NEW YORK

PRISON REVELATIONS

. . . OR . . .

A CHAPLAIN'S EXPERIENCES OF THE NEW YORK PRISONS

A LECTURE

. . . BY . . .

THE REV. J. H. L. ZILLMANN

Delivered in the Hall of the Y. M. C. A., Portland, Oregon

"It is folly to restrain by coercion unless you reform by good discipline."

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NEW YORK PRISON REVELATIONS

A LECTURE

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THE SITUATION AND APPEARANCE OF THE PRISONS

At the corner of Franklyn and Centre streets, New York, a few blocks down from Broadway, there stands a gloomy, uninteresting, massive, mournful pile of what has been called "Moorish Looking Architecture." High walls enclose it on every side with the exception of the part facing Centre street, where a flight of granite stairs conduct you up past immense pillars of the same masonry into the Police Court. Right opposite this building in Franklyn street and occupying a complete block, is one of the most imposing structures in the city—approaching completion when I last saw it—and designed for use as the new city Court Houses and Prisons. This structure, when completed will be connected with the Tombs Prisons by an enclosed gallery or bridge right across the street, two stories overhead. The new building stands six or seven stories high (I speak from a general recollection) and with its tier upon tier of prison cells will probably contain room enough for more than another thousand prisoners, while there will be halls for the administration of justice sufficient, it may be hoped, to supercede the use of the Court of General Sessions, and Oyer and Terminer several blocks away in Chambers street, and so avoid the necessity of taking criminals amidst crowds of curious sight seers from prison to their trial at court.

WHY CALLED THE TOMBS

I could never quite understand why these prisons were called "The Tombs," but have heard some traditions of the spot having once been occupied as the site of a graveyard in the early days of New York history. This, at any rate is true; there is a tomb-like look about the building, and it is certain that many live bodies are, day by day, immured in cells which to them is a living burial.

PROCESS OF ADMISSION

This is easy enough for the law-breaker, or the man charged with having broken the law. He appears, handcuffed and in charge of a police officer, and, presto! the gates fly open to receive him, but for ordinary visitors it is not so easy to gain admission. A pass has to be obtained of the Commissioners of Charities and Correction and this has to be certified to by clerks and officers, who subject you to personal scrutiny and examination, and then, provided you are not a dangerous character or in possession of *contraband* articles, you are allowed to pass on with a slip of paper, which will entitle you to go to the cell where a friend may be incarcerated, but the same slip of paper must be presented on return, otherwise you may find yourself a lone wanderer in the corridors until the warden comes to your rescue. As the recognized Episcopal Chaplain I was not troubled with any such formalities. The turnkeys opened the gates to me whenever I presented myself, and in the regular discharge of my duties I have had access to all parts, even to the dark, inner, separated cells of what is commonly called "Murderers' Row."

Other visitors I have watched passing through the entire process of obtaining admission. It is a humiliating experience, *to be searched*. An officer steps forward and puts his hands into your coat and trousers pockets, feels

you all over, and, so to speak, turns you inside out. Women are always ushered into a little room, where a female officer sits who subjects them to a search after a mode of which I have never had any personal observation. Through several large, iron-railed, gate-ways you pass down a wide, though not lofty, passage and at last find yourself in

THE STONE-PAVED PRISON YARD

Right before you over a low, iron-railed, gate-way you read the words "Old Prison." To the right hand is a newer looking building and over a similar looking entrance you read the words "New Prison." But before entering either of these places you will probably meet a tall man, a gaunt, grim-visaged individual who might pose as the embodiment in human form of the stern genius which presides over the place. His humor, you will soon find, is as grim as the expression of his countenance. He may invite you to "step round here if you please." This he does mildly, and you are placed off your guard. You follow him and obey his injunction, "Stand here," and then he will ask you, "Do you know where you are?" and before you have time to answer will inform you, "from that spot I have assisted in the *execution of many a murderer*." It is impossible to resist the influence which comes from the associations of a spot like that, and you will no doubt step aside and move away as I did. Hanging, particularly by the old mode of jerking up practiced in these prisons, is a brutal and barbarous manner of putting to death. If capital punishment is to be retained, the process of killing by electricity is far preferable. But I may have something to say on this subject further on. In the meanwhile I will ask you to accompany me into

Don't be too fastidious. Prepare yourselves for what may offend your eyes, your ears, your nose, your every sense, to say nothing about your æsthetic tastes. Having entered through a ponderous gateway, we turn two or three paces to our right and look through an iron railing from wall to wall, which encloses what is called "The Drunkard's Ward." Here can be seen what New York saloons contribute towards the vice, the degradation, the destitution and the wretchedness (not to speak of the horrors of actual crime) of New York.

The specimens of depraved and fallen humanity which one meets with here beggar description. Give me filthy dogs, filthy swine, filthy animals of any description rather than filthy human beings. I have often felt sick in body and mind at the sights I have witnessed here. There is a regular class of confirmed inebriates who find their way to the drunkard's ward of the Tombs Prison with the regularity of the weekly Sabbath, or as much oftener as pay day may come around, and they are always here when not loafing at saloons or sleeping in some free lodging house. And yet I have met men here who had anything but the appearance of confirmed topers; men through a single *faux pas*, whose lives were generally free from dissipation, have frequently found themselves locked up in the drunkard's ward.

