot. She suffered from rheumatism and paralysis, and in trying to walk fell and fractured a bone which never healed, so that she became a complete invalid. Unable to rise from her bed, she suffered from hunger and neglect. It was said that her son, who lived in her house, did not so much as speak to her or go into the room. Her daughter-in-law refused to give her food or drink, or even to comb her hair or wash her face except upon the payment of 25 cents. This poor old woman tried to speak kindly and loyally of her children and asked if it was not right to give part of her county money to them. To neighbors interested in her welfare she confessed regarding their mistreatment and that she was suffering from hunger and neglect.

Some of the old people described above are in poverty because they are childless and have no relatives to help them, and others are even more pitiable because they are neglected by those

THE AGED

who should care for them. They all suffer more or less from neglect, are unable to care for themselves as they should, and their condition must, of course, become worse with their advancing years. Very many of them could and would be better cared for in county homes. In instances, however, where relatives are kind and thoughtful, and yet unable to provide fully for the needs of their aged kindred, it is entirely proper to use the county funds to supplement their efforts.

XIV

MENTAL DEFECTIVES

IN 74, or 37 per cent, of the 199 cases most recently studied* there was evidence of mental defectiveness—either in the beneficiaries or in their dependents. Some cases of complete dementia were found. One very distressing person was so helpless and so difficult to care for that two strong young men were kept from regular work and a family of eight people was rendered entirely dependent. Harmless lunatics were at large, a burden to society, but more especially to their families. Violent cases were found to have been confined for years in especially constructed strong rooms, or even in cage-like pens. One woman was found to have been kept thus for twenty-eight years at the expense of her county. Nevertheless, the violently insane are better provided for in the matter of institutions, in Missouri and in other states as well, than the feeble-minded, the epileptic, the senile, and the syphilitic. Mere feeble-mindedness, the most serious form of defect from a social point of view and a most prolific cause of pauperism, has been the least satisfactorily dealt with.

In the 199 cases most recently studied, special inquiry was made as to mental weakness and its effect in producing poverty. Twenty-five instances where it was plain that the poverty was primarily chargeable to mental defectiveness, are described in this section. There were, of course, many other instances in which mental weakness was present. Some people, old and feeble now, are on the list because sons or daughters to whom they would naturally look for support are too weak mentally to be of assistance. There are others who, though not actually demented, seem unable, because of their mental condition, to avoid the mis-

* See page 70.

MENTAL DEFECTIVES

takes and immoralities that continue to drag them down, and as a result are unable to be fully self-supporting.

It is believed that no statements or arguments about mental defectives can plead so eloquently for a different treatment of such unfortunates, or constitute so clear and cogent an indictment of our present system as the simple recital of a few facts in regard to each of the following 25 cases. In every one of the instances here recounted, outdoor relief was given—usually in the form of a quarterly pension.

Martha Harding is feeble-minded and over fifty years old. She is entirely helpless and is dependent upon a widowed half-sister of about the same age. (An unmarried brother, once a recipient of county outdoor relief, has recently died in the county almshouse, a victim of venereal disease.) This woman has already cost the county nearly \$500.

Sarah Dale is both feeble-minded and deformed. She has long been cared for at county expense in the home of relatives. She has been the mother of at least one illegitimate child.

Callie Carter is but nineteen years old, and not only feeble-minded but deaf and dumb and very small. Her heartless and none too virtuous mother, in an attempt to put her off on relatives and the county, has slipped away into another state, apparently to try her luck in a fifth matrimonial venture. What the fate of the unfortunate child will be we can only conjecture. The relatives have threatened to turn her out.

Sarah Thompson is an old woman living alone in a most wretched hovel. Her person is repulsively dirty and the floors are heaped high with the accumulated rubbish of weeks. Her neighbors accuse her of theft and falsehood. Either her mind is burdened with a confusion of slanderous gossip, or her claim is true that she has been imposed upon by designing men. It seems to be a case of delusional insanity.

Della Hubbard is a young woman now nearly thirty years old, who weighs but 59 pounds. She is unable to hear well or to converse intelligibly, and is a great burden to her widowed mother who is nearly eighty years old. They live in a remote district far removed from rail-ways and comfortable living conditions. The mother vows she will work till she drops dead before she will let the unfortunate child be taken to the Colony for the Feeble-minded at Marshall. The county pays \$25 each quarter, and occasionally sends additional temporary aid.

Bella Dale is twenty-five years old. She is very feeble-minded and helpless from epilepsy. The mother has been deserted by her husband,

OUTDOOR RELIEF IN MISSOURI

and is further burdened by a lazy, worthless son. This mother has reared a large family of notoriously immoral girls, known to all the country around as prostitutes. She now lives with her unfortunate idiot daughter and does washing for her support. The home is a wretched shack. Mrs. Dale, like Mrs. Hubbard, is emphatic in her resolution never to let her child be taken to an institution.

A young Negro man, just placed upon the pension list of his county, is an idiot who can not tell his name without prompting. Neither he nor his mother knew his age. He does not know enough to work. His mother, now very old and feeble, has long been a county pensioner, as her husband was also.

Living together are three spinsters, one of whom, Lydia Sprague, is an idiot. She is a woman of forty-five, deformed and unable to walk or talk. She has long helped to pauperize her two cousins, who feel bound by a promise made to this poor creature's mother on her death-bed that they would keep her and not let her be taken to an institution or home. Both women are now old and feeble and the elder one is herself not fully recovered from insanity. They are totally unable to help themselves, but are ready to die rather than go to the county home. The records of their dependency run back almost to the Civil War, and relatives, including a grandparent, were county charges also. The sum paid by the county falls far short of their necessities and for years past neighbors have brought wood, flour, and the like. The burden, however, is becoming intolerable, and the neighborhood is in revolt. These three old maids, living in an abandoned Negro school house, tilted up on one corner by the elements, make compelling argument for custodial care.

Dan Beaver is a Negro, now eighty years old. He was put upon the list because of a son who was feeble-minded. The old man had been a drunkard. The mother suffered from epileptic fits until her death nine years ago. The son apparently had never been married, but lived in a nearby town with some woman whose name the father claimed not to know. He did state that she is the mother of two children. The son has now been taken to the county farm.

A very uncleanly white family is the subject of the next study. The Anderson family is consumptive. All of the members are very low in the scale of intelligence. Four cannot read or write and all are spoken of as feeble-minded. Only one of the five children who reached maturity has ever married. Her marriage took place only a year ago, but her oldest child is now three years old. Two grown sons and as many grown daughters remain at home. The mother was in the last stages of con-

MENTAL DEFECTIVES

sumption when the youngest child was born, and died a few days later. This child not only developed the disease of the mother but proved to be hopelessly feeble-minded. At one time she was taken to a state asylum, but was later permitted to return to her home. Her brother, next older, suffered from epilepsy and his mind became entirely deranged. He was sent away and confined in an asylum for nineteen months. Then he also was allowed to return to his home. He saws wood and works at odd jobs, and is the butt of jokes for the small boys and thoughtless people in their neighborhood. About a year ago, the feeble-minded and consumptive sister became the mother of twins, and one month later succumbed to tuberculosis. The father of the children was the epileptic and insane brother.

The next is a very common story:

Mrs. Mary Mitchell has two daughters, the elder of whom is feeble-minded, and though she is but seventeen years old is the mother of a two-year-old child. Mrs. Mitchell, though conscientious and well-meaning, is unable to give her daughter proper advice and protection, and the neighbors are distressed to see the younger woman walk the streets at night, holding the hand of a young criminal whom she says she is going to marry. It was a promise of marriage that previously compassed her fall. The father of the two-year-old child refuses to contribute anything to their support, and has recently married another woman who lives a few miles distant and owns property of considerable value.

Grannison Day, an orphan, seventeen years old, has been epileptic and feeble-minded since the age of seven. His seizures are frequent and severe, and he expressed to the investigator a desire to go to the Colony for the Feeble-minded at Marshall where he might receive treatment. There is no room for him in that institution, however, so he has been placed out at so much per month for board and keep. The man in charge of him is a typical backwoodsman of the last century. The cabin too is of a type a hundred years old and is dilapidated. The forest farm does not appear to be worked, and the impression is that the whole family establishment is largely maintained out of the amount received for boarding Day. There is another young fellow of about his age whom the old man is also raising. Three beds are crowded into one room and apparently all sleep there—the old man, his sick wife, Day and the other young man, and the old man's daughter, now just about grown. The old man considers the contract for keeping the young epileptic as very valuable, and expresses bitter indignation at his son-in-law, who has compelled him to come down in his charge to the county by underbidding his price. Day is

OUTDOOR RELIEF IN MISSOURI

entirely without education and, although he works obediently at such jobs as he can be trusted with, it is very evident that he should have different care.

Ora Knight, thirty-one years old, is epileptic and feeble-minded and has in addition several physical abnormalities which she inherits from her drunken and worthless father. She became the mother of an illegitimate child when only thirteen years old. The father of the child was her cousin with whose family she lived. Her sister is also the mother of an illegitimate child. The father is now living with his third wife and he refuses to keep his feeble-minded daughter unless the court will pay him for doing so. The authorities have therefore placed her in the care of a family that is in no way related to her and to which they pay a certain sum each month for her support.

Annie Robinson is now totally demented. She came to the county of her present home years ago, claiming to be a widow. Her daughter, who lives with her, claims to have been born in the county of their present residence and is probably of illegitimate birth. This younger woman, now forty-four years old, is feeble-minded and her eighteen-year-old son is in the same condition. He, his mother, and grandmother are all illiterate and mentally defective. He has been taught to read and write his own name but he could learn no more. He works at no regular occupation but merely hunts and fishes.

Elisha Jackson is a man of low grade intelligence. He is immoral and a drunkard. His wife is feeble-minded, as are also his sister and his oldest daughter and her husband. Jackson himself and the feeble-minded daughter and sister are county charges. Both of the latter are very immoral and they have been the mothers of several illegitimate children. His daughter lived with an ex-convict for some time under the impression that she was his wife. He showed her a marriage license which he had procured and made her believe that a marriage ceremony was unnecessary. He is now serving another term in the penitentiary.

The Corkers are a German family. Both parents were feeble-minded, but the husband was more noticeably so than the wife. (She had been a defective child in an orphanage near St. Louis.) Mr. Corker was killed eighteen years ago, leaving his wife with seven small children, none regarded as "bright," and some very plainly mental defectives. A daughter, weak and only partially self-supporting, now works in a St. Louis hotel. The youngest is now eighteen years old, the oldest thirty-six, and the mother less than fifty-five, but it was only recently that their county allowance was cut off.

MENTAL DEFECTIVES

Jackson Adams, a man of very low mentality, eloped with a servant girl, leaving his wife, who was an invalid and mentally weak. Although but forty-seven years of age, she now shows every evidence of senile dementia. Her youngest boy of seventeen is no help to her. He will not work and spends all he gets for candy and cigarettes. He is untruthful and feeble-minded. He does not know in what state he lives, or how old he is; he can name the days of the week but not the months of the year. His mother, desiring to say at least one encouraging word, remarked, "There's one good thing about him, that's not stealing." But his other relatives say that even this is too flattering.

Ben Lemo is a feeble-minded Negro of forty or more years of age, suffering from rheumatism and heart disease, and working for a little food and clothing and 75 cents a week. His sixteen-year-old daughter is feeble-minded. His fifteen-year-old son is far below the average; he goes to school but can not learn. Although twice married, the father is again a widower and the members of the family are in a pitiful plight mainly because of mental incapacity. For three or four years they have received outdoor relief, but this was stopped six months ago upon evidence that the father was making trips to a neighboring county to bring in intoxicating liquors and retail them.

The following may be characterized as a typical feeble-minded family:

Henry Kinnard is dwarfish and idiotic of expression and so feeble-minded that at times he can scarcely speak so as to be understood. His wife is his step-sister. She is now nearly blind. All the children show the family weakness. The oldest and the youngest are dead, but the oldest living is a girl of seventeen who makes foolish faces and is clearly feeble-minded. She was sent to Marshall, but for some reason was allowed to come back just at the age when she needs custodial care and is in the most danger. Another child, the youngest, seemed to show the mental taint. Henry and his family appear honest, harmless, and very religious; but an examination of the police records shows that he has been arrested and fined for lewd and indecent conduct, and that several near relatives also have police records.

George Rawlings and his wife are both feeble-minded. Two children, monstrosities, died soon after birth, and a third child, now thirteen years old, is a complete idiot.

Kitty King, a feeble-minded woman, is one of six sisters, all of whom were immoral, and several of them, like Kitty, notorious prostitutes.

OUTDOOR RELIEF IN MISSOURI

She was once married to an honest young miner, but in the course of a few months he was driven away by her other admirers and has not been heard from since. Five of her children are known. All are illegitimate. Her story is one of the most shameless vice. Her sister's story is even more disgusting. The man with whom they both lived at the same time has just died and received burial at county expense; and Kitty, suffering from cancer of the uterus, has lately been taken by the county authorities and put out to board with another woman of bad reputation, a member of a family of disreputable women.

Sarah Maria Shinkle is a typical case of the unguarded woman of feeble mind. Too stupid to be trusted with housework or the care of children, she has since girlhood been passed around from hand to hand and employed in the most severe manual labor. Splitting rails, grubbing stumps, cutting brush, and such tasks have been her regular employment for no one knows how many years. She is old, but how old neither she nor anyone else knows. Large, coarse, and clumsy, she is as vulgar and profane as the rough men among whom she has worked. She is also somewhat dangerous; is known to have struck one woman with an axe, and to have struck in the face and injured another elderly woman who tried to befriend her and give her a home. That she has been imposed upon is certain. She is the mother of an illegitimate child. Crippled now from a fall, she has been placed out to board in a wretched shanty near the court house door. Here she sits all day by a broken stove and chews and smokes tobacco. Her board and room cost the county \$1.00 a day. Where her child is now, or what his mental state, it is impossible to learn.

Missouri Ann Schindler is now kept in a disreputable boarding house where the proprietress of the place herself says that all sorts of people resort. She even related how, but a day or two before, she found Missouri Ann in the arms of a rough and designing boarder. That this feeble-minded woman is exposed to every danger is certain. The county entrusts her to the keeping of this woman and each quarter sends a check in part payment of the expense of her support. For the rest she has to do hard work of whatever kind is required; and neighbors relate that she has lately been chastised for insubordination. This poor woman has again and again been sent to the county farm. These trips have usually been made at the time of the birth of her children, for she has been the mother of four children, three of them illegitimate, and one the child of an invalid and probably feeble-minded man whom she met and married at the county farm. The story of this marriage and of her one legitimate child is even more discreditable to the present county system than are the stories of her illegitimate children. Two licenses were made out, in fact, looking to her

MENTAL DEFECTIVES

marriage. The first bears a date considerably earlier than the one for her marriage with Schindler, which was finally consummated. An official of the county accompanied Schindler to the county seat to get this license and the two defectives were married by a local justice of the peace. They were then started to housekeeping in a little cabin adjoining the county farm. This marriage license, which she cherishes as a precious possession, is convincing evidence of the shame of the state's present system of poor relief. Her husband's health soon became worse, and they returned to the county farm where he died of consumption. There, too, the child lived, dirty and neglected among the wretched inmates of the poor farm, until noticed by kind people and removed to a good home. The poor mother did not object to the child's removal or mourn its loss. It is believed that her services are worth more than it costs to board and keep her, and that her present keeper is guilty of sharp practice in asking more from the county; but the county officials, who themselves express this opinion, have lately yielded to the keeper's importunities and have granted an additional sum.

Sarah Davis was a feeble-minded woman long supported by the county. She has lived sometimes at the county farm and sometimes outside of this institution. She has a sister, also feeble-minded, who is cared for in the almshouse of a neighboring county. Sarah was never married but is the mother of three children, one of whom is a Negro.

In one county a Negro father has deserted his imbecile daughter to elope with the wife of his white neighbor who had already borne him one child. This white woman is a member of a family of immoral women, two of whom have already become county charges. Lena Thomas, the deserted Negro girl, lives in the empty cabin which is practically bare of furniture. Even dishes and cooking utensils seem lacking—a broken stove and an empty cupboard being the only contents of the two small rooms. With her are three illegitimate children, one of whom she says is the child of her sister. This woman and her little brood are wholly supported by the county. She has never been seen to work at anything, not even to prepare the food that the county officials bring her. Neighbors say that she trades it to the nearest restaurant keeper for food already cooked. The whole neighborhood is scandalized by the knowledge that rough men, black and white, resort to the place. The poor girl is unable to protect herself.

These few instances prove nothing new, but they bring home the conditions which exist in Missouri under our present system. These conditions are known to the local authorities.

OUTDOOR RELIEF IN MISSOURI

Similar instances are familiar to social workers everywhere. Without the best custodial care, feeble-minded young people will become the parents of children even in the shelter of their own homes. Here also is abundant proof that mental weakness is transmitted to offspring, and that our system of poor relief in Missouri is steadily breeding all varieties of mental defectives—from epileptics to idiots—who are dependents themselves, and who, unrestricted, are destined to produce future generations of their kind.

This short list of 25 instances of county charges whose poverty was attributable to mental defectiveness includes 26 mentally deficient women of various ages. The illegitimate children of these 26 women are known to number 22. More would be found if the whole truth were known. In at least eight of the 25 instances mental weakness reappears through two or more generations. This could probably be traced much further if records were available. One family was reported where an epileptic mother had transmitted her disease to all of her six children. Under our present system these unfortunates are not only permitted but encouraged to marry and reproduce their kind. In one county the village boys wrote love notes and brought about the marriage of two dependent imbeciles as a joke. In another we have seen county officials accomplishing the same results, apparently to avoid expenses temporarily. Thus the worst feature of our present system is that county pensions without custodial care of our mental defectives tend directly to perpetuate and to multiply this class.

While custodial care would cost more at first, it would give humane treatment at once, and it would avoid the scandals that result from our present system. In a single generation it would materially reduce the number of this most unfortunate class. No price could be too high to pay for such a result. Present methods are really much more expensive, for now the expense is cumulative, while under custodial care the problem as well as the expense involved tend gradually to efface themselves.

Careful estimates made by the students of this question indicate that three-fourths of all the feeble-minded have inherited their weakness from parents or more distant relatives. After

MENTAL DEFECTIVES

the facts that have been given, no argument is needed to show that Missouri's treatment of her feeble-minded dependents is neither wise, economical, nor civilized. The very system which we call relief, really intensifies the evil with which it attempts to cope and heaps up wrath against the day of wrath.

MOTHERS WITH DEPENDENT CHILDREN

FROM Table 12 on page 68 it appears that 90 of the beneficiaries in the 199 cases in the second group were widows, or wives otherwise deprived of the support of their husbands, or were unmarried abandoned mothers. Moreover, 27 of these women, or 14 per cent of the total number of cases, were further handicapped by having dependent children under the wage-earning age. For clearness the detailed figures given in Table 13 may be repeated here:

TABLE 15.—ADDITIONAL DISABILITIES OF 27 WOMEN WITH DEPENDENT CHILDREN UNDER WAGE-EARNING AGE

Additional disability	Cases
Widowhood	14
Desertion by husband	7
Non-support by husband	1
Divorced from husband	1
Non-support of illegitimate child by its father	1
Imprisonment of husband	2
Confinement of husband in asylum for insane	1
Total.	27

No one makes a stronger appeal for assistance than the poor widow obliged to support young children. There is perhaps no other class of dependents in regard to which the results of county relief are so favorable. It will be seen, however, that even this class of persons illustrates all of the evils and weaknesses to which the system is subject. The child and its mother, even its unmarried mother, should ordinarily be separated only if the mother is unfit to care for the child or physically unable to do this. The child's welfare is best guaranteed by its mother's love, and the affection of an unmarried mother for her baby and solicitude for

MOTHERS WITH DEPENDENT CHILDREN

its future offer the best hope that she herself may be saved from a life of shame. If a widow's children are too many or too young to be left alone and the mother is unable, therefore, to support them, and if their home is a good one, or can be made so by proper supervision, the county should supplement her efforts, rather than scatter her children about or put them in institutions.

Missouri has no state institution for such children nor do the counties provide for them. Instead, when outdoor relief is not granted, the children are either boarded with strangers or the mother and child are kept together in the almshouse.

Etta Saul is not yet thirty-two years old. Her husband, a young farmer, died of malaria a year ago leaving a little son of twelve years and little girls aged ten, eight, and four. They live in a rented cottage, small but neat. They are good, clean, well mannered people. They enjoy good health but they have no source of revenue other than the mother's earnings. She washes and irons, while the little family lives in one of its two rooms and keeps warm and cozy about the fire in the other room over which the mother does her work. The older girls care for the baby and attend to the household duties. Their brother goes on errands and is frequently seen bringing or delivering baskets full of clothes. This energetic little woman is able to supply food, plain clothing, and fuel for her household. The house rent, though but \$4.00 per month, constitutes an additional expense too great for her slender means. The county comes to her relief each quarter with \$10.

In a family like this, outdoor relief is certainly the best plan. To separate its members or leave them to their fate would be inexcusable. The relief given should be sufficient, however, so that by industry and economy the mother can have a wholesome and well ordered home life with her family. To accomplish this, assistance should be continued long enough to enable the children to complete at least a common school education. In numerous instances mothers have asked that aid be continued until their children could complete the high school. The records showed that this was generally done. It seems fair that the children of poor widows should not be denied the privilege of the high school if their school record shows that they can turn the additional schooling to good account. It is plainly unnecessary, however, that aid should be continued for ten or twelve years until all of the

OUTDOOR RELIEF IN MISSOURI

children, including the baby, have finished the high school, and the older brothers and sisters are married and prosperous business men and women. Yet just such instances were frequently found.

The fact that a mother with young children to support makes instant appeal to sympathy and that aid once given to them must be continued for a considerable time, makes abuses especially easy. The danger is that the mother and her children may come to think that the public owes them a living. Mothers were found who were very willing to accept aid after the youngest child was grown and prosperity had banished the fear of want. Children in such families often marry at a very early age, or by leaving the home circle, seek to escape responsibility for their mothers and the younger children. This is not always so, however, as the following story shows:

Mrs. Sands lives in a log cabin charmingly located on the crest of a pine bluff above the Missouri River. She is very thin and frail in appearance and every indication of want is observable, but she instantly repelled the implication that she is in need of poor relief and proudly asserted that her Richard now fully supported them both by his wages as clerk in the store. She explained that he is only seventeen years old and receives but a mere pittance, but that since the age of fourteen he had objected to their accepting any money from the county and claimed that he could support her himself. (This case is not one of those included in the statistical study, for no recent assistance had been given to the woman.)

According to Table 12 it appears that there were 30, or 15 per cent, of the 199 cases, in which the husband or father was living and was not supporting his wife or children. Only five of these men were, so far as the record shows, unable to do so. These five were confined in prisons or asylums for the insane. Of these women, 13 were burdened with dependent children under wage-earning age.

In several of the counties most recently visited nearly half of the women receiving aid were called widows, but a closer inquiry showed that about one-half of them were deserted women. Desertion or non-support of aged parents by their grown children has been referred to in an earlier section. The prevalence of family abandonment was especially noted in some of the larger cities and even in the rural counties near the Arkansas and Kansas

MOTHERS WITH DEPENDENT CHILDREN

lines. Here almost every day's investigation brought some new story of open and shameless desertion of wife and children. The account often involved elopement and adultery or bigamy as well as desertion. Generally the whole community knew the facts, including the names and whereabouts of all concerned. It was common to find a mother and her children in want and to learn that her husband was living in Arkansas with some neighbor with whom he had eloped.

The remedy for such cases is relentless prosecution of the guilty party. When the public conscience is aroused and counties are willing to pay for this prosecution, such despicable conduct will largely cease. If new criminal laws are needed, they should be enacted without delay.

One is surprised to find that no one, not even public officials, to whom the facts were known, seemed to know that there was a legal remedy. After the deserting husband had passed into another state it was considered practically useless to seek any remedy other than outdoor relief for the abandoned family. The fact is that the deserter is extraditable.

Mrs. Williams is old, querulous, and suffering from general ill health and granulated eyelids. Her husband has deserted her and eloped with the younger and better-looking wife of a very feeble old neighbor. The latter lost his mind from sorrow and chagrin. Williams and the woman are living in an Arkansas town. His old wife, left alone, is an object of outdoor relief. She is rented out by her county to a hard-hearted farmer who makes her do the washing and the housework for a large family. He and his second wife, a very young woman, grub stumps and cut brush in a nearby clearing. The poor old woman has a son and daughter who live in the neighborhood, but they will not help their mother.

Several instances were found where the husband left shortly before the birth of his first child. A few of the deserted women were embittered or even deranged mentally by their sorrow and suffering. Others, still young, were just beginning the struggle. Sometimes the deserted mother is burdened with an invalid, deformed, or defective child.

Even worse seems the situation of the unmarried mother. It seems especially base for a man to escape all responsibility and disgrace and leave the woman he has deceived to endure the

OUTDOOR RELIEF IN MISSOURI

shame of their wrong and to bear unaided the burden of supporting her child and his, yet under our system such a wrong is often without legal remedy.

Mary Mead lives in a wretched little two-room hovel. The man who seduced her under promise of marriage lives nearby. He is married to a rich girl and is one of the prosperous young farmers of the neighborhood. With Mary are her mother and her little two-year-old boy. They have no furniture for the second room, nor can they afford fuel to heat it. It is cold enough as it is, with the gaping cracks in floors and woodwork, and only an old broken stove for heating; so the front room is heaped with rubbish and a little coal and wood, and the family, which includes also a little sister, lives crowded into a diminutive bedroom with two dirty beds, a table, and the stove, washtub, and boiler, with which latter an effort is made to earn food and fuel. Neighbors and ladies of the churches give old clothes. Almost every month the city sends a little food. The county gives a regular allowance, but no one makes an effort to place the burden of supporting this family on the man who ought to bear it.

It was very plain that in several of the cases the wife's infidelity to her husband was the cause of the desertion, for more than one of the children had been born after the husband's departure. Such mothers are clearly not fit to be allowed to keep children. It is plain also that they should not be supported or partially supported by their counties—as they sometimes are—while they live lives of shame, corrupting their children's morals and transmitting the taint to other generations. If the mother can not be won to a better life, for the sake of her children they should be placed in proper homes.

In most desertion cases, however, it is the man that is at fault. Until quite recently the family described in the following paragraph, the most common type of desertion case, was living in a little railroad town in a prosperous northern county:

Mrs. Dave Davis was recently deserted by her husband. She has eight children, ranging in age from a baby in arms to two boys just old enough to work. The county gives her an allowance. Neighbors help and so does the city. She is just back from a visit to the mayor to ask him for some "backbone and spare-ribs." She says Dave has frequently left her before. In fact, this is the eighth time he has done so. Sometimes he stays away for months or even a year. She says she gave him a

MOTHERS WITH DEPENDENT CHILDREN

"terrible talking to" this time and told him if he did go he need never come back again. Mrs. Davis added, however, that he was scarcely to be blamed, because when he made excuse to his landlord about paying the rent his landlord had called him a "shiftless dead-beat," and she said, "no man of spirit would stand that."

These men should be taken in hand by the law. The fugitive should be brought back from Arkansas or even from more distant states. Sentence should be imposed and he should later be permitted to enjoy the freedom of parole only upon condition of steady work and the payment each month to the court of a certain sum to be applied to his family's support.

XVI

COUNTY AID TO NEGROES.

ONE of the first questions suggested with reference to Negroes in their relation to outdoor relief concerns the equal treatment of the races. Are the colored people helped the same as the white, or is there any tendency to refuse aid and to discriminate against them? With the one exception noted in the following paragraph no such discrimination was observed. Every county where Negroes form a considerable element in the population recognizes its obligation to care for the destitute Negro, and the race is represented both in the almshouses and upon the lists of outdoor charges. Information as to color was recorded on the schedules for 355 of the 364 cases in the two groups. In 72 cases, or 20 per cent, the beneficiary was a Negro. The number of Negroes in the state is small, being but 4.8 per cent* of the population. It will be seen, therefore, that the colored man receives his full share of assistance from his county.

The amounts given to Negroes are usually smaller than those paid to white people. This, of course, is due to a recognition of the very much lower standard of living which prevails among Negroes as a class. The Negroes also have the proverbial ability to "get along somehow." It is often a mystery how they live at all.

Invalids and those suffering from special afflictions, such as blindness or lameness, are not permitted to starve, but there were wretchedness and extreme poverty. There seemed to be among the Negroes an undue amount of blindness. Tuberculosis, rheumatism, stomach trouble, nervousness, and mental diseases were very common, as were also venereal diseases. Scrofula seemed to be an especial affliction. A large number of injured, deformed, or abnormal people was observed among the Negroes receiving aid. Many of those assisted, however, are very industrious and the aid given is a recognition of that fact.

*Thirteenth United States Census, 1910. Abstract, p. 86.

COUNTY AID TO NEGROES

Charles Harrison was a deformed Negro, past middle life, and without living relatives. His limbs were twisted with rheumatism and his body bowed almost to the ground. It was with great difficulty that he could lift up his face to see one with whom he talked. One shoulder was broken and depressed, and one arm so bent and twisted that it was almost useless. Yet he was nearly self-supporting. He was a man of good manners, clear and ready intelligence, and a most admirable spirit. He prided himself on avoiding bad habits and enjoyed the respect of all people, white and black. He worked all the time in summer, mowing and tending lawns, and would not ask nor receive a cent for aid while he could work. When winter and bad weather came, making his rheumatism worse, he could be seen painfully climbing the court house steps to tell the clerk of his necessity.

Some of the women aided are especially industrious and are model housekeepers. Some work so successfully that they seem capable of self-support, notwithstanding extreme age or the infirmities of which they complain.

The occupations of poor colored people are not very different from those of white people of the dependent class. The Negro is generally untrained for any skilled occupation and without special work. It is the Negroes with the least skill of all, however, who, like the untrained white men, swell the ranks of public dependents. One class of Negro unfortunates is especially neglected—the mental defectives. Frequently this neglect is shameful. Sometimes they are harmless young fellows who are merely objects of ridicule for the boys of the community.

George White was so deficient mentally that he was unable to give his name or his age, although he was a man of about thirty or forty years. His face was covered with an unkempt beard. He lived with his mother, a very old woman, in a little room with a slanting roof too low to allow one to stand erect. There was no floor. They slept on the ground. He was too foolish to work or to know the value of money, and he was, therefore, dependent upon his aged and feeble mother. His father had been a county charge, buried at county expense, as were also a brother and other relatives. All were reported to be "somewhat queer"; perhaps they were feeble-minded. George was much afraid of dogs, and the village children thought it great sport to scare him in order to see him run.

Berton Reed lived in a mining district: He suffered from delusional insanity and furnished great amusement to the boys as well as to older

OUTDOOR RELIEF IN MISSOURI

people. Among his queer conceits was the notion that he was the director of all the circuses of the United States. He often dictated letters about their management to one of his white friends. The boys teased him and finally injured him so severely that he was without the use of one foot.

The condition of feeble-minded Negro girls is more serious. It is impossible to describe their fate. The state has made no special provision for them, and they are not wanted where white people are kept. Only two of the four asylums for the insane will receive colored patients, and other feeble-minded and actively insane Negroes must be cared for in the county almshouses. Very many more are at large than in institutions of any kind.

Unwarranted discriminations in dealing with Negro dependents are even more noticeable than in the county dealings with white people.

An old Negress lived with her husband and 10 ablebodied children, all fullgrown young men and women, yet she received the same amount of aid as another whose husband was dead, and who had five young children dependent upon her.

Bertha Blackman was a helpless and apparently friendless old Negress. She was confined to her bed most of the time and was entirely unable to work. Yet she received but \$5.00 per quarter. The people next door, also Negroes, occasionally looked in to see whether she was resting comfortably. She claimed to be without the help of friends and said that with the exception of a feeble-minded grandson, she had but one living relative. The relative referred to was her sister, Rebecca Lashley. The latter, also a county charge, lived in a very neat little cottage provided and furnished by her daughter's employer, a rich and charitable woman who had taken an interest in the family and was practically supporting it. The daughter was a young woman of medium age, with no one dependent upon her but her mother. Both women seemed strong and in good health, though the mother was quite old and very corpulent. Yet Rebecca received the same amount of county aid as her bedridden sister Bertha.

Rastus Monroe was a wellkept colored man who claimed to be suffering from rheumatism, but his neighbors said that he could work if he would. He had a better home than is commonly found among colored people. His daughter lived with him and worked for their support, having no one else dependent upon her. They received aid from the

COUNTY AID TO NEGROES

county until a short time ago, when he was found to have been receiving a United States pension during all these years.

Ben Johnson was considered by his Negro neighbors as unusually fortunate. He was quite influential in politics and considered a prominent citizen. He had the use of 40 acres of land which had been given to him as a life estate by his old master. In addition, he had four ablebodied married sons who lived a few miles away. Yet he received a regular allowance until his death, the amount being as large as that given to the most destitute of his race.

From the foregoing it is clear that among the Negroes, as well as among the white people, some are neglected while others are especially favored. Not only is pauperism encouraged but many point with pride to their county allowance, or even boast that more has been done for them than for any of their neighbors.

XVII

IGNORANCE AND INEFFICIENCY

IN the study of the extent to which the dependency examined could be charged up to ignorance, facts were tabulated concerning the education or the illiteracy of the 199 cases in the second group.

It was recognized, of course, that many people would claim to have had some education who were really unable to read or write. There is some feeling of shame in a confession of illiteracy even among people who have pride in their infirmities. Those who claim to be able to write are often unable to do more than to sign their names. Those who claimed to be able to read often said they could read "some," or "a little," or "not much." Some claimed to be able to read but not to write; a few said they could read printed letters but not writing. So far as the investigators could learn, however, 70, or 35 per cent, of the 199 beneficiaries in the second group were unable to read and write. Even more discouraging for the future was the considerable amount of illiteracy among the children in these families.

Ignorance and inefficiency are associated. Not only do these people lack the training of the common schools, but very few of them have skill or training in any occupation. The men, whether in town or country districts, are generally common unskilled laborers. In agricultural districts they are mere farm hands or they "just farm round," living possibly upon some almost worthless piece of land which they can use almost rent free. There is then no thought of improvement in methods, certainly not of improvements upon the land. Neither is there any purpose or plan of ever becoming land owners.

While others have been taking up rich public lands which once could be had almost free, and which have later been sold at great advance, the typical candidate for future relief has clung to a 20-acre patch of poor

IGNORANCE AND INEFFICIENCY

land on a hillside owned by the Western Tie and Timber Company. Year after year he has planted it in corn and a little tobacco. Because of the lack of fertilizer the yellow soil has grown thinner each year. The cabin in the clearing has become more and more dilapidated, while an advancing horde of sassafras and alder brush has crept in from every side. After a life of hardship, ignorance, and indolence the old man's strength fails and he and his wife end their days at the county farm, unless kind and influential friends have them enrolled on the list of county pensioners.

In town or city the typical employment is "odd jobs." It is remarkable how many men attempt to make a living thus. If asked what kind of work they do, they reply, "Oh, jest anything." They saw wood, hoe gardens or mow lawns, beat carpets, give the drayman a lift, or do anything that offers. Certain people who have hired them in the past come to know that they are generally available for odd jobs. Not especially strong, frequently indeed weakened by dissipation, they may be called for a short time to some particularly heavy disagreeable labor followed by days of unemployment. With some of them intermittent toil becomes a habit. After a few days of vigorous exertion they must have a period of rest.

John Davis was twenty years of age, without bad habits, conscientious, and ablebodied, but a poor workman, because untrained and without interest in any particular kind of work. He was quite ignorant. His mother had sent him to school, but he "could not learn." He probably worked at his schooling in the same intermittent manner in which he takes hold of all other jobs. His last employer said, "John was very pleased to get a place with me. For two days he worked like 'killing snakes'; the third day he did not come to work until 9 a. m., next day it was 11 a. m. when he appeared, and the following day he did not come at all." His last employer paid him only \$4.00 a week. Asked why he did not pay more to a fullgrown, ablebodied young man, he answered: "It is positively all he is worth. He can't see anything to do. I have to point out each thing or he will saunter around a whole day and not do anything."

The following table, covering both groups studied, shows the occupations at which the male beneficiaries were engaged when work could be had and the number engaged in each occupation:

OUTDOOR RELIEF IN MISSOURI

TABLE 16.—OCCUPATIONS OF THE 150 MALE BENEFICIARIES IN THE 364 CASES SPECIALLY STUDIED

Occupation	Beneficiaries
None	71
Laborer	27
Odd jobs	18
Farmer or farm laborer	14
Trades	9
Miscellaneous	4
Information not available	7
Total	150

In this table as well as in the following one, the individuals without occupation are in most cases unemployable because of old age or physical disability.

What odd jobs mean to the unskilled men, washing means to the women of the same class. The repetition of this, given as the only occupation of needy women, whether sick or well, strong or invalid, becomes truly monotonous. The following table shows the occupations of the women who were receiving aid:

TABLE 17.—OCCUPATIONS OF THE 214 FEMALE BENEFICIARIES IN THE 364 CASES SPECIALLY STUDIED

Occupation	Beneficiaries
None	101
Washing, day's work, etc.	52
Housekeeping or housework	17
Sewing	6
Odd jobs	5
Domestic service	5
Canvassing or peddling	3
Farm work	3
Nursing, or caring for an idiot child	3
Miscellaneous	4
Information not available	15
Total	214

It is evidently true with the women as with the men, that most of them are unskilled. A knowledge of the individuals represented in the above list indicates that those who have an occupa-

IGNORANCE AND INEFFICIENCY

tion which requires some degree of skill or knowledge are also the ones who are in little or no need of relief. For example, the nurses and a telephone operator* are in no need of assistance whatever. Those to whom the wash tub is a necessity, however, are often in most pitiable circumstances.

A woman with a crippled right hand did five washings and three ironings each week, morning and afternoon, because she could not go out to any other work and the children must be fed and clothed and the rent paid.

A very young mother was seen slipping into the house for a few minutes to comfort a two-weeks-old baby and then out again into the cold to work with a wash board and kettle over an open fire.

Two old sisters, sixty-five and seventy-five years of age, live in their bare but prim little cottage on a sloping hillside and continue to put out a washing nearly every day, as they have probably done for forty or fifty years. They can doubtless still earn their own support, but the people of the community so much respect their age and industry that they insist that the county shall pay them a few dollars each week as a reward of merit.

All of the work above referred to is done in the hardest way. The washwomen rely upon tubs and wash boards. Even the farmers do their work without skill and without knowledge of the advantages of modern methods.

The wood choppers and "tie hackers" lead the most wretched existence of all. Receiving compensation not by the day or hour, but by the number of acres of land cleared, or cords of wood cut, or railroad ties hewed out of an oak tree, they are masters of their own time and habits. They therefore chop when the weather is favorable, or when the supply of food and stimulants runs low, and when they feel like resting or seeking diversion they do so. Thus they quickly eat up what they earn and seldom have anything ahead. They must follow the log camps about and go into the rough timbered country where there is chopping to do. Their children can not go to school, their women can not associate with other women and so learn the decencies or refinements of life. They live in temporary shacks or tents and never know a home. Railroad ties are often chopped far away from any rail-

* Included in Table 17 under "Miscellaneous."

OUTDOOR RELIEF IN MISSOURI

road; the woods have been cut over and they must go yet farther to find trees of sufficient size. Sometimes a whole county stretches between the place where the trees are cut and the nearest railroad to which the ties must be hauled. Men and boys drive teams of mules or oxen many miles over wretched roads to deliver a few ties for which they receive from 40 to 60 cents each. Some of the women and children in the camps have never seen a railroad. Men and women of all ages are found who have never ridden on one. The marriage bond rests lightly, desertion is common, and many children are born out of wedlock. The families are large. Swarms of ignorant and roughly dressed children fill the space before the cabin or thrust timid but curious faces through the door and windows. The older girls watch the stranger's approach from some such convenient vantage point as a stump or the top rail of a fence. Upon his nearer approach they run awkwardly to the shelter of the house. Dogs are numerous and ill-natured.

The day of "tie hacking" and wood chopping will soon be over. It is a poor preparation for any other occupation.

Jim Bell was an illiterate man of about thirty-eight years of age. He was the father of a family and had spent his life in logging until the mill work began to fail. He then tried to farm. He related it as a joke that until a year before he did not even know that manure had any value. He had lived all his life in the country and had seen manure rot in piles, but had never heard of renewing the soil by fertilization.

These people are ignorant and rough. The children will grow up nearly as ignorant and as inefficient as their parents. The counties in which they live are very poor, often without any funds for poor farms or for outdoor relief. Some of their poor will die of starvation and hardship; others will drift away to be cared for by the people of more prosperous communities.

XVIII

CRIME AND MORAL DEGENERACY

THE number of criminals among those who are receiving county outdoor relief is probably not so large as it would be were it not for the disposition of those dispensing relief to set up some sort of moral standard, and ask about each applicant, "Is this a 'worthy' case?" In spite of this practice, a large number of moral delinquents were found among those receiving aid. Among 199 beneficiaries in the second group, 12 were intemperate, three had criminal records, 19 were mothers of illegitimate children, and 19 were immoral in other ways. Even more striking is the number of persons of this type who receive aid indirectly through a mother, sister, or other relative whose name appears upon the records.

There were examples of murder, robbery, burglary, theft, arson, rape, adultery, incest, prostitution, embezzlement, and forgery. Gambling and illegal sale of intoxicating liquors were other offenses frequently charged. There were still other cases where one or more sons, still too young to rank as criminals in the modern use of that word, were, nevertheless, serving sentences in the reform school, while the parents, usually widowed mothers, were driven to seek charity for themselves and younger children.

Richard Marshall and wife received county aid, although under the suspicion of regularly stealing the year's supply of coal from cars on a convenient railroad track. They were the parents of a number of worthless children. One daughter was a notorious prostitute. The two younger sons were both under a suspended penitentiary sentence for house-breaking. These worthless young fellows continued to live on the old parents who in turn received a regular allowance from the county. An official of the county which granted the subsidy said of them that they were good for nothing unless it was for "crap shooting" and that "if any one

OUTDOOR RELIEF IN MISSOURI

of them ever did an honest day's work in his life, it was never found out on him."