One day while I was making my usual round of visitation, a tall clerical looking individual, wearing a silk hat and dressed in proper broadcloth, was marched in by a police officer. I took this new arrival to be a dominie for sure, but he said no, that he had a brother in that way, but for himself, he had never risen higher than to the office of elder in a Presbyterian church. He had, he told me,

come from the country the day before, had spent a time in good fellowship with old friends and that he had been imprudent enough to go out in a somewhat fuddled state; that amidst the rush of passers-by in Broadway he had become quarrelsome and insulting; had been arrested and taken to the police court on a charge of drunkenness, for which he had been fined ten dollars with the alternative of ten days imprisonment. Not having the ready money, he was sent in amongst the dirty, ragged, vermin covered old time bums in the drunkard's ward. This sort of thing happens often. No discrimination is made between the man who forgets himself on occasions and the besotted creatures who wallow in a constant mire of inebriety. Many come here as it were, by sudden plunge, and others by slow degrees from high positions of social respectability, and these are among the lowest, the vilest, and the most vicious. I have met *an Irish Dublin University man who, though he said he was a Roman Catholic, added that he had great respect for regular Church of England Clergymen, but that he did not take much stock in American Episcopal Clergymen. I informed him that I was a Clergyman of the English Church, but that I had been trained and ordained in the Australian Colonies. He immediately after qualified his previously expressed respect for English Church Clergymen by saying that he did not think a Clergyman of the Church of England was much good unless he had had a Cambridge or an Oxford training. Shortly after he called up the old, grey-bearded, messenger to the rails and because the old man would not go out on some errand without the accustomed fee, he made a vicious snatch at his beard, with the result that quite a quantity of grey hairs were left behind in the hand of this admirer

*This particular instance occurred during one of my visits to Yorkville Precinct Prison, where drunkards are incarcerated under precisely similar conditions.

of Oxford and Cambridge men, one who himself claimed to be a Master of Arts of the Dublin University.

I have often felt the necessity of being on my guard while moving about among vicious, hating scoundrels like this. I once met in the drunkards' ward of the New Tombs Prisons a Scotch lawyer, whose devotion to the whisky bottle had long ago spoilt whatever practice he may have had, but not to any great extent his robust physical constitution, nor yet his facility for quoting legal maxims, discussing points of law or in any way impairing his acquaintance with classical literature and moral philosophy. He was a man remarkably well read, and with extensive and accurate information on a great variety of subjects. I may say that I met him in other prisons and other places in the city. He had a habit of turning up at my services most unexpectedly and being a persistent beggar he became somewhat of a nuisance. I may say that I have met in the drunkards' ward "all sorts and conditions of men," Germans and Italians, Hungarians and Russians, English and Irish, and Scotch, *but few Americans.* Some Americans surely, but the great majority have always been foreigners.

BOYS FOR ELMIRA

Now, if you will step with me to the opposite side of this building you will find an enclosure corresponding exactly to the drunkards' ward. The apartment is, perhaps, not quite so wide and is skirted on the right side with a long row of cells. It is also railed off and enclosed with a heavy, iron gate-way. This is the portion of the prison assigned to the young fellows sentenced to the Elmira Boys' Reformatory. Everybody, of course, knows something about the Elmira State Reformatory.

Here young men only convicted of first offenses and not showing any great criminality are sent to a sort of disciplinary school training, and from which they may be released at the end of twelve months, provided their behavior has been good, and that they have attained to a certain proficiency in learning some useful industry. Elmira has turned out some useful citizens, not so much because the subjects dealt with were inexperienced in the ways of crime as because the object aimed at was reformation rather than punishment. I have often seen from twenty to thirty young men about to fall into line, while hand-cuffed and chained, preparatory to mounting the big ambulance, or prison van, in which they were taken to the Grand Central Depot and so railroaded to Elmira.

Many of these young fellows had a refined, gentlemanly appearance, and most of them were not worse than the common-place, unruly, school-boy. *Someone else (of whom I shall have something to say further on) has said: "Every influence brought to bear upon these boys should be of a nature to increase their self-respect and, as far as possible, win them to a horror of all that is criminal and vile. And yet, these boys are taken to the Reformatory in chains. Each is hand-cuffed to his companions, his legs are shackled and a chain of steel connects his wrists with those of the prisoners in front and behind him. I believe this practice begets a tendency to that criminal bravado and despair which, once engrafted in the mind, can never be eradicated." This is well said and my own experience confirms the truth of every word of it. Dr. Arnold, of Rugby, the great English school reformer and teacher, than whom no higher authority of modern times can be quoted in all that which affects the moral training of young men, has said in effect that it is in the nature of

*Articles, Speeches and Poems by Carlyle W. Harris, page 81.

youths to become whatever they were treated as like; treat them as liars and they become liars, treat them as sneaks and hypocrites and they become sneaks and hypocrites; but treat them nobly and trust them and they will become noble and trustworthy.

MEN CHARGED WITH MINOR OFFENCES

Above the two enclosures, which I have now described, you look up on both sides of the building to four or five tiers of cells with narrow balconies in front, just sufficiently wide for men in single file to walk along when they take their daily exercise. In these cells men are placed who are charged with minor offenses, unless the Old Prison is particularly crowded, when men resting under more serious charges are also placed here. Sometimes "the minor offenses" do not amount to anything. There has been no evidence worth considering from the start, and when the time for trial has drawn near the Prosecuting Attorney has entered a *nolle prosequi*. I have known men who, so far as I could judge (and events have afterward established my opinion), were perfectly innocent, who have been detained here for four or five months on a trumpery charge, locked up during that time in the narrow cell for twenty-two hours out of the twenty-four, and then turned out after health had been destroyed, home and family broken up and business and labor interests scattered to the winds. It would be useless to attempt to particularize among the scores of instances I have come across, in which men have been unlawfully charged and arrested and then, to their perpetual injury and loss in body, mind and estate, detained in prison for indefinite periods.

If prison reform should begin soon, it should begin at once with a speedy trial for all accused of petty crimes.

I believe the tendency of things in the District Attorney's office of New York is to gross negligence in this respect. There is, as I hope to show before I have done my lecture, too much of Tammany influence and Tammany politics in the administration of justice in the City of New York. If a notorious criminal, or rather, one charged with a sensational crime, is to be prosecuted the District Attorney and his myrmidons are "all alive oh," but for the small fry, what does it matter about them? They must take their chance. But the District Attorney's office is often unable to move because there are no judges about. In mid-summer, when men are more in danger of losing all coolness of tongue and temper, when they are alike in danger of assuaging thirst at the saloon and indulging passion with the revolver and the knife, the judges are away on vacation having a good time among the mountains, at the sea-side, or on a trip to Europe. The judges of some of the New York Police Courts are a great deal crowded in the discharge of their numerous duties, but the criminal court judges are, to say the least, never at any time over-worked. But, however this may be, the wheels of the car of justice should never be stayed. Judges might come from their vacations, or judges might go to their vacations, but judgment should "flow on forever."