Eliza Lemm was urged to say why her son, aged nineteen, could not support her and his younger sisters. She said that he was not so helpful as he might be, that he was in fact a "kind of rowdy," but she had not the heart to tell that he had left for parts unknown with two charges of burglary against him.

Amanda Whaley was very old and feeble. She had several relatives willing to keep her, but preferred to live in a little hovel of her own with a disreputable son. He was barely past middle life, but no longer pretended to do any useful labor. He was notorious for drunkenness and disorderly conduct. The records showed that he had served eight years in the penitentiary for burglary and that his brother had also served a term for cutting a man's throat. Other members of the family bore ill reputations or came to untimely ends while engaged in questionable enterprises. The county gave quarterly payments to the mother and she supported her son.

The son of one county pensioner, and the son-in-law of another, were known as the most dangerous men in their communities. They were organizers of crime and leaders of vice of every kind. Their henchmen and their victims were frequently detected and convicted, but they were themselves so crafty and so influential that they continued with impunity their work of corrupting men and boys. Such men obtain county aid for their poor relations and even shift the whole care and responsibility for them upon the public, while they themselves are known to commit desperate and revolting crimes. They do this themselves, sometimes, but more commonly through the low creatures who do their bidding. In at least one instance there was evidence of a close combination between the office of the county clerk, and certain shameless and dangerous families that were in receipt of county aid.

The following are typical of the cases in which intemperance appeared:

Samuel Sullivan was a drayman. He spent all he made and a United States pension besides upon drink and personal indulgence. His wife, partly crippled, did five washings and three ironings each week. She received not a cent from her husband. The county for many years had made up the deficit in the family's expense account through outdoor relief. At an earlier time aid had been extended her by another county

CRIME AND MORAL DEGENERACY

in which she then lived, the allowance being received from the latter under a different name. Two daughters of this woman were prostitutes, and one son, strong, and stylish in dress, was a lazy criminal with records of conviction in Kansas City, in his home county, and elsewhere.

James Monroe Smith, called "Jimrow" Smith, was ablebodied and intelligent enough when sober. His home was the most wretched imaginable. Mrs. Smith, his third wife, was feeble-minded and the mother of seven young children. She was also the wage-earner. In bitter January weather she was compelled to leave the babies at home without fire, food, or proper clothing, while she went out to earn a breakfast at the wash tub. If she gave Smith 15 cents with which to buy meat, he would spend 10 for drink and come back with five cents' worth of liver. His mother once gave him a life estate in 40 acres of land. He spent it all for drink. She would give him no more, so the county helped with a regular amount each quarter. When this was paid in cash, Smith spent it for drink. It was then paid in groceries but he traded the beans and eggs for drink. When church people gave him food he bartered it for drink. When the town marshal took food to the starving family, he drove Smith into the yard and stood watch in the doorway until the children had eaten. Smith's daughter, by an earlier marriage, and his sister were both feeble-minded and unchaste. His brother and his son-in-law are in the penitentiary, the former for murdering his wife while drunk, the latter for stealing horses.

George Kauffman, a white laborer, while drunk went to a Negro church service and afterward followed some Negro girls until their escorts broke his skull with stones. The county then aided him and his large family.

Gus Clark was a wood chopper who habitually drank a strong mixture of alcohol and water. He and his partner used to take a jug of the mixture to the woods with them each day. After his death from softening of the brain, his widow and her four small children lived in an out-building on her father's place and looked to the county for partial support.

Mrs. Salmons lived with her son James, a man forty years old, very strong and quarrelsome. He was the worst drunkard in the town, spending much time in jail and paying several hundred dollars each year in fines. Seventeen entries of fines and jail sentences were observed in a brief search of the town record. This, with the drink bills, largely absorbed his wages, so the county gave outdoor relief.

Elmer Troutman was a monster of dissipation and depravity. In the prime of manhood he had had a 40-acre farm of wornout land worth

OUTDOOR RELIEF IN MISSOURI

about \$20 per acre. He also had a devoted wife and an interesting family of children. Then sudden fortune came. A mining company discovered ore under his land and offered him \$7,500 for it. He received \$3,000 down, to bind the bargain. This he gave to his wife for safekeeping. He then went to the mining office, and when \$4,000 more in gold coin had been counted out, he became excited and shouted, "Boys, it's enough! Divide the rest with the office force." Straightway he sought the company of the worst people. He deserted his wife and family and lived in shameless vice with the lowest women to be found. Drunkenness and lewdness soon used up his money. He murdered a man who objected to his secret visits to his home, and then escaped punishment on a plea of self-defense. Two years later, just before this investigation of his case was made, he died of venereal disease and was buried at the county's expense. His funeral was sensational, both because of the religious fervor and because of the company of lewd women that assembled. His last mistress, suffering from venereal disease, was boarded by the county at the home of an immoral friend to whom the county paid \$3.00 per day. The explanations offered for the unusual expense were official favoritism and the woman's shocking condition.

In some instances whole families were recorded where every one of from five to seven sisters were dissolute characters. These were always poor rural families, and they formed centers of vice for whole communities. The men were generally guilty of crime and drunkenness, and the women unchaste. Examples and detailed description seem unnecessary. Such undesirable citizens can not be allowed to starve, but certainly our county relief ought not to be perverted to the encouragement of their criminal acts.

XIX

HEREDITARY DEPENDENCY

THAT dependents are found to be related is not surprising. We should expect people of similar general stock, home life, and surroundings to gravitate toward a similar condition. It is nevertheless true that a good system of relief should be able to help people to rise above adverse conditions. It is also true that a bad or poorly administered system breaks down independence of spirit and makes dependents of those who would otherwise have been self-supporting. The fundamental question about any system of relief is, does it lift individuals and families out of their dependency or does it tend to perpetuate the condition it seeks to relieve? Missouri is rich in natural wealth and is comparatively a young state. If it has much hereditary dependency this fact would seem to indicate some fault in its methods of charitable work.

The mere fact that several adult members of a family are dependent does not of itself prove the existence of a dependent stock. Not even the fact that different generations are involved can be taken as conclusive. It may be that certain of the persons have been encouraged to ask and obtain aid by the knowledge that near relatives have done so. To follow up such an inquiry satisfactorily it would be necessary to trace carefully the history of as many members of such families as possible and for a considerable period of time. If they could be followed through several generations and through many changes of habitat so as to observe the effect of varying opportunities and different environments, the data would be convincing. The present investigation attempts no such inquiry. The most that has been done has been to make careful observation of present conditions, and to search out the histories of suspected families through records, local tradition, and through correspondence.

OUTDOOR RELIEF IN MISSOURI

Several of the families receiving county outdoor relief in Missouri seem to duplicate the histories of the wellknown Jukes and Ishmaelites in most particulars. They are ignorant and immoral. The men rarely have a regular occupation. They work occasionally at odd jobs but seldom for long at a time. Some of them hunt and fish and frequently disappear from their accustomed haunts during the summer. In winter they reappear in the town or village where they have been accustomed to receive charity. They live wretchedly and suffer, therefore, from many ills. Venereal and other contagious diseases frequently sap their vitality and even impair their intelligence. Many, but not all, are drunken. Often the women as well as the men are victims of this vice. The women also generally use tobacco in a most disgusting way. There is much criminality—especially of a petty kind, such as theft and malicious mischief. There is much marrying and separation, and divorce and remarriage are common. Family relationships are hard to record when each of a dependent pair has been married from four to five times, with numerous offspring from each union. There are also the lowest possible moral standards and much illegitimacy.* The women generally work more steadily and better than the men. They also succeed better in getting charity both from neighbors and from public officials. Some such families have lived long in one county, and their records may be traced through the lists of many generations. Others are found nowhere long, but rove about from county to county. There is much mental deficiency and the average of intelligence is also quite low, but some members of families of this type show quick wit and attractive personality. If such a favored individual is a man he is likely to be convicted of one of the more serious crimes. A pretty woman in such a family is too often tempted to the life of the harlot.

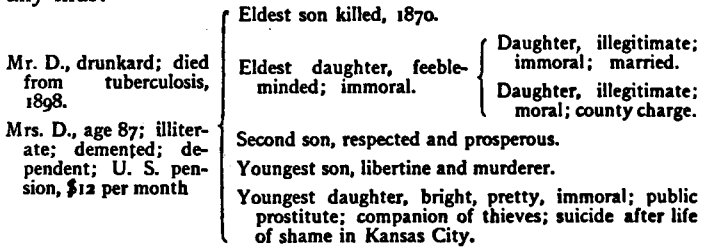
Three generations of a family of this sort are being aided by L—— County. The character of the daughter was sufficiently shown in court in a recent murder trial in which she supplied the motive for the killing. Her mother, frequently married and now deserted, is a county charge and is burdened with the support of children by three marriages. The grandparents also receive regular aid from the county as well as from

* See Section XVIII, Crime and Moral Degeneracy, p. 109.

HEREDITARY DEPENDENCY

the city, as does the daughter herself and several other members of the household. This family first appeared in the county many years ago. They were living in a covered wagon and following a railroad construction gang.

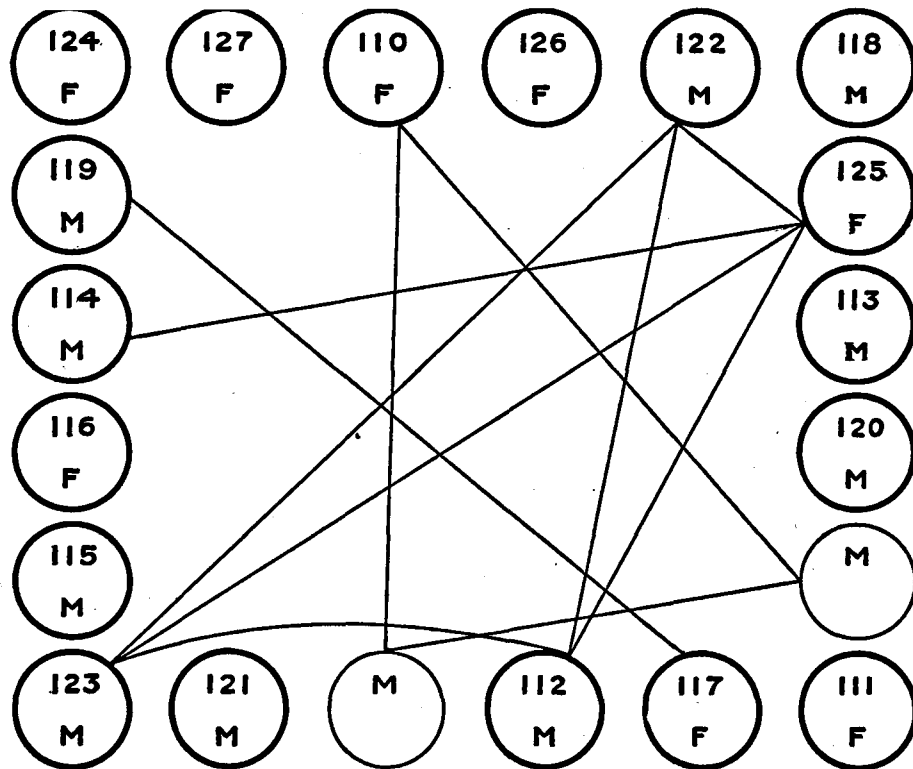
Another family, already referred to, may be shown graphically thus:



There is no way in which the facts regarding such families as these can be statistically demonstrated better than by showing the inter-relationship, in two typical counties, of those who are now beneficiaries of public relief, or who have recently received such assistance. This is best accomplished by means of the accompanying charts.

"County A," shown in the folder, has a population of less than 30,000. Among the 199 cases most recently studied, 103 were from this county. Forty-one of these 103 cases, or 40 per cent, are included because they proved to have relatives, who, though not receiving public aid at the time of the study, had received it within recent years. These cases are represented in the diagram by heavy circles, the numbers in the circles being case numbers. The 22 relatives who had been dependents in recent years are represented in the diagram by light circles. Cases receiving county outdoor relief, but with no record of relatives who had had public aid, are, of course, not included. The diagram thus covers 63 inter-related cases dependent on public charity either at the time of the study or in recent years.

For the second diagram (page 116), a much less populous county, "County B," was chosen so that the whole list of those given outdoor relief from any known source might be shown. This county is large but has few inhabitants. It is rough and



INTER-RELATIONSHIP AMONG THE TOTAL NUMBER OF CASES IN RECEIPT OF OUTDOOR RELIEF FROM ANY SOURCE, IN "COUNTY B" AT THE TIME OF INVESTIGATION

Heavy circles represent cases receiving outdoor relief from the county. The numbers are "case numbers"

Light circles represent cases receiving aid from a private agency

Lines show relationship

M signifies "male"; F signifies "female"

HEREDITARY DEPENDENCY

the conditions of life are primitive. There is no almshouse. The number found to be in receipt of outdoor aid was but 20. Of these the county cared for 18 and a village charitable society gave aid to two. Of the 20 aided 10 were found to bear relationship to others in the little group.

In investigating the 199 cases in the second group, special attention was given to the question of relationship, but as 10 different counties were included and as these were often far apart, it was difficult always to trace the relationship of those receiving aid. The 199 beneficiaries can, however, be divided into three classes, 95 where relationship to other present or recent dependents was established, 90 whose relations were fairly well ascertained and were none of them known to have been public charges, and 14 about whose past history and relationships nothing definite could be learned. Three of this latter class were feeble-minded and two were old, single men of foreign birth, none of whose relatives had ever lived in America. If these 14 beneficiaries in regard to whose relationships information was lacking be divided equally between the other two classes, the number where dependent relationship was established becomes 102, or over one-half of the total.

Some of this dependency is undoubtedly merely the result of example or suggestion. But if the lax administration of poor relief in Missouri is teaching and encouraging its less self-respecting people to depend upon public bounty rather than upon their own efforts, it constitutes a serious and important social question worthy of the most careful study. If, moreover, as seems highly probable in the light of facts revealed by this investigation, this influence has gone on for generations and in all parts of the state until we have fostered a large dependent stock, shameless as it is inefficient, it certainly constitutes the gravest possible kind of problem for solution.

SUMMARY AND CONCLUSIONS

PAUPERIZATION is probably the most serious evil revealed in the preceding pages. Brothers are encouraged to ask aid because sisters had it; grandparent, father, and son look to the same source for aid after misspent or unthrifty lives. Children who could support parents see no need to make the extra effort when others are relieved of similar burdens. Husbands, weary of the ceaseless round of steady work, seek relief in desertion, knowing that the family will be cared for by the public and that they may return without fear of punishment after the burden is lighter or conditions are more favorable. One local politician insists that his friends must be provided for if other men's are. Each village feels that some of its poorer members should have a share of the county money of which others get so much and for which all are taxed. Every citizen sees many who, he is confident, are more needy than certain others of whom he has heard who have county aid. And, strange to say, those who receive this aid too often think of it as something of an honor or distinction. They are pensioners like the veterans of our wars. The very fact that a county pension has been granted seems to put the recipient into the class which old-time philanthropy called "the worthy poor," and is a proof that his friends have influence and standing in the community. Once upon the list of county beneficiaries, the chances are that no more questions will be asked and the benefits may be enjoyed for years. Self-reliance and proper pride are extinguished.

Worse probably than these positive evils is the almost universal failure of officials to take steps toward the rehabilitation of the families taken under care. Such families or individuals are usually abnormal in more respects than that they lack enough money to live decently. To restore them to their own normal con-

SUMMARY AND CONCLUSIONS

ditions, or, if this is not possible, to arrange for their proper care as more or less permanent dependents—this is a task in social diagnosis and treatment which is as important and requires as much painstaking effort as the corresponding tasks in the medical field. Measured by this ideal, county outdoor relief can receive little but condemnation.

What can be done to bring about better conditions? Many of those who apply for relief are, of course, beyond rehabilitation before they come under care. For such people relief will always be necessary. Adequate public or other assistance must be provided. The assistance now given is often very inadequate, but the preceding pages have shown that this is probably the least of the evils to be charged against Missouri's present system. In planning to overcome these evils the state can not with safety adopt in their entirety laws worked out to meet conditions in other states. It can learn much from other states where relief work has been more successful, but first of all there must be a careful study of conditions.

The first step looking to this end is a better system of records. The State Board of Charities and Corrections should be given legal authority to require uniform county records. The blanks used should be modeled upon the best that are now in use in other states, in public offices, and in charity organization societies. These should show the correct names of all persons aided, with their ages, physical condition, business or occupation, family relationship, previous residences, nativity, and so forth. Aid given in other counties and by other agencies should also be recorded. Such a record should be filled out for each poor person before any regular aid is given, and from that time on the amounts of all money paid and the assistance of whatever kind rendered and the dates of such assistance should be recorded for each case, together with a summary of all facts learned which are germane to a proper treatment of the person or family. It was impossible in 1910 to obtain such reports. Only 18 of the 114 counties then kept a special relief record book.* Often not even the names of those helped were recorded, nor had the county officials the means of

* Report of State Board of Charities and Corrections, 1909-10, pp. 194 ff.

OUTDOOR RELIEF IN MISSOURI

knowing the full amount of money paid, or to whom it had been given.

From the county records reports should be made to the State Board of Charities and Corrections. The present Missouri statute requires counties to report to the state auditor, but no penalty is provided for their failure to do so and it has never been possible for the state board to get even incomplete reports from all the counties. Each report published by the state shows a considerable number of counties that refuse or neglect to reply to questions asked, and many of those that do reply merely estimate or guess at the number of their cases.*

Uniform records and reports, however, are not enough. In regard to all who receive public aid in their homes it is fundamental that there be not only a thorough inquiry into the circumstances, when a case of need first arises, and a suitable plan of action adopted, but also that there be that continued supervision or family care which is the most important part of such work when undertaken by modern private agencies for organizing charity. Because of the lack of this, the amount now given in outdoor relief is often wasted and the steps are neglected which aim at family rehabilitation. Some are known to use their county money for gambling, drinking, or other vicious purposes. Still others are simply unable to make judicious use of it and so permit it to slip unwisely through their fingers. In other instances, money is given when medical aid is needed. A surgical operation or hospital treatment, it may be, would obviate the difficulty and prevent a long-continued expenditure for outdoor relief. With still others, training or direction is needed to enable them to help themselves.

The judges can not perform these important functions. The plan of using a county physician or physicians for the purpose has already had some development and might be adapted

* An act passed in 1913 (since the above was written) contains the following requirement:

"All public officials who grant, during any calendar year, \$10 or more for the relief of the poor in any other way than in a public almshouse or hospital or state institution, shall make an annual statement to the State Board of Charities and Corrections, between the first and 15th day of January, in detail, regarding each individual so relieved, and the amount of relief given personally or as a lump substitute to an institution or association, on forms furnished by the board."

SUMMARY AND CONCLUSIONS

to the needs of the smaller counties, dependent, of course, upon the avoidance of political control and the possibility of obtaining character, social experience, and professional ability in the physician, and a salary sufficient to allow adequate time to be given to the work. Where efficient and well managed charitable societies exist, the county should act in co-operation with them. In any event, the larger counties should have at least one trained worker to make visits to all beneficiaries and introduce the methods of modern organized charity. Any and all of these plans could be aided by the formation of boards of county visitors, such as the present law authorizes and the secretary of the state board has already developed to some extent.

The official responsible for this supervision should visit in their homes all families in receipt of county money at least once a year and more often if possible. He should then report in writing to the court. He should describe their physical condition as well as their financial condition—whether there are relatives who could be induced to aid them (or are legally bound to aid them)—and all other pertinent facts which can be learned from investigation. Help should never be given for more than a year without a second investigation. Changed conditions would thus be soon known and longstanding abuses, such as are found under the present system, could be avoided. As a means for arousing public interest, full reports should be published from time to time by the county officials so that all citizens might know not merely the amounts expended but also the policy and methods of the relief officers. The information so obtained would lay the foundation for an intelligent study of conditions. The facts ascertained should be given the widest publicity through the press and through conferences of social workers. The effect would be instantaneous in clearing away the worst cases of abuse and neglect which now disgrace our administration of relief.

The work of rehabilitation can never be brought to a successful conclusion without a wise co-operation among all the public and private charitable agencies of the state, not only with each other but also with the corresponding agencies in other states. This can be accomplished through the efforts of a strong and progressive state board of charities. The existing board, if

OUTDOOR RELIEF IN MISSOURI

armed with ample authority to require reports, and equipped with the necessary funds, would be enabled to do a work for Missouri similar to that accomplished by the state board in Indiana. The very fact that the latter board is without administrative authority makes it a disinterested critic of the work of all the officers of the state and lends weight and dignity to its recommendations, while the members give their attention, not to details of administration but to plans of coördination among charitable agencies and to the work of social reconstruction.

There are differences of opinion as to the extent to which the "almshouse test" should be applied in connection with the giving of outdoor relief. Few, however, will deny that those who are helpless or nearly so and have no friends or relatives with homes into which they can be received, are better off in a well ordered almshouse than in the homes that they could maintain. For the lack of such institutions, however, our counties have frequently chosen what seems to them to be the lesser evil and have given relief in their homes to people of this class.

Two sisters, eighty and ninety years old, one deaf and the other nearly blind, were too weak and ill to carry their wood into the house after it was cut and split and placed by the door. Another old lady who had been receiving outdoor relief for a score of years was too weak to rise from her chair to attend to her fire.

These and others like them would plainly be better off in an institution, and humanity demands that provision of this sort be made for them.

Finally, the serious situation which Missouri faces today because of the neglect of so large a proportion of its feeble-minded population can never be adequately met until the public opinion of the state shall demand of its law makers that special custodial care be provided for these unfortunates, at least for all females of childbearing age. To this end a system of county or district asylums, on the cottage plan, is recommended. When these have been provided, appropriate institutional care should be made the preferred, and, as far as possible, the only form of county assistance for persons of this class.

APPENDICES

**APPENDIX III
SCHEDULE USED IN INVESTIGATING 199 CASES IN 1909-1910**

NAME		ADDRESS				COUNTY				DATE	NO.
Names	Age	Nativity	Nat'l or Color	Edu.	Mar.	Relig.	Next.	Phys.	Occupation and Employer School and Teacher	Other Homes and Dates	Additional Facts
W. Children											
Relatives	Age	Nativity	Relationship	Name of Husband or Wife			Occupation and Employer	Present Address	Additional Facts		
Paternal											
Maternal											
Relief from	Kind	Dates	Amount	Remarks							

APPENDIX IV

SCHEDULE USED IN TABULATING POOR RELIEF EXPENDITURES FROM THE ANNUAL STATEMENTS OF THE COUNTIES OF MISSOURI, 1898-1907

EXPENDITURES FOR RELIEF FOR POOR PERSONS _____ COUNTY

FOR THE FISCAL YEARS ENDING _____

OUTSIDE THE COUNTY ALMSHOUSE	1898	1899	1900	1901	1902	TOTAL
1. Maintenance						
2. Medical attendance						
3. Burial expense						
4. Total						
IN THE COUNTY ALMSHOUSE						
5. Permanent improvements						
6. Repairs, machinery, stock						
7. Salary, fees, wages, expenses						
8. Transportation						
9. Maintenance						
10. Medical attendance						
11. Burial expenses						
12. Total						
IN A STATE HOSPITAL FOR THE INSANE						
13. Witness Fees						
14. Medical Fees						
15. Transportation						
16. Maintenance						
17. Total						
IN THE SCHOOL FOR DEAF AND DUMB						
18. Transportation						
19. Maintenance						
20. Total						
IN THE SCHOOL FOR THE BLIND						
21. Transportation						
22. Maintenance						
23. Total						
IN THE COLONY FOR THE FEEBLE-MINDED AND EPILEPTIC						
24. Transportation						
IN THE SANATORIUM FOR TUBERCULOSIS						
25. Transportation						
26. Maintenance						
27. Total						
Grand total						

APPENDIX IV—(Continued)

SCHEDULE USED IN TABULATING POOR RELIEF EXPENDITURES FROM THE ANNUAL STATEMENTS OF THE COUNTIES OF MISSOURI, 1898-1907 (Continued)

EXPENDITURES FOR RELIEF OF POOR PERSONS _____ COUNTY
FOR THE FISCAL YEARS ENDING _____

	1903	1904	1905	1906	1907	TOTAL
OUTSIDE THE COUNTY ALMSHOUSE						
1. Maintenance						
2. Medical attendance						
3. Burial expense						
4. Total						
IN THE COUNTY ALMSHOUSE						
5. Permanent improvements						
6. Repairs, machinery, stock						
7. Salary, fees, wages, expenses						
8. Transportation						
9. Maintenance						
10. Medical attendance						
11. Burial expense						
12. Total						
IN A STATE HOSPITAL FOR THE INSANE						
13. Witness fees						
14. Medical fees						
15. Transportation						
16. Maintenance						
17. Total						
IN THE SCHOOL FOR DEAF AND DUMB						
18. Transportation						
19. Maintenance						
20. Total						
IN THE SCHOOL FOR THE BLIND						
21. Transportation						
22. Maintenance						
23. Total						
IN THE COLONY FOR THE FEEBLE-MINDED AND EPILEPTIC						
24. Transportation						
IN THE SANATORIUM FOR TUBERCULOSIS						
25. Transportation						
26. Maintenance						
27. Total						
Grand total						

APPENDIX V

SCHEDULE USED IN TABULATING OUTDOOR RELIEF EXPENDITURES FROM ORIGINAL RECORDS OF 17 COUNTIES IN MISSOURI, 1902 TO 1906 INCLUSIVE

ITEMIZED EXPENDITURES FOR PUBLIC OUTDOOR RELIEF OF
 COUNTY, FOR THE FISCAL YEAR ENDING

Date of Warrant	Payee	Beneficiary	FOR WHAT									
			Fuel	Food	Clothing	Rent	Board Pauper	Medical Aid	Burial Exp.	Not Stated		

130

INDEX

INDEX

- ABANDONMENT.** See *Desertion*
- ADMINISTRATION:** of poor relief by county courts, 43-49; of public outdoor relief in cities, 1; not proper function of State Board, 122
- AGE:** of beneficiaries, comparison with New York figures, 71
- AGED, THE,** 79-83; among 199 cases, 79; neglect of, 84. See also *Cases Cited*
- AIMS AND METHODS OF THE STUDY,** 1-5
- ALMSHOUSE:** as related to problem of outdoor relief, 14-18; need for well-ordered, 122; St. Louis, 10
- ALMSHOUSES:** and care of the aged, 71; and outdoor relief, funds for, 10; children in, 18; conditions in, 16-18; counties without, number and character, 14-15; district, in Wisconsin, 15; expense of, conflicting estimates, 15; feeble-minded in, 18; in Indiana counties, 61; insane in, 17, 18; moral conditions among inmates, 17; report of State Board concerning, 17-18; under lease system, 17
- ALMSHOUSE TEST:** and outdoor relief, 122; use of by county judges, 14
- ANALYSIS OF CASES,** 66-72. See also *Beneficiaries*
- BALTIMORE, MD.:** public outdoor relief abolished in, 1
- BEGGARS:** among county charges, 38
- BENEFICIARIES, COUNTY:** facts as to criminality among sought, 3; female, occupations of, 106; histories traced and homes visited, 2-3; im-
- BENEFICIARIES, COUNTY (continued)**
moral, cases of (see *Cases Cited*); intensive study of 199 cases made, 3-4; male, occupations of, 106; number of cases studied, 3-4; occupations of, 106; visits to, 2-3; well-to-do, 52-53, 55, 56, 57. See also *Cases; Cases Cited*
- BLIND:** industrial opportunities for, 77-78; needs of, 77-78; neglect of, by state, 12. See also *Cases Cited*
- BLINDNESS:** among beneficiaries, 76-78, 100; among Negroes, 100. See also *Cases Cited*
- BOARDING OUT:** as a method of poor relief, 15-16; expenditure for in 17 counties, 31; Missouri State Board opposes, 16
- BONNE TERRE, MO.:** co-operation between county and Provident Association, 41
- BOONEVILLE, MO.:** administration of charities in, 39
- BURIAL:** of county charges, undertakers' profits from, 32-33; relief expenditures for, 29, 31, 32-33
- CASES:** comparison with New York study, 69-72; general analysis of, 66-72; number receiving county outdoor relief, 19; studied by New York Charity Organization Society, 67, 69-72; supervision necessary, 120
- CASES CITED:** aged, feeble and neglected cases, 79-80; aged, neglect of by children, 80-83; aged woman deserted by husband and children, 97; blind girl in almshouse, 77;

INDEX

CASES CITED (*continued*)

blind fathers, injured and helpless, 76-77; blind man "passed on," 35-36; blind sand merchant, 77; blind woodsman, 77; children defrauded by uncle, 48; crime among beneficiaries, 109, 110-112; crippled youth, 75-76; dependent family, typical, 8; deserted mothers, 98, 99; epileptics, 74, 85, 86, 87, 88; extravagance in burial expenses, 33; feeble-minded and deaf girl, deserted, 85; feeble-minded and deformed woman with illegitimate child, 85; feeble-minded and immoral daughter of widow, 85, 87; feeble-minded and immoral families, 88, 89; feeble-minded and immoral sisters, family of, 89-90; feeble-minded couple with idiot child, 89; feeble-minded, epileptic, and immoral daughters of deserted mother, 86; feeble-minded family, three generations defective, 88; feeble-minded sisters, one with illegitimate children, and all county charges, 91; feeble-minded woman "boarded out" in a disreputable house, 90; feeble-minded woman, care of, shirked by "passing on," 34; feeble-minded woman, dependent on half-sister, 85; guardians for beneficiaries, abuses of system, 46-49; hereditary dependency, 114-115; idiot woman supported by aged cousins, 86; ignorance of conditions shown by courts and judges, 50-53, 54, 55-57, 58-59; mental defectives, 85-91; Molly Waters, woman of mystery, 58-59; moral degeneracy among beneficiaries, 109, 110-112; Negro, aged, with feeble-minded son, 86; Negro beneficiaries, discrimination shown, 102-103; Negro beneficiary, immoral and untruthful, 47; Negro, deformed, fine character shown, 101; Negro family, feeble-minded, 89; Negro, fraudulent method of obtaining aid, 53; Negro girl, feeble-minded and deserted, 91; Negro, ignorant of aid granted employer, 48; Negro widow with idiot son, 86; Negroes, mentally defective, 101-102; non-support by able-bodied children, 54, 55; occupations of unskilled

CASES CITED (*continued*)

beneficiaries, 104, 105, 107, 108; records, inadequacy of works in justice, 48-49; towns, support of favored individuals by, 38; transportation ("passing on"), 34, 35, 36; tuberculous and feeble-minded family, 86; tuberculosis contracted and spread, 74; well-to-do beneficiaries, 52-53, 55, 56, 57; widows with dependent children, 95, 96

CASH: objections to giving relief in, 29-30; percentage of relief expenditure in 17 counties, 30

CHARITY: co-operation between public and private, 39-42; municipal, contribution of counties to, 39; private, cities having agencies for, 39, 40, 41; private, contribution of counties to, 39; private, Missouri generous in, 38-39; private, relation to municipal and county relief, 37-42

CHARTS: showing hereditary dependency, 114 (insert), 116

CHILDREN: dependent, care of in Indiana, 61; dependent, neglect of in Missouri, 61; in almshouses, 18

CITIES: abolition of public outdoor relief in, 1

CITY: an agency for public relief, 10. See also *Municipal*

COLOR: of beneficiaries in 364 cases, 66, 67. See also *Negroes*

CONSTRUCTIVE WORK: need for in relief methods, 64, 65

CO-OPERATION: between county and private societies, 121; between public and private charities, 39-42; rehabilitation work requires, 121-122

COUNTIES: contributions to municipal and private charities, 39; contributions to state institutions, 10, 21; Indiana, comparative study of relief methods in, 1, 60-65; Missouri, list of 17 studied, 4; relief records inadequate, 1-2, 48, 52, 119-120; statistics of outdoor relief in, 19-28; vary greatly in per

INDEX

- COUNTIES** (*continued*)
 capita relief, 26; without almshouses, methods of poor relief in, 10; without almshouses, number and character, 14-15
- COUNTRY COMMUNITIES:** public outdoor relief general in, 1
- COUNTY:** and state, share in poor relief, 10-13; expenditure for poor relief, table showing, 11; relation of outdoor relief in, to private and municipal charity, 37-42. See also *Beneficiaries, County*
- COUNTY CLERKS:** duties of, 43; records of studied, 1-2
- COUNTY COURTS:** administration of almshouse and outdoor relief by, 14, 43-49; character of, 43; ignorance of conditions shown by, 50-53, 54, 55-57, 58-59; methods of procedure, 43-45
- COUNTY FARM.** See *Almshouse*
- COUNTY PHYSICIANS.** See *Physicians*
- COUNTY RECORDS.** See *Records*
- COUNTY VISITORS, BOARDS OF:** authorized by state law, 121
- COURT, COUNTY.** See *County Court*
- CRIME:** among beneficiaries or their dependents, 109-112. See also *Cases Cited; Dependency, Hereditary*
- CRIMINALITY:** among beneficiaries, evidence of, 3
- CRIPPLES:** among beneficiaries, 75-76. See also *Cases Cited*
- CUSTODIAL CARE:** of mental defectives, lack of, 92
- DEAF:** among 199 cases, 76
- DEFECTIVES, MENTAL.** See *Mental Defectives*
- DEFECTIVES, PHYSICAL:** among beneficiaries, 73-78. See also *Cases Cited*
- DEGENERACY, MORAL:** among beneficiaries, 109-112. See also *Cases Cited*
- DEPENDENCY, HEREDITARY, 113-117;** charts showing, 114 (insert), 115. See also *Cases Cited*
- DESERTION:** as a cause of dependency, 96-99; encouraged by outdoor relief, 118; law against, unenforced, 97. See also *Cases Cited*
- DEVINE, EDWARD T.:** author of *Misery and Its Causes*, quoted, 67, 69
- DISABILITIES:** as revealing causes of dependency, 67-72; comparison with New York figures, 69-72; in 364 cases, 68, 69; of 27 women with dependent children, 94
- DISEASE:** among beneficiaries, 73-78
- DONIPHAN, Mo.:** private charity in, 40-41
- ELEEMOSYNARY INSTITUTIONS.** See *Institutions*
- EPILEPTICS:** inadequate provision for, 12; neglect of, 84. See also *Cases Cited*
- EXPENDITURES, RELIEF:** decrease in Indiana, 63-64; of counties and state, 11; of counties with and without almshouses, 22-25, 26-27; outdoor, in Missouri counties, 19-28; publicity regarding, in Indiana, 61
- FAMILY REHABILITATION.** See *Rehabilitation*
- "FARMING OUT":** of paupers, 15. See also *Boarding Out*
- FEEBLE-MINDED:** adequate legislation for care urged, 122; inadequate provision for, 12; in almshouses, 18; neglect of, 84; Negro girls, neglect of, 102. See also *Cases Cited; Mental Defectives*
- FEEBLE-MINDEDNESS:** proof of heredity of, 92-93

INDEX

- FOREIGNERS:** small percentage in population of Missouri, 9, 67
- GUARDIANS:** for beneficiaries, defects of system, 45-49; number of counties appointing, 45. See also *Cases Cited*
- HEREDITARY DEPENDENCY.** See *Cases Cited; Dependency, Hereditary*
- HEREDITY:** of feeble-mindedness, proof of, 92-93
- IGNORANCE:** as a cause of dependency, 104-108; of conditions, results of. See *Cases Cited; Courts; Judges*
- ILLITERACY:** among 199 cases, 104
- IMMORALITY:** among beneficiaries. See *Cases Cited; Degeneracy, Moral; Dependency, Hereditary*
- INDIANA:** comparative study of public outdoor relief in, 1, 60-65; generosity in poor relief, 61-62; public institutions in, 61; results of relief reform in, 63-64; township trustees as overseers of the poor, 61-64
- INEFFICIENCY:** as a cause of dependency, 104-108
- INHERITED DEFECTS.** See *Mental Defectives*
- INSANE:** inadequate provision for, 12; in almshouses, 18; neglect of, 12, 84
- INSTITUTIONS:** for special cases, need for urged, 122; state eleemosynary, in Missouri, 10-13; state, influence of politics on administration, 12-13; state, reasons for inadequacy, 12-13
- JOPLIN, Mo.:** lack of co-operation between city and county agencies, 40
- JUDGES, COUNTY:** character and duties of, 44; poor standards of, 50-59; shown to be ignorant of cases, 53-55 (see also *Cases Cited*); unable to supervise cases, 120
- KANSAS CITY, Mo.:** municipal charitable institutions in, 10; public charity in, 39
- LEASE SYSTEM:** almshouses operated under, 17
- LEGISLATION:** against desertion unenforced, 97-99; for care of feeble-minded urged, 122; to strengthen powers of State Board needed, 119-120, 121-122; warning against ill-considered, 119
- MARSHALL, Mo.:** administration of charities in, 39-40; colony for feeble-minded and epileptic, 12
- MASSACHUSETTS:** aid to the blind in, 77
- MCLEAN, FRANCIS H.:** quoted regarding co-operation in relief work, 42
- MEDICAL RELIEF:** expenditures for, 29, 31-32
- MENTAL DEFECTIVES,** 84-93; among beneficiaries, comparison with New York figures, 71; among Negroes, 101, 102; custodial care, urgent need of, 92-93; percentage in 199 cases studied, 84; proof of inherited taint, 92-93; twenty-five cases cited, 85-91. See also *Cases Cited*
- METHODS OF THE STUDY,** 1-5
- MISERY AND ITS CAUSES:** by Edward T. Devine, quoted, 67
- MISSOURI:** as a field for study of outdoor relief, 6-9; county expenditure for poor relief, 11; forms of poor relief in, 10; generous policy of poor relief in, 6; inadequacy of state eleemosynary institutions, 11-13; population, characteristics of, 6, 7, 8-9; records of outdoor relief in 17 counties studied, 1-2; relief work compared with Indiana methods, 60-65; resources and prosperity of, 6-9; results of relief system studied, 1; state expenditure for poor relief, 11; state institutions and the political spoilsmen, 12-13; state institutions, number and equipment, 10-11; state share

INDEX

- MISSOURI (*continued*)
in poor relief, 10-13. See also
State Board of Charities and Correc-
tions
- MONEY. See *Cash*
- MORAL DEGENERACY. See *Cases Cited*;
Degeneracy, Moral
- MOTHERS: with dependent children, as
beneficiaries, 94-99; with depen-
dent children, proportion among
199 cases, 94
- MUNICIPAL: charitable institutions, in
St. Louis and Kansas City, 10;
charity, relation of, to private and
county relief, 37-42. See also
Charity
- NATIVITY: of beneficiaries in 364 cases,
66, 67. See also *Foreigners*
- NEGLECT. See *Non-support*
- NEGROES: among 364 cases studied, 66;
county aid to, 100-103; dependent
and defective, lack of state care for,
12; diseases most prevalent among,
100; no discrimination against in
county relief, 100-103; occupations
of, 101; percentage among 355
cases, 100; percentage in Missouri
population, 6, 100. See also *Cases*
Cited
- NEW YORK CITY: Charity Organiza-
tion Society, study of 5000 cases,
67, 69-72; public outdoor relief
abolished in, 1
- NON-SUPPORT: by husbands or children,
68, 70, 80-83. See also *Cases*
Cited
- OCCUPATIONS: among beneficiaries,
104-108; of 214 female benefi-
ciaries, 106; of 150 male benefi-
ciaries, 106. See also *Cases Cited*
- OFFICIAL IGNORANCE: results of, 50-59.
See also *Cases Cited*
- OHIO: aid to the blind in, 77
- OLD AGE: as a cause of dependency,
71; lack of institutions for aged, 71.
See also *Age; Aged, The*
- OUTDOOR RELIEF, PUBLIC: abolished,
in Baltimore, 1, in New York City,
1, in Philadelphia, 1; abuses of,
118 (see also *Cases Cited*); ad-
ministration of, in cities, 1; alms-
house as a related problem, 14-18;
and family rehabilitation, 118-119;
by county and state, 10-13; classi-
fied by kinds, 29-36; county, rela-
tion of private and municipal
charity to, 37-42; county, statistics
and development of, 19-28; en-
courages desertion, 118; general, in
country communities, 1; in Indiana,
60-65; Missouri system, effects of,
studied, 1; mistake of, in cases of
mental defectives, 84-93; pauper-
izing effect of small dole system, 28;
results of ignorance in dispensing,
50-59; results of reforms in Indiana,
63-64; small amounts of grants,
27-28; social effects in country
communities studied, 1; to mothers
with dependent children, 95-96
- OVERSEERS OF THE POOR: in Indiana
townships, 61-64. See *Township*
Trustees
- "PASSING ON." See *Transportation*
- PAUPERIZATION: a serious evil of out-
door relief, 1, 28, 118
- PENAL INSTITUTIONS. See *Institutions*
- PENNSYLVANIA: aid to the blind in, 77
- PENSIONS: county, inadequacy of, 27
- PHILADELPHIA: public outdoor relief
abolished in, 1
- PHYSICALLY DEFECTIVE, THE. See *De-*
fectives, Physical
- PHYSICIANS, COUNTY: incompetence of,
74-75; need of able, well-paid, 120-
121
- POLITICS: prevent efficient administra-
tion of state institutions, 12-13
- POOR RELIEF: classification of, 29-36;
supervision of, in Indiana, 61. See
also *Outdoor Relief*
- PRIVATE CHARITY. See *Charity*

INDEX

- PRIVATE ORGANIZATIONS: seldom available for county relief problems, 1
- PRIVATE SOCIETIES: co-operation with county needed, 121
- PROSTITUTION. See *Cases Cited; Degeneracy, Moral; Dependency, Hereditary; Immorality*
- PUBLIC CHARITY. See *Charity*
- PUBLIC OUTDOOR RELIEF. See *Outdoor Relief*
- PUBLICITY: importance of, 121
- RECOMMENDATIONS, 119-122
- RECORDS, COUNTY: inadequacy of, 2, 48-49, 52, 63; suggestions for better system, 119-120
- REHABILITATION, FAMILY: neglected by county officials, 118-119; requires co-operation of public and private agencies, 121-122; suggestions regarding, 120
- RELIEF, OUTDOOR. See *Outdoor Relief*
- RELIEF "IN KIND": not always wisest method, 29-31
- REPORT TO STATE BOARD: form adopted in 1913, 131
- ST. JOSEPH, MO.: public charity in, 39
- ST. LOUIS, MO.: municipal almshouse in, 10; public and private charity in, 39
- SCHEDULES USED IN THE INVESTIGATION, 125-130
- SEDALIA, MO.: co-operation between county and city charities, 40
- SENILE. See *Aged, The*
- SEX: of beneficiaries in 364 cases, 66, 67
- SICK, THE, 73-78; neglect of, in county almshouses, 17. See also *Disease*
- SPRINGFIELD, MO.: administration of charities in, 40
- STATE: and county, share in poor relief, 10-13
- STATE BOARD OF CHARITIES AND CORRECTIONS: administration not a function of, 122; form of report adopted in 1913, 131; opposes "boarding out" of paupers, 16; recommendations for increasing powers of, 119-120, 121-122; report on conditions in almshouses, 17-18; statistics on county outdoor relief and almshouse care, 19-20, 22-28; statistics on medical relief, 31-32
- STATISTICAL STUDY: of 17 counties made, 3, 4-5
- SUPERVISION: duties of official responsible for, 121; of cases, to insure relief and prevent waste, 120; of poor relief in Indiana, 61; of poor relief in Missouri, 10-13
- SUPPLEMENTARY AID: to county outdoor relief, 37-38
- "TIE HACKERS." See *Occupations*
- TOWNSHIP TRUSTEES: in Indiana, administer public outdoor relief, 63. See also *Overseers of the Poor*
- TRANSPORTATION: expenditure for in 17 counties, 31, 33; objections to as a relief measure, 33-36. See also *Cases Cited*
- TUBERCULOSIS: among beneficiaries, 74 (see also *Cases Cited*); among Missouri and New York cases, 70-71
- UNDERTAKERS: profit from burials of county charges, 32-33
- WIDOWS: with dependent children, 94-95. See also *Cases Cited; Mothers*
- WIDOWS' PENSIONS, 39
- WISCONSIN: district almshouses in, 15
- WOODCHOPPERS. See *Occupations*

U. S. DEPARTMENT OF LABOR

JAMES J. DAVIS, Secretary

CHILDREN'S BUREAU

GRACE ABBOTT, Chief

THE LEGAL ASPECT OF THE JUVENILE COURT

Monograph prepared for the Children's Bureau

By

BERNARD FLEXNER

and

REUBEN OPPENHEIMER

5

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CONTENTS.

	Para.
Letter of transmittal.....	5
Foreword.....	7
Fundamental principles.....	8
Constitutionality of statutes.....	9
Organization of the court.....	12-14
The court given jurisdiction.....	12
The judge.....	13
The probation officers.....	13
Jurisdiction over minors.....	14-19
Exclusive and concurrent jurisdiction.....	14
Jurisdiction as to age.....	16
Jurisdiction as to classes of cases.....	17
Jurisdiction over adults.....	19
Prócedure.....	21
Legal effect of proceedings.....	25-28
Review by appellate courts.....	25
Use of evidence in other trials.....	26
Effect of proceedings upon status of child.....	27
The future of the court.....	28
Addendum—The Moreland case.....	29
Appendix.....	31-37
Table of cases.....	31
Index.....	39

LETTER OF TRANSMITTAL.

U. S. DEPARTMENT OF LABOR,
CHILDREN'S BUREAU,
Washington, November 22, 1921.

SIR: Herewith I transmit a report on *The Legal Aspect of the Juvenile Court*, by Bernard Flexner and Reuben Oppenheimer, the third of a series of juvenile-court monographs which will supplement the bureau's studies of the courts.

Mr. Flexner is a distinguished lawyer who has brought not only legal skill but also great interest in the care of children to his years of study of the juvenile-court movement. *Juvenile Courts and Probation*, of which he is a joint author, is the standard reference on that subject.

In this monograph the authors have assembled and analyzed the decisions rendered on legal questions raised in connection with the courts up to August 1, 1921, in a way which it is believed will prove of real value to the interested public as well as to professional workers in this field.

It will be observed that throughout the monograph comments are made on the policy of the juvenile court. In order that the monograph might have the greatest practical value the authors found it essential, in the examination of authorities, that consideration be given to questions of policy.

Respectfully submitted.

GRACE ABBOTT, *Chief.*

HON. JAMES J. DAVIS,
Secretary of Labor.

THE LEGAL ASPECT OF THE JUVENILE COURT.

FOREWORD.

The principles underlying juvenile-court legislation are not new. While in some instances these principles have been greatly extended, their source is the common law, the juvenile court being a growth in, rather than a departure from, legal theory.

The conception that the State owes a duty of protection to children that it does not owe to adults was established by the old courts of equity. From the earliest times children have been regarded as the wards of chancery. The crown was *parens patriae* and exercised its prerogative to aid unfortunate minors through the great seal.¹ Generally the chancellor acted only when a property right was involved, but this element went only to the exercise of jurisdiction, not to the jurisdiction itself, as Lord Eldon declared when he took away the children of the Duke of Wellesley because of his profligate conduct.² It was not unusual for the chancellor to concern himself with the religious education of a child; Shelley was deprived of the custody of his children because he declared himself to be an atheist.³ In this country the State has taken the place of the crown, the equity power has been delegated to a specialized court, and this court has been given the means of exercising jurisdiction whenever the interest of the State demands that the court shall intervene to save the child.

Notwithstanding the early recognition by common-law courts that minors occupied a favored position in the law, the duties of parents to their children were enforced by the common law only to a limited extent. The duty of maintenance was perhaps the most generally recognized; a father who neglected to provide for his child and so brought him to the point of starvation was held liable to criminal prosecution,⁴ and a wife deserted by her husband could charge him with the support of their children as well as herself.⁵ The duty of protection found its chief recognition in the rule that there was no legal liability when an assault was committed by a parent to safeguard his child's person. Education, despite the occasional inter-

¹ *In re Spence* (2 Phillips' Ch. Rep., 247).

² *Wellesley v. Wellesley* (2 Russ., 1; 2 Bligh N. S., 124).

³ *Shelley v. Westbrook* (Jac. 266).

⁴ *Friend's case* (Russell and Ryan, 20).

⁵ *Bazeley v. Forder* (L. R. 3 Q. B., 559).

ference of the chancellor in cases where the religious upbringing of children was involved, was a moral rather than a legal duty. A father was entitled to the earnings of his children, and this right, with the right to his children's custody, was enforced far more frequently than the corresponding obligations.

The distinction between children and adults was sharply drawn in criminal cases. Children under 7, at common law, were held incapable of committing a crime. By extending the age limit to 16 or 18 years, juvenile-court legislation, as in the enforcement of the duties of parents and of the State, has merely widened the application of the common-law rule. But in doing so it has, in effect, built a new structure upon the old foundations.

Probation—one of the most important procedural features of the juvenile court, under which a child, instead of being committed to an institution, is kept under the surveillance of the court until it is safe to release him—is an evolution of the common-law method of conditionally suspending a sentence. Sir Walter Raleigh was executed under a sentence pronounced against him 15 years before, after having been put at the head of a fleet and an army in the interim. Early American courts knew the device as "binding to good behavior."⁶ In juvenile-court procedure the harsh connotation has been removed, but the root idea is the same.

While many of the methods used by juvenile courts, and the conception of having a distinct court devoted to the interests of one class, were unknown in the common law, nothing was more familiar to those who practiced before common-law judges than the idea that a certain class of offenders were to be tried by different standards and before different tribunals. "Benefit of clergy" was the refuge of the most powerful class in the community; the juvenile court is the refuge of the most helpless.

FUNDAMENTAL PRINCIPLES.

The basic conceptions which distinguish juvenile courts from other courts can be briefly summarized. Children are to be dealt with separately from adults. Their cases are to be heard at a different time and, preferably, in a different place; they are to be detained in separate buildings, and, if institutional guidance is necessary, they are to be committed to institutions for children. Through its probation officers the court can keep in constant touch with the children who have appeared before it. Taking children from their parents is, when possible, to be avoided; on the other hand, parental obligations are to be enforced. The procedure of the court must be as informal as pos-

⁶ *Estes v. State* (2 Humphreys (Tenn.), 496; *Commonwealth v. Duane*, 1 Binney (Pa.) 98, note).

sible. Its purpose is not to punish but to save. It is to deal with children not as criminals but as persons in whose guidance and welfare the State is peculiarly interested. Save in the cases of adults, its jurisdiction is equitable, not criminal, in nature.

CONSTITUTIONALITY OF STATUTES.

The first point of attack upon juvenile-court statutes was that children were being deprived of due process of law. The constitutionality of a carefully drawn statute is probably no longer open to serious question in any jurisdiction, even though the act provides none of the safeguards designed to protect the accused in a criminal prosecution. That proceedings in the juvenile courts are not criminal in nature is held by the overwhelming weight of authority.⁷

In one or two States this principle is still not recognized,⁸ but the rarity of such decisions shows how generally the purpose of the juvenile court has been established. If juvenile-court laws are not of a criminal nature it follows that they are not unconstitutional because of the informality of the procedure followed under them⁹ or because they deprive children of the right to trial by jury¹⁰ or the

⁷ *Mill v. Brown* (31 Utah, 473; 88 Pac., 609); *In re Sharp* (15 Idaho, 120; 96 Pac., 563); *Lindsay v. Lindsay* (257 Ill., 328; 100 N. E., 892); *Ex parte Ah Peen* (51 Cal., 280); *Reynolds v. Howe* (51 Conn., 472); *Pugh v. Bowden* (54 Fla., 302; 45 So., 499); *Jarrard v. State* (116 Ind., 98; 17 N. E., 912); *Marlowe v. Commonwealth* (142 Ky., 106; 133 S. W., 1137); *State v. Ragan* (125 La., 121; 51 So., 89); *Farnham v. Pierce* (141 Mass., 203; 6 N. E., 830); *Roth v. House of Refuge* (31 Md., 329); *House of Refuge v. Ryan* (37 Ohio St., 197); *State v. Dunn* (53 Ore., 304; 99 Pac., 278; 100 Pac., 258); *Commonwealth v. Fisher* (213 Pa. St., 48; 62 Atl., 198); *Milwaukee Industrial School v. Milwaukee County* (40 Wis., 328); *Ex parte King* (141 Ark., 213; 217 S. W., 465); *Childress v. State* (133 Tenn., 121; 179 S. W., 643); *State v. Burnett* (170 N. C., 735; 102 S. E., 711); *State v. Bryant* (94 Nebr., 754; 144 N. W., 804); *In re Hostford* (107 Kan., 115; 190 Pac., 765); *Ex parte Janussewski* (196 Fed., 123); *U. S. v. Briggs* (206 Fed., 434); *Ex parte Chartrand* (107 Wash., 560; 182 Pac., 610. See 3 L. R. A. (N. S.) 564, note; 18 L. R. A. (N. S.) 886, note; and 45 L. R. A. (N. S.) 908, note. In some of these cases, the act declared that the proceedings were not to be deemed criminal, but, as the court said in *Marlowe v. Commonwealth*, supra, "if they were in fact such, the declaration to the contrary could not have the effect of changing their nature." Some of the early statutes contained provisions inconsistent with the real aim of juvenile-court legislation. In *Robison v. Wayne Circuit Judges* (151 Mich., 315; 115 N. W., 682), for example, the act authorized the court to impose a fine upon delinquent children, and the act was properly held unconstitutional because it provided for a jury of 6 instead of 12. There have been some instances when a court, in its eagerness to uphold juvenile-court legislation, has gone too far. In the case of *Leonard v. Licker* (23 Ohio Cir. Ct., 442), a boy had been committed by the juvenile court to the State reformatory, in which adult criminals were also confined, without a trial by jury. He petitioned for a writ of habeas corpus, but his application was denied on the ground that, although the reformatory was a prison for adults, it was only a place of reformation for children.

⁸ *Ex parte Pruitt* (82 Tex. Cr. Rep., 394; 200 S. W., 392); *State v. Tincher* (258 Mo., 1; 166 S. W., 1028). In the latter case the act included in its scope cases which the State constitution expressly stated were felonies or misdemeanors.

⁹ *In re Ferrier* (103 Ill., 387); *Wilkinson v. Children's Guardians* (158 Ind., 1; 62 N. E., 481); *Ex parte Ah Peen*, supra; *In re Sharp*, supra; *Ex parte Janussewski*, supra; *U. S. v. Briggs*, supra.

¹⁰ *Commonwealth v. Fisher*, supra; *Lindsay v. Lindsay*, supra; *Pugh v. Bowden*, supra; *Marlowe v. Commonwealth*, supra; *Ex parte King*, supra; *Childress v. State*, supra; *In re Sharp*, supra; *In re Brodie* (33 Cal. App., 751; 166 Pac., 605).

right of appeal;¹¹ nor are the laws unconstitutional as imposing unequal penalties¹² or as depriving children of the equal protection of the laws,¹³ or as infringing their right not to be tried except upon presentment or indictment.¹⁴

It is clear that to bind parents, or those persons having legal custody of children, the statutes must give them notice of the proceedings and the right to be heard.¹⁵ But, as Chief Justice Gibson pointed out, the right of parental control is not inalienable.¹⁶ Subject to the above restrictions, it is well settled that it is not a denial of due process to deprive parents of the custody of their children when the welfare of their children is at stake.¹⁷

Closely associated with juvenile-court laws, although jurisdiction is not always given to the juvenile court, are statutes making it a misdemeanor to cause or to contribute to the delinquency or dependency of a child. Carefully drawn laws of this kind have been uniformly upheld.¹⁸

Juvenile-court acts have often been attacked on grounds related to their draftsmanship rather than to their subject matter. Whether or not an act embraces more than one subject¹⁹ is a matter of interpreting provisions of the State constitution which, however narrowly they may be construed, can not defeat skillfully framed juvenile-court legislation. But when a State constitution prohibits the formation of a new court without a constitutional amendment, the effectiveness of juvenile-court proceedings in the State may largely depend upon whether the provision is construed strictly²⁰ or liber-

¹¹ *Marlowe v. Commonwealth*, supra; *Commonwealth v. Yungblut* (159 Ky., 87; 166 S. W., 808); *People v. Piccolo* (275 Ill., 453; 114 N. E., 145); *In re Sharp*, supra.

¹² *People v. Ill. State Reformatory* (148 Ill., 413; 36 N. E., 76); *State v. Phillips* (73 Minn., 77; 75 N. W., 1029); *Ex parte Liddell* (93 Cal., 633; 29 Pac., 251); *In re Sharp*, supra.

¹³ *Commonwealth v. Fisher*, supra; *Robison v. Wayne Circuit Judges*, supra; *Moore v. Williams* (19 Cal. App., 600; 127 Pac., 509); *State v. Cagle* (111 S. C., 548; 96 S. E., 291).

¹⁴ *Childress v. State*, supra.

¹⁵ *Ex parte Becknell* (119 Cal., 496; 51 Pac., 692); *In re Sharp*, supra.

¹⁶ *Ex parte Crouse* (4 Wharton (Pa.), 9).

¹⁷ *Egoff v. Board of Children's Guardians* (170 Ind., 238; 84 N. E., 151); *In re Sharp*, supra; *State v. Burnett*, supra; *Mill v. Brown*, supra; *Ex parte Gutierrez* (Cal. App.) (188 Pac., 1004).

¹⁸ *Commonwealth v. Yungblut*, supra; *People v. de Leon* (35 Cal. App., 467; 170 Pac., 173); *People v. Calkins* (291 Ill., 317; 126 N. E., 200); *State v. Clark* (146 La., 421; 83 So., 696). But see *People v. Budd* (24 Cal. App., 176; 140 Pac., 714), where it was held that the act was unconstitutional because it provided these cases were to be tried in the court which tried other misdemeanors under a different procedure.

¹⁹ In the following cases it was held that the act was not defective in this particular: *Commonwealth v. Fisher*, supra; *In re Maginnis* (162 Cal., 200; 121 Pac., 723); *Robison v. Wayne Circuit Judges*, supra; *In re Powell* (6 Okl. Cr. Rep., 495; 120 Pac., 1022); *State v. Clark*, supra. In the following cases the act was held unconstitutional: *People v. Friederich* (Colo.) (185 Pac., 657); *Lynn v. Bullock* (189 Ky., 604; 225 S. W., 733).

²⁰ *Hunt v. Wayne Circuit Judges* (142 Mich., 93; 105 N. W., 531).

ally.²¹ When the question is whether a juvenile-court act is unconstitutional as local or special, courts are disposed to recognize the fact that different conditions in cities and rural communities call for different treatment and tend to rely upon the general presumption that the legislature has made a reasonable classification.²² But when the provision of a State constitution that taxes are to be uniform is involved it has been held that a disproportionate share of the burden can not be placed upon the cities, on the ground that the care of delinquent and neglected children is the concern of the State and not of the municipality.²³

Decisions are comparatively few regarding the constitutionality of those provisions of the acts which deal with the relation between the juvenile court and the probation officers. Not only have provisions giving juvenile courts power to appoint probation officers been held constitutional,²⁴ but it has been held that an act giving a board of county commissioners the power of appointment is unconstitutional, because it interferes with judicial functions.²⁵

A most important recent decision in which the constitutionality of a juvenile-court law is considered is the New Jersey case of *Kozler v. N. Y. Telephone Co.*,²⁶ in which was upheld the constitutionality of an act providing that the conviction of juvenile delinquents should not be admissible in other proceedings, except during probation or during two years after discharge. Justice Swayze, who delivered the opinion of the court, said:

Clearly the legislature, in creating a new tribunal like the court for the trial of juvenile offenders, may prescribe what record it shall keep, or whether it shall keep any record at all. * * * We see no reason why the legislature may not enact that it is against public policy to hold over a young person in terrorem, perhaps for life, a conviction for some youthful transgression.

No doubt exists as to the constitutional power of a legislature to exclude certain kinds of proof in the determination of an issue of fact, when there is a reasonable justification for the exclusion—as when it makes communications between doctors and patients privi-

²¹ *State v. Bryant*, supra; *Marlowe v. Commonwealth*, supra; *Lindsay v. Lindsay*, supra; *Board of County Commissioners v. Savage* (63 Fla., 337; 58 So., 835). See *Mill v. Brown*, supra (power to create a new court). In the following cases it was held that the proper court was given jurisdiction over children's cases: *State v. Isenhuth* (34 S. D., 218; 148 N. W., 9); *Ex parte Grimes* (Tex. Civ. App.) (216 S. W., 251); *In re Gossaway* (70 Kan., 695; 79 Pac., 113).

²² *In re Sing* (13 Cal. App., 736; 110 Pac., 698); *Ex parte Loving* (178 Mo., 194; 77 S. W., 508); *Mill v. Brown*, supra. But see *Lynn v. Bullock*, supra.

²³ *Campbell County v. City of Newport* (174 Ky., 712; 193 S. W., 1).

²⁴ *Nicholl v. Koster* (157 Cal., 416; 108 Pac., 302); *State v. Monongalia County Ct.* (82 W. Va., 564; 96 S. E., 966). See *People v. C. B. & Q. R. R. Co.* (273 Ill., 110, 112; N. E., 278), where it was held that the salaries of juvenile probation officers could not be provided for by a tax levied to pay the salaries of county officers.

²⁵ *Witter v. Cook County Commissioners* (256 Ill., 616; 100 N. E., 148).

²⁶ (N. J. L.), 108 Atl., 875.

leged. Moreover, a statute such as the New Jersey one is in the nature of a statute of limitations, prohibiting, after a certain period, proof of a judgment instead of proof of a debt. But even apart from this feature, a State has the right to grant amnesty to those who offend against its laws, and to determine what the conditions and privileges of such an amnesty are to be.

ORGANIZATION OF THE COURT.

THE COURT GIVEN JURISDICTION.

In about a dozen States special juvenile courts are created for the larger cities or counties.²⁷ There are also, in response to a movement which is slowly but steadily gaining, a few courts of domestic relations in which the problems of children are considered in conjunction with the problems of the family. Often, where there is not enough work to justify the formation of a separate court, the juvenile judge can satisfactorily hear children's cases as part of another court.

In most of the States jurisdiction over children's cases has been vested in courts already existing. Such courts, when hearing children's cases, are generally called juvenile courts or children's courts.²⁸ In territories not thickly populated the county or district courts are given jurisdiction. In more crowded areas jurisdiction is generally given to courts which carry on certain branches of the general judicial work only, and so, to some extent, are already specialized.

In 10 or 12 States juvenile-court cases are heard by police judges or justices of the peace. Effective work can rarely be done under such circumstances. The training of police judges and magistrates does not, as a rule, equip them to deal with children's cases, and, in any event, juvenile-court work should be carried on by a court of record. Provisions such as these are a survival of the idea that children's cases can be treated merely as breaches of peace.

A few States disregard the purpose of the juvenile-court movement so far as to give jurisdiction over children's cases to criminal courts.

Under many laws a single judge is designated to hear children's cases. Other statutes provide for the selection, by the judges to whom jurisdiction is given, of one of their number to hear all juvenile cases. Under these laws there is, in effect, a separate court.

Wherever several judges are directed or permitted to choose one of their number to hear children's cases it is highly important that

²⁷ For a summary of the recent statutes dealing with juvenile courts see "A Summary of Juvenile-Court Legislation in the United States," Children's Bureau, Publication No. 70, Washington, 1920.

²⁸ But it has been held that, if jurisdiction over juvenile cases is given by statute to county courts, it is error in an appeal to say the appeal is from a juvenile court. In re Johnson (Wis.) (181 N. W., 741).

he be allowed to sit for a long period of time. In some States a rotating system, whereby one judge after another hears juvenile cases, is still in effect. Such a system does not permit the specialization which is necessary to the best juvenile work. The objection to this method of assignment is met in certain States by making the period of service of each judge one or two years.

THE JUDGE.

The qualifications of the judge who hears juvenile cases have more to do with the success or failure of the work than any other single element. It is desirable that he be a lawyer, with a lawyer's realization of the rights of the individual; he should be in deep sympathy with the principles underlying juvenile-court laws, should have the ability to put himself in the child's place, and, most important of all, his personality should be such as to win the confidence of the child.

Where the judge hearing juvenile cases has other duties it is important that he be allowed sufficient time from his other work to keep in touch with the administrative side of the juvenile work and with the work of the probation officers. Unless the statute provides that the judge is to hear juvenile cases only, how much time the designated judge is to give to such cases is a matter for the court's own decision.

The methods of selection and the prescribed qualifications of those judges who are to sit in the juvenile court vary greatly. In some States the juvenile-court judges are appointed by the governor; in others by the mayor or city council; in some States they are elected by popular vote. In certain States any resident is eligible; in others the candidate must be a lawyer, and certain statutes prescribe qualifications which look to the fitness of the judge for the delicate work he will have to perform.

A few States make provision for the appointment by the judge of referees. These referees hear cases sent to them by the judge and make disposition of them subject to the court's approval. Referees are particularly useful in the court's work with girls, and a few statutes specifically provide for the appointment of a woman to hear girls' cases.

THE PROBATION OFFICERS.

Probation is a judicial guardianship, an intimate, personal relation which deals with all the factors of a child's life. This work is so important that it has been found necessary to have special officers giving their whole time to it.

In the great majority of jurisdictions probation officers are appointed by the court. Even though the statute makes no provision for a merit system the appointing agency can, and often does, formu-

late rules as to eligibility. In several States the appointment must be approved by some State board or committee.²⁹

The advisability of having women probation officers to handle girls' cases particularly is clearly recognized, and in most courts women have been appointed. Were it not for a decision that, under a State constitution which provided that only electors were eligible for office, a woman was ineligible to serve as probation officer,³⁰ the right of the court in any State to have women assistants would seem to be beyond question. At common law a woman could be appointed keeper of a prison,³¹ or governess of a workhouse.³² Under modern constitutions the right of women to be clerks of court has been sustained,³³ and it has been expressly held by West Virginia that women can be probation officers.³⁴ In States where the right to hold office is given to all electors the nineteenth amendment has made the question an academic one. In States which do not have such a provision it is to be hoped that, if the question arises, the West Virginia decision will be followed.

JURISDICTION OVER MINORS.

EXCLUSIVE AND CONCURRENT JURISDICTION.

In almost every State the juvenile court is faced with problems concerning its relation with other courts in the judicial system, both criminal and civil. A carefully drawn statute can do much to obviate these difficulties, but a great deal depends upon whether the courts of last resort really understand the purpose of the juvenile laws.

Some statutes provide in unmistakably clear language that the juvenile court shall have exclusive jurisdiction over all offenses committed by children under a certain age. Under such a statute even failure of the child to raise the question of age during his trial in the criminal court is not enough to sustain a conviction.³⁵ But one court refused to grant a writ of habeas corpus where the statute provided a case should be certified to the juvenile court upon proof that the accused was under 18, and a justice of the peace refused to hear testimony upon the question of age.³⁶

²⁹ In the case of *Buffington v. State* (52 Okl., 105; 152 Pac., 853), it was held that mandamus lay to compel a board of county commissioners to pass upon the eligibility of a probation officer appointed by the court, and that the only question the board could decide was whether the appointee was a discreet person and of good character.

³⁰ *Reed v. Hammond* (18 Cal. App., 442; 123 Pac., 346).

³¹ *Rex v. Lady Braughton* (3 Keb., 32).

³² *Anon.* (3 Salk, 2).

³³ *Warwick v. State* 25 Ohio St., 21; *Gilliland v. Whittle* (33 Okl., 708; 127 Pac., 698). See notes on the eligibility of women for public office in 24 Harv. L. Rev. 139, and 33 Harv. L. Rev. 295.

³⁴ *State v. Monongalia County Court*, supra.

³⁵ *Mattingly v. Commonwealth* (171 Ky., 222; 188 S. W., 370); *State v. Griffin* (7 Tenn. Civ. App., 230).

³⁶ *In re Northon* (35 Cal. App., 869; 169 Pac., 1051).

Sometimes the statute provides that when children under a certain age come before a criminal court the proceedings are to be suspended until the juvenile court decides whether or not the case is one in which it should take jurisdiction. Under such statutes it follows that children can be tried in the criminal court when the juvenile judge declines to hear the case.³⁷

In some States the statute provides that in a criminal prosecution the accused may file an affidavit that he is under a certain age, and the proceedings must then be suspended until the question of age has been determined. Under such acts decisions have been rendered that a failure to bring up the question of age in the criminal proceedings validates a conviction.³⁸ This has been held even where the statute expressly provided that no children under the age limit could be prosecuted for crime until the matter had been submitted to the juvenile court.³⁹ These cases consider the juvenile-court laws as though they were designed only to give the accused the advantage of another technicality; the interest of the State, in not having children tried as criminals, is entirely disregarded.

A Texas court has held that a conviction by a criminal court is to be sustained if the boy was over the age limit at the time he was tried, even though he was under it when he committed the offense.⁴⁰ And the same court has gone a step further. A boy was indicted and convicted before he was 17; this conviction was reversed because the juvenile court was held to have had jurisdiction. The criminal court waited until the boy passed the age limit and then tried him again—and this time the conviction was sustained.⁴¹

In refreshing contrast to such decisions is a Tennessee case in which a boy, when convicted in criminal proceedings, was under the age limit but had passed it by the time the conviction came up for review. The court held that the juvenile court, in the eyes of the law, had vicarious jurisdiction over the boy while he was being erroneously tried as a criminal, and in the same judgment in which the conviction was reversed the boy was given to the custody of the juvenile court.⁴²

The criminal court is not the only court with whose jurisdiction that of the juvenile court conflicts. It has been held that the institution of divorce proceedings does not oust the juvenile court of jurisdiction over a child whose custody the litigants in the divorce suit

³⁷ *People v. Wolf* (Cal.) (190 Pac., 22; 192 Pac., 83).

³⁸ *Slade v. State* (85 Tex. Cr. Rep., 358; 212 S. W., 661); *People v. Ornam*, (170 Cal., 211; 149 Pac., 165).

³⁹ *People v. Ornam*, *supra*.

⁴⁰ *Stracner v. State* (86 Tex. Cr. Rep., 89; 215 S. W., 305).

⁴¹ *McLaren v. State* (85 Tex. Cr. Rep., 31; 209 S. W., 669).

⁴² *Same v. State* (133 Tenn., 188; 180 S. W., 173).

are disputing,⁴³ and that the juvenile court can take jurisdiction over a child even though divorce proceedings have already been instituted.⁴⁴ As the California court said, "The mere fact that a litigation is pending between the parents, and that an order regarding the custody of the children has been made therein, does not take away the power of the State, nor prevent the exercise of that power under the juvenile-court law." Cases such as these, however, point to the desirability of having all matters affecting the family heard in a single court.

A juvenile court which has taken jurisdiction over a child can not be deprived of jurisdiction by another juvenile court, even though the latter has all the parties concerned before it.⁴⁵ It has been held that when a juvenile court has committed a child to an institution, a writ of prohibition lies to prevent another court of no greater powers from considering a petition of the parent to have the child restored.⁴⁶ But a juvenile-court law does not of itself deprive courts of equity of jurisdiction over a case in which rival claimants are contesting the custody of a child, when the juvenile court has taken no action in the matter.⁴⁷

JURISDICTION AS TO AGE.

In approximately one-third of the States the jurisdiction of the juvenile court extends to children under 16 years of age; in one-third, to children under 17; and in the remaining third, to children under 18 and above. The tendency of the more recent statutes is to make the age limit higher. In California the court has exclusive jurisdiction to 18 and concurrent jurisdiction to 21. In most States the age limit is the same for boys and girls, but in a few a distinction is made.

Decisions that the juvenile court has not jurisdiction over children brought into the criminal court after they have reached the age limit, although the offense was committed before,⁴⁸ point to the need of expressly providing in the statutes that the juvenile court is to have exclusive jurisdiction over all cases involving offenses committed by children when under a certain age, as well as exclusive jurisdiction over the persons of all children under that age.

⁴³ *Brana v. Brana* (139 La., 306; 71 So., 519); *Children's Home v. Fetter* (90 Ohio St., 110; 106 N. E., 761).

⁴⁴ *Dupes v. Superior Court* (176 Cal., 440; 168 Pac., 888); *Spade v. State* (44 Ind. App., 529; 89 N. E., 604); *In re Hosford*, supra; *State v. McCloskey* (136 La., 739; 67 So., 813). Contra, *Cleveland Orphan Protestant Asylum v. Soule* (5 Ohio App., 67). See note appended to *In re Hosford*, supra (11 A. L. R., 147), on the conflict of jurisdiction under juvenile-court legislation.

⁴⁵ *Ex parte Bowers* (78 Ore., 390; 153 Pac., 412).

⁴⁶ *Children's Home v. Kelley* (32 S. D., 526; 143 N. W., 953).

⁴⁷ *McDaniel v. Youngblood* (Ala.) (77 So., 674).

⁴⁸ See notes 40 and 41, supra.

An interesting question arises when a girl under the age limit is married. The statutes generally apply in terms to minor children, and there are often other statutes in the jurisdiction providing that females married to persons of full age shall be taken to be of full age. Despite such a provision it has been held that a juvenile court has jurisdiction over a girl who was married when under age, when her marriage was afterwards annulled,⁴⁹ and the commitment of a married woman who was under the age limit has been upheld.⁵⁰ On the other hand, it has been held that a female minor, if married, can not be a delinquent child.⁵¹ In many cases a married girl who is under the age limit is as much in need of the care of the juvenile court as an unmarried one, and, as a matter of practice, is dealt with as a juvenile in many jurisdictions.

Juvenile-court laws in a number of States provide that once jurisdiction is obtained it may continue after the age limit has been reached. Under such statutes no extension of the original order of commitment, when the child reaches the age limit, is necessary.⁵²

These statutes generally provide that jurisdiction, once obtained, may continue until 21, and it has been held that such a provision is to be taken literally and does not necessitate the release of a girl delinquent when she reaches the age of majority.⁵³ Iowa has gone further, holding that jurisdiction does not terminate even though the girl has reached the age of majority and has married.⁵⁴

JURISDICTION AS TO CLASSES OF CASES.

Before the enactment of juvenile-court legislation, the courts dealt only with dependent children, with children who were charged with specific offenses, and with children whose custody rival claimants sought. The cases over which juvenile courts have custody are far more inclusive.

Children's cases coming before the juvenile courts are, broadly speaking, of two kinds—those in which children are charged with being delinquent and those in which they are charged with being neglected or dependent. Children charged with being delinquent are supposed to come before the court because they have, in some way, actively offended; children charged with being neglected or dependent come before the court because their welfare is jeopardized by improper surroundings.

⁴⁹ *In re Lundy* (82 Wash., 148; 143 Pac., 825).

⁵⁰ *Stoker v. Gowans* (45 Utah, 556; 147 Pac., 911).

⁵¹ *State v. Gates* (Oreg.) (198 Pac., 197); *State v. Eisen* (53 Oreg., 297; 99 Pac., 232).

⁵² *Commonwealth v. Murray* (26 Pa. Dist., 489).

⁵³ *In re Gilder* (98 Wash., 514; 167 Pac., 1093).

⁵⁴ *McPherson v. Day* (162 Iowa, 251; 144 N. W., 4).

Under some statutes a juvenile court must relinquish jurisdiction in cases of serious offenses committed by children, and have the children tried in the criminal court. In other States relinquishment of jurisdiction in such cases is left to the judge's discretion. In a few States the juvenile-court judge can relinquish jurisdiction to the criminal court, even in other cases, if reformation seems impossible.

Cases of delinquency include those cases in which the child breaks some law. When the case is to be heard by the juvenile court it is provided usually that, whatever the offense, the finding of the court can only be that the offender is a delinquent child. Within this term the statute generally includes certain acts which are not punishable in adults, and which may not have been misdemeanors if committed by minors before the juvenile-court law was passed. Some statutes include within the term of juvenile delinquency any act or deportment which may endanger the child's health or welfare.

Confusion often arises in the application of the terms "juvenile delinquency" and "juvenile dependency," and some States classify a condition as delinquency which other States consider dependency.

Juvenile-court statutes generally define dependency and neglect in the broadest of terms, so as to include all children who are destitute or homeless or abandoned, or in surroundings dangerous to morals, health, or general welfare.

Jurisdiction over neglected children, as has been seen, was exercised by courts of chancery; jurisdiction over dependent children can be traced to the common-law rule which made it an offense to be a vagrant⁵⁵ and to the old English statutes which gave to magistrates and justices of the peace the power to commit to institutions persons who were a charge upon or a danger to the community. But in indictments for vagrancy and in commitments of paupers the law operated only to protect the public, whereas jurisdiction over dependent children is given primarily on behalf of the children affected.

Statutes such as these intrust to the juvenile courts large powers, powers compared to which, as Dean Pound has said, "the powers of the court of Star Chamber were a bagatelle." But juvenile-court judges in general have recognized that there must be definite limitations to their interference with family life; it is necessary that the jurisdiction given the courts be broad, but it is equally clear that there be recognized certain rules as to the way in which this jurisdiction should be exercised. In the words of the Illinois court, a juvenile-court law "should not be held to extend to cases where there is merely a difference of opinion as to the best course to pursue in rearing a child."⁵⁶ Nor, as was said by a California court of ap-

⁵⁵ Regina v. Branworth (6 Mod., 240).

⁵⁶ Lindsay v. Lindsay, supra.

peals, does the juvenile-court law contemplate the taking of children from their parents "merely because, in the estimation of probation officers and courts, the children can be better provided for and more wisely trained as wards of the State."⁵⁷

Broadly considered, jurisdiction taken by juvenile courts over neglected and dependent children in practice is being confined to three types of cases—those which call for the assistance of courts in enforcing parental responsibility, those in which the children are public burdens, and those in which the unfitness of the children's surroundings makes it reasonably certain that if they are not removed they will become delinquent. It is only the third type of case which represents a departure from common-law doctrines. The first two types are merely extensions of old rules; but the common law did not concern itself with tendencies. This new power which modern legislation has given to juvenile courts must be exercised with the utmost caution. No parent should ever be deprived by the courts of the custody of his children merely because of his poverty. There is a social interest in the preservation of family ties as well as in the physical welfare of children.

Some States give jurisdiction to the juvenile court in cases under an aid-to-mothers' law. The wisdom of such a provision depends upon local conditions. As a general principle those in closest touch with juvenile-court work agree that the court should not be burdened with purely administrative functions.

A few States give the court jurisdiction over feeble-minded children and over cases of adoption. Such statutes evidence a growing tendency to broaden the court's jurisdiction so as to include all children in need of protection.

JURISDICTION OVER ADULTS.

Acts or omissions of adults in regard to children come under legal cognizance in three classes of cases—first, those in which an adult is accused of a crime against a minor; second, those in which the adult has failed to fulfill a duty toward a minor; and third, those in which the adult is accused of causing, or tending to cause, juvenile delinquency or dependency.

A few statutes give juvenile courts jurisdiction over such offenses of adults as rape, statutory rape, and unnatural crimes committed

⁵⁷ *People v. Gutierrez* (Cal. App.) (190 Pac., 200). See also *Mill v. Brown*, *supra*; *In re Mead* (Wash.) (194 Pac., 807); *In re Skowron* (S. D.) (172 N. W., 806); *Orr v. State* (Ind. App.) (123 N. E., 470). It has been held that the mere fact a child is illegitimate is not sufficient to sustain a commitment to an institution. *State v. Juvenile Court* (Minnesota, Ramsey County Court) (179 N. W., 1006). *Contra*, *In re S.* (13 Ont. Weekly Notes, 346). A statute should not be so framed as to deprive a juvenile court of the opportunity to exercise its discretion as to finding a child guilty of delinquency. In the case of *State v. Freudenberg* (106 Wis., 35; 163 N. W., 184) it was held that, under the Wisconsin statute, the juvenile court had no discretion as to finding guilty a girl who had not attended continuation school, however strong might be the palliating circumstances.

upon minors. Where the statute is ambiguous courts take that construction which gives exclusive jurisdiction to the criminal court.⁵⁸ Where the offense is of a more minor nature, however, the juvenile court often has jurisdiction under the provision of the statute relating to adults who contribute to juvenile delinquency or dependency.

In about 10 States the juvenile court is given jurisdiction over cases of desertion and nonsupport. As neglect of parental duties and juvenile delinquency are often but two aspects of the same problem, the juvenile court would seem better adapted to handle these cases than courts of equity or law. In exercising this jurisdiction, however, care must be taken not to impose undue hardships upon parents; a father owes the duty of support only where the family is domiciled.⁵⁹ But the duty exists, and a breach of it is punishable, whether or not its fulfillment is formally demanded.⁶⁰ In a number of States the obligation of support is extended to the father of illegitimate children.⁶¹

Over 40 States have enacted legislation making adults criminally liable for causing or tending to cause juvenile delinquency or dependency. Jurisdiction over these cases usually is given to the juvenile court. Such jurisdiction should be exclusive. The objection to bringing children before courts other than the juvenile court includes these cases as well as cases in which only children are involved; moreover, cases of contributing to delinquency usually involve problems which will sooner or later come before the juvenile court in any event.

Often the statute groups former sporadic efforts of the legislature to prevent juvenile waywardness by punishing certain specific acts on the part of adults, such as enticing minors into saloons or houses of prostitution and violating child-labor laws; but in general the enumeration of specific acts in the statute is illustrative rather than definitive.⁶² Clearly this jurisdiction, whether given to criminal or to juvenile courts, is criminal in nature.⁶³

The offense of causing juvenile delinquency is not grounded upon the breach of an obligation arising out of status, but can arise whenever an adult knowingly acts in a manner contrary to a child's welfare. Nevertheless the Illinois court has held that under a statute

⁵⁸ *Collas v. People* (60 Colo., 230; 153 Pac., 224); *In re Songer* (65 Colo., 460; 177 Pac., 141); *People v. Camp* (Cal.) (183 Pac., 845).

⁵⁹ *State v. Smith* (145 La., 913; 83 So., 189).

⁶⁰ *State v. Clark*, *supra*.

⁶¹ But in the case of *Moss v. U. S.* (29 App. D. C., 188), the court held that the father of an illegitimate child could not be prosecuted for failure to support the child, although the statute, in terms, apparently covered the case. See "Illegitimacy as a Child-Welfare Problem, Part I," Children's Bureau, Publication No. 66, Washington, 1920.

⁶² But see *Longsine v. State* (Nebr.) (181 N. W., 175).

⁶³ *Mayhew v. State* (Ind.) (128 N. E., 599); *Pease v. State* (Ind. App.) (129 N. E., 337); *People v. Budd*, *supra*; *Longsine v. State*, *supra*.

which expressly includes any person who contributes to juvenile delinquency, only those who stand in loco parentis to the child can be prosecuted.⁶⁴ Fortunately these decisions do not seem to have influenced the construction of statutes of other jurisdictions.

One of the most important questions in this class of cases is whether or not it is essential to the jurisdiction of the court to allege and prove that the offense with which the adult is charged actually resulted in delinquency. As the purpose of these statutes is to prevent delinquency as much as to punish those who cause it the answer to the question should be clear. But the authorities are divided.⁶⁵ The more recent statutes endeavor to obviate the difficulty by providing that tending to cause delinquency is an offense in itself. Of course, the acts complained of must have had some effect upon the child if the conviction is to be sustained.⁶⁶ But it is enough if the acts caused the continuation of delinquency.⁶⁷

A recent decision is to the effect that in order that the defendant may "knowingly" encourage a girl to delinquency he must have been aware of her age.⁶⁸ It would seem, however, on principle, and on analogy to cases of statutory rape and abduction, that to come within the statute it is only necessary that the defendant intended to do the acts of which he is accused. That punishment is withheld in cases over the age limit is due to the discretion of the legislature, not to the absence of the elements of the offense.

PROCEDURE.

The jurisdiction exercised by juvenile courts is in general an application of common-law principles, but the way in which the jurisdiction is exercised is new. The methods of the court in dealing with children who come before it are for the most part unknown to common-law or to chancery procedure.⁶⁹

In most States jurisdiction in juvenile court proceedings is obtained by means of a petition filed by any reputable person upon information and belief, and a summons or warrant served upon the child and his parent or guardian.