THE WOMEN'S, GIRLS' AND BOYS' DEPARTMENTS

Before going into the Old Prison we will step back to other departments. We go back through the long, low passage by which we have entered, and following it in a straight line from the main entrance, we come to the office of the Matron, who presides over the parts where female prisoners are kept. You will probably find the Matron seated at her desk, a woman of stalwart form and

commanding presence, with quite a small army of Amazonian female assistants at her command. The Matron if not too much engaged, will, herself, conduct you through those parts of the prison under her special supervision. The first thing you will notice is that the female prisoners have the privilege of sitting down to dinner at a long table in a capacious dining-room. But this is, perhaps, a doubtful privilege. For any of us, forced company at a meal does not tend to sociability. For my part, I confess, if the choice were allowed me I would prefer the lot of the male prisoner, whose food is brought to his cell door. From the dining-room you enter a short passage, which passes two small, but comfortably furnished rooms.

WHERE YOUNG GIRLS ARE INCARCERATED

Until quite lately there was no discrimination, young girls and old girls, young women and old women, all characters and all conditions were huddled together in the large enclosure into which we shall presently enter. It was in consequence of representations which had been made to the Commissioners by the authorities of the Episcopal City Missions (which society I served) that such a condition of things was remedied, and separate wards assigned for females of tender years and less experienced in the ways of crime. I could tell some pathetic stories of heart-breaking scenes in the girls' room. I have often found myself imposed upon by smart young actresses. They have told such a woeful tale and poured forth such a flood of tears that one might have thought they were the poorest and most unfortunate of their sex. I have learned, particularly in my visits among female prisoners, the wisdom of the philosophy commonly called Shakespearian, (really Baconian), which says:

> Trust not the cunning waters of the eye
> For villainy is often in such rheum;
> And those long practiced to it do make it seem
> Like rivers of remorse or innocence.

But some of the outbursts of passionate grief have been genuine enough. I have seen innocent, simple-looking creatures sobbing their eyes out over a sense of shame and disgrace, young things who had been accused by a mistress, or an acquaintance, of theft in a greater or less degree. Often the articles stolen consisted of valuable jewelry and then the charge was grand larceny. But sometimes you met here a Juliet who had eloped with her Romeo. Romeo has, perhaps, also been arrested and is taking things more calmly over in one of the cells of the New Tombs Prison philosophizing over things and saying to himself:

> Alas, for ever I did hear;
> Did ever read in tale or history,
> The course of true love never did run smooth.

His Juliet is, however, here a naughty girl, but broken-hearted, and awaiting the Judge's order to give her into the custody of her friends or send her back to her home under proper escort. Speaking of young girls charged with crime, I have nothing but condemnation for the manner in which we drag them before stern judges by vulgar policemen amidst crowds of low, lewd men such as often assemble in criminal courts. If they are not scared almost to death, they become brazen and impudent to a degree that shuts out all hope of reformation for all time to come.

You pass on now through the passage which skirts the rooms for young girls and immediately before you is the accustomed iron-railed gate-way, through which you look into

THE COMMON WARD OF THE WOMAN'S PRISON

Here you will very likely see a very motley crowd of the female criminal population of the city, especially if conditions outside have been such as to cause some sudden accessions to the ordinary crowd. Gaily dressed, some of them are, bedecked with jewelry and all kinds and colors of finery in which the vulgar female mind luxuriates. They look scornful and indignant, as if their presence in such a place meant innocence injured and outraged, instead of, as it is intended to be, a protection to public morals. There are to be seen blear-eyed, dirty, unkempt, ragged specimens of female humanity, the victims of alcoholism in all its stages. Mothers with babes at their breasts are often to be seen here. Every color, every class, every nationality is represented here. I happened to be Prison Chaplain

DURING THE TIME OF THE PARKHURST CRUSADE

I saw and conversed with most of the unfortunate creatures who took part in the circus, for which they were paid by Dr. Parkhurst and his agents. The mere statement of this sounds bad enough. It was, I conceive, a mistaken policy on the part of the Doctor and his agents. Having occasionally listened to Dr. Parkhurst as a preacher, and whom I regarded as one of the most original and profoundly thoughtful of New York divines, I deplored the fact that he should have mixed himself up in such dirty detective police work. However, that he fought a brave fight against what he called "the rum-besotted and Tammany-debauched city," no one can deny. I am convinced, from what I saw that no good whatever was done by the Parkhurst crusade. Parkhurst, however, meant well and so did many others, but the politicians who were backing him did not care a straw for public morality, so long as

the party in power might be discredited. Several of the Parkhurst agents have since been caught in traps laid by the police, and are now serving terms in the penitentiary. The thieves knew how to catch thieves, and accordingly the police arranged their plans to induce the agents of Parkhurst's Society to do *just once* what they had themselves done times without number. But the difference was that while there was no one to find them out they were on the alert to catch their prey. But before proceeding further, let us take

A GLANCE INTO THE BOYS' PRISON

Poor, infantile, little specimens of frail humanity, some of them not much more than babies, are often placed here by New York police! Little fellows 9 and 10 years old, I have come across both here and in Precinct Prisons. Arrested for, what do you think? For bathing in public places. On one occasion I saw two little fellows, one told me he was 8 and the other that he was 11. They were in the Harlem Precinct Prison, in one of the darkest cells there. I had to gaze for a time before I could distinguish their forms in the darkness and then I saw them crouching together, standing tip-toe on the hard wooden bunk on which, without covering, they had spent the night. They were utterly bewildered and I could get nothing out of them beyond that "a monster rat" was after them and that they had stood up there in the same position all night because the rats were all the time racing across the floor. These little fellows had been caught coming out of a house which had been vacated where odd articles of furniture had been left behind, some of which had been missed, and they were suspected of having stolen them, instigated to do so, perhaps, by their parents or others. But just imagine locking up babies like these!