⁶⁴ *People v. Melville* (265 Ill., 176; 106 N. E., 622); *People v. Lee* (266 Ill., 148; 107 N. E., 112).

⁶⁵ That actual delinquency of child need not be charged: *State v. Drury* (25 Idaho, 787; 139 Pac., 1129); *People v. de Leon*, supra; *State v. Dunn*, supra; *Rex v. Ducker* (16 Ont. Weekly Notes, 212). Contra, *State v. Williams* (73 Wash., 678; 132 Pac., 415); *People v. Mason* (181 Ill. App., 718); *People v. Pierro* (17 Cal. App., 741; 121 Pac., 689). Even under an unfortunately worded statute it is not necessary to prove that the child was delinquent before the acts with which the accused is charged. *State v. Adams* (95 Wash., 189; 163 Pac., 403).

⁶⁶ *People v. Hall* (183 N. Y., 46); *Rex v. Davis* (40 Ont. L., 352).

⁶⁷ *People v. White* (Cal. App.) (193 Pac., 151).

⁶⁸ *Gottlieb v. Commonwealth* (Va.) (101 S. E., 872).

⁶⁹ *People v. Piccolo*, supra; *Ogden v. State* (162 Wis., 500; 156 N. W., 476); *State v. Bockman* (139 Tenn., 422; 201 S. W., 741); *State v. Hoffman* (12 Ohio App., 341).

The filing of the petition⁷⁰ and the service of the summons upon the person having custody of the child⁷¹ have both been held essential to jurisdiction. Nor, it has been held, can lack of summons upon the parent be waived by appearance of the child at the hearing.⁷²

As the procedure in children's cases in the great majority of States is not criminal in nature the petition need not have the particularity of an indictment.⁷³ A different rule, of course, prevails in those jurisdictions where children are still regarded as criminals.⁷⁴ In jurisdictions where it is provided that, when a child is brought into a criminal court and upon proof of his age the case is to be transferred to a juvenile court, the proceedings in the latter court can not be heard under the indictment.⁷⁵

Almost without exception the statutes provide for notice to the parents of the proceedings. When such notice is not given, and the parent does not appear at the hearing, it is sometimes held that the provision as to notice is mandatory and that the proceedings are void.⁷⁶ On the other hand some courts take the view that while a parent who did not have notice is not bound by a decree depriving him of custody, that part of the decree which declares the child delinquent or dependent is valid.⁷⁷ Appearance of the parent at the hearing or waiver of notice will give the court jurisdiction even though notice was not given.⁷⁸ But it has been held that a waiver of notice may be revoked, even after the proceedings.⁷⁹

Whether or not notice to those having custody of the children is held essential to jurisdiction over the children, courts agree that the parents can always have their day in court to determine if they have been improperly deprived of custody.⁸⁰ This right is not confined to parents, but belongs to anyone entitled to custody.⁸¹

⁷⁰ *Weber v. Doust* (81 Wash., 668; 143 Pac., 148); *Cullins v. Williams* (156 Ky., 57; 160 S. W., 733).

⁷¹ *Karrib v. Bailey* (Mich.) (180 N. W., 386); *Weber v. Doust*, supra.

⁷² *Karrib v. Bailey*, supra.

⁷³ *Ex parte Gutierrez*, supra.

⁷⁴ *Guerrero v. State* (87 Tex. Cr. Rep., 260; 220 S. W., 1095); *State v. Asher* (St. Louis Court of Appeals) (216 S. W., 1013).

⁷⁵ *Commonwealth v. Franks* (164 Ky., 239; 175 S. W., 349); *Ex parte Ramseur* (81 Tex. Cr. Rep., 413; 195 S. W., 864).

⁷⁶ *Weber v. Doust*, supra; *Ex parte Mallory* (122 Va., 298; 94 S. E., 782); *Ex parte Cain* (86 Tex. Cr. Rep., 509; 217 S. W., 386); *Ex parte Satterthwaite* (52 Mont., 550; 160 Pac., 346).

⁷⁷ *People v. N. Y. Nursery and Child's Hospital* (230 N. Y., 119; 129 N. E., 341); *Jensen v. Hinckley* (Utah) (185 Pac., 716); *Henn v. Children's Agency* (123 C. C. A., 216; 204 Fed., 766); *Bleier v. Crouse* (13 Ohio App., 69).

⁷⁸ *In re Turner* (94 Kan., 115; 145 Pac., 871). See *Juvenile Court v. State* (139 Tenn., 549; 201 S. W., 771); *Ex parte Satterthwaite*, supra; *Jensen v. Hinckley*, supra; *King v. Sears* (177 Iowa, 163; 158 N. W., 513).

⁷⁹ *Karrib v. Bailey*, supra.

⁸⁰ *People v. N. Y. Nursery and Child's Hospital*, supra; *Bleier v. Crouse*, supra; *Ex parte Becknell*, supra; *In re Sharp*, supra; *Jensen v. Hinckley*, supra; *Smith v. Reid* (7 Sask. L. Rep., 143).

⁸¹ *In re Pilkington* (15 British Columbia Rep., 456). The mother of an illegitimate child is entitled to notice. *In re Remski* (160 N. Y. S., 715).

When children are brought into the custody of the juvenile court under a large majority of the statutes they are segregated from adult offenders while in detention or are allowed to remain at home. Before the cases are heard the statutes in the main provide that a preliminary investigation is to be made by the probation officer. This investigation should cover not only the particular subject matter of the proceeding but the whole background of the case—the family history, the condition of the child's home, his personal history, including his habits and general conduct, his school history, and his working history if he has been employed.⁸² A few States provide also for a mental and physical examination.

It has been found necessary in the hearing of children's cases to do away with technicalities of procedure. Generally the statutes provide that the hearings are to be informal in nature and conducted under such rules as the court may prescribe. While the nature of the proceedings is entirely unadapted to trial by jury, the statutes of a number of States provide that the child or parent may demand a jury trial. In many States the public may be excluded from the court room, and in some States the statute requires that the hearing be in private. The judge generally has the power to hear the testimony of children without putting them under oath. In this, as in other distinctive features of the proceedings, it is the constant aim of the court to avoid any form which may give children the idea of a prosecution, to win their confidence, and to convince them that the court is endeavoring to be their friend.

The judge and the probation officer act not as judge and prosecuting officer but as friends of the children. Counsel are rarely necessary; when they do appear it is generally in the interest of the parents.

Juvenile-court laws often provide that the proceedings are to be held in a separate room in the courthouse or in chambers. In the larger cities a separate building is occasionally furnished.

While the procedure of the court is informal it is generally given the means properly to exercise its functions. Either by express provision of the act or by virtue of its place in the judicial system,⁸³ a juvenile court has the power to punish for contempt. Being in some respects at least a court of equity, an injunction is among its arsenal of remedies.⁸⁴

There are, in substance, three ways in which a juvenile judge may dispose of a case. He may discharge the child, place him on probation, or transfer his custody to an individual guardian or to an institution.

⁸² See "The Practical Value of the Scientific Study of Juvenile Delinquents," by William Healy, M. D., Children's Bureau Publication No. 96.

⁸³ *Juvenile Court v. Hughlett* (44 App. D. C., 59); *U. S. v. Latimer* (44 App. D. C., 81).

⁸⁴ *Cullins v. Williams*, *supra*.

As a condition to discharge, restitution or reparation may be decreed. Money penalties, however, are opposed to the whole theory of the juvenile-court movement.

The conditional suspension of a sentence is not a relinquishment of jurisdiction.⁸⁵ Nor is the jurisdiction of a juvenile court over a delinquent child terminated merely because the commitment of the child to an institution is held void for lack of notice.⁸⁶

Probation, the most important part of the court's work, presents few legal problems. The child is placed in the home of a guardian, or is allowed to remain in his own home, under the supervision of the probation officer. He is often required to report either to the judge or a probation officer, at intervals, until he is finally discharged.

After a child has been committed to an institution, in proceedings in which the rights of those entitled to custody were safeguarded, the parents must show cause if they wish the children to be restored to them,⁸⁷ but if the court finds that conditions have changed, and the parents have become fit to take charge of the children, the claim of the institution should not be allowed to stand in the way.⁸⁸ Even though children have been declared legally abandoned, their parents may afterwards be appointed guardians over them.⁸⁹

While juvenile courts rarely intend to cut themselves off from taking further action in regard to children by committing them to institutions, there are several cases to the effect that once a child has been committed to an institution the jurisdiction of the court is ended.⁹⁰ In some instances these decisions are put upon the ground that the term in which the court entered judgment has elapsed,⁹¹ while in others they are attributable to constitutional or statutory provision in regard to the institutions, adopted prior to the juvenile-court movement. But in order to deal with children's cases satisfactorily it is the opinion of the writers that the juvenile court must have the power to keep in constant touch with the children who have come before it, and to use State and local institutions as instrumentalities toward this end. It may become advisable to remove a child from an institution to which he has been committed and place him on pro-

⁸⁵ *Stoker v. Gowans*, *supra*.

⁸⁶ *Greenman v. Dixon* (Mich.) (180 N. W., 487).

⁸⁷ *In re Driscoll* (17 Ont. Weekly Notes, 144).

⁸⁸ *Farnham v. Pierce*, *supra*; *In re Knowack* (158 N. Y., 482; 53 N. E., 676). *Contra*, *Whalen v. Olmstead* (61 Conn., 263; 23 Atl., 964).

⁸⁹ *Matter of Guardianship of Michels* (170 Cal., 339; 149 Pac., 587).

⁹⁰ *In re Johnson* (36 Cal. App., 319; 171 Pac., 1074); *McClain v. Superior Court of Chelan County* (112 Wash., 260; 191 Pac., 852); *Board of Children's Guardians v. Juvenile Court* (43 App. D. C., 599); *Board of Control of State Home v. Mulertz* (60 Colo., 468; 154 Pac., 742); *contra*, *State v. North Dakota Children's Home Society (In re Kol)* (10 N. D., 493; 88 N. W., 273); *McFall v. Simmons* (12 S. D., 562; 81 N. W., 898); *In re Knowack*, *supra*.

⁹¹ *Board of Children's Guardians v. Juvenile Court*, *supra*; *Board of Control of State Home v. Mulertz*, *supra*.

bation or transfer him to another home. Statutes and cases, which, in effect, give to an institution the power which should belong to the juvenile court make it difficult for the court to do its work in an efficient manner.

If it is necessary in order to protect the child the court can enjoin a parent from interfering with it.⁸² A parent, moreover, can not force an institution to which his child has been committed to disclose where the child is,⁸³ unless, in the discretion of the juvenile court, such disclosures seems advisable.⁸⁴

While the procedure in children's cases can be entirely informal, when adults are before the juvenile court for contributing to delinquency, they must be given the safeguards usual in criminal cases.⁸⁵

Statutes in a few States provide specifically for cooperation between the court and other social agencies in the community. There is, on the other hand, in the absence of statutory provisions, a growing tendency on the part of the court to establish a real basis of cooperation with all agencies connected with the welfare of the child. Such agencies, engaged in child cases, have no authority over probation officers.⁸⁶

LEGAL EFFECT OF PROCEEDINGS.

REVIEW BY APPELLATE COURTS.

Over half the States make statutory provision for appeals from decisions of the juvenile court. Where no such provision exists the tendency of the authorities is to hold that no appeal lies, generally on the ground that the procedure is purely statutory and that the right to an appeal is therefore not to be implied.⁸⁷

When a parent is improperly deprived of the custody of his children a writ of habeas corpus will lie.⁸⁸ But it has been held that the writ will not lie if the petitioner could have sought relief in the juvenile court and has not done so.⁸⁹ Nor does the writ lie if the petitioner had his day in court and there is a remedy in appeal.¹ It has been held that the decree of a lower court which treats an application for a writ of habeas corpus as a motion for a change in custody will not be disturbed.²

⁸² *Cullins v. Williams*, supra.

⁸³ *Dumain and Wife v. Gwynne* (92 Mass., 270); *In re Hooford*, supra.

⁸⁴ *In re Children's Protective Act* (14 Alberta L. Rep., 46).

⁸⁵ See cases in note 63.

⁸⁶ *In re Juvenile Court* (17 Pa. Dist., 207).

⁸⁷ *Commonwealth v. Yungblut*, supra; *In re Broughton* (192 Mich., 418; 158 N. W., 884); *State v. Bockman*, supra; *State v. Hoffman*, supra. Contra, *Ex parte Brooks* (85 Tex. Cr. Rep., 252; 211 S. W., 592).

⁸⁸ *People v. N. Y. Nursery and Child's Hospital*, supra; *Jensen v. Hinckley*, supra; *Ex parte Becknell*, supra. Even though the commitment was valid a father can sue out the writ on the ground that he has become fit to have the child's custody, when the statute gives him no other remedy. *Farham v. Pierce*, supra.

⁸⁹ *McDonald v. Short* (Ind.) (125 N. E., 451); *Bleier v. Crouse*, supra.

¹ *Stoker v. Gowans*, supra.

² *State v. Mackintosh* (98 Wash., 438; 167 Pac., 1090).

Appeal does not lie when the statute allows a writ of error to be taken;³ conversely, a writ of error does not lie when the judgment can be appealed.⁴ When an appeal lies application must be made during the term at which the order was passed, even though, in criminal cases, a different rule may prevail.⁵

In hearing an appeal the court may affirm that part of the order which declares the child delinquent or dependent and reverse that part which commits the child to an institution.⁶

Manifestly it is not the function of appellate courts, in hearing these appeals, to consider the case *de novo*, and it can be said of the cases as a whole that the reviewing courts give due weight to the findings of the juvenile judge. It is, however, the function of the courts to see that parents are not deprived of the custody of their children merely because a juvenile judge believes a change of custody might offer the child greater advantages.⁷

When a defect in the proceedings of the juvenile court is purely formal, such as the insufficiency of the petition, the judgment of the court will cure it.⁸ It has been held that, on appeal, notice to the parents or waiver of notice will be presumed,⁹ and even that the unfitness of the parent is to be presumed from an order depriving him of custody.¹⁰ On the other hand, it has been held that the record of the juvenile court must show the essentials of jurisdiction, that the presumption as to jurisdiction which is invoked in support of judgments at common law and in chancery does not apply; that it is not enough to show that evidence was offered of the jurisdictional facts in the proceedings, if the record does not set this forth.¹¹

USE OF EVIDENCE IN OTHER TRIALS.

Many of the juvenile-court laws provide that a disposition of a child in the proceedings, or any evidence given in the course of the proceedings, shall not be admissible against the child for any purpose whatsoever except in subsequent proceedings under the act. Under such a statute it has been held that in an action to recover a reward for information leading to the conviction of a person guilty of stealing from a telephone company, evidence that a boy was adjudged delinquent by the juvenile court was inadmissible.¹²

³ *People v. Piccolo*, *supra*.

⁴ *Ogden v. State*, *supra*.

⁵ *State v. Calhoun* (St. Louis Court of Appeals) (211 S. W., 109).

⁶ *Bedford v. Anderson* (Utah) (190 Pac., 775). See also the cases in note 77, *supra*.

⁷ See notes 56 and 57, *supra*.

⁸ *Ex parte Hunter* (Cal. App.) (188 Pac., 63).

⁹ *King v. Sears*, *supra*; *Gordon v. State* (Tex. Cr. Rep.) (228 S. W., 1095).

¹⁰ *Matter of Cannon* (27 Cal. App., 549; 150 Pac., 794). When a child is tried in a criminal court jurisdiction will not be presumed. *Waters v. Commonwealth* (171 Ky., 457; 188 S. W., 490).

¹¹ *Kelsey v. Carroll* (22 Wyo., 85; 138 Pac., 867).

¹² *Kozler v. N. Y. Telephone Co.*, *supra*.

In a number of States the juvenile court is required to keep records of the cases which come before it. Some of these States forbid public inspection of the records except by special order of the court. Such records, apart from their statistical value, are of use to the court in its own work, although if a boy has been discharged he can not afterwards be committed to an institution solely upon past performances.¹³

The case of *Lindsey v. People*,¹⁴ which deals with the question of privileged communications, has an important bearing upon the methodology of the court and the relations of trust that it is necessary to establish between judge and child in order to assure a wise handling of the case. In that case, before proceedings had been instituted against him, a boy came to Judge Lindsey, of the Denver Juvenile Court, and, upon assurance that the judge could not be made to testify against him, confided certain facts bearing upon the killing of his father. Proceedings were subsequently instituted against him as a delinquent child and were pending when the boy's mother was brought to trial for killing her husband. The boy was called as a witness, and after he had testified, Judge Lindsey was called upon to disclose what the boy had told him. The boy consented to a disclosure, but the judge refused to divulge his confidence. The judge was thereupon fined for contempt and to this judgment brought a writ of error. A Colorado statute provided that a child committing the offense for which the boy had been brought before the juvenile court "shall be deemed" a delinquent. Another statute provided that a public officer should not be examined as to communications made in official confidence if the public interests, in the judgment of the court, would suffer by the disclosure. A third statute provided that a judge could not act as attorney. The judgment of contempt was affirmed, three justices dissenting.¹⁵

EFFECT OF PROCEEDINGS UPON STATUS OF CHILD.

When a child is committed to the guardianship of an individual or an institution, the proceeding is not equivalent to an adoption, but is only a police measure of the State, affecting the incidents, not the existence of the legal status between parent and child.

This distinction is brought out by the case of *Henn v. Children's Agency*.¹⁶ In that case, a mother domiciled in Montana had sent her daughter to California for a visit. The child was committed to an institution by a juvenile court without notice to the mother and the mother prayed a writ of habeas corpus. The writ was denied, the circuit court of appeals affirming the judgment. If the proceedings

¹³ *State v. Zirbel* (Wis.) (177 N. W., 601).

¹⁴ (Colo.) 181 Pac., 531.

¹⁵ For criticisms of this case see 29 *Yale L. J.*, 356, and 33 *Harv. L. Rev.*, 88.

¹⁶ *Supra*.

had been in the nature of adoption by the State or by the institution the juvenile court would clearly have been without jurisdiction.

The guardian has no rights over the property of the child, but he has certain rights over his person. While it would seem obvious that one of the incidents of custody, even though it be only temporary custody, is the right to determine where the child shall reside, it has been held that children committed to the guardianship of persons who lived in a certain district were not residents of that district under a statute which provided that only residents were admissible to the district school.¹⁷ The decision in an Ontario case in which it was held that a child committed to an institution in a certain town was a resident of that town, so as to make it liable for the child's support while in a public hospital,¹⁸ is more reasonable.

THE FUTURE OF THE COURT.

The legal questions likely to arise under the statutes establishing juvenile courts will not, in all probability, be difficult of solution. The real problem ahead is to find a solution for the practical difficulty of extending the court to rural communities and to secure a uniform level of efficiency in the work of the court.¹⁹

There is a growing movement to consolidate the function of the juvenile court and the functions of criminal and equity courts in dealing with problems between husband and wife and parent and child, in order to give jurisdiction over all cases of this nature to a court of domestic relations.²⁰ This commendable effort is directed against both the inadequacy of piecemeal justice and the procedural difficulties created by multiplicity of courts.

It is occasionally questioned if juvenile-court work, whether carried on by a separate tribunal or as part of the work of a domestic relations court, can ever be properly conducted by a judicial organ.²¹ But those persons who would give to administrative bodies the sole right to deal with children overlook the fact that in one way or another children are directly or indirectly affected by the determination of legal rights and legal obligations, on which only a judicial body can properly pass. The recognition that these cases must be dealt with separately, that the administration of justice is as much a matter of procedure as of rules, and that justice can not be administered to children in the way that it is to adults, represents an advance in legal thought of which the juvenile court, conducted as a separate unit or as part of a domestic relations court, is the only possible fruition.

¹⁷ *Black v. Graham* (238 Pa., 381; 86 Atl., 266).

¹⁸ *Toronto Free Hospital v. Town of Barrie* (39 Ont. L., 63).

¹⁹ See "Studies of Children's Courts by the U. S. Children's Bureau," in the Annual Report of the National Probation Association for 1920.

²⁰ See "Justice and the Poor," by Reginald Heber Smith, Charles Scribner's Sons, New York, 1919, Chap. XI.

²¹ See "Passing of the Juvenile Court," by Herbert M. Baker, in *The Survey*, Feb. 12, 1921.

ADDENDUM—THE MORELAND CASE.

In the case of *United States v. Moreland*, decided by the Supreme Court on April 17, 1922, it was held that the District of Columbia statute dealing with contributors to delinquency was void, so far as it provided that an offender could be proceeded against by information and sentenced to imprisonment in the District workhouse, for not more than a year, at hard labor. The decision was placed upon the ground that the statute violated the fifth amendment of the Constitution of the United States, which provides that no person shall be held to answer for "a capital or otherwise infamous crime except upon presentment or indictment of a grand jury. Hard labor in the District workhouse for failure to support minor children, a majority of the Supreme Court held, inflicted an infamous punishment. A vigorous dissent was delivered by Justice Brandeis, in which Chief Justice Taft and Justice Holmes concurred. The dissenting opinion shows that confinement for a short period at hard labor in a workhouse or a house of correction was not regarded as an infamous punishment at the time of the adoption of the Constitution, and distinguishes the cases cited in the majority opinion, in that those cases deal with sentences to institutions which served as State prisons or penitentiaries as well as houses of correction. Certainly commitment of adults who do not support their children is to-day regarded more as a remedial act calculated to enforce an obligation than as the punishment for a heinous offense. The decision affects only the District of Columbia statute, as the fifth amendment of the Constitution does not apply to the States.¹ In many States there is no constitutional provision similar to that contained in the Federal Constitution on this matter, and offenses such as the one in the Moreland case can under the State statute be proceeded against upon information. Even in States which have a constitutional provision which resembles the fifth amendment the Moreland case will not necessarily be followed.² It is to be hoped that the decision will not further increase the practical difficulty, already felt by most juvenile courts, of reaching those who contribute to juvenile delinquency.

¹ *Barron v. Mayor and City Council of Baltimore* (7 Peters 243, 8 L. ed. 672).

² In the case of *King v. Florida* (17 Fla. 183) it was held, under a provision of the Florida constitution similar to the Federal fifth amendment, that the keeping of a bawdy house was not an infamous crime, and could be proceeded against by information, although the offense was punishable by imprisonment in the county jails for a period not exceeding a year. At the time of this decision those sentenced to the county jails could be forced to perform hard labor. Laws of Florida, 1877, c. 2090 and c. 2093.

In the case of *Jones v. Robbins* (74 Mass. 329, at pages 348, 349) Chief Justice Shaw gave it as his opinion that a sentence to hard labor in the workhouse or house of correction was not considered as infamous punishment in colonial times, nor was it to be considered as such under the Massachusetts constitution.

APPENDIX.

TABLE OF CASES.

	Page.
Adams, State <i>v.</i> -----	21
Ah Peen, Ex parte-----	9
Anderson, Bedford <i>v.</i> -----	26
Anon-----	14
Asher, State <i>v.</i> -----	22
Bailey, Karrib <i>v.</i> -----	22
Bazeley <i>v.</i> Forder-----	7
Becknell, Ex parte-----	10, 22, 25
Bedford <i>v.</i> Anderson-----	26
Black <i>v.</i> Graham-----	28
Bleier <i>v.</i> Crouse-----	22, 25
Board of Children's Guardians, Egoff <i>v.</i> -----	10
Board of Children's Guardians <i>v.</i> Juvenile Court-----	24
Board of County Commissioners <i>v.</i> Savage-----	11
Board of Control of State Home <i>v.</i> Mulertz-----	24
Bockman, State <i>v.</i> -----	21, 25
Bowden, Pugh <i>v.</i> -----	9
Bowers, Ex parte-----	16
Brana <i>v.</i> Brana-----	16
Brana, Brana <i>v.</i> -----	16
Branworth, Regina <i>v.</i> -----	18
Briggs, U. S. <i>v.</i> -----	9
Brodie, In re-----	9
Brooks, Ex parte-----	25
Broughton, In re-----	25
Brown, Mill <i>v.</i> -----	9, 10, 11, 19
Bryant, State <i>v.</i> -----	9, 11
Budd, People <i>v.</i> -----	10, 20
Buffington <i>v.</i> State-----	14
Bullock, Lynn <i>v.</i> -----	10, 11
Burnett, State <i>v.</i> -----	9, 10
Cagle, State <i>v.</i> -----	10
Cain, Ex parte-----	22
Calhoun, State <i>v.</i> -----	26
Calkins, People <i>v.</i> -----	10
Campbell County <i>v.</i> City of Newport-----	11
Camp, People <i>v.</i> -----	20
Cannon, Matter of-----	26
Carroll, Kelsey <i>v.</i> -----	26
Chartrand, Ex parte-----	9
C. B. & Q. R. Co., People <i>v.</i> -----	11
Children's Agency, Henn <i>v.</i> -----	22, 27
Children's Guardians, Wilkinson <i>v.</i> -----	9
Children's Home <i>v.</i> Fetter-----	16

	Page.
Children's Home <i>v.</i> Kelley	16
Children's Protective Act, In re	25
Childress <i>v.</i> State	9, 10
City of Newport, Campbell County <i>v.</i>	11
Clark, State <i>v.</i>	10, 20
Cleveland Orphan Protestant Asylum <i>v.</i> Soule	16
Colias <i>v.</i> People	20
Commonwealth <i>v.</i> Duane	8
Commonwealth <i>v.</i> Fisher	9, 10
Commonwealth <i>v.</i> Franks	22
Commonwealth, Gottlieb <i>v.</i>	21
Commonwealth, Marlowe <i>v.</i>	9, 10, 11
Commonwealth, Mattingly <i>v.</i>	14
Commonwealth <i>v.</i> Murray	17
Commonwealth, Waters <i>v.</i>	26
Commonwealth <i>v.</i> Yungblut	10, 25
Cook County Commissioners, Witter <i>v.</i>	11
Crouse, Ex parte	10
Crouse, Bleier <i>v.</i>	22, 25
Cullins <i>v.</i> Williams	22, 23, 25
Davis, Rex <i>v.</i>	21
Day, McPherson <i>v.</i>	17
de Leon, People <i>v.</i>	10, 21
Dixon, Greenman <i>v.</i>	24
Doust, Weber <i>v.</i>	22
Driscoll, In re	24
Drury, State <i>v.</i>	21
Duane, Commonwealth <i>v.</i>	8
Ducker, Rex <i>v.</i>	21
Dumain and Wife <i>v.</i> Gwynne	25
Dunn, State <i>v.</i>	9, 21
Dupes <i>v.</i> Superior Court	16
Egoff <i>v.</i> Board of Children's Guardians	10
Eisen, State <i>v.</i>	17
Estes <i>v.</i> State	8
Farnham <i>v.</i> Pierce	9, 24, 25
Ferrier, In re	9
Fetter, Children's Home <i>v.</i>	16
Fisher, Commonwealth <i>v.</i>	9, 10
Forder, Bazeley <i>v.</i>	7
Franks, Commonwealth <i>v.</i>	22
Freudenberg, State <i>v.</i>	19
Friederich, People <i>v.</i>	10
Friend's Case	7
Gassaway, In re	11
Gates, State <i>v.</i>	17
Gilder, In re	17
Gilliland <i>v.</i> Whittle	14
Gordon <i>v.</i> State	26
Gottlieb <i>v.</i> Commonwealth	21
Gowans, Stoker <i>v.</i>	17, 24, 25
Graham, Black <i>v.</i>	28
Greenman <i>v.</i> Dixon	24

	Page
Griffin, State <i>v.</i> -----	14
Grimes, Ex parte-----	11
Guerrero <i>v.</i> State-----	22
Gutierrez, Ex parte-----	10, 22
Gutierrez, People <i>v.</i> -----	10
Gwynne, Dumain and Wife <i>v.</i> -----	25
Hall, People <i>v.</i> -----	21
Hammond, Reed <i>v.</i> -----	14
Henn <i>v.</i> Children's Agency-----	22, 27
Hinckley, Jensen <i>v.</i> -----	22, 25
Hoffman, State <i>v.</i> -----	21, 25
Hosford, In re-----	9, 16, 25
House of Refuge, Roth <i>v.</i> -----	9
House of Refuge <i>v.</i> Ryan-----	9
Howe, Reynolds <i>v.</i> -----	9
Hughlett, Juvenile Court <i>v.</i> -----	23
Hunt <i>v.</i> Wayne Circuit Judges-----	10
Hunter, Ex parte-----	26
Ill. State Reformatory, People <i>v.</i> -----	10
Isenhuth, State <i>v.</i> -----	11
Januszewski, Ex parte-----	9
Jarrard <i>v.</i> State-----	9
Jensen <i>v.</i> Hinckley-----	22, 25
Johnson, In re (Cal. App.)-----	24
Johnson, In re (Wis.)-----	12
Juvenile Court, In re-----	25
Juvenile Court, Board of Children's Guardians <i>v.</i> -----	24
Juvenile Court <i>v.</i> Hughlett-----	23
Juvenile Court <i>v.</i> State-----	22
Juvenile Court, State <i>v.</i> -----	19
Karrib <i>v.</i> Bailey-----	22
Kelley, Children's Home <i>v.</i> -----	16
Kelsey <i>v.</i> Carroll-----	26
King, Ex parte-----	9
King <i>v.</i> Sears-----	22, 26
Knowack, In re-----	24
Kol, In re-----	24
Koster, Nicholl <i>v.</i> -----	11
Kozler <i>v.</i> N. Y. Telephone Co-----	11, 26
Lady Braughton, Rex <i>v.</i> -----	14
Latimer, U. S. <i>v.</i> -----	23
Lee, People <i>v.</i> -----	21
Leonard <i>v.</i> Licker-----	9
Licker, Leonard <i>v.</i> -----	9
Liddell, Ex parte-----	10
Lindsay <i>v.</i> Lindsay-----	9, 11, 18
Lindsay, Lindsay <i>v.</i> -----	9, 11, 18
Linsley <i>v.</i> People-----	27
Longsine <i>v.</i> State-----	20
Loving, Ex parte-----	11
Lundy, In re-----	17
Lynn <i>v.</i> Bullock-----	10, 11
McCloskey, State <i>v.</i> -----	16
McDaniel <i>v.</i> Youngblood-----	16

	Page.
McDonald v. Short	25
McFall v. Simmons	24
McClain v. Superior Court of Chelan County	24
McLaren v. State	15, 16
McPherson v. Day	17
Mackintosh, State v	25
Maginnis, In re	10
Mallory, Ex parte	22
Marlowe v. Commonwealth	9, 10, 11
Mason, People v	21
Matter of Cannon	26
Matter of Guardianship of Michels	24
Mattingly v. Commonwealth	14
Mayhew v. State	20
Mead, In re	19
Melville, People v	21
Michels, Matter of Guardianship of	24
Mill v. Brown	9, 10, 11, 19
Milwaukee County, Milwaukee Industrial School v	9
Milwaukee Industrial School v. Milwaukee County	9
Monongalia County Court, State v	11, 14
Moore v. Williams	10
Moss v. U. S.	20
Mulertz, Board of Control of State Home v	24
Murray, Commonwealth v	17
N. Y. Nursery and Child's Hospital, People v	22, 25
N. Y. Telephone Co., Kozler v	11, 26
Nicholl v. Koster	11
North Dakota Children's Home Society, State v	24
Northon, In re	14
Ogden v. State	21, 26
Olmstead, Whalen v	24
Orr v. State	19
Oxnam, People v	15
Pease v. State	20
People v. Budd	10, 20
People v. Calkins	10
People v. Camp	20
People v. C., B. & Q. R. R. Co	11
People, Colias v	20
People v. de Leon	10, 20
People v. Friederich	10
People v. Gutierrez	19
People v. Hall	21
People v. Ill. State Reformatory	10
People v. Lee	21
People, Lindsey v	27
People v. Mason	21
People v. Melville	21
People v. N. Y. Nursery and Child's Hospital	22, 25
People v. Oxnam	15
People v. Piccolo	10, 21, 26
People v. Pierro	21
People v. Wilhite	21
People v. Wolf	15

APPENDIX—TABLE OF CASES.

85

	Page.
Phillips, State <i>v.</i> -----	10
Piccolo, People <i>v.</i> -----	10, 21, 26
Pierce, Farnham <i>v.</i> -----	9, 24, 25
Pierro, People <i>v.</i> -----	21
Pilkington, In re-----	22
Powell, in re-----	10
Pruitt, Ex parte-----	9
Pugh <i>v.</i> Bowden-----	9
Ragan, State <i>v.</i> -----	9
Ramseur, Ex parte-----	22
Reed <i>v.</i> Hammond-----	14
Regina <i>v.</i> Branworth-----	18
Reid, Smith <i>v.</i> -----	22
Remski, in re-----	22
Rex <i>v.</i> Davis-----	21
Rex <i>v.</i> Ducker-----	21
Rex <i>v.</i> Lady Braughton-----	14
Reynolds <i>v.</i> Howe-----	9
Robison <i>v.</i> Wayne Circuit Judges-----	9, 10
Roth <i>v.</i> House of Refuge-----	9
Ryan, House of Refuge <i>v.</i> -----	9
S, In re-----	19
Sams <i>v.</i> State-----	15
Satterthwaite, Ex parte-----	22
Savage, Board of County Commissioners <i>v.</i> -----	11
Sears, King <i>v.</i> -----	22, 26
Sharp, In re-----	9, 10, 22
Shelley <i>v.</i> Westbrooke-----	7
Short, McDonald <i>v.</i> -----	25
Simmons, McFall <i>v.</i> -----	24
Sing, In re-----	11
Skowron, In re-----	19
Slade <i>v.</i> State-----	15
Smith <i>v.</i> Reid-----	22
Smith, State <i>v.</i> -----	20
Songer, In re-----	20
Soule, Cleveland Orphan Protestant Asylum <i>v.</i> -----	16
Spade <i>v.</i> State-----	16
Spence, In re-----	7
State <i>v.</i> Adams-----	21
State <i>v.</i> Asher-----	22
State <i>v.</i> Bockman-----	21, 25
State <i>v.</i> Bryant-----	9, 11
State, Buffington <i>v.</i> -----	14
State <i>v.</i> Burnett-----	9, 10
State <i>v.</i> Cagle-----	10
State <i>v.</i> Calhoun-----	26
State, Childress <i>v.</i> -----	9, 10
State <i>v.</i> Clark-----	10, 20
State <i>v.</i> Drury-----	21
State <i>v.</i> Dunn-----	9, 21

	Page.
State v. Eisen.....	17
State, Estes v.....	8
State v. Freudenberg.....	19
State v. Gates.....	17
State, Gordon v.....	26
State v. Griffin.....	14
State, Guerrero v.....	22
State v. Hoffman.....	21, 25
State v. Isenhuth.....	11
State, Jarrard v.....	9
State v. Juvenile Court.....	19
State, Juvenile Court v.....	22
State, Longsine v.....	20
State v. McCloskey.....	16
State, McLaren v.....	15, 16
State v. Mackintosh.....	25
State, Mayhew v.....	20
State v. Monongalia County Court.....	11, 14
State v. North Dakota Children's Home Society.....	24
State, Ogden v.....	21, 26
State, Orr v.....	19
State, Pease v.....	20
State v. Phillips.....	10
State v. Ragan.....	9
State, Sams v.....	15
State, Slade v.....	15
State v. Smith.....	20
State, Spade v.....	16
State, Stracner v.....	15, 16
State v. Tincher.....	9
State, Warwick v.....	14
State v. Williams.....	21
State v. Zirbel.....	27
Stoker v. Gowans.....	17, 24, 25
Stracner v. State.....	15, 16
Superior Court, Dupes v.....	16
Superior Court of Chelan County, McLain v.....	24
Tincher, State v.....	9
Toronto Free Hospital v. Town of Barrie.....	28
Town of Barrie, Toronto Free Hospital v.....	28
Turner, In re.....	22
U. S. v. Briggs.....	9
U. S. v. Latimer.....	23
U. S., Moss v.....	20
Warwick v. State.....	14
Waters v. Commonwealth.....	26
Wayne Circuit Judges, Hunt v.....	10
Wayne Circuit Judges, Robison v.....	9, 10
Weber v. Doust.....	22
Wellesley v. Wellesley.....	7
Wellesley, Wellesley v.....	7
Westbrooke, Shelley v.....	7
Whalen v. Olmstead.....	24

APPENDIX—TABLE OF CASES.

37

	Page.
Whittle, Gilliland <i>v</i>	14
Wilhite, People <i>v</i>	21
Wilkinson <i>v</i> . Children's Guardians.....	9
Williams, Cullins <i>v</i>	22, 23, 25
Williams, Moore <i>v</i>	10
Williams, State <i>v</i>	21
Witter <i>v</i> . Cook County Commissioners.....	11
Wolf, People <i>v</i>	15
Youngblood, McDaniel <i>v</i>	16
Yungblut, Commonwealth <i>v</i>	10, 25
Zirbel, State <i>v</i>	27

INDEX.

- Adjudication in juvenile court inadmissible as evidence, 11-12.
- Adoption, commitment not equivalent to, 27-28.
- Adults, acts of, 19.
causing juvenile delinquency or dependency, 10, 19, 20.
crimes of, against minor, 19.
failure to fulfill duty toward minor, 19.
omissions of, 19.
procedure in cases of, 25.
See also Delinquency, Dependency, Jurisdiction of juvenile court, Parents.
- Age, failure to raise question of, during trial, 14, 15.
jurisdiction as to, 16-17.
knowledge of, by defendant in contributing cases, 21.
- Age limit, continuance of jurisdiction after, 17.
- Agencies, cooperation with court, 25.
- Aid-to-mothers laws, 19.
- Appeal, action of court in hearing, 26.
function of court in hearing, 26.
notice, whether presumed on, 26.
provision for, 25, 26.
right of children to, 10.
right to, not implied, 25.
time of application for, 26.
unfitness of parent, whether presumed on, 26.
- Basic conceptions of juvenile court, 8-9.
- "Benefit of clergy," comparison with juvenile court, 8.
- Binding to good behavior at common law, 8.
- Causing delinquency or dependency an offense, 10, 19, 20.
- Children, as wards of chancery, 7.
delinquent and dependent, concern of State, 11.
earnings of, at common law, 8.
not to be taken from parents unless necessary, 8.
right of, to appeal, 10.
right of, to trial by jury, 9.
separation of, from adults, 23.
status of, in juvenile-court procedure, 9.
See also Delinquency, Delinquent children, Dependency, Dependent children.
- Classification of legislature, presumptively reasonable, 11.
- Commitment, adoption not equivalent to, 27-28.
legal effect of, 27-28.
of married woman upheld, 17.
to institution as ending jurisdiction of court, 24-25.
- Conditional suspension of sentence, relation to probation, 8.
- Confusion between terms, delinquency and dependency, 18.
- Construction of State constitution as to formation of new court, 10-11.
- Contempt, power of court to punish for, 23.
- Continuance of delinquency sufficient to support conviction in contributing cases, 21.
- Conviction in juvenile court inadmissible as evidence, 11-12, 26, 27.
- Cooperation between court and other agencies, 25.
- Courts, multiplicity of, 28.
- Crime, children under 7 years incapable of committing, 8.
- Criminal court, conflict of jurisdiction of juvenile court with, 14, 15, 16, 17.
jurisdiction over children sometimes given to, 12.
jurisdiction over contributing cases, 20.
relinquishment of jurisdiction to, 18.
- Criminal law, distinction between children and adults, 8.
- Custody, incidents of, 28.
notice required before parents can be deprived of, 22.
right of parent to, at common law, 8.
transfer of, as method of disposing of case, 22.
- Delinquency, causing, an offense, 10, 19, 20.
causing continuation of, enough to support conviction, 21.
judgment of, held inadmissible against child, 26.
proof of, required, in contributing cases, 21.
scope of term, 18.
tending to cause, an offense, 20, 21.
- Delinquency and dependency, confusion between, 18.
- Delinquent children, at common law, 17.
concern of State, 11.
- Dependency, causing, an offense, 10, 19, 20.
scope of term, 18.
tending to cause, an offense, 20.

- Dependent children, at common law, 17, 18.
concern of State, 11.
jurisdiction of juvenile court over,
when taken, 19.
- Desertion and nonsupport of children, 20.
- Discharge, conditions of, 24.
- Distinction between children and adults, in
criminal law, 8.
- Divorce proceedings, relation to juvenile-
court proceedings, 15, 16.
- Domestic relations courts, advantages of,
12, 16.
tendency toward, 28.
- Due process of law, juvenile court as de-
privation of, 9-10.
- Earnings of children, father entitled to, at
common law, 8.
- Education, common-law duty of parents to
children, 7-8.
- Efficiency, problem of securing uniform
level of, in courts, 28.
- Equal protection of laws, juvenile court as
deprivation of, 10.
- Equity, jurisdiction of, in regard to chil-
dren, 7.
- Error, writ of, when lies, 26.
- Evidence, adjudication in juvenile court
inadmissible as, 11-12, 26, 27.
use of, in other trials, 26.
- Examination of children, 28.
- Feeble-minded children, jurisdiction over, 19.
- Guardians, commitment to, as determining
residence, 28.
parents appointed as, 24.
rights of, 27, 28.
transfer of custody to, 23.
- Habeas corpus, writ of, when lies, 25.
- Illegitimate children, duty of support ex-
tended to father of, 20.
- Indictment, dissimilarity of petition to, 22.
- Injunction against parent, 25.
- Institution, can not be forced to disclose
whereabouts of child, 25.
claim of, as against claim of parent,
24.
commitment to, as determining resi-
dence, 28.
commitment to, whether ends juris-
diction of court, 24, 25.
rights over children, 27, 28.
- Investigation of cases, 23.
- Judge, desirability of specialization of,
12-13.
method of selection of, 12-13.
position of, as friend of children, 23.
qualification of, for juvenile-court
work, 13.
should be allowed sufficient time for
juvenile-court work, 13.
- Judges, rotation of, inadvisable, 13.
- Judgment, cures formal defect of proce-
dure, 26.
- Jurisdiction, as to dependents and delin-
quents at common law, 17.
of court of equity, whether property
right necessary to, 7.
of criminal court. *See* Criminal court.
- Jurisdiction, of juvenile court, appearance
of parent will give, 22.
as to age, 16-17.
broadening, 19.
commitment, invalidation of, does
not terminate, 24.
conflict with jurisdiction of crim-
inal court, 14, 15, 16, 17.
continuance of, after age limit, 17.
divorce proceedings not ouster,
15-16.
equitable, not criminal, 9.
exclusive, 14, 16.
desirability of, as to offenses
committed by children un-
der certain age, 16.
exercise of, 18, 19.
inter se, 16.
marriage as ouster, 17.
not exclusive as to equity proceed-
ings, 16.
obtained generally by petition, 21,
22.
over cases concerning—
contributing to delinquency
or dependency, 20.
delinquent children, 17, 18,
19.
dependent and neglected chil-
dren, 17, 18, 19.
desertion and nonsupport, 20.
feeble-minded children, 19.
mothers' aid, 19.
rape, 19-20.
relinquishment of, 18.
summons or warrant necessary to,
21.
suspension of sentence not relin-
quishment of, 24.
waiver of notice will give, 22.
whether attaches in contributing
cases when delinquency not
proved, 21.
whether ended by commitment to
institution, 24-25.
- Jury trial, right of children to, 9.
sometimes allowed, 23.
- Justices of peace hearing children's cases,
12.
- Juvenile court, basic conceptions of, 8-9.
comparison with "Benefit of clergy," 8.
consolidation of functions of, with
functions of courts dealing
with family problems, 28.
constitutional amendment, whether
necessary for, 10-11.
criticism of, 28.
designation of, 12.
in large cities, 12.
jurisdiction of. *See* Jurisdiction.
large powers intrusted to, 18.
power to appoint probation officers, 11.
power to punish for contempt, 23.
privacy of hearing, 23.
procedure, equitable, not criminal, 9,
must be informal, 8.
See also Procedure.