I remember once being accompanied by the Rev. Madison C. Peters in one of my visits to the boys' department of the Tombs Prisons. A little, innocent fellow, he could not have been over 10, looked up at us with such a sad, pleading little face. Mr. Peters asked, "What brought you here, my little man?" He could not tell. But when he asked, "Who put you here?" The answer was, ready enough, "One of Gerry's men." Gerry's Society for the Suppression of Cruelty to Little Children often perpetrates the very cruelty it is supposed to prevent. It is often a persecuting society and illustrates the mischief which may be done by a private detective police agency. Anyway, the manner in which its agents, as well as the police of New York, lock up little children in New York Prisons is one of the most crying evils of the time. Coming out of the Boys' Prison you again face

THE OLD TOMBS PRISON

Having passed through the iron-railed gateway, at which we have already looked in passing, you stand on the main floor of the building. To the right of you are two long rows of cells, and to the left of you are also two long rows of cells. Immediately on entering at your left, just inside the railing, is the desk where the Prison Clerk sits, and where the pedigree of each prisoner is taken, the number of his cell assigned to him, and where all the dismissals and departures of male prisoners are recorded. Down this left row of cells you notice a high, wooden railing which almost screens from view six cells, three on each side of the corridor, where murderers condemned to death are confined. This part is commonly called "Murderers' Row." Here they are either awaiting the result of their appeals or to be conveyed to Sing Sing for execution. From this main floor you look above to four tiers with

double rows of cells, about fifty in each tier. There is a long corridor or balcony around the whole tier bridged over at the ends and in the middle. In all these cells prisoners are confined, generally two in each cell, for twenty-two hours in the day. The other two hours are spent in taking exercise around the corridors from 8 to 9 o'clock in the morning and from 2 to 3 o'clock in the afternoon. From 10:30 a. m. till 2 p. m. visitors are admitted, who have come prepared with the proper passes. There is no privacy here. Mothers, wives, sisters have to stand outside the gates or the bars while they interview the loved ones they have come to visit. There is no admission to the cell under any circumstances. The inmates may be sick and dying, but there is no possibility of closer access to them than the bars of the cell gate. I visited

A MAN WHO WAS ACTUALLY DYING IN ONE OF THESE CELLS

Though his wife came day by day, she was only allowed to stand outside of the gate. The story is told in the series of *Once a Week*. A little book descriptive of prison life called *The Ethics of the Law*, in which connection my own name is mentioned, the story there is true only so far, that it describes the difficulty of getting a prisoner out of his cell to the hospital where he may be properly cared for. Here is the story as told by Carlyle Harris, who, not so long after, was himself destined to experience the tender mercies of Recorder Smythe:

"Not many weeks ago when, instead of being hot and humid, these cells were cold and damp, a man was taken ill with pneumonia. Every effort to secure his transfer to a hospital where he could enjoy proper food and attendance was made by the Visiting Physician, by the Warden and by the Chaplain, Dr. Zillmann, but as

the man was awaiting sentence for a minor degree of larceny, the Judge insisted that he remain where he was. His wife could see and speak to him only through the grating of the door. Delirious, alone, he died without the solace of a hand on his brow."

Stern, unrelenting, Recorder Smythe refused to give permission for the man's removal until it was too late. But for the one mistake of the man's life which brought him here he was entirely respectable. He was a poor man, however, had no friends and the newspapers took no notice of it. In telling the story Carlyle Harris has made one mistake. The Prison Physician was indifferent, worse still, he complained to the Warden of the Chaplain's interference.

ANOTHER STORY TOLD BY CARLYLE HARRIS

The truth of which I can vouch for. The man occupied a cell for many months in the first tier above. At length he was tried for arson, found guilty and sentenced to twenty years in the State's Prison. He was a widower, had lost his wife only a short time before his arrest, and his three daughters, in deep mourning, were his constant visitors. The man was fifty-five years of age, but he looked seventy, for consumption had already made serious inroads into his constitution. The sentence with commutations for good conduct would mean twelve years and eight months. He could not possibly live more than a third of that time, perhaps he has already paid the great debt. The good-bye between father and daughters was most affecting. What become of the daughters? Let me quote the exact words of the story: "Some nights ago a keeper saw two of his daughters on the street; they were well dressed; their cheeks were scarlet with shame, but not with blushes." On another occasion I was the witness of

A GOOD-BYE SCENE

A tall, handsome fellow with marked Jewish features, (he was a Jew), was having a last interview with his wife and family of small children. He had just been sentenced to eighteen years for arson. The wife stood outside the rails with her four children, one a baby in arms about three months old. A kind-hearted officer opened the gate and the prisoner stepped out, kissed his wife and each child in succession, then took the baby out of his wife's arms and moaning and sighing as if his heart would break, kissed and kissed again the little one and then handed it back to its mother, who had been standing by in an agony of grief. A few more parting words with his wife and he had to step back within the rails where a few minutes after he was chained to the gang which was about to start for Sing Sing. I tried to say a few words of comfort to the poor wife and told her of the Hebrew Orphanage up town where she said she would go and get her children cared for while she endeavored to earn a living.