- Juvenile court, records, 27.
uniform efficiency, problem of securing, 28.
work of, whether should be given to administrative bodies, 28.
- Juvenile-court legislation, draftsmanship of, 10.
source of, 7.
with reference to taxes, 11.
- "Knowingly," construction of term in contributing cases, 21.
- Laws, equal protection of, 10.
- Local, juvenile-court legislation as, 11.
- Loco parentis, decisive confining statutes to those who stand in, 20-21.
- Maintenance, common-law duty of parents to children, 7, 20.
- Marriage as ouster of jurisdiction of juvenile court, 17.
- Mental examinations sometimes provided, 23.
- Mothers' aid laws, 19.
- Municipality, responsibility for children, 11, 28.
- Neglected children at common law, 18.
- Neglected children. *See* Dependency, Dependent children.
- Nonsupport and desertion of children, 20.
- Notice, failure to give, whether invalidates whole decree, 22, 26.
necessary to bind parents, 10.
provision as to, mandatory, 22.
to parents generally provided, 22.
waiver of, held to be revocable, 22.
whether presumed on appeal, 26.
- Oath, generally not necessary for children, 23.
- Parents, appointment as guardians after abandonment of children, 24.
children not to be taken from, unless necessary, 8.
claim of, as against institution, 24.
deprivation of custody of children not to be arbitrary, 26.
duties of, to children at common law, 7-8.
duty of support, 20.
entitled to writ of habeas corpus when improperly deprived of custody, 25.
injunction against, 25.
notice necessary to bind, 10.
notice to, generally provided, 22.
poverty of, not ground for taking away children, 19.
proceedings required of, for restoration of children, 24.
right of control not inalienable, 10.
right of, in regard to children at common law, 8.
right to be heard, 10.
unfitness, whether presumed on appeal, 25.
- Penalties, unequal, juvenile-court laws as imposing, 10.
- Person, right of guardian over, 28.
- Petition, dissimilarity to indictment, 22.
insufficiency of, cured by judgment, 26.
necessary for obtaining jurisdiction, 21, 22.
- Physical examinations sometimes provided, 23.
- Police judges hearing children's cases, 12.
- Poverty of parent, not ground for taking away child, 19.
- Privacy of hearing, 23.
- Probation, as method of disposing of case, 23.
definition of, 13.
nature of, 24.
source of, 8.
- Probation officers, appointment of, 13-14.
court kept in touch with children through, 8.
investigation by, 23.
position of, as friends of children, 23, 24.
voluntary agencies have no control over, 25.
women as, 14.
- Procedure, difficulties increased by multiplicity of courts, 28.
equitable, not criminal, 9.
formal defect cured by judgment, 26.
in cases of adults, 25.
informality of, not unconstitutional, 9.
newness of, 21.
privacy of hearing, 23.
technicalities abandoned, 23.
- Proceedings, effect upon status of children, 27-28.
inadmissible in other cases, 26.
- Property, rights of guardian over, 28.
- Property right, necessity of, for jurisdiction of chancellor, 7.
- Protection of children, common-law duty—of parents, 7-8.
of State, 7-8.
- Public, exclusion from court room, 23.
- Rape, jurisdiction over cases of, 19-20.
- Reasonable classifications by legislature presumed, 11.
- Records, juvenile-court, 27.
- Referees, 13.
- Relinquishment of jurisdiction, 18.
- Reparation as condition to discharge, 24.
- Residence, right of guardian to determine, 28.
- Restitution as condition to discharge, 24.
- Restoration, parents must show cause for, 24.
- Rotation of judges inadvisable, 13.
- Rural communities, problem of juvenile-court work in, 28.
- Separate court to hear children's cases, 8, 12.
- Separation of children and adults, 8.
- Special, juvenile-court legislation as, 11.

- State, interest of, in children, 7, 11.
- Status, commitment not equivalent to adoption, 27-28.
effect of proceedings with respect to, 27-28.
- Subject, singleness of, in juvenile-court legislation, 10.
- Summons, lack of, upon parent can not be waived by appearance of child, 22.
- Summons or warrant, necessary to jurisdiction, 21, 22.
- Support, duty of, where owed, 20.
- Suspension of sentence, not relinquishment of jurisdiction, 24.
relation to probation, 8.
- Taxes, juvenile-court legislation with reference to, 11.
- Technicalities out of place in juvenile-court procedure, 23.
- Tending to cause delinquency an offense, 21.
- Trial by jury, right of children to, 9.
sometimes allowed, 23.
- Unequal penalties, juvenile-court laws as imposing, 10.
- Uniform taxes, juvenile-court legislation and, 11.
- Waiver of notice, 22.
- Wards of chancery, children as, 7.
- Warrant or summons, necessary to jurisdiction, 21, 22.
- Women as probation officers, 14.
- Writ of error, when lies, 26.
- Writ of habeas corpus, when lies, 25.

U. S. DEPARTMENT OF LABOR

JAMES J. DAVIS, Secretary

CHILDREN'S BUREAU

GRACE ABBOTT, Chief

THE FEDERAL COURTS
AND
THE DELINQUENT CHILD

A STUDY OF THE METHODS OF
DEALING WITH CHILDREN WHO
HAVE VIOLATED FEDERAL LAWS

By
RUTH BLOODGOOD



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CONTENTS.

	Page.
Letter of transmittal.....	v
CHAPTER I.	
Juvenile offenders against Federal laws.....	1-10
Purpose and method of study.....	1
Legal provisions and present practice.....	3-10
Jurisdiction of Federal and State courts in juvenile cases.....	3
Organization and procedure of Federal courts in juvenile cases.....	3
Expedients used in juvenile cases.....	6
Institutions receiving juveniles on Federal commitments.....	9
CHAPTER II.	
Children violating postal laws.....	11-33
Sources of information.....	11
Number of cases reported.....	11
Types of postal offenses.....	12
Ages of offenders.....	13
Types of courts.....	13
Place of residence.....	17
Dispositions of cases.....	18-22
Types of dispositions.....	18
Dispositions and types of offenses.....	20
Ages and types of dispositions.....	20
Length of commitment.....	21
Indictment.....	22
Time between apprehension and disposition.....	22
Detention.....	24-27
Number detained.....	24
Type of detention.....	24
Length of detention.....	26
Social history.....	27-33
Previous delinquency records.....	28
School attendance.....	29
Employment.....	29
Home conditions and mode of living.....	31
CHAPTER III.	
Children committed to institutions.....	34-44
National Training School for Boys.....	35-42
Number of boys committed and types of offenses.....	35
Ages of boys committed.....	37
Term of commitment, and parole.....	37
Detention prior to commitment.....	39
Previous delinquency records.....	40
School and employment records.....	41
Social history.....	42

Children committed to institutions—Continued.	Page.
Two State reformatories.....	42-44
Number of boys committed and types of offenses.....	42
Ages of boys committed.....	43
Term of commitment, and parole.....	43
Detention prior to commitment.....	43
Previous delinquency records.....	44
School and employment records.....	44

CHAPTER IV.

Children violating Federal laws in eight localities.....	45-63
Number of cases in each locality.....	45
District of Columbia.....	46-47
Number and types of cases.....	46
Types of court, and ages of children.....	46
Dispositions.....	47
Time between apprehension and disposition; detention.....	47
Maryland.....	48-49
Number and types of cases.....	48
Types of courts and ages of children.....	48
Dispositions.....	48
Time between apprehension and disposition; detention.....	49
Eastern district of Pennsylvania.....	49-51
Number and types of cases.....	49
Types of courts and ages of children.....	50
Dispositions.....	50
Time between apprehension and disposition; detention.....	51
Eastern and southern districts of New York.....	51-55
Number and types of cases.....	51
Types of courts and ages of children.....	52
Dispositions.....	52
Time between apprehension and disposition; detention.....	54
Massachusetts.....	55-57
Number and types of cases.....	55
Types of courts and ages of children.....	55
Dispositions.....	56
Time between apprehension and disposition.....	57
Indiana.....	57-58
Number and types of cases, types of courts, and ages of children.....	57
Dispositions.....	57
Time between apprehension and disposition; detention.....	58
Northern district of Illinois.....	58-61
Number and types of cases.....	58
Types of courts and ages of children.....	59
Dispositions.....	59
Time between apprehension and disposition; detention.....	60
Previous delinquency records.....	61
Illustrative cases.....	61

CHAPTER V.

General conclusions.....	64-71
Number of children violating Federal laws.....	64
Methods used in children's cases by Federal authorities.....	65
Possibilities for more adequate treatment.....	68-71
Reference to State courts.....	68
Modification of Federal procedure in children's cases.....	69

LETTER OF TRANSMITTAL.

UNITED STATES DEPARTMENT OF LABOR,
CHILDREN'S BUREAU,
Washington, November 19, 1921.

SIR: I transmit herewith a report entitled "The Federal Courts and the Delinquent Child: A Study of the Methods of Dealing with Children Who Have Violated Federal Laws." The report was prepared by Ruth Bloodgood, of the Social Service Division of the Children's Bureau, with the assistance and under the direction of Katharine F. Lenroot, who has written the last chapter.

The Post Office Department and the Department of Justice have assisted the bureau by making their records available for the purpose of the study, and in many other ways in securing and interpreting the facts on which the report is based.

It will doubtless surprise many who have been interested in the development of the juvenile-court system to find that our Federal laws, like the old common criminal law, makes no distinction between adults and children. In consequence little children are still proceeded against in the United States courts by the ordinary method of arrest, detention in jail with adults pending arraignment for bail, indictment by the grand jury, and final discharge or sentence of fine or imprisonment.

All students of this subject will appreciate, as do most of the judges and officers of the Department of Justice and the Post Office Department, the injustice to the individual child, and more important still, the community loss in this unscientific method of handling juvenile offenders.

Respectfully submitted.

GRACE ABBOTT, *Chief.*

HON. JAMES J. DAVIS,
Secretary of Labor.

THE FEDERAL COURTS AND THE DELINQUENT CHILD.

CHAPTER I. JUVENILE OFFENDERS AGAINST FEDERAL LAWS.

PURPOSE AND METHOD OF STUDY.

A phase of the problem of juvenile delinquency not heretofore given special consideration is that of the children who violate Federal laws and are taken before United States district courts. Attention has centered on the number of children coming before State courts and on the progress these courts have made in affording special treatment of children's cases. That there are considerable numbers of juveniles arrested and tried on Federal charges is shown in the reports of the Attorney General for the last two years,¹ which give a total of 1,038 persons under 20 years of age committed to institutions for violations of Federal laws by United States district courts; figures are not available for the total number under 20 years of age before these courts.

The attention of the United States Children's Bureau had been called to the problem of children violating Federal laws by several persons in different parts of the country. In one instance a member of a grand jury to which several children's cases had been presented felt very keenly that young children should not be subjected to the formal procedure and limited facilities for treatment in the Federal courts. It seemed particularly appropriate that the Children's Bureau, a Federal agency concerned in raising the standards of child protection and child care, should interest itself in the methods employed by the Federal Government in dealing with children violating the laws of the United States. For these reasons an inquiry was undertaken covering, so far as the information was available, the numbers of children violating Federal laws in 1918 and 1919, their ages, the types of offenses committed, the methods of procedure, the dispositions made, and to a limited extent the home conditions and social histories of the children.

The Department of Justice and the Post Office Department were most helpful in making available the data upon which the inquiry is based.

¹ Annual Reports of the Attorney General of the United States: 1919, Exhibit No. 23, opp. p. 534; 1920, Exhibit No. 19, opp. p. 606.

Records of the chief inspector of the Post Office Department relating to offenders against postal laws were the first sources of information. Data were obtained on all such offenders under 18 years of age arrested throughout the United States during the calendar years 1918 and 1919.

As the National Training School for Boys in the District of Columbia is the institution to which the largest number of boys under 18 years of age are committed for all types of Federal offenses, the records of this institution were consulted, information being obtained in regard to all children sent to this institution for offenses against Federal laws committed during the years selected. Besides this Federal institution, two State institutions were included in the study—the New York State Reformatory at Elmira and the Iowa State Reformatory at Anamosa. These institutions, located in different parts of the country, are among those with which the Government contracts to receive Federal commitments.

The information from the National Training School for Boys and the Post Office Department furnished the basis for selection of the eight United States courts chosen for special study, namely, the Supreme Court of the District of Columbia² and seven United States district courts (Illinois, northern district; Indiana; Maryland; Massachusetts; New York, eastern and southern districts; and Pennsylvania, eastern district). Juvenile and other State courts in these districts were visited for the purpose of obtaining information with regard to any Federal cases which were referred to them.

In each district the seat of the court, which happened in each case to be the largest city of the district, was visited, as were also some of the smaller localities near by. All cases of juvenile postal offenders for which information had already been obtained at the Post Office Department and cases of children committed to the institutions studied were followed through the records of courts, jails, and social agencies knowing the offenders, in order to secure as complete histories as possible.

From the different sources schedules were taken for each case, the following information being obtained: Type of court hearing case, method of handling case in court, age, offense, detention, disposition, length of time between apprehension and disposition, and any social facts available.

In the districts studied, because of the absence of age reports on the court records, it was impossible to obtain an accurate count of all cases of children committing Federal offenses other than postal. Accurate knowledge of the number of Federal offenders referred to juvenile courts could not be obtained as the records of the juvenile

² The Supreme Court of the District of Columbia is clothed with the powers and authority of a United States district court.

courts seldom noted the case as involving a Federal charge, giving merely the charge preferred in the juvenile court.

The United States judges, attorneys, postal authorities, and representatives of social agencies familiar with the local situations were most cooperative in assisting the Children's Bureau in this study. In addition to the studies of selected localities, interviews were had with the United States attorneys and other officials in Buffalo, Cleveland, Denver, Los Angeles, Minneapolis, New Orleans, St. Louis, San Francisco, and Seattle. Although schedules were not taken in these places, information as to the extent of the problem and the practice in handling juvenile cases was obtained.

LEGAL PROVISIONS AND PRESENT PRACTICE.

Jurisdiction of Federal and State courts in juvenile cases.

The United States district courts have exclusive jurisdiction "of all crimes and offenses cognizable under the authority of the United States."³ Such offenses are cognizable in these courts only when made so by acts of Congress.⁴ No separate provisions exist under Federal law for jurisdiction over juvenile cases; and so the children who violate such acts as the postal, interstate-commerce, internal-revenue, and drug laws, or those who are arrested for larceny of United States property, trespassing on United States property, forgery, and embezzlement of Government property, are under the jurisdiction of the United States district courts.

Although there is no law for the removal to the State courts of cases cognizable in the district or circuit courts of the United States,⁵ among many Federal authorities a practice has developed of referring to the State courts juvenile cases which may be brought under the jurisdiction of the State authorities by lessening the charge. For instance, in many cases of larceny of mail the charge preferred is simply that of larceny or "taking the property of another." In some cases the offense may involve both a State and a Federal charge, as in larceny from a post office located in a general store, merchandise also being stolen. In such cases the State charge is often preferred and the Federal charge dropped, the Federal authorities considering the State prosecution sufficient.

Organization and procedure of Federal courts in juvenile cases.

The types of offenses committed against the United States are in many instances not more serious than those bringing children to the juvenile courts, yet in the Federal courts the method of procedure and the attitude of the court toward the offender differ materially

³ The Judicial Code of the United States, Ch. XI, sec. 256; 36 Stat. 1161.

⁴ U. S. v. Shepherd, 1 Hughes 520; 27 Fed. Cas., No. 16274; U. S. v. Lewis, 36 Fed. 449.

⁵ McCollom v. Pefe, 7 Kans. 189, 1871.

from juvenile-court practice, which considers the delinquent a child to be protected and saved. Procedure in Federal courts, when unmodified by the expedients adopted in some instances, is based on the theory that the child has committed a crime for which he must be punished.

The organization and procedure of the Federal courts do not readily lend themselves to the handling of juvenile cases according to generally recognized standards of dealing with delinquent children. In the first place, prompt action is difficult to obtain because the jurisdiction of each United States district court includes considerable territory, in many instances an entire State. Sessions of the court are held at various places within each district at stated intervals; a child committing an offense against the United States may have to wait for trial until the term of court which meets in his place of residence, or if he does not live in a meeting place of the court he must be taken to the one nearest his home.

The first step in bringing a case before a Federal court is a presentation of the facts to the United States attorney; following this a preliminary hearing is held before the United States commissioner, who fixes the amount of bond. The case is next presented to the court on information filed, or to the grand jury, the former procedure being permissible in cases of misdemeanors. If the case is presented to the grand jury and an indictment returned, or if it is presented direct to court on information, the case is then tried, often by jury. These trials are open to the public and are formally conducted. Because of the organization of the Federal courts, the length of time between apprehension and final court action is sometimes considerable, and cases are often carried from one term of court until the next because of a crowded calendar. Moreover, in the Federal courts there is no provision for social investigation, special detention of juveniles, or probation.

In contrast to the methods of the Federal courts are the following features of juvenile-court organization and procedure: Prompt action, because of easy access to the court and frequency of sessions; informal court procedure, with separate hearings as nearly private as possible; proper facilities for juvenile detention; means for obtaining adequate information concerning the child's physical and mental condition, personality and habits, family history, and home conditions; and probation service, by which children on probation may be kept under close and helpful supervision. The preliminary hearings by attorneys and commissioners and the presentment to the grand jury are eliminated in the juvenile-court procedure. Under this procedure no bond is required, and children are released upon their own recognizance if they can safely remain at home pending the hearing.

Prior to December, 1916, the Federal judges had always used their own discretion in placing offenders on probation, and their right to do so had never been questioned. At that time the Supreme Court of the United States handed down a decision⁸ by which it was held that Federal judges had no legal power to place offenders on probation from United States district courts, but could do so from the Supreme Court of the District of Columbia, where a system of probation is legally provided. This decision made the rule against probation absolute.

Immediately following this decision a bill providing for probation was passed in February, 1917, by both the House and the Senate, but did not receive the President's signature. Another bill⁹ was introduced in the House of Representatives on January 24, 1920, and was referred to the House Committee on the Judiciary, which held hearings on the subjects of probation in the Federal courts and parole.⁹ This bill was not enacted into law, and in April, 1921, a third bill was introduced in the House of Representatives and referred to the Committee on the Judiciary.⁹

In contrast to the lack of probation in the Federal courts is the fact that probation has been provided for by law in every State of the Union. The instances already cited¹⁰ of reference of juvenile Federal offenders to State courts on preferred charges show that many United States attorneys and judges realize their handicap in this matter. Several United States attorneys reported that in cases which they did not consider sufficiently grave to warrant prosecution they often placed boys on probation to themselves, informally, requiring the boys to report from time to time, and later dismissing the cases. This informal probation consisted only of reporting in person or by mail to the office of the attorney. No further supervision was afforded, such as would be exercised by a probation officer through home visits, cooperation with school authorities, employers and recreational agencies, and by other means.

The problem of the detention of juveniles coming before the Federal courts is the more serious because of the long periods that frequently elapse between apprehension and disposition, and because bond is required for release after preliminary hearing. Doubtless detention could often be avoided if the juvenile-court practice were

⁸ Killits case, 242 U. S. 27.

⁹ A bill for the establishment of a probation system in the United States courts, except in the District of Columbia. H. R. 12036, 66th Cong., 2d sess.

⁹ Hearings before the Committee on the Judiciary, House of Representatives, 66th Cong., 2d sess., Serial No. 20, p. 5. Washington, 1920.

⁹ An act to amend an act entitled "An act to parole United States prisoners, and for other purposes," approved June 25, 1910, as amended by an act approved January 23, 1913, and for the establishment of a probation system in the United States courts, except in the District of Columbia. H. R. 4126, 67th Cong., 1st sess.

¹⁰ See p. 3.

followed of releasing children to the custody of their parents without bond. But, for children as well as for adults, jail detention is the common practice, there being no prohibition under Federal law against detaining juveniles in jail and no provision for other forms of detention. Through informal arrangements local detention homes are used in a few instances, but this is by no means a general practice. In New York City, where local ordinances prohibit jail detention of juveniles under 15 years of age, the shelter of the Society for the Prevention of Cruelty to Children is used for all Federal offenders under that age. In Knoxville, Tenn., the law creating the juvenile detention home specifies that Federal offenders may be detained therein. This provision in the law was requested by the Federal judge of that district, who had had several cases of children detained in jail for months.

In Federal cases referred to juvenile courts, when detention is required, the children are detained in special detention homes or other places provided for the detention of juvenile delinquents under the jurisdiction of those courts. In few of these cases were children reported as being detained in jails. The juvenile-court laws in many States prohibit the detention of juveniles under specified ages in jails and frequently require the establishment of special places of detention for them.

Expedients used in juvenile cases.

Certain expedients have been adopted by some of the United States attorneys and judges in the handling of children's cases, by which they are enabled to deal with them more nearly from the standpoint of the children's welfare and potentialities.

The first of these expedients is that mentioned above—the referring of cases of children violating Federal laws to the State courts, charges being preferred which will bring them under the jurisdiction of those courts. The extent to which this policy is followed depends upon the attitude of both attorneys and judges. The cases which are referred are usually reviewed first by the United States district attorneys, though in a few districts the post-office inspectors, knowing the policy of the judges and attorneys, take the children directly to the juvenile courts.

In 7 of the 17 districts in which the United States attorneys were interviewed, a large number of the children reported as violating Federal laws were referred to the State courts—usually to the juvenile courts where they were available, or to the courts having jurisdiction to hear juvenile cases in places not having specially organized juvenile courts. In two of these seven districts special arrangements had been made informally with the juvenile courts to handle all cases of children under 17 years of age who violated Federal laws.

Extracts from letters of the post-office inspectors in five localities other than the seven districts referred to in the preceding paragraph are here cited for the purpose of showing the attitude of attorneys and judges in those places toward referring juvenile cases:

(1) At an interview a few weeks ago the United States attorney informed me that when the State would assume the prosecution and charge of delinquent boys accused of violations of the postal laws he much preferred such action to prosecutions in Federal court, as the State courts can sentence them to reform schools and place them under charge of probation officers, with better results than can be secured by confining them in county jails or sending them to Federal prisons.

(2) One of the United States attorneys advised that in view of the fact that there was a good case against the boy in the State court, and as he was too young for prosecution in the United States court on account of lack of suitable place for his confinement, and also for the reason that, because of the war, the expenses of the United States courts had been increased, and he did not like to burden these courts with a case of this nature when the defendant could be punished in the juvenile court; therefore he advised that the matter be taken up with the probate judge of the county, looking to the confinement of the boy in the reform school of the State.

(3) The facts in this case were reported to the United States attorney. In his reply he stated that a number of cases of similar nature have been submitted to him, and that he has found that the better course is for a charge to be made against the youthful offender (who is 16 years of age) in the juvenile courts (State); that the judge of the court or the probation officer constantly has the boy under surveillance, and that the best results can be eventually worked out. He stated, further, that a charge of forgery under the State law may be made and the boy apprehended and released on such conditions as the court may require.

(4) The matter was submitted to the United States attorney, who, under date of January 18, 1919, replied in part as follows: "I know the attitude toward prosecutions of boys of his age for crimes of this nature, and I am sure that more good could be accomplished by having the boy brought before some local or municipal judge and reprimanded than by his indictment and prosecution."

(5) I have submitted several reports of cases involving violations of the postal laws by persons under 18 years of age to the United States attorney, and in each of these cases he has recommended that the matter be submitted to the county authorities of the county in which the offense was committed, stating that the judge in this district does not care to handle cases of persons who are subject to commitment to the State industrial school.

Great variance was found in the method of prosecuting interstate commerce violations. In the case of juveniles, these usually consist of breaking into and larceny from freight cars in interstate shipment. In some communities all these cases are taken before juvenile or other State courts on larceny charges. In other localities all go before the Federal courts, and in still others some are taken to each type of court. The policy of one eastern railroad is to prosecute all cases in State courts whenever possible.

In two districts the United States attorney ruled that the Federal authorities would not prosecute cases of theft from interstate ship-

ment where the value of the goods stolen was small (in Maryland less than \$100). Children seldom commit larceny to a large amount from interstate shipments, and in these two localities few children were taken before Federal courts on this charge. Of the 74 boys committed for such offenses by United States district courts to the National Training School for Boys, 2 were sent from one of these two districts and none from the other.

Informal treatment by United States attorneys is frequent, consisting of an informal conference in the attorney's office and dismissal of the case or arrangement for informal probation either to the attorney himself or to some probation officer of a local court. An example of this method is found in the eastern district of Pennsylvania.¹¹

In one district the post-office inspector handled informally postal cases involving children, reporting each case, with his decision, to the district attorney, who usually concurred in the recommendation of the inspector and did not see the child. Cases which were brought formally to this district attorney's office usually went to the grand jury.

In some cases reaching the grand jury, because of the youth of the offender, a finding of "no bill" was returned. This amounts to a dismissal of the case, since no further court action is taken. In many cases the attorney did not wish to prosecute, even though a bill of indictment was returned, and he entered a petition to nolle prosequi—also a form of dismissal without trial.

In disposing of children's cases which are brought for trial and in which the offense does not warrant commitment to an institution, the judges in three of the districts studied frequently imposed a sentence of one day in the custody of the United States marshal, thus satisfying the legal requirement that a sentence shall be passed upon a defendant who is found guilty. The child thus sentenced was required to sit in the marshal's office from the time of pronouncement of sentence by the judge until the office closed for the day. In three other districts short sentences of from one week to sixty days in local jails were reported. In one large city, in preference to committing the boys to the county jail located in the city, they were committed to small county jails outside the city.

Fines are sometimes imposed. As a substitute for probation, judges often continue a case or defer sentence from one term of court until the next, pending the child's good behavior. No close supervision, such as a probation system would provide, is available in these continued cases, the only effort to keep in touch with the child's conduct being the requirement that he shall report to the court on the dates set in the continuance order. Such procedure was

¹¹ See p. 50.

reported in four of the districts studied. After such cases have been continued for from six months to a year, many are nol-prossed, while in other cases fines are imposed or the children receive sentences of one day in the marshal's custody or short terms in jail.

Two war-time measures¹² included sections on the unlawful wearing of the United States uniform, the procuring of liquor for soldiers and sailors, and vice regulations. Before the courts or in the institutions studied were 50 boys arrested for wearing uniforms illegally or procuring liquor for men in uniform—cases typical only of the war period. Girls arrested during the war in violation of the vice section of this act were usually taken to the juvenile courts through the efforts of the protective agencies and were not recorded separately by these courts as Federal cases. No reports of the number of such cases were available in the courts studied. It was found that 21 girls had been committed on such charges by United States district courts—6 to the Iowa State Reformatory and 15 to the National Training School for Girls, District of Columbia—but they were not included in this study.

Few juveniles are held on charges of the violation of the Mann Act.¹³ Several courts reported that in rare instances girls under 18 years of age are held as witnesses in Mann Act cases. If detention is necessary, it is usually in private institutions, though occasionally in jails. In this study no records of such cases were discovered.

Institutions receiving juveniles on Federal commitments.

The National Training School for Boys and the National Training School for Girls, both in the District of Columbia, are the two Federal institutions to which only juvenile delinquents are committed. Under the law these institutions receive boys and girls from the juvenile court and the Supreme Court of the District of Columbia and from United States district courts. A large number of boys are committed to the National Training School for Boys by the district courts throughout the United States; the National Training School for Girls, however, seldom receives girls from such courts.

Legal provision is made for commitment of juvenile offenders against Federal laws to certain State and other local institutions. By statute¹⁴ the Attorney General may contract with local houses of refuge for the confinement of juvenile offenders against the laws of the United States. He must notify the district courts of the places of confinement thus provided, and offenders are sentenced

¹² 39 Stat. 166 (national defense act, June 3, 1916); 40 Stat. 76 (an act to authorize the President to increase temporarily the Military Establishment of the United States, May 18, 1917).

¹³ 36 Stat. 825 (act of June 25, 1910).

¹⁴ U. S. Comp. Stat. 1916, secs. 10550 (R. S. 5549), 10551 (R. S. 5550), 10500 (act 3 Mar., 1891, ch. 529, sec. 9).

to the designated house of refuge nearest the place of conviction. The Federal Government pays for the maintenance of its prisoners committed to such local institutions. The reports of the Attorney General for the years 1919 and 1920¹⁵ show that persons under 20 years of age were confined in the following local institutions, exclusive of jails: State industrial schools of Colorado and Idaho; girls' industrial schools of South Carolina and West Virginia; Tennessee State Training and Agricultural School for Boys, St. Mary's Industrial School¹⁶ and the House of Reformation (for colored boys),¹⁷ Maryland, and the Missouri State Industrial Home; State reformatories in Connecticut, Illinois, Iowa, Minnesota, Missouri, and New York; State reformatories for women in Iowa and Massachusetts, and the Woman's Reformatory of Kansas City, Mo.; State penitentiaries of Colorado, Maryland, Missouri, Oklahoma, and West Virginia; the penitentiaries of Essex County and Hudson County, N. J., and Oahu Prison, Honolulu; the houses of correction of Chicago and Peoria, Ill., of Detroit, Mich., and of Milwaukee County, Wis. State laws in both Pennsylvania and Minnesota¹⁸ provided for the confinement in State institutions of juvenile delinquents convicted in the Federal courts of the State, the State to be reimbursed for their maintenance by the United States.

The majority of the local institutions with which arrangements are made to receive juveniles receive also adult offenders, the ages of prisoners at the State reformatories ranging from 16 to 30 years. Federal prisoners have the same treatment at these institutions as do other prisoners, and no provision is made for separation into groups according to age.

During the two-year period from July 1, 1918, to June 30, 1920, in addition to those committed to the institutions already mentioned, 389 persons under 20 years of age were committed to Federal penitentiaries—204 to Atlanta, Ga.; 158 to Leavenworth, Kans.; and 27 to McNeil Island, Wash. That the majority of these 389 were probably 18 years of age and over is indicated by the fact that only 12 cases of commitment to such institutions were reported in this study of juvenile offenders. All were sent to Atlanta penitentiary, and all but one had violated postal laws.

¹⁵ Annual Reports of the Attorney General of the United States: 1919, Exhibit No. 23, opp. p. 534; 1920, Exhibit No. 19, opp. p. 606.

¹⁶ A private institution in Maryland.

¹⁷ A private institution, subsidized by both city and State.

¹⁸ Pa. 1899 P. L. 15, sec. 1 (act of Mar. 22); Minn. G. S. 1913, sec. 14064.

CHAPTER II. CHILDREN VIOLATING POSTAL LAWS.

SOURCES OF INFORMATION.

Postal laws and regulations were found to be the Federal laws most frequently violated by juveniles. The information with reference to the postal cases was obtained from the records of the chief inspector of the Post Office Department. The United States is divided into 15 divisions, with an inspector in charge of each, and a varying number of inspectors in each division to handle the cases of postal violations arising therein. The inspectors are vested with the power of arrest but not of search, and they make investigations of all postal cases before referring them to the United States attorneys. If local police officials make the arrest they are required to notify the post-office inspectors at once. The inspectors present the cases, with a report of their investigations, to the United States attorneys. Each case is reported to the office of the chief inspector in Washington, information being given as to the offense, age of defendant, type of court handling the case, preliminary hearing, indictment, and final disposition made. In some cases supplementary information is given with regard to detention, employment, school attendance, and social history.

These records were available for the entire United States, Alaska, and Porto Rico, and are fairly inclusive of the number of juveniles violating Federal postal laws during the period, though a few cases may have been handled informally of which no record was sent in. In a small number of instances the age was not given. The information from the Post Office Department was checked and supplemented by court, jail, and institutional records in those cases reported also from the districts or by the institutions included in other parts of this study.

NUMBER OF CASES REPORTED.

Records from the Post Office Department were obtained for 1,108 cases of juveniles under 18 years of age arrested in 1918 and 1919. The number reported for 1919 was considerably larger than that for 1918, 617 as compared with 491. There were 37 cases of postal-law violation reported in the localities and by the institutions studied for which no record could be found in the Post Office Department. The 1,108 for which records were found in the Post Office Department form the basis for this chapter.

During the two-year period 1,054 boys were arrested for postal offenses, and only 54 girls. Of the boys, 869 were white, 163 were

Negroes, 11 belonged to other races, and in 11 cases race was not reported. Thirty of the girls were white, 23 were Negroes, and in 1 case race was not reported.

Cases of violations of postal laws by juveniles were reported from each State¹ for the two-year period, 1918-1919, as follows:

Total.....	1,108	Nebraska.....	11
Alabama.....	21	New Hampshire.....	7
Arizona.....	7	New Jersey.....	13
Arkansas.....	24	New Mexico.....	7
California.....	53	New York.....	94
Colorado.....	18	North Carolina.....	21
Connecticut.....	11	North Dakota.....	2
Delaware.....	2	Ohio.....	33
District of Columbia.....	27	Oklahoma.....	37
Florida.....	22	Oregon.....	7
Georgia.....	38	Pennsylvania.....	53
Illinois.....	119	Rhode Island.....	3
Indiana.....	19	South Carolina.....	21
Iowa.....	8	South Dakota.....	2
Kansas.....	17	Tennessee.....	20
Kentucky.....	21	Texas.....	23
Louisiana.....	19	Utah.....	1
Maine.....	8	Vermont.....	2
Maryland.....	24	Virginia.....	34
Massachusetts.....	56	Washington.....	14
Michigan.....	18	West Virginia.....	40
Minnesota.....	34	Wisconsin.....	10
Mississippi.....	34	Wyoming.....	1
Missouri.....	39	Alaska.....	3
Montana.....	6	Porto Rico.....	4

TYPES OF POSTAL OFFENSES.

The largest number of cases reported were for larceny of mail—496 cases—and post-office breaking and entering and larceny—246 cases. Fifty or more cases each were reported for forgery, larceny of postal funds or property, “stubbing” special-delivery letters,² and wrongful use of the mails. A list of the various offenses and the number of children committing each offense follows:

Total.....	Per cent dis-	
	Number.	tribution.
	1,108	100.0
Larceny.....	555	50.1
Of mail.....	496	
Of postal funds or property.....	50	
Of money left in rural boxes.....	3	
Other.....	6	

¹ No cases reported from Idaho or Nevada.

² When a special-delivery messenger fails to attempt to deliver letters given him for delivery and makes a false return on the return slip, collecting the 8 cents allowed for delivery of each letter, he is guilty of “stubbing.”

	Number.	Per cent distribution.
Breaking and entering and larceny, post office.....	246	22.2
"Stubbing".....	58	5.2
Forgery.....	56	5.1
Wrongful use of mails.....	50	4.5
Breaking and entering, post office.....	41	3.7
Larceny of mail and forgery.....	31	2.8
Destruction of post-office property.....	28	2.5
Embezzlement.....	21	1.9
Having stolen post-office property in possession.....	8	.7
Attempted robbery.....	3	.3
Other.....	11	1.0

Postal offenses committed by the 54 girls reported were confined chiefly to three types: (1) Forgery of mail or of checks contained in stolen mail—15 cases; (2) larceny of mail—15 cases; (3) wrongful use of the mails—10 cases—including 8 cases of sending obscene letters and 2 involving schemes to defraud.

AGES OF OFFENDERS.

Slightly more than half (566) of the children committing postal offenses were reported to be under 16 years of age at the time of apprehension. The 54 girls reported were proportionately older than the boys, as nearly two-thirds of the girls, but less than half the boys, were 16 and 17 years of age. The age distribution of the boys and girls is shown in the following list:

	Boys.	Girls.
Total.....	1,054	54
Under 10 years.....	88	—
10 to 11 years.....	69	1
12 to 13 years.....	145	5
14 to 15 years.....	205	13
16 to 17 years.....	408	34
Age not reported.....	9	1

Except for post-office breaking and entering and larceny and the "stubbing" of special-delivery letters there seems to be no close relation between the age and type of offense. Of the 244 boys arrested for breaking, entering, and larceny from post offices, 108 were 16 years of age or over. In 55 of the 58 cases of "stubbing" reported the boy was of this age group; this was the largest proportion 16 years of age or over reported for any one offense, and is accounted for by the policy of not employing as special-delivery messengers boys who are under the age of 16.

TYPES OF COURTS.

As stated in Chapter I, United States district courts have original jurisdiction of the violations of postal laws, but the policy of referring cases involving children to juvenile and other State courts is followed in many districts, though no legal provision has been

made for such action.³ Table 1 shows for each State the children before specified types of courts.

TABLE 1.—Type of court, according to State; children arrested in 1918 and 1919 for violating postal laws.

State. ¹	Children violating postal laws.					Court action not reported.
	Total.	Before specified type of court.			No court action taken.	
		U. S. district.	Juvenile.	Other State.		
Total.....	1,108	676	202	136	79	15
Alabama.....	21	17		1	3	
Arizona.....	7	1		2	3	1
Arkansas.....	24	19		4	2	
California.....	53	¹ 11	38		4	
Colorado.....	18	1	10	6	1	
Connecticut.....	11	3	2	6		
Delaware.....	2	1			1	
District of Columbia.....	27	10	15		2	
Florida.....	22	20		1	1	
Georgia.....	38	34		3	1	
Illinois.....	119	98	9	6	6	
Indiana.....	19	13		6		
Iowa.....	8	5		1	1	1
Kansas.....	17	12	1	3		1
Kentucky.....	21	16		5		
Louisiana.....	19	13		2	4	
Maine.....	8	5		3		
Maryland.....	24	¹ 16	1		7	
Massachusetts.....	56	5	35	13	3	
Michigan.....	18	¹ 11	5	2		
Minnesota.....	34	13	15	6		
Mississippi.....	34	30		1	3	
Missouri.....	39	30	3	3	3	
Montana.....	6	2	2	2		
Nebraska.....	11	1	5		3	2
New Hampshire.....	7	6	1			
New Jersey.....	13	12		1		
New Mexico.....	7	7				
New York.....	94	41	32	17	4	
North Carolina.....	21	18				3
North Dakota.....	2	2				
Ohio.....	33	21	7	3	1	1
Oklahoma.....	37	¹ 30	3	2		2
Oregon.....	7	5		2		
Pennsylvania.....	53	26	9	9	6	3
Rhode Island.....	3			3		
South Carolina.....	21	18			2	1
South Dakota.....	2		2			
Tennessee.....	20	17		2	1	
Texas.....	23	21		2		
Utah.....	1				1	
Vermont.....	2	1			1	
Virginia.....	34	26		3	5	
Washington.....	14	4	5	5		
West Virginia.....	40	26		5	9	
Wisconsin.....	10	2	2	6		
Wyoming.....	1	1				
Alaska.....	3	3				
Porto Rico.....	4	3			1	

¹ No cases in Idaho or Nevada.

² Includes 5 children before a United States district court, whose cases were later transferred to juvenile courts.

³ Includes 1 child before a United States district court, whose case was later transferred to a juvenile court.

⁴ Includes 1 child before a United States district court, whose case was later transferred to a State court other than juvenile.

In 15 cases court action was not reported; in 79 cases—7.1 per cent—no court action was taken, it being decided by the United States attorney or by the postal authorities not to prosecute. Of the remaining 1,014 cases, 202—19.9 per cent—were before juvenile

courts, and 136—13.4 per cent—were taken before other State courts—county, district, circuit, or city courts. Some of the last group of courts, though not reported as juvenile courts on the post-office records, probably belonged in the juvenile-court group as having juvenile jurisdiction and organization for dealing with children's cases. The majority of cases—668, or 60.3 per cent—were heard before the United States district courts, and 8 others were first heard by these courts and then transferred to juvenile or other State courts. Cases presented to the United States commissioner for preliminary hearing or to the grand jury for indictment, whether or not a bill was returned, were considered to have had court action.

Half, or more than half, the children's cases reported were referred to juvenile or other State courts in California, Colorado, Connecticut, District of Columbia, Massachusetts, Minnesota, Montana, New York, Rhode Island, South Dakota, Washington, and Wisconsin.

The policy of referring juvenile cases to State courts is much more prevalent in cases involving young children than in cases involving older boys and girls. The majority of postal cases involving children under the age of 12 and exactly one-half of those involving children 12 and 13 years of age were handled by juvenile and other State courts. Of the cases involving children 14 years of age and over, the largest number were before Federal courts. The comparatively small proportion of children 16 years of age and over referred to juvenile courts may be accounted for in part by the fact that their jurisdiction extends in some States only over children under 16 years of age and in others only over children under 17. Furthermore, it may not be considered necessary to refer the older children to the juvenile or other State courts for the more informal procedure available there. Table 2 gives further detail of the ages of children before the different courts.

TABLE 2.—Age at apprehension and type of court; children arrested in 1918 and 1919 for violating postal laws.