ANOTHER DISTRESSING CASE

One morning, while making my usual round of visits in one of these tiers, I saw in one of the cells, a mild, intelligent, respectable-looking man with a most woe-begone countenance. He did not look like a criminal, but told me that only two days before he had completed a term of five years at Sing Sing. He was again in the clutches of the law, and before another week had expired was back in Sing Sing to begin another term of eight years. This was his story and I had no reason to doubt a word of its truth. While he was serving his five years at Sing Sing his poor wife, overweighted with the heavy sorrow and the responsibilities of maintaining herself and three little children, fell sick and died. The neighbors kindly took charge of the

children and occasionally informed him of their welfare. When he came out of prison the first thing he did was to go to the house where he supposed his children were still living, but he was told the people had left and it was not known where they had gone. He went from house to house where old acquaintances had been living, but they had all moved away and he could get no information about his little ones. There was a cold air outside and the saloon at the corner which he had formerly frequented looked bright and cheerful. He went in, and received a warm welcome from the same old keeper, who had neither changed his location nor his occupation. Here he had two or three glasses of lager beer and was about, with a better heart, to go in search of information concerning his children. Just then three men came in, "Don't go yet, friend, join us in a drink," was their invitation. It was "whisky all round." The mild lager beer in which he had indulged had done no more, though to the man who had *per force* been a total abstainer for years past, it was a bad preparation for the fiery whisky. The whole round of treating had to be gone through, in accordance with the honor code of the saloon, or as the Scotch call, "Drinking even." And now it was with our friend as it was with the others according to the Turkish saying: "The man takes a glass, then the glass takes a glass, after that the glass takes the man." Some little thing set them discussing, then quarreling and at last fighting. "After that," he said, "I don't know what happened, until I awoke in the cell yesterday morning, where I now am." He had broken the man's skull, or arm, or something, and when arraigned pleaded guilty, seeing that he had no defense, and so it came to pass that not much more than a week, certainly not two weeks, had passed after finishing a sentence of five years when he was back in Sing Sing to begin another sentence of eight years.

I have, perhaps, indulged in the pathetic and tragic sufficiently long, but may have something more to say in the same vein when I come to speak of murderers I have visited. In the meanwhile I may vary my deliverance somewhat by giving a few brief sketches of some of the strange, odd characters I have come in contact with. One of my earliest experiences as a Prison Chaplain was with

A BOGUS ENGLISH LORD

He called himself "Lord Beresford" and claimed that he was related to the well-known aristocratic family, the Beresfords of Ireland. He little thought that I was in a position to test the truth of his pretentions. I did not know that myself until the next day. But at this time there was associated with me in City Mission work an Irish Clergyman, to whom I mentioned the case and who informed me that he had graduated with some of the Beresfords, and that he should know if this man was a Beresford in five minutes if he could see him. So next time we both went to the Tombs Prison together. In less than five minutes this Clergyman said: "The fellow is no Beresford, he is an impostor."

He had married a refined, educated American lady, whom he had met while crossing the Atlantic and who had been deceived by his pretence and humbug. Her friends had discouraged the acquaintance and opposed the marriage, but she had become infatuated with the self-styled lord, and all through the trouble continued devoted to him. Either the money that he had expected from the marriage with his wife did not materialize, or what there was he soon ran through, and then he had recourse to an audacious, but cunningly devised, scheme for raising money by fraud.

He appeared in Georgia, pretending to be the representative of a wealthy English syndicate, negotiated for the purchase of extensive trade and property interests, paid his way with worthless checks on London banks and, by the same process, amassed a large amount of money, with which he returned to New York, took his passage to Europe and was about to sail when a detective laid his hand upon his shoulder, told him that he was wanted, and escorted him to a cell in the Tombs Prison. He fought his extradition to Georgia, but at length had to go. He was tried, found guilty and sentenced to five years in the State's Prison. He appealed against his sentence. A kind-hearted, wealthy old gentleman, taking pity on his wife, went bail $10,000. The same gentleman loaned him another sum nearly as large. Then the lord showed his gratitude by skipping. Confident, however, that he had good grounds for a successful appeal, he turned up at Albany, New York, allowed himself to be arrested, was taken back to Georgia and appealed to the Supreme Court of the United States against his sentence on the ground that he had been tried on another charge than that for which he had been extradited. After a delay of several months Judge Jackson, of the United States Supreme Court, decided against the appeal and his "lordship" is now wearing the stripes without the stars in the State's Penitentiary. This individual had a mode of speech and manner of address after the true pattern of an English aristocrat. It would have been worth a capital to him in an honest way. I took pity on his wife, was at first favorably impressed with him, did all I could to serve him, but I was absent from my usual work for a few days, having been called away to other duties, and because I had not in the meanwhile explained to "his lordship" the reason of my absence he turned upon me with a savage vituperation. I was astounded at the time, but later on I did not wonder, but saw that was just what might have been expected from such a character.

A MANAGER OF A FEMALE BASEBALL COMPANY

was a character with whom I had a curious experience. Willing as I was to always oblige an unfortunate fellow who had got locked up in prison, I found that this man was so exacting on my time and attention, that had I yielded to him in everything, I should have had to neglect nearly all other duties. He was a most impulsive and erratic individual. Once before, in Philadelphia, he had been tried as a ticket-scalper, but, having been backed up by a good deal of money and public influence, he escaped conviction. This time he was not so fortunate. He was prosecuted now by the Gerry Society. Never did a man more truly illustrate the saying, "He who is his own lawyer has a fool for his client." He had employed Mr. Howe, of the firm of Howe & Hummel, one of the ablest criminal lawyers in New York, but right in the midst of the trial when his lawyer had almost succeeded in obtaining an acquittal, this foolish man, prompted by a feeling of inordinate vanity and to the amazement of everybody in court, jumped up and, in a dramatic manner, announced to the Judge that he would conduct his own case, and then so effectually gave himself away that the Judge in sheer pity advised him to call in other counsel. This he did, but the mischief had already been done; that when the evidence was all in and counsel had been summed up on both sides, it only took the jury a few minutes to bring in a verdict of guilty. His lawyer Mr. Howe, whom he had so uncermoniously dismissed, told me afterwards that seven of the jury had called on him after the trial and told him that they had already agreed upon a verdict of "not

guilty," and but for what took place and was divulged after the man had elected to be his own lawyer, they would certainly have acquitted him. Sylvester Franklyn Wilson (that was the name of the manager of the female baseball company) had a record not of the best, but it appeared to me that he was convicted almost entirely on his record. The prosecution managed to get hold of certain facts in his past life and so blackened him while the specific charge on which he was tried was hardly adverted to, certainly not successfully proved.

Assistant District Attorney McIntyre made his reputation in this case not so much by any forensic ability which he displayed as by his bull-dog persistence. He was Sergeant Bullfoz true to life. He had a habit of walking up towards Wilson, pointing his finger, clenching his fist at him and then roaring like a wild animal. "Monstrous liar," Wilson cried out at him, and then there was a fuss with the Judge and another opportunity for the prosecution to go at him again. By his antics and sensational style of conducting the case, the prosecution at length succeeded in exciting such a prejudice against the prisoner that a verdict of guilty was a foregone conclusion, and when it had been reached the Judge gave the fullest penalty, five years and a fine of a thousand dollars.

Had Wilson been fined $50 with a couple of months' imprisonment, the punishment would have been ample. It was only on the technical point of the young girl's age that he became amenable to the charge of a crime. It was proved that the girl had already misconducted herself with other men. If Wilson deserved such a heavy sentence for what he did, there are grey-headed grand-fathers in New York, and if report speaks true, members of churches and supporters of Gerry's Society, who ought to

be convicts. It is more than two years ago since he was arrested, and has only done three or four months of his sentence. He fought his case by appeal after appeal, but at length had to go to Sing Sing.

ONE OF THE MOST AUDACIOUS SCHEMERS

I ever met was the son of a London merchant, of remarkably good bringing up and who had received a splendid education at an English high school. He had sought for an opening in this country, had drifted into the position of manager of a strolling company of actors. When I met him he had been a sort of a low comedy actor in New York theatres. As regards his present predicament, I need only say there was a lady in the case. After five or six weeks in prison he was discharged. The lady relented and refused to prosecute; rather, the husband of the lady relented.

The recital of some of this young fellow's escapades was most amusing. He told me that while he was out West he was often put to some queer shifts to make things boom. On one occasion, after a run of bad luck, they found there was nothing over to pay hotel expenses. He called his company together and said to them: "Ladies and gentlemen, we are in a bad hole. Will you trust me to get us out of it?" They consented. "Now, I wish you to pay down on this table every cent of which you are possessed." They all did so. There was a net result of a little over $10. "Now," he said, "with this I am going to the next town and will send for you within a couple of days." He went, presented himself at a hotel, paid for a week in advance for his own room and with the balance painted the town red, white, blue and every other color with placards and posters announcing, "They're coming, the Invincible Company whose fame is world-wide," all in

flaming letters and in a sensational style. This display of pyrotechnics exhausted all his powder. He was now without a cent. Nothing daunted, he asked to see the hotel keeper, frankly told him the whole situation and boldly asked to be helped out of it. The hotel-keeper came to the rescue, advanced enough money to pay the hotel bill at the last place and to bring the company over. It looked as though business was intended, with all those flaming handbills, and there could be no great risk in helping along in the way of business.

The whole thing had been shrewdly calculated by our theatrical hustler and worked just as he had anticipated. But, having got his company over, what was to be done next? The prospect was not very bright, of a good season at this place. The Salvation army was carrying on in full blast. They were holding a daily encampment down at the riverside near the large bridge, just in a shaded padock off the road. Warnings had been delivered against the theatrical intruders as devil's agents who had come to antagonize the glorious work in which the army was engaged. Sundry volleys of prayer and exhortation had also been fired off against them. But it turned out that the children of this world were on this occasion wiser than the children of Light. What could not be done by force might be done by stratagem.

A brilliant *coup* was decided upon and carried into effect with great *eclat*. There was a young lady and gentleman in the company who were very fond of each other. They were, in fact, supposed to be engaged to be married. The plan was for all the company to go down to the bridge, as if for a stroll, for the young lady to lean over the side of the bridge and then, (of course quite by accident), to fall over; when her lover, who was an excellent swimmer—the lady could swim also—was to jump in

and make a gallant rescue. The plan worked admirably. It was all done as directed; the lady fell over; there was great consternation and noise; the Salvation Army all rushed down to the scene; and as the daring swimmer was reaching the river-side with his precious burden, a great throng of people greeted him with encouraging shouts. The matter got noised abroad; graphic descriptions were published in the newspapers; the young hero was lionized; a public banquet was tendered him; a token of the public adoration was presented to him; crowds flocked to the hall of entertainment; the proceeds were all that could be desired, and the result a most successful season. The news spread to other places which were afterward visited and so the company was set afloat on quite a tide of prosperity.

TWICE CONVICTED OF FORGERY, BUT SAYS IT WAS SOME ONE ELSE

In one of the cells of the Old Tombs Prison, a young man, well educated and quite an artist in an amateur way, has been detained for over two years. I could never make up my mind whether this young gentleman was a finished rogue or the victim of a combination of unfortunate circumstances. I asked him to write out a statement of his case, which he did. This, on the supposition that he is a rogue, is as unique a composition as it has ever been my lot to peruse, but, presuming that he is innocent, it does show, to use his words, "How easy it is for a man to get into trouble." On the former supposition, the letter may be called a work of art.

Before giving the letter, I may say that the writer could copy almost anything with his paint and brushes. Once he showed me an addressed envelope, with postage stamp, post marks, the written address and all, so it appeared, but it was an imitation in paints as perfect as

could be imagined. That puzzled me, for I was sure the man who could copy like that might prove a dangerous forger of other men's signatures, and yet there was a sort of childish simplicity about it, for a cunning rogue would know that he was only showing his hand by such works of art. Anyway, here is the letter, and I leave you to form your own opinions:

NEW YORK, February 7, 1892.