Age at apprehension.	Children violating postal laws.					
	Total.	Before specified type of court.			No court action taken.	Court action not reported.
		United States district.	Juvenile.	Other State.		
Total.....	1,108	676	202	138	79	15
Under 10 years.....	38	8	11	4	15	1
10 to 11 years.....	70	19	33	10	7	1
12 to 13 years.....	150	60	45	30	11	4
14 to 15 years.....	308	177	73	33	19	6
16 to 17 years.....	532	408	38	67	25	4
Not reported.....	10	4	2	2	2	.....

¹ Includes 2 children before a United States district court whose cases were later transferred to a juvenile court.

² Includes 5 children before a United States district court whose cases were later transferred to a juvenile court, and 1 whose case was transferred to a State court other than juvenile.

Comparison of the type of offense with the type of court handling the case does not indicate that any definite policy was followed in referring certain types of cases to State courts. In only four groups of offenses was no instance of reference to juvenile or other State courts reported: (1) Larceny of mail from rural mail boxes, involving forgery of checks contained in the letters; (2) larceny of money for stamps left in rural boxes; (3) use of mails in a scheme to defraud; and (4) sending threatening letters. These offenses are not more serious than others reported.

The largest numbers of cases referred involved larceny of mail and post-office breaking and entering and larceny, which were the offenses most frequently committed. Of the 496 cases of larceny of mail, 36.3 per cent were referred to State courts, and 55.6 per cent were brought before United States district courts; of the 246 cases of post-office breaking and entering and larceny only 29.3 per cent were taken to local courts as compared with 63.4 per cent before the Federal courts. A considerable number of the cases of larceny from post offices involved State in addition to Federal offenses, as the post office was often located in a store from which merchandise was stolen at the same time. In a number of instances of larceny of mail from hall letter boxes the Federal authorities ruled that the responsibility of the Post Office Department ended with the delivery of the mail. Table 3 shows the types of offenses involved in cases before the different courts.

TABLE 3.—*Offense and type of court; children arrested in 1918 and 1919 for violating postal laws.*

Offense.	Children violating postal laws.					
	Total.	Before specified type of court.			No court action taken.	Court action not reported.
		United States district.	Juvenile.	Other State.		
Total.....	1,108	676	202	136	79	15
Larceny.....	555	311	139	59	41	5
Of mail.....	496	277	129	51	34	5
Of postal funds or property.....	50	28	10	6	6	
Of money left in rural boxes.....	3	3			1	
Other.....	6	3		2		
Breaking and entering and larceny, post office.....	246	156	25	47	11	7
"Stubbing".....	58	57	1			
Forgery.....	56	43	7	3	3	
Wrongful use of mail.....	50	36	5	1	5	3
Breaking and entering post office.....	41	17	2	16	6	
Larceny of mail and forgery.....	31	10	11	5	5	
Destruction of post-office property.....	28	15	6	3	4	
Embezzlement.....	21	20	1			
Having stolen property in possession.....	8	5	2		1	
Attempted robbery.....	3	2		1		
Other.....	11	4	3	1	3	

¹ Includes 8 children before United States district courts whose cases were later transferred to juvenile or other State courts.

PLACE OF RESIDENCE.

The organization of the United States district courts, each district covering considerable territory, with specified places of holding court at stated intervals, often necessitates taking the child some distance from his home and holding him for some time awaiting trial. The child's place of residence was other than the place of holding court in 310, or 56.2 per cent, of the 552 cases before United States courts in which place of residence was reported. On the other hand, the child lived in the city in which the court was located in 72.3 per cent of the 188 cases reported heard by juvenile courts in which place of residence was reported, and in 52.9 per cent of the 87 cases before other State courts. The place of residence in relation to the place of holding court, for the 881 cases in which the place of residence was reported, is shown in table 4.

TABLE 4.—Place of residence in relation to place of holding court and type of court; children arrested in 1918 and 1919 for violating postal laws.

Place of residence.	Children violating postal laws whose residence was reported.										
	Total.		Before specified type of court.						No court action taken.		Court action not reported.
			United States district.		Juvenile.		Other State.				
	Number.	Per cent distribution.	Number.	Per cent distribution.	Number.	Per cent distribution.	Number.	Per cent distribution.	Number.	Per cent distribution.	
Total.....	881	100.0	552	100.0	188	100.0	87	100.0	45	100.0	9
Same as place of holding court....	448	50.9	242	43.8	136	72.3	46	52.9	20	44.4	4
Other than place of holding court.	433	49.1	310	56.2	52	27.7	41	47.1	25	55.6	5

¹ Includes 7 children before United States district courts, whose cases were later transferred to juvenile courts.

The largest number of the 1,108 children were reported as residing in communities of less than 10,000 population—385, or 34.7 per cent. The next largest group—240, or 21.7 per cent—resided in cities of 500,000 population and over. The size of place of residence and the type of court are shown in Table 5.

TABLE 5.—*Size of place of residence and type of court; children arrested in 1918 and 1919 for violating postal laws.*

Size of place of residence. ¹	Children violating postal laws.										
	Total.	Before specified type of court.						No court action taken.		Court action not reported.	
		United States district.		Juvenile.		Other State.					
		Num-ber.	Per-cent. ²	Num-ber.	Per-cent. ²	Num-ber.	Per-cent. ²	Num-ber.	Per-cent. ²	Num-ber.	Per-cent. ²
Total.....	1,108	676	61.0	202	18.2	136	12.3	79	7.1	15	1.4
Under 10,000.....	385	235	61.0	57	14.8	58	15.1	28	7.3	7	1.8
10,000, under 25,000.....	47	34	-----	3	-----	10	-----	-----	-----	-----	-----
25,000, under 100,000.....	90	58	-----	19	-----	7	-----	5	-----	1	-----
100,000, under 500,000.....	109	63	57.8	36	33.0	5	4.6	2	1.8	3	2.8
500,000 and over.....	240	151	62.9	71	29.6	8	3.3	10	4.2	-----	-----
Not reported.....	237	135	57.0	16	6.8	48	20.3	34	14.3	4	1.0

¹ Derived from Fourteenth Census of the United States, 1920, Vol. I, Population, p. 320 ff² Not shown where base was less than 100.

The percentage of cases referred to juvenile or other State courts was almost as high in towns of less than 10,000 population as in large cities—29.9 in the former as contrasted with 37.6 and 32.9 in cities of 100,000 to 500,000 and of 500,000 and over, respectively. However, in cities of over 100,000 population, less than 5 per cent were referred to State courts other than juvenile, while in communities under 10,000 the percentage was 15.1. This difference is doubtless accounted for by the fact that large cities are much more likely than smaller communities to have organized juvenile courts.

DISPOSITIONS OF CASES.

Types of dispositions.

Because of the absence of probation and power to suspend sentence in the Federal courts, commitments to institutions constitute the most frequent form of disposition in the 1,014 postal cases for which definite court action was reported. The National Training School for Boys, State reformatories, and jails received the largest number of commitments from the United States district courts, while the State industrial schools received the largest number from juvenile and other State courts. Probation, suspended sentence, or both probation and suspended sentence were used in the majority of cases dealt with by juvenile courts. Both State and Federal courts dismissed cases, Federal courts usually upon preliminary hearing before the United States commissioner. Summarizing the dispositions made by courts of all types in the 1,014 cases, it is found that

the Federal grand jury made a return of "no bill" in 79, the cases against 31 children were nol-prossed by the United States district attorney, 68 cases were dismissed, 137 children were placed on probation, 24 were given suspended sentences, 15 others were given suspended sentences and placed on probation, 14 were placed in the custody of the United States marshal for one day, 77 were fined, 417 were committed to institutions and jails, other dispositions were made in the case of 11 children, and dispositions were not reported for 141.

Of the 553 cases before United States district courts, the disposition of which was reported, the children were committed to institutions in 52.3 per cent; in 24.4 per cent other disposition was made, in 9 per cent the case was dismissed, and in 14.3 per cent no bill was returned by the grand jury. In the 289 cases in which commitments were made the children were committed as follows:

Total.....	289
National Training School for Boys ⁴	124
State reformatories ⁵	37
State industrial schools.....	16
Private institutions.....	1
Jails ⁶	94
Other institutions ⁷	17

It is significant to note that the commitments to jails formed the second largest group.

The following list shows other dispositions made by the United States district courts:

Total.....	135
Cases nol-prossed.....	31
Fined.....	76
Custody of the United States marshal.....	14
Informal probation.....	12
Suspended sentence and probation ⁸	1
Other disposition.....	1

⁴ Four also fined.

⁵ One also fined.

⁶ Ten were also fined, and one was ordered to pay costs.

⁷ Case was before the Supreme Court of the District of Columbia, where probation is provided for.

Of the cases referred to the juvenile and other State courts, 5.6 per cent were dismissed, commitments were made in 40 per cent, and 54.4 per cent were disposed of otherwise. The following list shows the institutions to which the 128 children committed by juvenile and other State courts were sent:

Total	128
National Training School for Boys ^a	2
State reformatories	18
State industrial schools	68
Private institutions	8
Jails ^b	5
Other institutions	27

Of the 174 cases in which disposition other than commitment was made by juvenile and other State courts, the child was placed on probation in 125 cases,¹⁰ in 24 cases sentence was suspended, in 14 sentence was suspended and the child was placed on probation, in 10 some other disposition was made, and 1 child was fined.

Disposition was not reported in 123 cases before the Federal courts, in a considerable number of cases the final disposition not having been made at the time of this study. Of the juvenile-court cases, the disposition was not reported for 18.

Dispositions and types of offenses.

In a majority of the cases of larceny of mail, of post-office larceny, and of "stubbing" tried by the Federal courts, the children were committed to institutions; about one-third of the cases of larceny of mail referred to juvenile and other State courts resulted in commitments. No special relation seemed to exist between type of offense and disposition made in the Federal courts, each court following its own policy. In the juvenile courts disposition was based usually upon the child's need rather than upon the type of offense.

Ages and types of dispositions.

Of the children before Federal courts for whom disposition was reported, a larger proportion of those under 14 years of age than of those 14 to 17 years were committed to institutions—60.6 per cent as compared with 51 per cent. In only 1 of the 5 cases involving children under 10 years of age was the child committed to an institution; of the 66 children 10 to 13 years of age, 42 were sent to institutions; and of the 478 children 14 to 17 years of age, 244 were committed. Other dispositions and expedients used by the Federal

^a Committed by the Juvenile Court of the District of Columbia, the National Training School being the institution receiving commitments of delinquent boys from that court.

^b Two also fined.

¹⁰ One also fined.

courts were reported for 28 children under 14 years of age, and for 234 of those in the group from 14 to 17 years.

The largest number of children before juvenile and other State courts were 14 and 15 years of age, and the next largest number were between the ages of 16 and 17 years, inclusive. In each of these groups more children were committed than were placed on probation, of the former group 40 being committed and 37 placed on probation while of the latter 47 were committed and 34 were placed on probation. In the group under 14 years of age before juvenile or other State courts more children were placed on probation than were committed to institutions.

Length of commitment.

Commitments made by the United States district courts were in the majority of cases for definite terms, only 13 of the 289 commitments being for indeterminate periods or during minority. In contrast, 66 of the 128 commitments by juvenile and other State courts were for indeterminate periods and 25 during minority—a total of 91. The largest number of commitments by the Federal courts were for two years but less than three, 54 not being reported. Further details as to the length of commitment in the cases before the two types of courts are shown in Table 6.

TABLE 6.—Term of commitment and type of court; children arrested in 1918 and 1919 for violating postal laws, and committed to institutions.

Term of commitment.	Children violating postal laws who were committed to institutions.				
	Total.	By United States district courts.		By juvenile and other State courts.	
		Number.	Per cent distribution.	Number.	Per cent distribution.
Total.....	1 404	284	100.0	1 120	100.0
Indeterminate.....	68	9	.7	66	53.0
During minority.....	36	11	3.9	26	20.8
Definite terms less than minority.....	300	271	93.4	29	24.2
Less than 1 month.....	26	23	.....	3	.....
1 month, less than 3.....	53	47	.....	6	.....
3 months, less than 6.....	15	13	.....	2	.....
6 months, less than 12.....	23	19	.....	4	.....
1 year, less than 2.....	51	45	.....	6	.....
2 years, less than 3.....	55	54	.....	1	.....
3 years, less than 4.....	40	34	.....	6	.....
4 years, less than 5.....	12	12	.....	0	.....
5 years and over.....	15	14	.....	1	.....

¹ Excluding 13 for whom length of commitment was not reported.

² Excluding 5 for whom length of commitment was not reported.

³ Excluding 5 for whom length of commitment was not reported.

Indictment.

Of the 1,108 cases of postal violations 658 were reported as presented to United States grand juries. The remaining, 450 cases included those in which no court action was taken, those disposed of in preliminary hearings before United States commissioners, those presented to United States district courts by filing information (as is permissible in cases of misdemeanors), and cases heard by State courts. In 84.2 per cent of the 575 cases in which the finding of the grand jury was reported, a bill of indictment was returned, and in only 15.8 per cent of the cases was "no bill" returned. Of the 38 cases of children under 10 years of age, only 8 were presented to United States grand juries; 5 resulted in indictment, 2 in no indictment, and in 1 case the finding was not reported. The facts regarding indictment and age at apprehension are given in Table 7.

TABLE 7.—Age at apprehension and grand jury finding; children arrested in 1918 and 1919 for violating postal laws.

Age at apprehension.	Children violating postal laws.								
	Total.	Cases presented to United States grand jury.							Cases not presented to United States grand jury. ¹
		Total.	Finding reported.				Finding not reported.		
			Total.	No bill of indictment returned.		Bill of indictment returned.			
				Number.	Per cent.	Number.		Per cent.	
Total.....	1,108	658	575	91	15.8	484	84.2	83	450
Under 10 years.....	88	8	7	2	.....	5	.....	1	30
10 to 11 years.....	70	20	15	.....	.....	15	.....	5	50
12 to 13 years.....	150	56	51	8	.....	43	.....	5	94
14 to 15 years.....	308	175	155	28	18.1	127	81.9	20	133
16 to 17 years.....	532	395	345	53	15.4	292	84.6	50	137
Not reported, but under 18 years.....	10	4	2	.....	.....	2	.....	2	6

¹ These cases include those in which no court action was taken, those presented to the U. S. district courts on information filed, and cases before State courts.

TIME BETWEEN APPREHENSION AND DISPOSITION.

The length of time between arrest and final disposition is usually much longer in Federal court cases than in cases before juvenile and other State courts. The cases heard in the Federal courts must frequently wait a month or possibly longer until the court meets near the residence of the child; or, when there is a crowded calendar, the more serious cases are given preference, and the juvenile cases are postponed until the next term of court; or the necessity of presenting the case to the grand jury lengthens the period.

The tendency in juvenile courts has been to hear cases as soon as possible after arrest, the period of time between arrest and hearing rarely exceeding one week, though cases may be continued for a somewhat longer period for final disposition.

The time between apprehension and disposition in 544 cases before United States district courts is shown below:

	Number.	Per cent distribution.
Total ¹	544	100.0
Less than 2 weeks	90	16.5
2 weeks, less than 1 month	66	12.1
1 month, less than 2	107	19.7
2 to 3 months	131	24.1
4 to 5 months	55	10.1
6 to 7 months	40	7.4
8 to 9 months	17	3.1
10 to 11 months	11	2.0
1 year or over	27	5.0

Of the 315 cases referred to juvenile and other State courts in which time between apprehension and disposition was known, only 2 cases were reported in which the intervening period was over 6 months, being from 10 to 11 months in 1 case and 1 year or over in the other. The majority of these cases (235) were heard within two weeks from date of arrest. The following list gives the details of this information for the 315 cases:

	Number.	Per cent distribution.
Total	315	100.0
Less than 2 weeks	235	74.6
2 weeks, less than 1 month	36	11.4
1 month, less than 2	11	3.5
2 to 3 months	25	7.9
4 to 5 months	6	1.9
10 to 11 months	1	0.3
1 year or over	1	0.3

In some of the Federal court cases the long interval is due to the policy of continuing cases from time to time as a substitute for probation or as a means of handling the case without commitment. Continuance was reported in 117, or 17.3 per cent, of the 676 cases, the larger number of such cases occurring among those in which intervals of more than six months between apprehension and disposition were reported.

In 25 of the 117 continued cases it was reported that continuance was pending the child's good behavior or to allow for probation informally arranged; 25 were continued for other reasons; and in

¹ Excluding 132 cases in which time between apprehension and disposition was not reported.

67 cases the reason was not reported. The length of time between arrest and disposition in the 117 Federal court cases continued is given below:

Total	117
2 weeks, less than 1 month	1
1 month, less than 2	2
2 to 3 months	4
6 to 7 months	9
8 to 9 months	10
10 to 11 months	4
1 year and over	15
Interval not reported	72

Only 3.8 per cent of the cases heard by juvenile and other State courts were reported continued—two on informal probation, six for other reasons, and five for reasons not stated.

DETENTION.

Number detained.

The types of detention used by United States district courts and by juvenile and other State courts before trial or pending admission to institutions were reported in 348 cases—260 heard by United States district courts and 88 by juvenile and other State courts. In 88 cases it was reported that there was no detention; 66 of these were in United States district courts and 22 in juvenile and other State courts. Of the 79 children in whose cases there was no court action 20 were known to have been detained, 17 of them in jail. No information as to detention was available for 578 cases in which court action was taken; in 123 cases children were remanded in default of bond, but it was not reported whether they were actually detained. The number reported detained is probably very much lower than the actual number held. Most of the information concerning detention was obtained from institution and jail records, the former in most cases showing only the boys' statements, since the court papers sent to the institutions seldom reported on the matter.

Type of detention.

Of the 326 children tried before United States district courts for whom information was obtained as to detention, 260—79.8 per cent—were detained. Jail detention was practically the only method used and was reported for 91.2 per cent of the 260 cases. Of the 27 children detained by State courts other than juvenile 24 were reported detained in jail. In contrast, only 16 of the 61 children detained by juvenile courts were held in jail. Table 8 shows the types of

detention used by Federal courts and by juvenile and other State courts, together with the ages of the children.

TABLE 8.—Type of detention used by Federal, juvenile, and other State courts, according to age at apprehension; children arrested in 1918 and 1919 for violating postal laws.

Type of court and age at apprehension.	Children violating postal laws who were reported as to detention.						
	Total. ¹	Not detained.	Detained.				Place of detention not reported.
			Total.	In jail.	In juvenile detention home or S. P. C. C. shelter.	In other place of detention.	
Total.....	436	88	348	277	51	18	2
Children before United States district courts.....	326	66	260	* 237	9	12	2
Under 10 years.....	2		2	2			
10 to 11 years.....	9	2	7	5		1	1
12 to 13 years.....	34	5	29	25	1	3	
14 to 15 years.....	84	16	68	* 57	5	6	
16 to 17 years.....	196	43	153	* 147	3	2	1
Age not reported.....	1		1	1			
Children before juvenile and other State courts.....	110	22	88	40	42	6	
Under 10 years.....	4	2	2	1	1		
10 to 11 years.....	16	6	10	2	7		
12 to 13 years.....	23	5	18	6	9		
14 to 15 years.....	86	7	79	8	19	3	
16 to 17 years.....	31	2	29	22	6	1	

¹ Not including 79 children involved in cases in which there was no court action, 15 in which court action was not reported, and 578 not reported as to detention. Twenty of the 79 children for whom there was no court action were known to have been detained, 17 of them in jail.

* Includes 6 children detained in jail part of the time, and in juvenile detention home or Society for the Prevention of Cruelty to Children shelter the remainder of the time.

² Includes 4 children mentioned in note 2.

³ Includes 2 children mentioned in note 2.

Because of aversion to placing juveniles in jail or because State laws prohibited such detention, 21—8.1 per cent—of the 260 children whose cases were heard by Federal courts for whom the facts with reference to detention were reported, were by informal arrangement detained in juvenile detention homes, industrial schools, county detention homes (not reported as juvenile detention homes), and family boarding homes. Of the 9 children under 12 years of age, 7 were detained in jail; of those 16 and 17 years of age 96.1 per cent were reported detained in jail.

Of the 79 children with regard to whom no court action was taken 20 were reported detained between arrest and conference with the United States attorney or final decision as to method of handling the case—17 in jail, 2 in a juvenile detention home or a shelter maintained by the Society for the Prevention of Cruelty to Children, and

for 1 the place of detention was not reported. In a few instances it was decided to take no action because the child had been detained in jail, and this was considered a sufficient punishment. The ages of the 17 children detained in jail were as follows:

Total	17
Under 10 years of age	7
10 to 11 years	2
12 to 13 years	1
14 to 15 years	4
16 to 17 years	3

The 7 children under 10 years of age detained in jail comprised all the children in this age group in whose cases no court action was taken. The 3 children for whom detention other than jail was reported were 14 years of age or over.

Length of detention.

The longer period between apprehension and disposition in the Federal court cases necessitated longer periods of detention than were required in cases before juvenile and other State courts. Sixteen children were reported detained for four months or over. Detention was sometimes longer than the time between apprehension and disposition, since in cases of commitment to institutions the child was frequently returned to jail to await the convenience of the United States marshal in taking him to the institution. The requirement of bond for release by the Federal courts is also a factor in increasing the time of detention, since it is often difficult for the children to furnish bond; and even in cases where bond was furnished it was sometimes two or three days before it was secured. In the largest number of the 260 Federal court cases in which detention was reported—91, or 35 per cent—the child was detained less than two weeks; but a considerable number were held for longer periods, as shown in the following list.

Total	260
Less than 2 weeks	91
2 weeks, less than 1 month	32
1 month, less than 2	31
2 to 3 months	27
4 to 5 months	11
6 to 7 months	5
Length of detention not reported	63

Eighty-eight children were reported detained by juvenile and other State courts; all but 1 of the 35 for whom length of detention was reported were detained less than two weeks.

It is of interest to compare the length of detention with the length of time between apprehension and disposition. Of the 197 children

before Federal courts in whose cases this comparison was possible, 66.5 per cent were held only part of the time between apprehension and final disposition, and 33.5 per cent were detained for the entire period. In a majority of the latter cases the time between apprehension and disposition was less than four months. Table 9 shows the duration of detention for cases before the United States district courts.

TABLE 9.—Time between apprehension and disposition and duration of detention; children arrested in 1918 and 1919 for violating postal laws, and brought before United States district courts.

Time between apprehension and disposition.	Children violating postal laws and brought before U. S. district courts.							
	Total.	Reported as to detention.						Not reported as to detention.
		Total.	Not detained.	Detained.				
				Total.	Entire time.	Part time.	Length of detention not reported.	
Total.....	676	326	66	360	66	131	63	360
Less than 2 weeks.....	90	40	12	28	13	7	8	50
2 weeks, less than 1 month.....	66	30	3	27	11	9	7	36
1 month.....	107	60	4	56	11	25	20	47
2 to 3 months.....	131	70	8	62	20	34	8	61
4 to 5 months.....	55	29	13	16	8	6	2	26
6 to 7 months.....	40	23	10	13	2	9	2	17
8 to 9 months.....	17	8	3	5	.....	5	.....	9
10 to 11 months.....	11	6	1	5	.....	4	1	5
1 year or over.....	27	10	1	9	.....	7	2	17
Not reported.....	132	50	11	39	1	25	13	82

The duration of detention was reported in only 35 of the 88 juvenile and other State court cases. In 25 of these 35 cases the child was detained the entire time, the period being less than two weeks in 24 cases, and two weeks but less than a month in 1 case.

SOCIAL HISTORY.

Information regarding social history—including previous delinquency records, school attendance, employment, home conditions, and mode of living—was available from the post-office records in comparatively few cases. The information obtained from the Post Office Department was supplemented, however, from court and institutional records. Reports were obtained as to previous delinquency for only 391 of the 1,108 children, information as to school attendance for 573 children, employment prior to arrest for 718, mode of living for 365, and home conditions for 351 children.

Previous delinquency records.

For the purpose of this study a previous delinquency record has been taken to mean that the child had been arrested previously, since reports on the post-office records are made in terms of the number of arrests. Of the 391 children for whom information was reported as to whether or not they had been previously delinquent, 187 had been arrested previously, and 204 were first offenders. Of the 187, 81 had been arrested once; 24, twice; 11, three times; 3, four times; and 4, five times or more; the number of arrests was not reported in 64 cases, though the child was known to have been arrested at least once previously. Sixty of the 377 children for whom data with reference to previous institutional commitments were available were reported to have been committed to institutions prior to the postal violation, and five of these children had had more than one such commitment.

Over half—54.3 per cent—of the 186 first offenders for whom disposition by Federal, juvenile, or other State court was reported, were committed to institutions—Federal, State, or private—and to jails. This was 16 per cent less than the percentage (70.3) of those committed who were known to have been arrested previously. Over three-fourths—78.1 per cent—of the first offenders before United States district courts were committed to institutions, as compared with only one-sixth—16.7 per cent—of the first offenders before juvenile and other State courts. The proportion placed on probation was larger for first offenders than for children previously arrested. The dispositions are shown in table 10 for the 344 cases in which court action was reported, and in which information was obtained with regard to whether the child had been arrested previously.

TABLE 10.—Disposition of case, previous delinquency record, and type of court; children arrested in 1918 and 1919 for violating postal laws.

Disposition of case.	Children violating postal laws whose previous delinquency records were reported.						
	Total.	First offenders.			Arrested previously.		
		Total.	Before United States district courts.	Before juvenile and other State courts.	Total.	Before United States district courts.	Before juvenile and other State courts.
Total.....	344	186	114	72	158	105	53
Commitment to institution.....	212	101	89	12	111	81	30
Probation.....	68	48	2	46	20	6	14
Other disposition.....	64	37	23	14	27	18	9

¹ Exclusive of 11 children who were first offenders and 7 children who had been arrested previously in whose cases no court action was reported.

² Includes 8 children before U. S. district courts, whose cases were later transferred to juvenile courts.

School attendance.

Of the 573 children for whom information with reference to school attendance was obtained, only 163 were reported to be attending school at the time of their arrest. Included in these are some cases of boys or girls arrested during vacation but reported as attending school during the school term; doubtless this was also true of a number among the 410 reported as not attending school. Three children under 10 years of age, 7 who were 10 or 11 years of age, and 15 aged 12 or 13 years were reported as not attending school, making a total of 25 under 14 years of age not attending. Table 11 gives the school attendance according to age distribution.

TABLE 11.—*Age at apprehension and school attendance; children arrested in 1918 and 1919 for violating postal laws.*

Age at apprehension.	Children violating postal laws.			
	Total.	Attending school.	Not attending school.	School attendance not reported.
Total.....	1,108	163	410	535
Under 10 years.....	38	9	3	26
10 to 11 years.....	70	27	7	36
12 to 13 years.....	150	37	15	98
14 to 15 years.....	308	53	90	156
16 to 17 years.....	532	34	283	215
Not reported.....	10	3	3	4

Employment.

Regulations regarding employment of children in the postal service.—The postal laws and regulations contain little specific reference to the employment of children, but the following excerpt, in connection with the fact that letter carriers and postal clerks are required by civil-service rules to be 18 years of age or over, indicates that it is not the intention of the post-office authorities that boys under 16 years of age be employed as special-delivery messengers in cities:¹¹

At city delivery offices postmasters should employ substitute carriers and clerks, preferably the former, instead of boys, as special-delivery messengers, where the volume of such business is sufficient to warrant these employees in taking up the work and the conditions are otherwise favorable; but boys 16 years of age or over may be so employed when, in the judgment of the postmaster, circumstances require it or he is of the opinion that the efficiency of the service will be promoted thereby.

Number employed and type of employment.—Three hundred and sixteen of the 1,108 children were reported employed prior to arrest, 402 were not employed, and no report concerning employment was obtained in 390 cases. It was impossible to make a detailed classi-

¹¹ Postal Laws and Regulations, 1913, sec. 864, par. 1, Washington, D. C.

fication as to the type of employment for those outside the postal service, as they were grouped together under employment other than postal. A considerable proportion of the postal violations by juveniles may be accounted for by the temptations offered by their employment in positions where they had access to mail. Of the 316 working children, 166—52.5 per cent—were employed by the Post Office Department; of these, 95, or 57.2 per cent, were special-delivery messengers; 42, or 25.3 per cent, were clerks or substitute clerks; and 29, or 17.5 per cent, were in other types of postal service. Employment other than postal was reported for 143, or 45.3 per cent; and for 7, or 2.2 per cent, the kind of employment was not reported.

TABLE 12.—*Age and employment at time of apprehension; children arrested in 1918 and 1919 for violating postal laws.*

Employment at time of apprehension.	Children violating postal laws.						
	Total.	Under 10 years.	10-11 years.	12-13 years.	14-15 years.	16-17 years.	Age not reported.
Total.....	1,108	38	70	150	308	532	10
Total employed.....	316		6	14	72	222	2
In postal service.....	166		1	1	31	132	1
Special-delivery messenger.....	95		1	1	18	75	
Clerk.....	42				8	34	
Other postal service.....	29				5	23	1
In other than postal service.....	143		5	12	38	87	1
Employed, occupation not reported.....	7			1	3	3	
Not employed.....	402	26	45	88	116	123	4
Not reported.....	390	12	19	48	120	187	4

Ages of those employed.—A total of 20 children under 14 years of age—the minimum working age under the majority of State child-labor laws—were reported as being employed. Some of these children may have been employed only part time or during vacation, but detailed information was obtained for very few cases. Only 2 were employed in the postal service, 17 were otherwise employed, and the kind of employment was not reported in 1 case. Reference to Table 12 will show that almost half the employed children between the ages of 14 and 16 years and three-fifths of those between 16 and 18 years of age were in the postal service. Although the general policy of the Post Office Department is not to employ children under 16 years of age, 20 per cent of the children offending against postal laws who were employed in the postal service were under that age—20 of the 95 as special-delivery messengers and 13 of the 71 in other kinds of postal service.

The number of juvenile postal employees reported as violating postal laws was greater in 1919 than in 1918 by 40 cases, the largest increase being in the number of special-delivery boys arrested, owing to the prevalence of "stabbing" in some localities during that year.

Type of employment and type of offense.—The types of offenses committed by the 166 postal employees were in all cases suggested by their type of service. The most frequent were larceny of mail and "stabbing." Over half—56.5 per cent—of the entire number of cases of larceny of mail by children employed at time of apprehension involved postal employees. The detail is given in the following list:

Total	166
Larceny.....	91
Of mail.....	87
Of postal funds or property.....	1
Other.....	3
"Stabbing".....	58
Embezzlement.....	8
Breaking and entering and larceny, post office.....	3
Forgery.....	2
Larceny of mail and forgery.....	2
Having stolen property in possession.....	1
Other.....	1

Larceny of mail was the offense most frequently committed by those in other than postal-service occupations; 62 of the 143 so employed committed that offense. Of the 246 children charged with post-office breaking and entering and larceny—the offense with which the second largest number of children were charged—111 were known not to be employed, no employment information was obtained for another group of 111, and 21 were known to be employed outside the postal service.

Home conditions and mode of living.

In 351 cases some information was available regarding the home conditions, and in 365 the mode of living was known. The records of the Post Office Department have been supplemented by the various institutional and court records secured. Social histories were obtained in the cities visited for those cases referred to the juvenile courts for action. One of the phases of the problem of the child offender tried by a Federal court is brought out in the comparative amount of social history obtained by Federal and juvenile courts. Because of lack of probation service very little preliminary social investigation is made in the Federal courts, except in the few courts where the judge arranges informally for it. The records of the United States attorneys and the court dockets give almost no social information; the amount obtained depends largely upon the policy of

the inspectors in charge of the divisions or of the inspectors handling the cases. Investigations by the inspectors are primarily to obtain facts regarding the details of the offense and are more comparable with police investigations than with investigations by juvenile-court probation officers. However, many inspectors attempt to obtain some social information and report it to the United States attorney with a view to promoting a better understanding of the case.

Postal cases referred to juvenile or other State courts having probation systems are investigated as are other delinquency cases, and reports in such cases contain information relating to family history and home conditions. In cases committed to institutions by juvenile courts the social history is sent to the institution, but the commitment papers sent by the United States district courts give only the fact of arrest and such other facts as may be entered in the court docket. Because of this absence of social history in cases before the Federal courts, it is impossible to estimate the number of cases in which the home conditions would probably have warranted probation had there been provision for such disposition. Sufficient information to permit of analysis was obtained only in regard to the status of the parents, which was reported for 351 cases as follows:

Total children.....	351
Parents living together.....	188
Mother dead, father in home.....	12
Father dead, mother in home.....	40
Stepmother, father in home.....	12
Stepfather, mother in home.....	21
Both parents dead.....	20
Mother in home, father deserting.....	8
Father in home, mother deserting.....	2
Separated or divorced.....	18
Mother in home.....	10
Other.....	8
Home otherwise broken.....	14
Father in home, mother away ¹³	1
Mother in home, father away ¹³	13
One parent dead, other deserting.....	2
One parent dead, other not reported.....	11
One parent dead, other away ¹⁴	3

¹³ Whereabouts of mother was not reported.

¹³ Includes six cases in which whereabouts of father was not reported.

¹⁴ Includes one case in which father boarded away from home.

CHILDREN VIOLATING POSTAL LAWS.

33

TABLE 13.—Age at apprehension and mode of living; children arrested in 1918 and 1919 for violating postal laws.

Age at apprehension.	Children violating postal laws whose mode of living was reported.					
	Total.	Mode of living.				
		Parental home.	Relative's home.	Own home, married. ¹	Living independently.	Other.
Total.....	365	296	31	4	11	23
Under 10 years.....	7	6				1
10 to 11 years.....	27	23	3			1
12 to 13 years.....	53	48	2		1	2
14 to 15 years.....	124	99	15		3	7
16 to 17 years.....	151	117	11	4	7	12
Not reported.....	3	3				

¹ All girls.

For 365 children—344 boys and 21 girls—mode of living was reported. Of these, 296 were living in the parental home, at least one parent being present; 31 were in the homes of relatives; 4 girls were married and living in their own homes; 10 boys and 1 girl were living independently, 4 of these under 16 years of age. The 23 reported as living in some other manner included 6 runaways or transients, 1 in a home for dependent children, 1 away at school, 3 living with foster parents, and 1 girl living with a man to whom she was not married.

CHAPTER III. CHILDREN COMMITTED TO INSTITUTIONS.

The institutions to which the largest number of juveniles violating Federal laws are committed by the United States district courts are the National Training School for Boys (located in the District of Columbia) and certain State reformatories with which the Department of Justice contracts to receive Federal prisoners. Proportionately fewer commitments are made in cases referred to juvenile and other State courts, and the children are sent to State industrial schools or to private institutions, few being committed to State reformatories.

Two serious problems are presented by the types of institutions being used for Federal commitments of juveniles: First, the age limits of offenders received at these institutions; second, the inaccessibility of the institutions to a great majority of the courts.

The National Training School for Boys receives boys through the age of 17 years, and is the one Federal institution for juveniles only which receives violators of the Federal laws from outside the District of Columbia.¹ While the fact that this institution receives only juveniles is favorable, the great distance from most of the United States district courts creates a serious problem, not only in the expense to the Government of sending a boy to it but also in the effect of committing him to an institution so far from home. Doubtless some commitments to this school from distant States are made because the judges prefer an institution for juveniles, regardless of distance.

The State reformatories receive boys and men between the ages of 16 and 30. Where such institutions hold contracts to receive Federal cases, boys under 16 years of age and of 16 and 17 years are being confined in institutions with older men. Legally, these State reformatories are supposed to receive only first offenders, but both those visited reported that this rule was not being strictly enforced.

¹ The National Training School for Girls, also in the District of Columbia, is a Federal institution for juveniles, but girls outside the District are seldom committed to this institution and those committed from the Juvenile Court of the District of Columbia are committed for offenses under the juvenile-court law. During the war 15 girls were sent to the school from a southern State on the charge of immorality within the 5-mile zone of an Army camp. All but three of these girls were transferred to the woman's reformatory of another State within a few days, as the National Training School for Girls was not fitted to care for that type of case. These girls have not been included in this study, because the offense arose from a war situation, and no records of like cases were available from the other sources consulted.

Hence, besides being with older men, the boys are often thrown with so-called hardened criminals.

Except the New York State Reformatory at Elmira, which receives Federal prisoners from the State of New York only, the institutions receive commitments from outside the State in which the reformatory is located.

NATIONAL TRAINING SCHOOL FOR BOYS.

Number of boys committed and types of offenses.

Two hundred and forty-seven boys arrested during 1918 and 1919 for violations of Federal laws were reported committed to the National Training School for Boys, including 21 cases not committed until 1920. The number of commitments of children arrested during 1918 was larger than for 1919, 141 for the former year and 106 for the latter. Of the boys committed, 187 were white and 60 were colored.

Boys are also committed to this institution from the Juvenile Court of the District of Columbia for offenses under the juvenile-court law, but these commitments were not comparable with those included in this study and are omitted.

Of the 247 boys, only 4 were committed from the District of Columbia, 1 by the Supreme Court of the District (which has the powers of a United States district court), and 3 by the juvenile court, to which the cases had been referred by the United States attorney of the District on preferred charges; the remaining 243 boys were committed by United States district attorneys in 24 different States. The extreme distances from which many children were committed are evident from the following list:

Total.....	247	Mississippi.....	8
Alabama.....	26	Missouri.....	5
Connecticut.....	2	New Jersey.....	3
Delaware.....	1	New York.....	19
District of Columbia.....	4	North Carolina.....	18
Florida.....	16	Ohio.....	10
Georgia.....	18	Oklahoma.....	3
Illinois.....	4	Pennsylvania.....	7
Kansas.....	8	South Carolina.....	17
Kentucky.....	9	Tennessee.....	12
Louisiana.....	18	Texas.....	9
Maryland.....	5	Virginia.....	8
Michigan.....	3	West Virginia.....	14

The number of boys committed for postal violations is only slightly larger than the number committed for other offenses—132, as compared with 115. Of the latter, interstate-commerce offenses were the

most frequent, there being 74 cases. The numbers committed for the various offenses other than postal are listed as follows:

Total	115
Interstate-commerce violations.....	74
Internal-revenue violations	12
National defense act violations.....	7
Railroad offenses (during time when railroads were under Federal control).....	7
Larceny of United States property.....	5
Forgery (to defraud the Government).....	3
Other ²	7

Of the postal offenses, larceny of mail and post-office breaking and entering and larceny were the specific charges for which the largest number of boys were committed, there being 63 commitments for the former and 39 for the latter. The numbers committed to the National Training School for Boys for the various types of postal offenses were as follows:

Total ³	132
Larceny of mail ⁴	63
Breaking and entering and larceny, post office.....	39
Forgery.....	10
Wrongful use of mails.....	6
Embezzlement.....	3
Larceny of postal funds or property.....	3
Attempted robbery.....	2
Breaking and entering, post office.....	2
Detaining or destroying mail.....	2
Larceny of mail and forgery.....	1
"Stubbing" special-delivery letters.....	1

The following are instances of some of the less serious offenses by juveniles against Federal laws, for which they were tried and committed by Federal courts:

(1) A 14-year-old boy was committed to the National Training School for Boys for burning a haystack which was on United States property.

(2) Another 14-year-old boy was committed to the National Training School for larceny of bicycle tires belonging to the United States.

² Includes one case each of deserting the Army, trespassing on United States property, purchasing such property unlawfully, embezzlement, destroying war material, and violation of the war-savings and drug acts.

³ No post-office record could be found for 10 of these cases. Two cases not included here were reported by the Post Office Department, but there was no record of the children's having been received at the school, and doubtless the order of commitment was changed and the change not reported to the postal authorities.

⁴ Larceny of mail from lock boxes—23 cases—and of parcel-post packages—12 cases—were the most numerous of this general class of offenses.

(3) A third boy stole a bottle of whisky from a box car. He was charged with violating the interstate-commerce act and committed for three years.

(4) Taking a ride on a hand car which was railroad property was the offense for which a 16-year-old boy was committed to the National Training School for two years. It was his first offense.

Ages of boys committed.

Boys are received by the National Training School through the age of 17 years. As will be seen by the following list, over four-fifths of the 247 boys committed for Federal offenses during the two years of the study were between the ages of 14 and 17 years, inclusive; 44 boys were under 14 years, and 1 boy was 18 at commitment, having become 18 after his arrest.

	Number.	Per cent distribution.
Total	247	100.0
Under 10 years	1	.4
10 to 11 years	18	7.3
12 to 13 years	25	10.1
14 to 15 years	93	37.7
16 to 17 years	108	43.7
18 years	1	.4
Not reported, but under 16 years	1	.4

Term of commitment and parole.

Commitments to this institution from the United States district courts are, with few exceptions, for definite periods of time, which may terminate before or after the completion of the child's minority. Therefore in this institution, which is primarily for juveniles, boys often remain beyond the age of 21 years, especially in cases where no parole is earned or where parole is violated and the boys are returned.⁵

Of the 247 boys committed for Federal offenses, only 11 were committed until they should reach majority, and only 3 for indeterminate periods. The variance in terms of commitment is due to the different policies of the judges in sentencing for maximum or for minimum terms. The largest number of boys (79) received sentences of two but less than three years. One boy barely 14 years of age was committed for seven years for robbing a post office—his first offense, so far as known. Of the boys under 14, only 1 was committed for less than a year and the remainder for various terms between two and five but less than six years. Table 14 shows these terms by age at commitment.

⁵ Report of Board of Trustees of the National Training School for Boys for the Fiscal Year Ended June 30, 1919, p. 4. Washington, D. C., 1920.

TABLE 14.—*Term of commitment, by age at commitment; children committed to National Training School for Boys for Federal offenses in 1918 and 1919.*

Age at commitment.	Children committed to National Training School for Boys.										
	Total.	Term of commitment.									Not reported.
		Less than 1 year.	1 year, less than 2.	2 years, less than 3.	3 years, less than 4.	4 years, less than 5.	5 years, less than 6.	7 years, less than 8.	During minority.	Indeterminate.	
Total.....	247	9	42	79	43	23	12	1	11	3	24
Under 10 years.....	1			1							
10 to 11 years.....	18		2	7	5	2			1		1
12 to 13 years.....	25	1	1	4	9	4			3		
14 to 15 years.....	93	3	15	32	14	6		1		2	5
16 to 17 years.....	108	5	24	34	15	10			2	1	15
18 years.....	1			1							
Not reported, but under 18 years.....	1					1					

¹ Became 18 years of age between apprehension and commitment.

The length of commitment dated from the day the order was made by the court, regardless of the date upon which the boy actually arrived at the institution. As boys were committed to the school by courts located at great distances from it, the interval between court disposition and admission to the school varied, being in 34 cases one month or over. The intervals between commitment and admission were as follows:

Total.....	247	2 months.....	7
		3 months.....	1
Less than 1 week.....	80	4 months.....	1
1 week, less than 2.....	68	5 months.....	1
2 weeks, less than 1 month.....	63	7 months.....	1
1 month.....	23	Interval not reported.....	2

Of the boys who waited two months or more, eight were from Alabama, one was from Illinois, one from Kentucky, one from Ohio, and one from Tennessee.

Often the boy is detained after court commitment until arrangements can be made for the United States marshal of his district to accompany him to the institution. Twenty-four boys were returned to jail after commitment, while five who had not been detained in jail pending hearing were so held thereafter.

Boys may earn parole by the end of a year from the date of commitment, upon satisfactory record according to the requirements of the school. This study was made early in 1920, and therefore very few of the boys sentenced in 1919 were eligible for parole. Only 14 of the 247 boys were reported as paroled; in 13 of these cases the

offense was committed in 1918, and in 1 in 1919. At the time of the study, 41 boys had been discharged, and 36 were reported to have escaped.

Detention prior to commitment.

The records of the National Training School show detention of the boys prior to commitment, but the accuracy of the figures is qualified by the fact that this information is obtained only from the boys' statements in the initial interviews at the school. Of the boys committed, 192—77.7 per cent—were reported as having been detained part or all of the time between apprehension and disposition; 176, or 91.7 per cent of those detained, were held in jails; the remaining 16 were detained as follows: 9 in a juvenile detention home or a shelter maintained by the Society for the Prevention of Cruelty to Children, 3 in a house of detention (not reported whether or not a special juvenile detention home), 1 in an industrial school, 1 held by the juvenile court (place of detention not reported), and in 2 cases the type of detention was not reported. Ninety-five of the 132 boys committed for postal offenses were detained previous to commitment, 82 of the 95 reporting jail detention. Ninety-seven of the 115 committed for other offenses reported detention; 94, or all but 3, were detained in jails, the 3 reporting detention in a juvenile detention home.

Three-fifths of those detained in jails were under 16 years of age. The age distribution of the 176 boys reporting jail detention is shown as follows:

	Number.	Per cent dis- tribution.
Total	176	100.0
Under 16 years	105	59.7
Under 10 years	1	
10 to 11 years	13	
12 to 13 years	23	
14 to 15 years	63	
16 to 17 years	71	40.3

The long periods of detention reported were due partly to the length of time between apprehension and commitment in Federal courts and partly to the difficulty in obtaining bonds. In all but 9 of the 192 cases in which the boy was detained, length of detention was reported. In 52.5 per cent of the 183 cases, the boy was detained for one month or over. Length of detention is shown below:

	Number.	Per cent dis- tribution.
Total	183	100.0
Less than 1 month	87	47.5
Less than 2 weeks	54	
2 weeks, less than 1 month	33	
One month or over	96	52.5
1 month	43	
2 months	25	
3 months	12	
4 months	9	
5 months	3	
6 months	3	
10 months	1	

Previous delinquency records.

The results of the absence of probation in the Federal courts are shown in the number of boys committed to the National Training School upon their first offense, many of whom would doubtless have been placed on probation by a juvenile court. Over half (136) of the 247 boys committed reported commitment upon their first offenses; 66—over one-fourth—reported one previous arrest; 27—one-tenth—more than one but less than five; and 6 reported five or more previous arrests. The information secured with reference to previous arrests is as follows:

	Number.	Per cent dis- tribution.
Total	247	100.0
No previous arrests	136	55.1
1 previous arrest ¹	66	26.7
More than 1, less than 5 arrests ²	27	10.9
5 or more arrests ³	6	2.4
Number of arrests not reported ⁴	12	4.9

Since these figures are based on the boys' statements upon entering the school, the proportion reported as previously arrested is undoubtedly an understatement of the facts. Eighteen reported previous institutional records, and 3 had served previous terms in city jails.

¹ Eight with previous institutional records.

² Seven with previous institutional records.

³ Three with previous institutional records.

⁴ Three having several previous terms in jail.

School and employment records.

School and employment records previous to commitment were also taken from the boys' statements upon admission to the school. Of the 184 boys who reported on school attendance, 146, or 59.1 per cent, were not attending school; 24 of these were under 14 years of age, 56 were 14 but under 16, and 66 were 16 but under 18. Nine of these boys reported that they had never attended school; of these, 3 were 12 but under 14 years of age, 2 were 14 but under 16, and 4 were 16 but under 18. Only 38 stated that they were attending school.

It was impossible to tabulate the types of employment, other than postal service, because of the indefiniteness of the information. The number of boys reporting that they were employed prior to commitment was 131; 55 reported that they were not employed, and 51 did not report as to employment. Of the 53 boys under 14 years of age, 24—not quite half—were reported as employed, but none were employed in the postal service.

Sixty-nine of the 132 boys committed for violating postal laws were employed, only 11 of these being in postal service of some kind; 43 were not employed; and for 20 the employment was not reported. Of the 115 boys who had been committed for other offenses, 72 were employed, 12 were not employed, and 31 did not report whether or not they were employed. Table 15 gives the data on the employment of the boys.

TABLE 15.—*Employment prior to commitment, by age at apprehension; children committed to the National Training School for Boys for postal and for other Federal offenses in 1918 and 1919.*

Age at apprehension.	Children committed to National Training School for Boys.													
	For postal offenses.								For other Federal offenses.					
	Total.	Total.	Total.	Employed prior to commitment.					Not employed.	Not reported as to employment.	Total.	Employed.	Not employed.	Not reported as to employment.
				Total.	In postal service.			In other employment.						
					Special-delivery messengers.	Clerks and other postal employees.	Total.							
Special-delivery messengers.															Clerks and other postal employees.	Total.
Total.....	247	132	69	11	5	6	58	43	20	115	72	12	31	
Under 14 years.....	53	32	13	5	3	2	13	15	4	21	11	4	6	
14 to 16 years.....	99	61	30	5	3	2	25	23	8	38	24	7	7	
16 to 17 years.....	94	39	26	6	2	4	20	6	8	55	37	1	17	
Not reported.....	1									1			1	

Social history.

Very little is known of the social histories of the boys coming to the school, as the commitment papers did not include these facts. Each boy upon entrance to the institution was questioned as to his parents' status and his home environment, and the records showed only the facts thus obtained—in most cases very meager. It was known that 132 boys came from homes where the parents, or the parent and step-parent, were living together; 24 reported both parents dead; 68, one parent dead; and 16 stated that their parents were separated or divorced, 3 of the latter having one parent in a hospital for the insane. Seven did not report as to status of parents.

TWO STATE REFORMATORIES.

Number of boys committed and types of offenses.

The New York State Reformatory at Elmira receives Federal commitments from the State of New York only, and consequently fewer juveniles were committed to that institution than to the Iowa State Reformatory at Anamosa. Ten boys were committed to the New York reformatory during the period covered by this study, and 29 to the Iowa reformatory. Five of those sent to the New York reformatory were committed for offenses against postal laws and 5 for other offenses, 2 of the latter having been committed for violations of the interstate-commerce act, 1 for grand larceny, and 2 for offenses not specified. Twenty-two boys were committed to the Iowa reformatory for postal and 7 for other Federal offenses; the latter included 1 committed for internal-revenue violations, 3 for interstate-commerce violations, and 3 for whom the type of offense was not reported. All but one of those committed to both institutions were committed by United States district courts.

The following list shows the localities from which the boys were committed to the Iowa reformatory, and the number from each:

Total	29
California, southern district	1
Illinois, northern district (Chicago)	13
Maryland	2
Ohio	6
Washington	1
West Virginia	6

The fact that boys were sent to the Iowa institution from States as far distant as California, Washington, West Virginia, and Maryland, shows the lack of suitable arrangements for the commitment of juveniles to institutions within easy access of their homes and the courts committing.

Ages of boys committed.

No boys under 16 years of age were committed to the New York reformatory, and only 3 under that age were committed to the Iowa institution. The largest number (24) were 17 years of age, 11 were 16, 3 were 15, and 1 was 18, having attained this age between arrest and commitment. The following list shows the age distribution of those committed to these institutions:

Total	39
New York State Reformatory, Elmira	10
16 years	1
17 years	8
18 years	1
Iowa State Reformatory, Anamosa	29
15 years	3
16 years	10
17 years	16

Term of commitment, and parole.

The terms of commitment to both these institutions were for definite periods, except in two cases of commitment during minority to the Iowa reformatory. Of the 10 boys committed to the New York reformatory, 1 was committed for a term of five years, 1 for two years and six months, 3 for two years, and 5 for one year but less than two.

Commitments to the Iowa reformatory were in general for shorter terms, there being 12 for periods of six months or less. The longest term was for three years, there being 6 of that length; 4 boys were committed for two years, 5 for one year, and 2 during minority.

Conditions affecting parole are the same for the Federal as for State cases, except that in the case of Federal offenders a parole, after recommendation by the superintendent and the board of parole for the institution, must be approved by the Attorney General of the United States. Parole is earned through good conduct while in the institution. In addition, no prisoner at the New York reformatory may be paroled until he has a position in the line of work for which he has trained while in the institution and approved by the parole officer in the district to which he is going.

Three boys were paroled from the New York institution and five from the Iowa institution. The boys serving short sentences of six months or less would not of course be eligible for parole.

Detention prior to commitment.

Detention pending hearing was reported in the case of only one boy committed to the New York institution. The records of the Iowa institution did not give any facts regarding detention prior to

commitment; but information from other sources, such as post-office and jail records, showed that seven boys committed to the Iowa reformatory were detained, six of them in county jails, the place of detention being not reported for one boy. All seven were postal offenders and are included in the discussion under detention in the section on postal offenses.

Previous delinquency records.

As in the case of boys committed to the National Training School, a majority (23) of those committed to the two reformatories were first offenders. One boy was committed for one year and one month for breaking into a freight car and stealing a bottle of milk—his first offense. Because the bottle of milk was stolen from a freight car in interstate shipment the case was taken to the Federal court, where there were no facilities for placing him on probation, had the judge desired to do so. Of the 15 reporting previous arrest, 7 reported only one, 3 reported two, and 4 reported three or more. For 1 boy the number of previous arrests was not reported; and for another there was no report as to whether or not he had been previously arrested. One boy had previously served terms in two institutions.

School and employment records.

All but 7 of the 39 boys committed to the two reformatories reported that they were employed prior to commitment. All 10 committed to the New York institution were employed in occupations other than postal service. Of the 22 postal offenders committed to the Iowa institution, 12 were in postal service as special-delivery messengers or temporary substitute clerks at the time the offense was committed; 1 was in the Navy; 5 were laborers or mechanics; for 1 the type of employment was not reported, and 3 reported no employment. Three of the 7 committed for other offenses were employed, and 4 reported no employment.

Only one of the seven boys who reported no employment stated that he was attending school prior to commitment, there being no report on this point for the other six.

Previous to the completion in December, 1919, of the Woman's Reformatory at Rockwell City, Iowa, the Iowa State Reformatory had a woman's department, and six girls under 18 years of age were committed there for violation of the section of the national defense act relating to immorality around Army camps. These girls came from Alabama, Florida, and South Carolina. Three of the girls were 16, and three were 17 years of age. All were committed for a definite term of one year, and the three who had not been discharged were transferred to Rockwell City in December, 1919.

CHAPTER IV. CHILDREN VIOLATING FEDERAL LAWS IN EIGHT LOCALITIES.

NUMBER OF CASES IN EACH LOCALITY.

In order to obtain information concerning the extent of the problem and the various methods of procedure in the United States district courts as well as the juvenile and other State courts, eight localities were selected for special study, as follows: District of Columbia, Maryland, Pennsylvania (eastern district), New York (eastern and southern districts), Massachusetts, Indiana, and Illinois (northern district).¹

Selection of these localities was made from information received from the Post Office Department supplemented by data from the National Training School for Boys. The places selected were those in which there were the largest number of cases coming under the scope of this study and which were representative of different parts of the country and of the different policies in handling Federal cases involving juveniles.

In this section of the report particular attention is called to the disposition made of juvenile cases other than commitment to the three institutions included in the study, and to the length of time between the child's arrest and the final disposition. Short-term commitments to jail, placing the offender in the custody of the United States marshal for a day, fines, a few commitments to local industrial schools and private institutions, and informal probation were dispositions made frequently by the Federal courts.

The total number of cases reported for these eight localities was 417, of which 328 involved postal offenses, and 90 other offenses. These figures are underestimates of the problem in each locality, because of inability to obtain information as to the exact number of juveniles committing offenses other than postal, owing to absence of age data in the records of the United States attorneys and the Federal courts. The postal cases reported probably include all such

¹ The territory included was as follows: (1) District of Columbia; (2) Maryland (entire State); (3) eastern district of Pennsylvania: Berks, Bucks, Chester, Delaware, Lancaster, Lehigh, Montgomery, Northampton, Philadelphia, and Schuylkill Counties; (4) eastern district of New York: Kings (Brooklyn Borough), Nassau, Queens (Queens Borough), Richmond (Richmond Borough), and Suffolk Counties; (5) southern district of New York: Columbia, Dutchess, Greene, New York (Bronx and Manhattan Boroughs), Orange, Putnam, Rockland, Sullivan, Ulster, and Westchester Counties; (6) Massachusetts (entire State); (7) Indiana (entire State); (8) northern district of Illinois: Boone, Carroll, Cook (Chicago), DeKalb, Dupage, Grundy, Jo Daviess, Kane, Kendall, Lake, La Salle, Lee, McHenry, Ogle, Stephenson, Whiteside, Will, and Winnebago Counties.

cases, because of the check through the first source—the reports of the post-office inspectors. Table 16 gives for each district the number of cases, the types of offenses, and the types of courts hearing the cases.

TABLE 16.—*District, type of offense, and type of court; children in eight selected localities arrested in 1918 and 1919 for violating Federal laws.*

District.	Children in selected localities violating Federal laws.								
	Total.	Children violating postal laws.				Children violating other Federal laws.			
		Total.	Before United States district court.	Before juvenile or other State court.	No court action taken.	Total.	Before United States district court.	Before juvenile or other State court.	No court action taken.
Total.....	418	328	180	130	18	90	64	23	3
District of Columbia.....	34	27	10	15	2	7	5	2	1
Maryland.....	35	24	16	1	7	11	4	7	1
Pennsylvania, eastern district.....	29	23	10	10	3	6	2	3	1
New York, eastern district.....	19	13	3	9	1	6	5	1	1
New York, southern district.....	112	62	30	30	2	50	38	10	2
Massachusetts.....	57	67	5	49	3	7	7	7	1
Indiana.....	24	21	15	6	3	3	3	3	1
Illinois, northern district.....	108	101	91	10	7	7	7	7	1

¹ Includes 1 child before the United States district court, whose case was later transferred to the juvenile court.

² Includes 2 cases outside the city of Philadelphia.

³ Includes 31 cases outside the city of Boston.

⁴ Includes 6 cases outside the city of Indianapolis.

DISTRICT OF COLUMBIA.

Number and types of cases.

Because of the form of government in the District of Columbia, all violations of the law are under Federal jurisdiction, yet the large majority are not comparable with violations of Federal laws in other localities. Because of the opportunities offered it might be expected that the problem of juvenile offenders against Federal laws would be more serious in the District of Columbia than in other localities. This does not seem to be the case, however, as only 34 cases were reported by the Post Office Department, the Supreme Court of the District of Columbia (having the jurisdiction of a United States district court), and the juvenile court. This number included 27 postal cases and 7 of other types—4 of forgery of Government checks and 3 of larceny of United States property.

Types of courts and ages of children.

Half the cases (17) were referred to the juvenile court on preferred charges of larceny or "taking the property of another." Two cases were dismissed by the United States attorney without further prosecution. All the juveniles referred to the juvenile court were

under 16 years of age, and only 2 under 16 were heard before the supreme court. Although the age limit of the juvenile court is 17 years, of the 13 children 16 years of age or over who were before the District Supreme Court, 9 were under 17 and might have been referred to the juvenile court, so far as age was concerned. The age distribution of the cases before the juvenile court and the Supreme Court of the District of Columbia was as follows:

Total	34
Before supreme court	15
15 years	2
16 to 17 years	13
Before juvenile court	17
Under 10 years	2
10 to 11 years	1
12 to 13 years	4
14 to 15 years	10
No court action	2
15 to 16 years	2

Dispositions.

Disposition other than commitment to institutions or jails was made in 9 cases by the supreme court and in 14 by the juvenile court. Legal provision for probation is made for the supreme court, and in 4 cases sentence was suspended and the boy placed on probation; 1 boy was dismissed by the United States commissioner after preliminary hearing. At the time of this study final disposition had not been made in 4 cases. The dispositions by the juvenile court in the 14 cases not committed to institutions were as follows:

Total	14
Placed on probation	1
Placed on probation with suspended sentence	6
Committed to Board of Children's Guardians (sentence suspended)	1
Dismissed	6

One boy was committed to the National Training School for Boys by the Supreme Court of the District of Columbia, and 3 by the juvenile court. Four of the boys before the former court were committed to a penitentiary and 1 was sentenced to the Washington Asylum Hospital and Jail.

Time between apprehension and disposition; detention.

A much longer time elapsed between apprehension and disposition in a majority of the cases before the supreme court than in those handled by the juvenile court. Only 2 of the supreme-court cases, but 16 of the juvenile-court cases, were disposed of in less than one month from time of apprehension, 12 of the latter being disposed of in less than two weeks.

Information with regard to detention was obtained in only 14 cases, there being 13 children reported detained and 1 reported not detained. Two other children were reported remanded to jail, but it was not known whether they were actually detained. Of the 13 detained, 8 were held at the House of Detention (for women and children) by order of the juvenile court, 4 were held in jail by order of the supreme court, and 1 was detained by order of the Federal authorities but was released without court action. One of the boys was first detained by the juvenile court, and when the case was later taken to the supreme court he was placed in jail to await grand jury action.

MARYLAND.

Number and types of cases.

Thirty-five children were reported for the District of Maryland as violating Federal laws. Of these, 24 violated postal laws and 11 committed other offenses, including 7 arrested for interstate-commerce violations, 1 for selling liquor to a sailor, 1 for shooting craps on a Government reservation (Navy camp), 1 for forgery, and 1 for whom the type of offense was not reported.

Types of courts and ages of children.

Of the 35 cases reported,² 20 were dealt with by the United States district court, 8 by the Baltimore juvenile court, and in 7 cases reported by the Federal authorities no court action was taken. The 5 children committing offenses outside Baltimore were before the United States district court, which meets in Baltimore.

All interstate-commerce cases (7) in which arrests were made by inspectors of the Baltimore & Ohio Railroad were taken by the railroad company before the juvenile court.

All but 3 of the 20 children before the United States district court were over 14 years of age. Three of the 8 children before the juvenile court were under the age of 14, 4 were reported to be 14 but under 16 years of age, and the age of 1 child was not reported. Of the 7 children for whom no court action was reported, 1 was 13 years of age, 2 were 15, 1 was 16, 2 were 17, and for 1 the age was not reported.

Dispositions.

Commitments to public institutions were made by Federal authorities in 8 of the 20 cases tried by them, and in a ninth case arrangements were made by which the child was sent to a private institution. In 5 of the 10 cases disposed of in other ways, the child was fined; 2 children were dismissed, 1 being found "not guilty," the other being fined on another charge; in 4 cases the boy was com-

² One case before the United States district court was later transferred to the juvenile court.

mitted to the city jail for one day—doubtless to conform with the law that sentence must be imposed after conviction in Federal cases, probation not being provided for. Three children were committed to State reformatories—2 of them to the Iowa reformatory and 1 to the Connecticut reformatory at Cheshire; 5 were committed to the National Training School for Boys; and in 1 case the child was sent to a private institution in Baltimore.

Of the boys committed, 6 were 15 years of age at commitment, and 3 were 17. Of those fined, 1 was 14 years of age, and the others were 16 or 17 years. Three of the boys committed to jail for one day were 16 or 17 years of age, and one was 15.

Of the 8 boys before the juvenile court 1 was committed to St. Mary's Industrial School, 1 was fined, 1 dismissed, and 5 were placed on probation. The proportion of cases in which dispositions other than commitments were made was larger in the juvenile than in the Federal court. Three of the 5 children placed on probation were under 14 years of age, and 2 were 14 years old. Two of the 3 not placed on probation were 14 or 15 years of age, and the age of the third was not reported.

Time between apprehension and disposition; detention.

The problem of the long period of time between arrest and disposition as found in the Federal courts generally is somewhat lessened in the district of Maryland, because Baltimore is the only place of meeting of the court, which is in almost constant session except for two months in the summer. This makes it possible for cases to be brought up for trial more quickly than in districts where the court meets only at stated times. Disposition was made in 8 of the cases before the United States district court within a month after arrest, 3 cases were disposed of in one month but less than two, 2 in two months, 2 in four months, and 3 in six months; the length of time was not reported in 2 cases, as the date of arrest was not given. All the 8 cases before the juvenile court were disposed of in less than two weeks; 6 of them on the day the arrest was made.

Six of the 35 children were reported as having been detained pending hearing, 4 in jail and 2 in private institutions. No detention was reported in 2 cases; 4 children were remanded to jail in default of bond, but further report as to whether they were actually detained was not made. No report as to detention was made in 23 cases, including the 8 handled by the juvenile court.

EASTERN DISTRICT OF PENNSYLVANIA.

Number and types of cases.

Of the 29 cases reported in the eastern district of Pennsylvania 23 involved postal offenses and 6 offenses of other types. All except 2

were Philadelphia cases. The six boys arrested for offenses other than postal included two accused of fraudulent claims for pay at the Hog Island shipyard, one of selling narcotic drugs, one of deserting the Navy, one of wearing the United States uniform unlawfully, and one of wearing a Boy Scout's uniform with Army trimmings.

Types of courts and ages of children.

In Philadelphia 11 boys were dealt with by the Federal authorities, and 12 by the juvenile division of the municipal court; 7 of the postal offenders taken to the juvenile court were referred directly by the arresting officers, and no record of these cases was made by the inspector. In four cases no court action was taken. Of the two cases outside Philadelphia, one was handled by the United States district court in session at Lancaster, and the other was referred to the court of quarter sessions, a State court.

All six boys under 14 years of age were taken before the juvenile court, as were also five who were 14 to 15 years of age, and one aged 16 years. Of the 13 boys before the Federal court, 1 was 15 years, and 12 were 16 or 17 years of age. The boy referred to the court of quarter sessions was aged 17 years.

Dispositions.

In this district juvenile Federal offenders are seldom committed to institutions. The juvenile court follows its usual procedure in delinquency cases, and the Federal authorities prefer to continue cases and place the children on probation informally. One boy was sent by the Federal court to the National Training School for Boys, and one child was committed and one returned to an institution by the juvenile court. The dispositions were as follows:

Total	29
Before United States district court	12
Committed to National Training School	1
Informally placed on probation	7
Dismissed	2
Disposition not reported	2
Before juvenile or other State courts	13
Committed to institution	1
Placed on probation	2
Returned to institution	1
Restitution ordered	1
Dismissed	8
No court action taken	4

Informal probation was made possible through arrangements with the municipal court of Philadelphia, of which the juvenile court is a division. The United States district attorney frequently sent child offenders, immediately after arrest, to the house of detention. These

cases were seldom brought before the juvenile-court judge, the offenses being usually of a minor character. The superintendent of the home, acting as a probation officer, placed the child on probation or discharged him, just as he would do in the case of children violating State laws. This policy was pursued by the district attorney even with boy and girl offenders over 16 years of age.

Time between apprehension and disposition; detention.

Because so many cases were placed on probation in this manner or were handled through the United States attorney's office, more prompt action was taken than is usually possible in Federal cases. Of the eight cases handled by Federal authorities in which dates of arrest and disposition were reported, three were disposed of in less than two weeks, two in one month, and three in two months.

The house of detention in Philadelphia is used frequently by the Federal authorities, as well as by the juvenile court. Only four boys were reported to have been detained in jail, none of these being so held in Philadelphia. Three of them were detained in jail in Illinois on another charge for one month previous to removal to Philadelphia to answer for the postal offense for which they were wanted there, and the fourth boy was detained in a county jail in Pennsylvania.

EASTERN AND SOUTHERN DISTRICTS OF NEW YORK.

Number and types of cases.

The largest number of juveniles violating Federal laws in any of the localities studied was reported in the eastern and southern districts of New York. The total number of cases in these two districts was 131—75 postal cases and 56 Federal cases of other types. The large number of offenses other than postal was due to war conditions, as 38 were violations of the national defense act and two other war-time acts*—16 cases of unlawful wearing of a uniform and 22 cases which involved procuring liquor for or selling liquor to soldiers or sailors. These war-time cases were more prevalent in New York than in the other localities studied.

Three interstate-commerce violations were reported, 5 cases of larceny of United States property, 1 scheme to defraud the Government, 1 assault with intent to commit felony on board an American vessel, 1 trespass upon Government property, 3 violations of the drug act, and 1 case of interference with and destruction of war material; in 3 cases the offense was not reported.

The number of cases in the southern district (including Manhattan and Bronx Boroughs) was 112, and the number in the eastern district (including Brooklyn and Queens Boroughs) was 19.

* 39 Stat., 186; 40 Stat., 76, 821.

Types of courts and ages of children.

Cases in both districts were heard by the Children's Court of New York City, being taken directly to this court by the authorities making the arrests. Forty-eight were reported as heard in the Boroughs of Manhattan, Brooklyn, and Queens by the children's court, 1 was heard by a court of quarter sessions, and 1 was heard by a magistrate's court; 76 were taken before the United States district courts; in 5 cases no court action was taken—4 were dismissed without prosecution and the fifth was transferred to the eastern district of Pennsylvania, no further report being made.

Figures showing the ages of the children taken before the different courts indicate that the policy is to refer the younger children to the children's court. Of the 8 boys reported before the United States District Court in Brooklyn, 1 was 15 and the others were 17 years of age. Of the 10 children before the children's court in the Boroughs of Brooklyn and Queens, the 2 youngest were 10 and 12 years, respectively, the others being 14 and 15 years of age. The children's court has jurisdiction only over children under the age of 16 years.

This policy is further borne out by the following age figures for the children before the courts of the southern district (including Manhattan):

Total.....	112
Before the United States district court.....	68
10 to 11 years.....	1
12 to 13 years.....	1
14 to 15 years.....	15
16 to 17 years.....	51
Before the children's court and other State courts.....	40
Under 10 years.....	3
10 to 11 years.....	7
12 to 13 years.....	8
14 to 15 years.....	15
16 to 17 years.....	7
No court action.....	4
Under 10 years.....	2
16 to 17 years.....	2

Dispositions.

The number of cases before the United States District Court of the Southern District which were disposed of otherwise than by commitment was somewhat larger than the number of cases resulting in commitments to institutions—33 as compared with 26. Seventeen of the 33 children were placed in the custody of the United States marshal for one day, a sentence no doubt passed by the court because of the lack of probation facilities and the inadvisability of committing the boys to an institution. Nine cases were dismissed; 1 of these involved a girl whose case was dismissed "be-

cause she was only 16 and had been in jail three days." Sentence was postponed in 3 cases, in 2 of which the boy was ordered to report weekly to a priest, and in the third the boy was discharged in the custody of his mother during the time of continuance; 1 boy was fined; and 3 cases were nol-prossed. Of the 26 children committed to institutions, 17 were committed to jail for short terms of 60 days or less—15 of them to the Tombs prison and 2 to the Essex County Jail in New Jersey; 8 boys were committed to the National Training School for Boys, and 1 to the New York State Reformatory at Elmira. No bill of indictment was returned by the grand jury in 2 cases, and in 7 cases disposition had not been made at the time of this study.

The dispositions made by the United States District Court for the Southern District of New York were as follows:

Total	68
Committed to institutions.....	26
National Training School for Boys.....	8
New York State Reformatory.....	1
Jail.....	17
Other dispositions made.....	33
Custody United States marshal for 1 day.....	17
Dismissed.....	9
Fined.....	1
Nol-prossed.....	3
Other.....	3
No bill of indictment returned.....	2
Disposition not reported.....	7

In contrast, 32 of the cases handled by the children's court did not result in commitments, and only 5 children were committed; in 1 case the disposition made was not reported. Two cases before other State courts were placed on probation. This larger proportion of noncommitment cases was due, of course, to the facilities available for probation and to the legal provision for dismissing cases or suspending sentence. In 26 of the 32 noncommitment cases the child was placed on probation, 5 cases were dismissed, and in 1 sentence was suspended. The 5 committed were sent to local institutions for children—2 to the New York Catholic Protectory, 2 to the Jewish Protectory and Aid Society, and 1 to the New York Juvenile Asylum.

Comparing dispositions made by the United States district court and the children's court for the same types of offenses, it is evident that the Federal authorities recognized that in some types of cases commitment to institutions is not always warranted; many cases were disposed of in such ways as were possible under the law without commitment to institutions, these dispositions being the best available substitutes for suspended sentence and probation.

Of the 8 cases before the children's court involving the procuring of liquor for, or selling liquor to, men in uniform, 7 resulted in probation and 1 in commitment to a private institution for a short period. Of the 14 children before the United States district courts for the same offense, 1 was placed in custody of a priest; 1 in custody of his mother, sentence being postponed; the cases of 2 were dismissed; 5 were placed in custody of the marshal for one day; 3 were committed to the Tombs prison for 1 day, 5 days, and 30 days, respectively; and in 2 cases the disposition was not reported.

Similarly, among the boys arrested for wearing uniforms unlawfully, the 3 before the children's court were dismissed. In 1 of the 13 cases before Federal courts sentence was postponed, the boy to report to a priest regularly; in 6 the child was placed in the custody of the marshal for one day; 14 children were placed in the Tombs prison, all for one week or less; and 2 were committed to the National Training School for Boys.

Time between apprehension and disposition; detention.

In these two districts the United States district courts are in session continuously, and for this reason there was little difference between the Federal and the State courts as to the length of time between arrest and disposition. The 3 cases in which final disposition was not made for a year or more were continued from term to term and then nol-prossed. Twenty-six of these 76 cases before the United States district courts were heard and disposition was made in less than one week from the date of arrest.

The length of time between apprehension and disposition for the 125 cases in which court action was taken is shown in the following list:

Total.....	126
Before United States district courts.....	76
Less than 1 week.....	26
1 week, less than 2.....	9
2 weeks, less than 1 month.....	7
1 month.....	6
2 months.....	6
3 to 7 months.....	4
1 year and over.....	3
Time not reported ⁴	15
Before the children's court and other State courts.....	50
Less than 1 week.....	21
1 week, less than 2.....	21
2 weeks, less than 1 month.....	4
3 months.....	1
Time not reported.....	3

⁴ Date of arrest was not reported in 5 cases; no disposition had been made in 5; date of disposition was not reported in 1; and 4 cases were continued from time to time, the child being on informal probation and final disposition not having been made.

Local ordinances of New York City require that no children under 16 years of age shall be placed in jail, and because of this ruling the children under 16 arrested for violating Federal laws were detained in the shelter maintained by the New York Society for the Prevention of Cruelty to Children and used by the children's court as a juvenile detention home. Boys over 16 were detained in the Tombs prison and in the Brooklyn city prison. Detention was reported in a total of 91 cases; 50 children were detained in jail, 38 in the shelter, and 3—all 15 years of age—for part of the time in the shelter and for the remainder in jail. Detention periods were comparatively short; 18 were detained for only one day or less, and only 4 for one month or over. Length of detention in the shelter or in jail is given below for the 91 cases in which the child was reported detained.

Total.....	91
<hr/>	
Shelter maintained by Society for Prevention of Cruelty to Children.....	38
1 day or less.....	11
More than 1 day, less than 1 week.....	13
1 week, less than 2.....	11
2 weeks, less than 1 month.....	2
1 month or more.....	1
Both shelter and jail.....	3
1 week or less.....	2
Not reported.....	1
Jail.....	50
1 day or less.....	7
More than 1 day, less than 1 week.....	19
1 week, less than 2.....	13
2 weeks, less than 1 month.....	7
1 month or more.....	3
Not reported.....	1

MASSACHUSETTS.

Number and types of cases.

No cases of juveniles committing Federal offenses other than postal were reported in Massachusetts, there being 57 children reported as violating postal laws. Of these, 26 were from Boston, and 31 from outside that city. Information was obtained from the Post Office Department in all except one case, which was reported by the Juvenile Court of Boston. Supplementary information from court records was obtained for only 14 of the Boston children, the 3 in Cambridge, and the 7 in Quincy.

Types of courts and ages of children.

Because of the absence of probation facilities in the Federal courts the policy in the district of Massachusetts is to refer children violating Federal laws to the juvenile and other State courts having jurisdiction of juvenile cases. Of the 57 cases, 49 were thus referred, 5

were handled by the Federal authorities, and in 3 no court action was reported.

Of the 36 children reported from Boston, Cambridge, and Quincy, 28 were referred to juvenile courts, 1 to a municipal court, 2 to a State court in Suffolk County, 4 were handled by the Federal authorities, and no court action was reported in 1 case. All but 1 of the 21 cases reported outside these three cities were before State courts having jurisdiction over children's cases. The 5 boys whose cases were handled by the Federal authorities were all 16 or 17 years of age.

The age distribution of the children referred to juvenile and other State courts is as follows:

Total	49
Under 10 years.....	1
10 to 11 years.....	8
12 to 13 years.....	7
14 to 15 years.....	18
16 to 17 years.....	14
Age not reported, but under 16 years.....	1

Dispositions.

One of the three boys in whose cases no court action was reported was returned to the Connecticut Reformatory, from which institution he had escaped. Of the four cases handled by the Federal authorities in Boston, one was nol-prossed after indictment by the grand jury, one was dismissed by the United States commissioner upon the request of the United States attorney, one was continued by the commissioner for a month and a half pending the good behavior of the child and was then dismissed without further court action, and in one case the final disposition was not reported.

In 18 of the 29 cases from Boston, Cambridge, and Quincy, which were referred to juvenile and other State courts and reported as to disposition made, the boys were placed on probation, 6 being given a suspended sentence also; 1 boy was committed to the Massachusetts Reformatory; 3 were committed to the Industrial School for Boys at Shirley; 1 was sent to the Lyman School for Boys (a State training school); 1 was returned to the Home for Destitute Catholic Children; 1 was committed to the care of the Massachusetts State Board of Charity; 3 were returned to the Suffolk School for Boys (a county institution for truants and delinquents, since closed); and in 1 case the disposition was not reported.

Nine children before State courts outside the three cities named were placed on probation, while 8 were committed to institutions,

* Now the Massachusetts Department of Public Welfare.

2 were returned to institutions without court action, and 1 case was dismissed by Federal and 1 by State authorities.

Time between apprehension and disposition.

The problem of the length of time between apprehension and disposition in cases of children violating Federal laws is not serious in Massachusetts, because almost seven-eighths of the cases were referred to the State courts, disposition being made for all but 10 of these within two weeks after arrest. Of the 5 cases handled by the Federal authorities, 1 was continued by the United States commissioner for almost two months and was then dismissed; the case which was nol-prossed was carried on the court records for a year before final disposition was made; 1 case was pending for a month; and in the 2 other cases the date of disposition was not reported.

INDIANA.

Number and types of cases, types of courts, and ages of children.

The territory included under the jurisdiction of the United States District Court of Indiana comprises the entire State. From this district 24 cases were reported, 18 of which were presented to the United States District Court in Indianapolis; the remaining 6 cases were heard before State, circuit, and county courts outside Indianapolis. Only 3 children were reported arrested for offenses other than violations of postal laws, including 2 arrested for interstate-commerce violations and 1 for embezzlement of funds.

Eleven of the 18 children dealt with by the United States district court were known to have lived outside Indianapolis. All the 11 children had to be taken away from their place of residence for court hearing.

All but 6 of the children were 16 and 17 years of age; 5 were between 14 and 16 years, and 1 was 13 years of age.

Dispositions.

In Indiana the United States district judge handles juvenile cases informally, usually following the policy of continuing cases from term to term pending the good behavior of the child, and then having the case nol-prossed. Only 5 commitments were made by the district court; 4 were to the county jail in Indianapolis (3 for 6 months and 1 for 1 day only), the fifth being a sentence of 10 years to the United States Penitentiary at Atlanta, Ga. Following the usual procedure of continuing juvenile cases pending good behavior, this boy, who was 17 at the time of arrest, had been allowed to return to his home; but upon report by his mother that he was continually in trouble, he was returned to the court and the penitentiary sen-

tence was imposed. He had become 18 years of age before final disposition. The offense of which he was guilty was embezzlement of funds from the American Railway Express Co., which was taken under Federal control during the war.

Four boys were fined, and the cases of 8 children—7 boys and 1 girl—were nol-prossed after continuance, the children having been required to report to the court on dates set in the order for continuance; 1 case was nol-prossed because it was found that the wrong person had been indicted. In only 1 of the 6 cases reported before State courts was the child placed on probation. Three children were committed to the Indiana Reformatory, and 2 to the Indiana Boys' School.

Time between apprehension and disposition; detention.

The policy of continuing cases in the Federal court makes the time between apprehension and final disposition much longer than was found in other localities. But these cases are comparable with cases placed on probation by State courts, the nolle prosequi amounting to a dismissal order following a satisfactory probation period. In 3 of the 8 cases in which continuance pending good behavior was reported the child was practically on probation for 11 months, in 3 for 1 but less than 2 years, in one for 2 years, and in one case the length of time was not reported. The case of the boy mentioned above who was committed to the county jail for one day had been continued for a year before this final disposition was made. In 3 of the remaining 10 cases less than a month elapsed between arrest and final disposition; no report on this point was made in 3 cases.

In 4 cases before the State courts, disposition was made within one week from time of arrest; the interval was not reported in the 2 remaining cases.

Six children were reported detained pending trial, all in the county jail. No detention was reported in 6 cases, and in 12 cases no report was given as to detention. Federal prisoners were separated from other prisoners in the Marion County jail at Indianapolis, but no separation of juveniles from adults was made.

NORTHERN DISTRICT OF ILLINOIS.

Number and types of cases.

The problem of juvenile Federal offenders in the Northern District of Illinois appears to be largely confined to the city of Chicago, though 18 counties are included in that district. Of the 108 cases reported, all but 6 involved residents of Chicago, and in these 6 cases the place of residence was not reported.

Almost all the Federal offenses committed were against the postal laws. Only 3 cases were reported of larceny from interstate com-

merce, 1 of unlawfully wearing a uniform, and 1 of selling liquor to sailors; in 2 cases the offense was not reported. "Stubbing" seemed to be more prevalent in Chicago than in any of the other cities visited. This practice doubtless accounted for the large number of juvenile Federal cases in Chicago during the two years, as half the postal offenders were arrested on that charge.

Types of courts and ages of children.

In Chicago juvenile Federal cases were dealt with almost exclusively by the Federal authorities, only eight having been referred to the juvenile court and two to the boys' court⁶ during the two years.

A large majority of the boys from this district were 16 or 17 years of age, 81 being reported in that age group. Twenty-one were 14 or 15 years of age, 3 were under 14, and the ages of 3 were not reported though they were known to be under 18 years. Three of the 8 boys referred to the juvenile court were 11, 13, and 14 years of age, respectively; 4 were 15, and 1 was 16 years of age. Both boys referred to the boys' court were 17 years of age.

Dispositions.

Including the jail commitments, in almost half the 98 cases before the United States district court the boy was committed to an institution—2 boys to the National Training School for Boys, 14 to the Iowa State Reformatory at Anamosa, 4 to the St. Charles School for Boys at St. Charles, Ill., and 23 to county jails in Chicago and the vicinity. These jail commitments were mostly for 30 days, but some were for shorter or longer periods. Commitments to the Iowa reformatory were also for short terms, the longest being for 1 year, and the others for 60 days, 3 months, or 6 months. That the largest number of commitments were to county jails may be due to the distance from Chicago of the two institutions receiving juveniles from this district on Federal commitments—the National Training School for Boys and the Iowa State Reformatory. The jails in the counties immediately surrounding Chicago were used more commonly than Cook County jail (Chicago), though a few children were committed to the latter.

Of the 55 boys before the Federal court who were not committed to institutions, 6 were sentenced to remain in the custody of the United States marshal for a day, and 2 for 1 hour; fines were imposed upon 5; and 4 were dismissed, 3 by the United States commissioner and 1 after being held as a witness. One of the 3 dismissed by the commissioner was first released on bail for 60 days and was required to report to him periodically during that time.

⁶The Boys' Court of the Municipal Court of Chicago has jurisdiction over all cases of boys between the ages of 17 and 21 years.

In 18 cases presented to the grand jury, no indictment was returned, and the case was dismissed with no further prosecution; 4 of these boys were reported to have been held in jail by order of the United States commissioner for 30 days before the presentation of the case to the grand jury, not only as punishment but also as an object lesson to other boys. Up to the time when the records were obtained for this study, the final disposition had not been made in 20 cases; some of these cases were being continued from time to time, others had not come to trial.

Seven of the eight boys referred to the juvenile court were placed on probation, and one was committed for 30 days to the Chicago and Cook County School for Boys. One of the two before the boys' court was committed to the Cook County House of Correction, and one was placed on probation.

The 23 boys committed to jails, the 2 sent to the National Training School, and 11 of the 14 sent to the Iowa State Reformatory were 16 years of age or over.

Time between apprehension and disposition; detention.