To the Rev. Dr. Zillmann, Chaplain of The Tombs:

DEAR SIR—I herewith give you a brief outline of my case, that you may be enabled to see just how I stand; also to show you how I come to be in my present predicament and how easy it is for a man to get into trouble.

In the early part of 1888, having saved for the purpose, I started in business and opened a store at 54 West Twenty-nineth Street in this City, trying to continue the business my father had before me. I was succeeding very well for a new beginner, as my father's old trade all came to me when they heard I was in business.

One morning my Cousin, who had been brought up with me and attended the same school, came to my store and asked me to get a check cashed for him, telling me at the same time that if I succeeded he would pay me some money which he owed me. I, seeing a way to secure what was coming to me, and which I had given up all hopes of otherwise obtaining, got the check cashed where I was known.

The next morning he (my Cousin) came to me and confessed that he forged the check and told me that the police were looking for me, and prevailed upon me to leave the City, saying at the same time that he would send me what money I needed. I listened to him and, very foolishly, took his advice.

I wandered over the earth for over a year. Every minute was a torture to me, until I finally concluded that even imprisonment in my own country was preferable to being an outcast and wandering over the face of the earth. I came back to this city and the first night I stopped with my cousin, who had a room in the Prescott House on Broadway. That night my Cousin, on going out, handed me some papers and keys and requested me to keep them for him until he returned.

In the meantime I went up-town to see my people, and was arrested within sight of my own house. In my pockets

were found papers which, although they did not belong to me, were clear proof of my guilt; also the keys which I was keeping for my Cousin proved to be the keys of his trunk at the hotel, and which upon being opened showed forth proofs too overwhelming to contradict. I was stunned, dazed. I knew not what to say, so said nothing. I knew that, although I had not committed the physical act of forgery, I showed a guilty surface in running away. Upon consultation with my lawyer and people I was told that, although I was to show that my Cousin really forged the check, I was as much guilty as he in uttering them, and that the best way was to plead guilty, as I could show an unblemished character and would undoubtedly get sentence suspended. I did so, but after I had pleaded, I found that my Cousin had obtained my check book after I had left the City and had been forging checks right along and all of which were attributed to me. I was sent to the Elmira Reformatory, but was discharged after the lapse of a year, although I could have been kept there ten. I was leading an honest life and was working every day at my trade, for which I obtained from $3.50 to $4.00 per day. I saw my Cousin frequently and knew he was still doing wrong, but could not persuade him to desist.

I was leaving my house one afternoon when I was arrested. I could not even find out what for until I was arraigned in court. Then I was told that I was arrested for doing what I was sent away for in 1888. While it worried me a good deal, and almost killed my mother. When I heard the dates upon which it was claimed I committed the forgeries, I was not alarmed, as I knew I could prove I had been confined to my house on those dated, and had not left the house. But when I was brought to trial, the District Attorney put an expert in handwriting on the stand and proved that the man who forged the checks in 1888 was also guilty of forging the checks in the present case, as the writing was one and the same. I proved by my mother, father, sister and two other witnesses that I had been confined to my house and had not left it. But I was identified by people as the man, which is not such a wonder when I tell you that my Cousin and I bore a close resemblance to each other, so close, in fact, that we were often taken for one another. But the fact that I pleaded guilty in 1888 was proof enough that I was the man, when the writing expert testified as he did, that the man who committed the crime in 1888 was guilty of this one also. Then the lawyer I had, and who afterward

turned out to be no regularly admitted lawyer at all, would not let me take the witness stand in my own defense. So in spite of all I could do I was convicted (and to make it worse) of, and as, a second offense.

My Cousin was too cowardly to come forward and save me, although he made admission to other people that *he* and not me committed the crime. My lawyer did not use the evidence, which was given him. Had he done so, and also let me take the witness stand, I was sure to be acquitted. Could I but obtain a new trial, I am confident of obtaining an honorable acquittal, not only of this charge, but for the crime in 1888, which I very foolishly pleaded guilty to, and which has wrecked my life, as it has those of my people.

My character, as I have said, stands unblemished previous to 1888, as it does for the time which elapsed from the time I left Elmira until my arrest in the present case. For confirmation of those two facts I can refer you to the police or Inspector Byrns.

So it was, as you can see, that I was convicted on handwriting which was not mine. I have lain here now close on to two years. My health is shattered and if I lie here much longer I care not what becomes of me, but for my mother's sake, who is my only friend. I feel, very respectfully

F. W. C.

AN OILY-GAMMON GRADUATE OF HARVARD

To all lovers of truth, honesty and upright conduct, this was one of the most objectionable of men. He pretended to have been a man of considerable social distinction and wealth, but I was told he had always been a sort of penniless adventurer, who had traded on his rich and well-connected friends, and that whenever he could raise the "wind" he would cut a dash after the style of an aristocrat of very high degree. That is, at any rate, how his wife represented matters to me, and herein comes a history.

With his oily-gammon tongue, and with his dancing-master manners, he succeeded in winning the affections of a wealthy widow. She was worth $50,000 before she married him (so she told me) and after she had been married to him twelve months she was penniless. "The old woman's money," as he confidently imparted to his boon companions, whom he dined and wined at Delmonico's, "was what enabled him and them to have such good times." As he came down with his $10, $20 and $100 bills he would playfully remark: "This is some more of the old woman's money." So things went on merrily. Even his wife's ample store of ready cash could not stand this process long. When the money had all been exhausted, he came to his wife with a doleful story of sudden reverses in business. The money he had so far obtained from her he pretended to have spent in Wall Street speculations, and he exhibited to her bogus scrip, by which he made her believe that her money had more than doubled, or trebled, in consequence of his clever business manipulations. The wife had still some more real estate, and some more bogus scrip was available. The real estate was turned into cash and the bogus scrip was handed over to the wife, "for," said he, fondly, "darling it will never do to run the risk of putting these into any other hands."