In only 24 cases before the United States district court was final disposition reported to have been made in less than one month from the date of arrest. The periods between apprehension and disposition were as follows:

Total.....	108
Before the United States district court.....	98
Less than 1 month.....	24
Less than 1 week.....	4
1 week, less than 2.....	8
2 weeks, less than 1 month.....	12
1 month.....	20
2 months.....	12
3 to 5 months.....	10
6 to 10 months.....	7
1 year and over.....	3
Not reported.....	22
Before the juvenile court or the boys' court.....	10
Less than 1 week.....	3
2 weeks, less than 1 month.....	1
2 months, less than 3.....	6

Detention in county jails was the only method used for the 59 juveniles detained by order of the Federal authorities; only 11 boys were reported not detained, and for 35 cases no information regarding detention was obtained. In a number of the last cases the records stated that the boys were remanded to the county jail in default of bond, but no report was obtained as to whether they were actually

* Two of these cases were given a hearing within 10 days and were continued to report to the United States attorney.

detained; bond may have been furnished early enough to prevent actual detention. Three of the boys before the juvenile court were detained at the Juvenile Detention Home, and 1 before the boys' court was detained at a police station. The largest number of boys detained were held for less than one week; 20 of the 34 so reported were detained for one day only. The length of detention for the 62 detained was as follows:

Total.....	62
Less than 1 week.....	34
1 week, less than 2.....	6
2 weeks, less than 1 month.....	8
1 month, less than 2.....	4
2 months.....	4
3 months.....	1
Time not reported*.....	5

Previous delinquency records.

Information as to whether or not the boys reported in this district were first offenders was obtained for only 42 of the 108 children. Twenty-one, including 7 of the 8 before the juvenile court and the 2 before the boys' court, were first offenders, while 21 had been previously arrested. Of these, 9 were arrested once previously, 5 twice, 2 three times, 2 four times, and 3 were known to have been arrested but the number of times was not reported. Nine of the 21 previously arrested had been committed to institutions.

Twelve children before the United States district court were known to be first offenders, but in spite of this fact 10 were committed to institutions—8 to a reformatory and 2 to institutions for delinquent children; 2 were sentenced to one day in the custody of the United States marshal. Six of the 7 first offenders before the juvenile court were placed on probation, the seventh being sent for 30 days to the Chicago and Cook County School for Boys. Of the 2 boys referred to the boys' court—both first offenders—1 was placed on probation, and 1 was committed for 30 days to the Chicago House of Correction.

ILLUSTRATIVE CASES.

The following brief histories of three boys, two of them brothers, who had previously been before the juvenile court, are cited to illustrate the need of facilities for social investigation in the Federal courts, the complicated procedure, and the long periods between arrest and disposition during which the child, if not subjected to the injurious influences of jail detention, is left in the community without supervision. Under juvenile-court procedure full informa-

* Includes three cases before the juvenile court and one before the boys' court.

tion concerning the social history could have been obtained, and prompt action have been taken for the correction of the child's delinquent tendencies and the protection of the public.

A 15-year-old boy was arrested by the Federal authorities on February 5, 1919, on a charge of stealing mail from hall letter boxes. A few months prior to this trouble the boy was before the juvenile court, and the investigation made at that time revealed that the mother was dead and that the father had neglected the family. There were six children in the family, the youngest of whom was in an institution for the feeble-minded. An 11-year-old girl was keeping house. Previous to her death the mother had been obliged, because of the father's neglect, to support the family. The father reported the boy to be incorrigible, running the streets at night and associating with boys who had a bad influence over him. On a later visit the probation officer found the boy boarding with a married sister. After the boy was arrested by the Federal authorities he was detained in jail for more than a month. The court procedure was as follows:

February 5. Arrested, and in default of bond placed in jail.

February 27. Indicted by United States grand jury.

March 6. Plea of not guilty entered. Bail fixed at \$1,000.

March 11. Bail reduced to \$500. Bonds filed for \$500, and boy released from jail.

May 9. Cause set for trial May 12.

May 12. Bench warrant issued. Cause continued for trial to May 14.

May 14. Cause continued to May 16.

May 16. Trial proceeds.

May 19. Verdict of guilty by jury, with recommendations. Motion for new trial. Cause continued to June 2.

June 2. Motion for new trial. Cause continued to June 7.

June 7. Motion for new trial. Cause continued for sentence to September 15.

September 15. Cause continued to November 17 for disposition.

November 17. Cause continued 60 days to January 16, 1920, for disposition.

No further action reported on docket.

Two brothers, 15 and 16 years of age, were indicted in February, 1919, on the same charge—that of stealing mail from hall letter boxes. The first boy had been arrested prior to indictment, but his brother was not arrested until May. The parents were dead. One boy lived with his maternal grandparents; the other, with his sister, had been living with the paternal grandparents, but had been turned out of the home and at the time of the trouble was living with an uncle. Both boys had been before the juvenile court for previous offenses, one having been dismissed by that court and the other having been placed under suspended sentence to the State industrial school. Subsequent to the Federal cases, the probation officer of the juvenile court reported that the boy had left his uncle's home and had not returned. Court procedure was as follows:

February 4. First boy arrested; placed in jail.

February 6. Removed from one county jail to another.

February 14. Released from jail.

February 27. Both boys indicted and bench warrant issued for the one not arrested. Bond set for first boy, \$1,500.

March 6. Plea of not guilty entered for the first boy.

May 9. Cause continued for trial to May 16.

VIOLATIONS OF FEDERAL LAWS IN EIGHT LOCALITIES. 63

May 12. Bench warrants issued.

May 14. Cause continued for trial to May 16.

May 16. Second boy arrested.

May 16. First boy—plea of "not guilty" withdrawn, and plea of "guilty" entered.

May 17. Second boy—plea of "guilty" entered.

May 17. Trial of both boys proceeds.

May 19. Motion for new trial entered. Cause continued for hearing to June 2.

June 2. Motion for new trial. Cause continued to June 7.

June 7. Motion for new trial. Cause continued for sentence to September 15. Order entered canceling bond of first boy. Defendant released on own recognizance.

September 15. Cause continued to November 17.

November 17. Both boys fined \$5, no costs.

December 30. Fine paid.

CHAPTER V. GENERAL CONCLUSIONS.

NUMBER OF CHILDREN VIOLATING FEDERAL LAWS.

This study has shown that throughout the United States during a two-year period 1,145 children under 18 years of age were arrested for violation of postal laws.¹ From the eight districts and the three institutions visited, 211 children were reported arrested during the same period for other Federal offenses—a number which undoubtedly represents only a small proportion of the total arrests for such offenses in the United States. During the two-year period, the yearly average number of children included in the two groups was 678; if complete data were available for the entire country the total yearly average under 18 years of age would without doubt be found to be nearly 1,000 and might exceed that figure. Of these, it appears that the majority are under the age of 16 years and that some are under 10 years of age.

Of the 1,145 children arrested for postal offenses, 1,091 were boys, there being only 54 girls. No girls were reported as violating other Federal laws.

The Federal offenses most frequently committed by juveniles are apparently violations of postal laws and regulations. Violations of interstate-commerce laws appear to come next in frequency; 94 of the 211 children known to have committed offenses other than postal had violated interstate-commerce laws.

With the exception of Idaho and Nevada, postal cases were reported from every State, the District of Columbia, Alaska, and Porto Rico. The largest numbers were reported from Illinois, New York, Massachusetts, California, and Pennsylvania, over 50 cases being reported for each.

Of the eight districts studied, Chicago and New York reported the largest number of cases, including postal and other types of offenses. For offenses other than postal violations, boys were reported committed to the National Training School from 21 States and the District of Columbia.

The largest numbers of children violating postal laws were reported as residing in communities of less than 10,000 population and in cities of over 500,000 population, 34.7 per cent of the 1,108 postal offenders reported by the Post Office Department residing in the former type of communities and 21.7 per cent in the latter.

¹ Including 1,108 reported to the Post Office Department and 37 not included in the records of the department but reported from other sources as violating postal laws.

Fifteen per cent of the children violating postal laws and reported by the Post Office Department were employed in the postal service, 33 being under 16 years of age. Adherence to the policy laid down by the Post Office Department, that young children, whose judgment and ability to withstand temptation are not fully developed, should not be employed in positions where they are intrusted with delivery of mail or with postal funds, would reduce the number of offenders against Federal laws.

Of the 1,356 cases included in this study, 121 were reported only by the National Training School for Boys or by the New York and Iowa State reformatories, and all these were tried by United States district courts or by courts in the District of Columbia.² Of the remaining 1,235 cases, 758, or 61.3 per cent, were tried by United States district courts; 375, or 30.4 per cent, were taken before juvenile and other State courts; 8 cases were tried first by United States district courts and were then transferred to juvenile courts; court action was not reported in 15 cases; and in 79 cases no court action was taken.³

METHODS USED IN CHILDREN'S CASES BY FEDERAL AUTHORITIES.

The fundamental concept of the juvenile-court movement is that children should not be held criminally responsible for their misconduct, but that they should be afforded protection, care, and training, within or outside an institution and should be safeguarded from contact with adult offenders. This principle has not been applied in the Federal courts, in which the chancery procedure has not been substituted for the criminal in children's cases, nor the criminal procedure modified. Thus, the proceedings are formal and frequently include several preliminary hearings followed by grand-jury action and public trial, while long delays are often occasioned by crowded calendars, absence of continuous session, and the distance of the court from the child's place of residence. Further difficulties are found in lack of facilities for discovering what kind of child is being dealt with, his past experience and his possibilities of development, and in the inability of the court to suspend sentence, place on probation, and supervise the child in the community. During the long periods frequently occurring between the apprehension of the children and the disposition of their cases, the children must often be kept in detention—and jail detention is the form most frequently

² For the purpose of comparing the numbers heard by Federal and by State courts these cases have been excluded, since their inclusion would overweight the proportion tried in Federal courts.

³ Cases were included as having had court action if a preliminary hearing was held by the United States commissioner, regardless of the action taken by him. Cases dismissed by the United States attorney without further hearing were considered as having had no court action.

used by Federal courts. Holding children of tender years in jail, where they are terrified by the experience and subjected to contact with adult criminals, leaves an impression not conducive to normal development or good citizenship, that is difficult if not impossible to eradicate.

Moreover, the Federal courts are at present limited with reference to the institutions to which they may commit children. The national training schools for boys and girls, in the District of Columbia, are the only Federal institutions especially adapted to the care of delinquent children. Federal authorities in distant States are frequently reluctant to send children so far away from home, such a disposition often inflicting great suffering on both parents and child. On the other hand, the institutions nearer home with which the United States Government has made arrangements for the care of Federal offenders are frequently institutions designed primarily for adult offenders and are conducted as prisons with cell blocks and prison discipline. The younger children committed to these institutions are subjected to a program not adapted to their training and are in contact with older offenders. The officials sometimes make an effort to modify the régime in favor of a young-child—keeping him in the office of the institution during the day, for instance—but such practices can be only sporadic and of doubtful success.

An essential feature of the juvenile-court system is that a finding of delinquency does not constitute a conviction of crime, and that juvenile records, therefore, do not stand as criminal records. In the Federal courts the children found to have committed the offenses with which they are charged thereby stand convicted of crime, and suffer throughout life from the disqualifications consequent upon a criminal record.

Many judges, commissioners, attorneys, and post-office inspectors were found who recognized that the usual procedure was not adapted to the handling of children's cases; and, moreover, the statement was sometimes made that grand juries were very unwilling to return indictments in these cases. Under a more or less rigid legal system, when there exist in any particular case unusual circumstances, such as the extreme youth of the offender, one of three courses may be followed: (1) The imposition of the penalty fixed by law, sometimes in spite of doubt in the minds of the authorities as to whether such disposition is in accord with real justice; (2) the dismissing or nolleprossing of the case or refusal to indict, the authorities taking no steps to correct the offender or to safeguard society; and (3) the use of various expedients not specifically provided by law, which it is hoped will more nearly achieve justice, the correction and training of the offender, and the protection of the community. Many in-

stances of the adoption of such expedients have been cited in this report. They range from immediate reference of the case to juvenile courts by post-office inspectors and United States attorneys to the use of informal probation by the Federal authorities themselves, prior to the hearing or pending continuance on condition of good behavior. They also include short-term jail sentences and such nominal sentences as small fines and sentences to one day in the custody of the United States marshal. Except the reference to juvenile courts, none of these methods of handling children's cases is satisfactory, because the authorities have no facilities for ascertaining the necessary facts about the child and his environment, nor the means for the intensive supervision and reconstructive work essential to treatment of delinquents in the community.

Following is a comparison of the usual procedure in a well-organized juvenile court and in a United States district court, leaving out of consideration expedients sometimes used by Federal authorities:

JUVENILE-COURT PROCEDURE.	UNITED STATES DISTRICT-COURT PROCEDURE.
<i>1. Initiation of case.</i>	
Complaint and summons, except in cases of summary arrest.	Arrest upon warrant, or summary arrest. (In some cases arrest follows instead of preceding indictment.)
<i>2. Period between initiation and court action.</i>	
Prompt court action (within a few days or a week).	Frequently weeks or months elapse before final court action.
<i>3. Care pending court action.</i>	
Release to parents on personal recognition, or detention in detention home for children.	Release on bond or detention in jail.
<i>4. Preliminary investigation.</i>	
Thorough investigation, including: Physical examination. Mental examination. Personal history (schooling, recreation, habits, companions, etc.). Home conditions. Family history.	Investigation confined mainly to ascertaining whether or not child committed the offense.
<i>5. Court action.</i>	
Hearing—private, informal, without jury.	Preliminary hearing before commissioner. Presentment to grand jury, or direct to court on information filed. Trial—public, formal, often with jury.

JUVENILE-COURT PROCEDURE—Continued.

UNITED STATES DISTRICT-COURT PROCEDURE—Continued.

6. *Disposition of case.*

Dismissed or filed, if child not in need of protection or discipline, <i>or</i>	Dismissed, or nol-prossed, <i>or</i>
Probation, <i>or</i>	Fine, <i>or</i>
Placement in care of child-placing agency, <i>or</i>	Jail sentence, <i>or</i>
Commitment to special institution for care of juvenile delinquents.	Commitment to National Training School (District of Columbia), <i>or</i>
	Sentence to reformatory or penitentiary (State or private institutions for delinquent children are available to a few United States courts).

7. *Follow-up care.*

For children on probation by trained probation staff.	No provision.
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8. *Effect of adjudication.*

Juvenile-court record does not constitute a criminal record.	Conviction of crime.
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POSSIBILITIES FOR MORE ADEQUATE TREATMENT.

Two possibilities suggest themselves for providing a procedure better adapted to the handling of Federal cases involving children: First, a definite system of reference to State courts, preferably at the beginning of the case; and second, the establishment of a Federal probation system, accompanied by certain other modifications of the Federal procedure in children's cases, so that an informal chancery procedure will be possible.

Reference to State courts.

Juvenile-court organization is constantly being extended, and State-wide systems are being developed, under which rural as well as urban communities have available court organizations especially adapted to children's work. Even where juvenile courts are not fully developed, the State courts having jurisdiction over children's cases have the advantage of prompt action and usually have some means for probationary supervision.

The practice of referring children's cases to juvenile or other State courts is already followed to a considerable extent. Almost a third of the cases reported by the Post Office Department during the two-year period were so referred. In one district, children violating Federal laws were frequently sent, immediately after arrest, to the house of detention maintained by the juvenile court. The superintendent of the home, who had the power to place juvenile de-

linquents on informal probation, dealt with these Federal offenders in the same manner as with juvenile court cases.⁴

A regular system of reference of children's cases to State courts, under uniform rules, would be much more effective than the method now followed at the discretion of the authorities in some districts.

Modification of Federal procedure in children's cases.

Prior to December, 1916, Federal judges had always used their discretion in placing offenders on probation.⁵ In that month the Supreme Court of the United States held that Federal judges had no legal power to place offenders on probation except in the District of Columbia. Immediately thereafter, in February, 1917, a bill providing for probation, for adults as well as for juveniles, was passed by both Houses of Congress but did not receive the President's signature. In the course of hearings on probation bills introduced in the House of Representatives in 1920, the author of one of the bills presented letters from 49 Federal judges, of whom 43 were in favor of the plan. One judge wrote:

I have your letter of December 12 asking me for my opinion as to the wisdom of a probation system in the Federal courts. It is indeed not only wise but an absolute necessity for any effective administration of justice. At present in the case of juvenile offenders a judge's position is most unsatisfactory. The Supreme Court has forbidden any suspension of sentence, and except through a colorable evasion the judge is bound to deal sentence then and there. If he imprisons the juvenile for a period he does two bad things; he does his best to take away any chance which the offender may still have for recuperation by throwing him into the worst possible surroundings, and he takes away his only hold over him, as his jurisdiction terminates when the sentence has expired. The result violates the judgment of all competent penologists, I think. We need in the first place some power to suspend sentence.

The judge goes on to express his opinion that voluntary probation officers could be obtained to carry out the work of supervision.⁶

The bills introduced in 1920 were not enacted into law, and in April, 1921, a bill (H. R. 4126) was introduced relating to the parole of United States prisoners and providing for a probation system in the United States courts. This bill was also referred to the Committee on the Judiciary, and hearings were held on May 31. It differs from the 1920 bill, referred to in the letter cited above, principally in respect to compensation of probation officers. The latter bill provided that the judges appointing a probation officer might determine whether a salary was to be paid and the amount of the salary, and that salaried officers should be under civil-service regulations. The

⁴ See p. 50.

⁵ See p. 5.

⁶ "Probation system in the Federal courts; automatic parole." Hearings before the Committee on the Judiciary, House of Representatives, 66th Cong., 2d sess. Serial No. 20, p. 8. Government Printing Office, Washington, 1920.

bill now before Congress provides that probation officers shall serve without pay. The main provisions relating to probation are as follows:

1. *Appointment of probation officers.*—Courts of the United States having original jurisdiction of criminal actions, except in the District of Columbia, shall appoint as many probation officers, male or female, as occasion may require, such officers to serve without compensation.

2. *Cases in which probation may be applied.*—After a plea of guilty or nolo contendere, or after conviction, the imposition or execution of sentence may be suspended and the defendant placed upon probation in any case except those involving treason, homicide, rape, arson, kidnaping, or a second conviction of a felony.

3. *Period of probation.*—Original period of probation, together with extension thereof, shall not exceed five years.

4. *Conditions of probation.*—Probationer shall be provided with a written statement of the terms and conditions of probation; he shall observe the rules prescribed for his conduct and report as directed. He may be required to pay a fine, to make restitution or reparation, and to provide for the support of any person or persons for whose support he may be legally responsible.

5. *Preliminary investigations.*—Investigations shall be made by the probation officers in all cases referred to them by the court. They shall make recommendations to the court to enable it to decide whether or not the defendant ought to be placed on probation.

6. *Supervision of probationer.*—Probation officers shall keep informed concerning the conduct and condition of each probationer under their supervision. They shall use suitable methods to aid persons on probation and to bring about improvement in their conduct and condition. They shall keep records of their work and report to the court from time to time concerning all cases in their care.

7. *Release from probation.*—Upon expiration of the term of probation, or when directed by the court, the probation officer shall report to the court, with a statement of the conduct of the probationer. The court may discharge the probationer from further supervision, or may extend probation.

8. *Modification of the terms of probation, and revocation of the probation order or of suspension of sentence.*—At any time during the probationary term the court may modify the terms and conditions of probation, or may terminate probation, discharging the probationer, or may cause the probationer to be arrested and brought before the court. At any time after the probation period, but within the maximum period for which the defendant might originally have been sentenced, the court may cause the defendant to be arrested and brought before the court. In either case, upon causing the probationer to be brought before the court, probation or suspension of sentence may be revoked and sentence imposed.

The bill applies to adults as well as to juveniles, and does not take cognizance of the peculiar problems involved in the handling of children's cases. Moreover, it does not provide for paid probation service, which has been found to be essential to effective work with children. But the passage of the bill would enable the Federal courts to utilize the professional probation service which has been developed in connection with State courts. To the extent to which

such cooperation between Federal and State courts could be effected the provisions of the bill would make it possible for United States district courts to be informed concerning the character of the children before them and the kind of disposition that would best protect the interests of the children and the general public. The courts would also have means of supervision and constructive help for children placed on probation.

Except for such amelioration as probation officers might be able informally to effect, there would still remain the disadvantages involved in the length of time between apprehension and final action, jail detention, formal procedure and public trial, and the disqualifying effects of a criminal record. It would doubtless be possible, through cooperation with the State courts, to secure to the children the benefits of special facilities for detention pending hearing and for intensive study through such diagnostic clinics as exist for the purpose of giving physical and mental examinations. Such cooperation with the States might also make available for the use of the Federal authorities more institutions especially designed for the care of delinquent children who can not safely remain under supervision in the community.

The difficulties of delayed hearings, formality and publicity, and criminal record could not be met except by further specific legislation.

It is evident that the possibilities of adapting Federal court procedure to children's cases are limited, and that because of the relatively small number of such cases before any one Federal court, cooperation with State courts and utilization of their resources seem to be essential. It is probable, therefore, that the simplest, most practicable, and least expensive plan for the proper handling of children's cases involving violations of Federal laws would be the first suggested in this chapter—the development of a definite system of reference to State courts, at least for certain types of Federal cases involving children.

Whatever plan may be adopted, the same fundamental principles governing court procedure in children's cases must be followed if the children are to be saved the suffering and disastrous results involved in the criminal procedure in juvenile cases. Perhaps of equal importance from the standpoint of public welfare, child offenders whose cases are now dismissed or nol-prossed, or who receive nominal sentences through a desire to avoid unjust or harsh punishment, could then be given the protective care that would prevent future delinquency.

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U. S. DEPARTMENT OF LABOR
WOMEN'S BUREAU
WASHINGTON
CHART II

NINE-HOUR LAWS FOR WOMEN WORKERS

(Compiled from bulletins published by the U. S. Bureau of Labor Statistics, and State Departments of Labor.)

STATES.	DATE ENACTED.	WEEKLY LIMIT.	DAILY OVERTIME LIMIT.	OCCUPATIONS SPECIFIED.
ARKANSAS. Bul. 186, p. 78..... Acts 1919, No. 275.....	1915..... 1919.....	{54 hours..... {6 days.....}	Industries handling perishable products, by permission of the commission for not more than 90 days annually.	Manufacturing, mechanical, mercantile establishments, laundry, express, and transportation. <i>Exceptions.</i> —Establishments employing less than four females, or working less than four employees at the same time in the same building on the same kind of work; cotton factories; gathering and preserving fruits and perishable farm products.
Order of Minimum Wage and Hour Commission.....	May 13, 1919	{54 hours..... {6 days.....}			Hotels and restaurants.
IDAHO. Bul. 148, p. 534.....	1913.....			Mechanical or mercantile establishment, laundry, hotel and restaurant, office, telephone and telegraph, express and transportation. <i>Exceptions.</i> —Harvesting, packing, curing, canning, or drying perishable fruits and vegetables.
KANSAS. Orders of the Industrial Welfare Commission.	Jan. 9, 1917 Mar. 14, 1918 July 22, 1918	6 days..... 54 hours..... {54 hours..... {6 days..... (Or 7 days, 8 hours).	One hour.....	Mercantile establishments. Laundry. Public housekeeping.
MAINE. Bul. 186, p. 181.....	1915.....	54 hours.....	In order to get the short day per week, overtime is permitted if maximum weekly hours not exceeded.	Manufacturing, mechanical, laundry. <i>Exceptions.</i> —Manufacturing or business establishments, the products or materials of which are perishable.
MASSACHUSETTS. Bul. 257, p. 55.....	Apr. 18, 1919 1918.....	48 hours.....	In seasonal employments, 52 hours per week if average for year is 48 hours per week.	Factory or workshop, or in any manufacturing, mercantile, or mechanical establishment, telegraph office or telephone exchange, or by any express or transportation company. Elevators in establishments previously covered or that may be covered in the future; buildings occupied by such establishments; office buildings.
MICHIGAN. Bul. 148, p. 1063.....	1909.....	54 hours.....	One hour overtime if the weekly hours are not exceeded.	Factory, mill, warehouse, workshop, clothing, dressmaking, or millinery establishment, or any place where the manufacture of any kind of goods is carried on, or where any goods are prepared for manufacturing; or laundry, store, shop, or any other mercantile establishment. <i>Exceptions.</i> —Preserving perishable goods in fruit and vegetable canning establishments.
MINNESOTA. Bul. 148 p. 1120.....	1913.....	54 hours.....	Permitted to make one shorter workday per week.	Manufacturing or mechanical establishment, telephone and telegraph in first and second class cities.
MISSOURI. Bul. 148, p. 1175.....	1909.....	54 hours.....		Manufacturing, mechanical, or mercantile establishments; factory, workshop, laundry, bakery, restaurant, place of amusement, stenographic or clerical work of any character in the above industries; express or transportation company, public utility, common carrier, public institution. <i>Exceptions.</i> —Establishments canning and packing perishable farm products in places under 10,000 population for 90 days annually; telephone and telegraph.
NEBRASKA. Bul. 148, p. 1292.....	1913.....	54 hours.....		Manufacturing, mechanical, or mercantile establishment, laundry, hotel, restaurant, office, public-service corporation, in cities of over 5,000 population.
NEW YORK. Bul. 148, p. 1494..... Bul. 166, p. 182..... Bul. 186, p. 258..... Bul. 244, p. 48..... Laws 1919, ch. 583.....	1909..... 1914..... 1915..... 1917..... 1919.....	{54 hours..... {6 days.....} {54 hours..... {6 days.....} {54 hours..... {6 days.....}	Factory, mill, workshop, laundry: One hour daily in order to get one or more short days weekly, provided weekly maximum is not exceeded; 1 hour daily, 6 hours weekly, June 15–October 15, in establishments canning perishable products; 3 hours daily, 12 hours weekly, June 25–August 5, in such establishments by permission of Industrial Commission. Mercantile establishments: One day weekly in order to get one or more shorter days weekly.	Factory, mill, workshop, laundry. Mercantile establishments in cities and villages over 3,000 population. <i>Exceptions.</i> —December 18–24, 2 days annually for stock taking. Work in or in connection with restaurants in first and second class cities. <i>Exceptions.</i> —Performers, attendants in ladies' cloakrooms and parlors, hotel dining rooms and kitchens, employees' lunch rooms. Street, surface, electric, subway, or elevated railroad service.
OHIO. Bul. 244, p. 261.....	1917.....	50 hours.....	Mercantile establishments: One hour Saturday.	Factory, workshop, telephone or telegraph, millinery or dressmaking establishment, restaurant, transmission or distribution of messages, and mercantile establishments in any city. <i>Exceptions.</i> —Canneries and establishments preparing for use perishable goods during the canning season.
OKLAHOMA. Bul. 186, pp. 307–308.....	1915.....		Telephone operators in time of disaster and epidemic; 1 hour daily in hotels in case of emergency, consent of employee to be secured.	Manufacturing, mechanical, or mercantile establishment, laundry, bakery, hotel and restaurant, office building, warehouse, telephone or telegraph office, printing establishment, bookbinding, theater, show house, place of amusement, in towns and cities of more than 5,000 population. <i>Exceptions.</i> —Registered pharmacists, stenographers, and nurses.
OREGON. Industrial Welfare Commission Orders Nos. 25–34..... Bul. 213, pp. 118–119.	1915.....	54 hours.....	Woolen mills, provided weekly maximum is not exceeded. Telephone: Different hours by special license for rural telephones not requiring uninterrupted attention of operator. Industrial Welfare Commission may permit overtime up to 10 hours in emergencies.	Manufacturing and mercantile establishments outside of Portland; laundry, "personal service" (hairdressing, manicuring, ushers in theaters), telephone in Portland and telephone outside of Portland, telegraph, "public housekeeping" (hotel, restaurant, boarding house, car cleaning, janitresses).
TEXAS. Bul. 186, p. 389.....	1915.....	54 hours.....	Laundries: In cases of extraordinary emergency, provided consent of employee is secured; 2 hours daily, provided weekly maximum is not exceeded. Woolen and cotton mills: One hour daily, 6 hours weekly, in manufacture of cotton, woolen, and worsted goods and articles manufactured out of cotton goods.	Factory, mine, mill, workshop, mechanical or mercantile establishment; laundry, hotel, restaurant, rooming house, theater, moving-picture show, barber shop; telephone or telegraph or other office; express or transportation company; State institution; or any other establishment where females are employed. <i>Exceptions.</i> —Stenographers, pharmacists, telephone and telegraph, mercantile establishments in rural districts and in cities of less than 3,000.

U. S. DEPARTMENT OF LABOR
WOMEN'S BUREAU
WASHINGTON
CHART IV

TEN-AND-A-QUARTER-HOUR, TEN-AND-A-HALF-HOUR, ELEVEN-HOUR, AND TWELVE-HOUR LAWS FOR WOMEN WORKERS

(Compiled from bulletins published by the U. S. Bureau of Labor Statistics.)

TEN-AND-A-QUARTER-HOUR LAW

STATES.	DATE ENACTED.	WEEKLY LIMIT.	DAILY OVERTIME LIMIT.	OCCUPATIONS SPECIFIED.
NEW HAMPSHIRE. Bul. 244, p. 229.....	1917.....	54 hours	Mercantile establishments on 7 days preceding Christmas, provided annual weekly average does not exceed 48 hours.	Manual or mechanical labor in any employment. <i>Exceptions.</i> — Household, domestic, hotel, and boarding-house labor; nurses, telephone and telegraph, farm labor; operatives engaged entirely in manufacture of munitions for United States or State during war time.

TEN-AND-A-HALF-HOUR LAW

TENNESSEE. Bul. 148, p. 2062..... Bul. 186, p. 379.....	1913..... 1915.....	57 hours.....		Workshop, factory (1913). Amendment (1915): "The terms workshops and factories include the following: Manufacturing, mills, mechanical, electrical, mercantile, art and laundering establishments, printing, telegraph and telephone offices, department stores, or any kind of an establishment wherein labor is employed or machinery is used." <i>Exceptions.</i> — Domestic service and agricultural pursuits.
VERMONT. Bul. 244, p. 348.....	1917.....	56 hours		Manufacturing, mine and quarry, mechanical establishment.

ELEVEN-HOUR LAW

ORTH CAROLINA. Bul. 186, p. 295.....	1915.....	60 hours		All factories and manufacturing establishments. <i>Exceptions.</i> — Engineers, firemen, superintendents, overseers, section and yard hands, office men, watchmen, repairers of breakdowns.
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TWELVE-HOUR LAW

ORTH CAROLINA. Bul. 148, p. 2003.....	1912.....	60 hours		Mercantile establishments.
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**U. S. DEPARTMENT OF LABOR
WOMEN'S BUREAU
WASHINGTON
CHART III**

TEN-HOUR LAWS FOR WOMEN WORKERS

(Compiled from bulletins published by the U. S. Bureau of Labor Statistics.)

STATES.	DATE ENACTED.	WEEKLY LIMIT.	DAILY OVERTIME LIMIT.	OCCUPATIONS SPECIFIED.
CONNECTICUT. Bul. 148, p. 417-418.	{1909 1913}	55 hours		Manufacturing and mechanical.
DELAWARE. Bul. 148, p. 440 amended, Bul. 244, p. 115	{1913 1917}	55 hours	Two hours on one day weekly provided weekly maximum not exceeded.	Mercantile, mechanical, manufacturing, laundry, baking, or printing establishment; telephone or telegraph office (1913). <i>Amendment.</i> —Restaurant, hotel, place of amusement, dress-making establishment, office (1917).
GEORGIA. Bul. 148, p. 483	1910	60 hours	Permitted on a maximum of ten days to make up time lost by accident or other unavoidable circumstances.	Cotton and woolen manufacturing. <i>Exceptions.</i> —Engineers, firemen, watchmen, teamsters, mechanics, yard employees, clerical force, cleaners, repairmen.
ILLINOIS. Bul. 148, p. 574	{1909 1911}			Factory, mechanical or mercantile establishment; laundry, hotel, restaurant, telegraph, telephone or office thereof; any place of amusement, or any person, firm, or corporation engaged in express, transportation, public utility business; common carrier, public institution.
KENTUCKY. Bul. 148, p. 833	1912	60 hours		Laundry, bakery, factory, workshop, store, mercantile establishment, manufacturing or mechanical establishment, hotel, restaurant, telephone or telegraph office.
LOUISIANA. Bul. 148, p. 859	1908	60 hours		Mill, factory, mine, packing house, manufacturing establishment, workshop, laundry, millinery or dressmaking store; mercantile establishment in which more than five persons are employed; theater, concert hall, place of amusement, bowling alley, bootblack establishment, freight or passenger elevator, transmission of messages or merchandise.
MARYLAND. Bul. 148, p. 915	1911	60 hours	Mercantile establishments: Two hours on Saturdays and on the six working days before Christmas in retail establishments, outside of Baltimore, provided that on such days women so employed have at least two rest periods of at least 1 hour each, and that during the remainder of the year the working day is not more than 9 hours.	Manufacturing, mechanical, mercantile, printing, bakery, and laundering establishment.
MINNESOTA. Bul. 148, p. 1141	1913	58 hours	Permitted to make one shorter workday per week.	Mercantile establishment, restaurant, lunch room or eating house or kitchen thereof in cities of first and second class.
MISSISSIPPI. Bul. 166, p. 149	1914	60 hours	Permitted in cases of emergency or public necessity.	Mercantile establishment, laundry, millinery or dressmaking store, office, theater, telephone and telegraph.
NEW JERSEY. Bul. 148, p. 1422-1423	1912	60 hours		Manufacturing or mercantile establishment; bakery, laundry, restaurant. <i>Exceptions.</i> —Canneries engaged in packing perishable products; mercantile establishments on six working days preceding Christmas.
PENNSYLVANIA. Bul. 148, p. 1929 Bul. 186, p. 329 Bul. 244, p. 277-278	{1913 1915 1917}	{54 hours 6 days}	Two hours daily to make up lost time by stoppage of machinery for at least 30 consecutive minutes in the same week, or not more than three days to make up time lost through a legal holiday in the same week, provided in both cases weekly maximum is not exceeded; weekly holiday may be split into 2 days of 12 hours each for employees in hotels, boarding houses, charitable, educational, and religious institutions at discretion of Industrial Board. Industrial Board may modify daily hours, whenever health and welfare necessitate it, provided weekly maximum is not exceeded. <i>Exception.</i> —Manufacturing.	Any establishment. "The term 'establishment' when used in this act shall mean any place within this Commonwealth where work is done for compensation of any sort to whomever payable: <i>Provided,</i> That this act shall not apply to work in private homes and farming."
RHODE ISLAND. Bul. 148, p. 1984	{1909 1913}	54 hours		Factory, manufacturing or mechanical establishment; business or mercantile establishment.
SOUTH CAROLINA. Bul. 148, p. 2001	1912	60 hours	Cotton and woolen manufacturing establishments: Eleven-hour day if 60-hour week is not exceeded. Sixty hours annually in manufacturing to make up lost time when lost time has been caused by accident or unavoidable cause.	Cotton and woolen manufacturing establishments engaged in the manufacture of yarns, cloth, hosiery, and products for merchandise. <i>Exceptions.</i> —Mechanics, engineers, firemen, watchmen, teamsters, yard employees, and clerical force.
SOUTH DAKOTA. Bul. 148, p. 2025	1913			All employment except farm laborers, domestic servants, or persons engaged in the care of live stock.
VIRGINIA. Bul. 148, p. 2157 Bul. 257, p. 110	{1904 1912 1918}		Emergencies in leaf-tobacco prizeries in places of less than 30,000 population until February 1, 1920, on permit of Commissioner of Labor; all overtime to be voluntary.	Factory, workshop, mercantile or manufacturing establishment; laundry. <i>Exceptions.</i> —Mercantile establishments in towns of less than 2,000. Also those whose full time is employed as bookkeeper, stenographer, cashier, or office assistant. Also persons employed in factories engaged exclusively in packing fruits or vegetables (1918).
WISCONSIN. Bul. 148, p. 2269	1911	55 hours	Pea canneries: Two hours daily on maximum of 15 days during the season, 15 hours weekly.	Manufacturing, mechanical, or mercantile establishment; laundry, restaurant, confectionery; telephone, telegraph, express or transportation company.
WYOMING. Bul. 244, p. 370	1917	60 hours, 7-days; or 52 hours, 6 days.		Manufacturing, mechanical, mercantile, printing, baking, laundering, canning establishment; hotel, restaurant, theater, or place of amusement.

U. S. DEPARTMENT OF LABOR
WOMEN'S BUREAU
WASHINGTON
CHART I

EIGHT-HOUR AND EIGHT-AND-A-HALF-HOUR LAWS FOR WOMEN WORKERS

(Compiled from bulletin published by the U. S. Bureau of Labor Statistics, and State Departments of Labor.)

EIGHT-HOUR LAWS

STATES.	DATE ENACTED.	WEEKLY LIMIT.	DAILY OVERTIME LIMIT.	OCCUPATIONS SPECIFIED.
ALASKA. ¹ Bul. 244, p. 60.....	1917.....			General provision for all wage earners.
ARIZONA. Bul. 148, p. 205.....	1913.....	56 hours.....	2 hours a day.....	Mercantile establishment, confectionery store, bakery, laundry, hotel, restaurant, telegraph or telephone office. <i>Exceptions.</i> —Nurses, telephone and telegraph office employing less than four females.
CALIFORNIA. Bul. 148, p. 295.....	1911.....	48 hours.....		Manufacturing, mechanical, or mercantile establishment, laundry, hotel, public lodging house, apartment house, hospital, place of amusement or restaurant, telegraph or telephone establishment, express or transportation company. <i>Exceptions.</i> —Graduate nurses in hospitals, fish canning, harvesting, curing, canning, drying perishable fruits; office, professional, domestic labor.
COLORADO. Bul. 148, p. 395.....	1913.....			Any and all manufacturing, mechanical, mercantile establishments, laundry, hotel, and restaurant.
DISTRICT OF COLUMBIA. Bul. 166, p. 29.....	1917.....	{48 hours..... 6 days.....}		Any manufacturing, mechanical, or mercantile establishment, laundry, hotel, restaurant, telephone or telegraph office, express or transportation company.
KANSAS.	July 22, 1918	{7 days..... (Or 6 days, 9 hours. See nine-hour chart.)		Public housekeeping.
Orders of the Industrial Welfare Commission.	Sept. 5, 1918	{8 hours (basic)..... 6 days.....		Telephone.
	Oct. 30, 1918	{8 hours (basic)..... 6 days.....}	7 hours weekly in case of emergency.....	Factory.
MONTANA. Bul. 244, p. 223.....	1917.....		Retail stores, 2 hours daily during the week before Christmas.	Manufacturing, mechanical, or mercantile establishments; laundry, hotel, restaurant, telegraph and telephone.
NEVADA. Bul. 244, p. 223.....	1917.....	56 hours.....		Manufacturing, mechanical, or mercantile establishment; laundry, hotel, public lodging house, apartment house, place of amusement, restaurant, express or transportation company. <i>Exceptions.</i> —Harvesting, curing, canning, and nurses.
PORTO RICO. Bul. 148, p. 1961.....	1912.....	48 hours.....	Day may be extended to 9 hours, 1 hour overtime, but can not exceed 48 hours per week.	Any form of lucrative employment. <i>Exceptions.</i> —Stenographers, typists, office assistants, telephone and telegraph operators, nurses, domestics.
UTAH.	May 12, 1919	48 hours.....		Any manufacturing, mechanical, or mercantile establishment; laundry, hotel, restaurant, or telegraph or telephone establishment, hospital or office, or by any express or transportation company in this State. <i>Exceptions.</i> —Canning of perishable fruits or vegetables; manufacturers of containers for same during packing season.
WASHINGTON. Bul. 148, p. 2216.....	1911.....		Telephone and telegraph in rural communities and cities of less than 3,000 population; 9 or 10 hour day.	Mechanical or mercantile establishment, laundry, hotel, or restaurant. <i>Exceptions.</i> —Harvesting, packing, curing, drying, and canning perishable fruits, fish, and shellfish.
WISCONSIN. Industrial Commission Order No. 4.....	May 7, 1918			Conductors, motormen, flagmen on street-car lines outside first-class cities.

¹ An Alaska court has set aside this law, but the U. S. Supreme Court has not yet passed on a test case.

EIGHT-AND-A-HALF-HOUR LAW

NORTH DAKOTA. House Bill 186.....	Mar. 6, 1919	{48 hours..... 6 days.....}		Manufacturing, mechanical, or mercantile establishment; laundry, hotel, restaurant, telephone or telegraph establishment or office, or express or transportation company. <i>Exceptions.</i> —Rural telephone exchanges or in villages or towns of less than 500 population.
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253

U. S. DEPARTMENT OF LABOR
WOMEN'S BUREAU
WASHINGTON

CHART V

WEEKLY HOUR LAWS FOR WOMEN WORKERS

(Compiled from bulletins published by the U. S. Bureau of Labor Statistics, and State Departments of Labor.)

STATES.	DATE ENACTED.	WEEKLY LIMIT.	WEEKLY OVERTIME LIMIT.	OCCUPATIONS SPECIFIED.
CONNECTICUT. Bul. 148, p. 418.....	{1909.....} {1913.....}	58 hours	December 17-25 if employer grants at least 7 holidays with pay annually.	Mercantile establishment, public restaurant, café, barber shop, hair dressing or manicuring establishment, photograph gallery. <i>Exception.</i> —Hotel.
MAINE. Bul. 186, p. 181.....	1915.....	54 hours	Public service in cases of emergency in which property, life, public health, or safety is in danger, or in cases of extraordinary public requirement.	Mercantile establishment, restaurant, telephone exchange employing more than three persons, telegraph, express, and transportation. <i>Exceptions.</i> —December 17-24; eight days prior to Easter Sunday in millinery establishments.
MINNESOTA. Bul. 148, p. 1119.....	1909.....	58 hours		Mercantile establishments.
NEW YORK. New York State Labor Law, N. Y. State Industrial Commission, 1918, Article 12, Sec. 161c.	1918.....	54 hours		Messenger for a telegraph company or messenger in the distribution, transmission, or delivery of goods or messages, in cities of the first or second class.
OREGON. Bul. 213, p. 125; Industrial Welfare Commission, Code of Rulings, 18. Industrial Welfare Commis- sion, Code of Rulings, Sec. IV; Bul. 213, p. 118.	1916.....	54 hours		Office outside of Portland.
	1916.....	51 hours		Office in Portland

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