When it was too late, she found, not only that she had been left penniless by him, but the money which he had last raised, and with which he had been supposed to have gone on a trip to Europe to retrieve business reverses, had been spent traveling about Canada with an immoral woman. "Had he only stood by me," said his wife to me, "and done what he could to save me and my child from beggary and starvation, I would have forgiven him and still made the best of circumstances."

His desertion of her, and the vile use to which he had put the last money he had extorted from her, were the last straws. She had him arrested. He was prosecuted under the serious charge of obtaining money by false pretenses, found guilty and sentenced to State's Prison for a term of

eight years. He appealed against the sentence and by sundry legal devices has managed to keep out of State's Prison, notwithstanding that the appeal has gone against him. One day he was suddenly railroaded to Sing Sing, but there was some loop-hole and he found his way back to the Tombs. I saw him immediately after his return and, with his cropped hair and clean-shaven face, did not at first recognize him. This was a man of splendid educational attainments. He wrote letters to me in a style of which a Chesterfield or a Johnson might have approved. He could recite apothegms, maxims and proverbs to suit any occasion. When he returned from Sing Sing his indignation was something dreadful and his sense of wounded pride very striking. Apropos of this in a letter written next day, or soon after, he quoted from Pope:

A generous fierceness dwells with innocence;
And conscious virtue is allowed some pride.

On another occasion, when writing to me, he asked my indulgence in respect to some remark or action of his and reminded me of a couplet which the Duchess de Longueville gave to Cardinal Froissard, Archbishop of Paris: "*Philosophe indulgent le plus sage enfin qui ne cherchas le vrai que poure faire le bien.*" And yet with all this man's learning and culture he was indescribably filthy in his personal habits. He seldom came out of his cell, not even to take the exercise twice a day allowed by prison regulations. At his request I visited his wife with a view to a release from prison, but it was found that even if she had been so minded, she could do nothing for him. She and her daughter are now having a hard struggle to make a living by keeping a private boarding-house up-town.

A GOOD NATURED FELLOW, BUT A CONFIRMED CROOK

I could not help taking a liking to this man, he was so good humored and brimming over with fun. He seemed

to look upon the whole matter of his imprisonment as a joke. Before he had been twenty-four hours in is cell he had won the hearts of the keepers, and during his trial he kept judge, jury, and even the prosecuting attorney in excellent humor. He had hitherto acted as one of a gang. He was said to have been deep in with the crowd that robbed the Manhattan Savings Bank some years ago, but he had always escaped by "peaching on his pals." The detectives used him as a kind of a "sprat to catch a mackerel," though physically he was of very porpoise-like proportions; yet by the use they made of him they were frequently enabled to land a whole gang of crooks into the Tombs Prison.

"Abe," (that was his shortened Christian name) seemed to regard himself as a privileged sort of individual who might crook it as much as he liked so long as he kept in with the detectives. But at last his over-confidence led him into trouble. The habit of dropping his friends, and not even cultivating that honor which is said even to dwell among thieves, had made him a marked man among them, and to that extent had destroyed his usefulness to the detectives. It was not so long before an opportunity was afforded for the police to get him into a hole. A warrant was out for his arrest and he skipped for California, where he remained for nearly three years doing, it was said, a good business in an honest way. Had he remained on this side of the Rockies, he would never have been molested, but in an evil hour he resolved to return to New York. His family had remained there all the time and his return was a sort of experiment to see whether the trouble had blown over. Unfortunately for him, some members of the old gang, who had been "left" through him in the past, got to know of his presence and it was their turn now to "peach" on him. He was arrested, tried, convicted and sentenced to eight years in State's Prison.

Just before leaving New York, I went up to Sing Sing to look around and say good-bye to some of my old friends of the Tombs Prisons. "Abe," at my request, was allowed to come in and see me. He looked the same jolly fellow as I had known him before; told me he was taking his medicine like a man, and that he hoped in the course of time to be a free, and a wiser, and a better, man. I have often wondered that a man with such good social qualities, and with such aptitudes for making friends, should have taken to the devious and unprofitable courses of the life of a New York crook. He has a wife who is devoted to him, children who were very fond of him, and of whom any father might have been proud. I do not think that his family knew anything of his unlawful methods of financiering.

HARD EXPERIENCE OF AN EXTREMELY OLD GENTLEMAN

I have in my mind's eye at this moment a very old gentlemanly prisoner, who got into trouble through a speculating son with whom he was partner in business. It was a case exactly similar to poor old de Lesseps in Paris. But the son was in Canada and the father was made the scape-goat. A more gentle creature never lived. He was detained nearly twelve months in the prison without any attempt being made to bring him to trial. His wife and daughters, ladies of genuine breeding, lived in New York, but the old gentleman would never consent to them coming to see him, "for," said he, "it was no place for ladies." And he kept to that, though his extreme age and occasional attacks of illness made it often appear as though he were drawing near the last stage of mortal existence. The evident goodness and piety of this old gentleman attracted me from the first. His heart was full of kind thoughts for everybody. No jury could have had the heart to find him

guilty. His very age and appearance would have appealed with a thousand tongues "against the deep damnation" of sending him away to prison. His lawyer, never dreaming that any Judge could have been so cruel as to send him to the penitentiary, and wishing to save him alike the expense and worry of the trial, advised him to plead guilty, hoping then for a suspended sentence or for a merely temporary detention in prison. He acted on that advice, was remanded for sentence, and then the hard, unfeeling and unrighteous Judge sentenced him to two years at the Penitentiary. He had already spent nearly twelve months in the Tombs Prison. Old Judge Jefferis, of infamous memory, could not have been guilty of a more refined piece of cruelty.

MY SADDEST EXPERIENCES

were with the condemned murderers. I have already described that part of the prison called "Murderers' Row." When it was the custom to execute in the yard of the Tombs Prison a large, dark wire netting screen was always up before the doors of the cells, which made it impossible for friends of the condemned men either to pass anything through or to come within a certain distance. Criminals are now executed at Sing Sing or Auburn and the old rigid rules at the Tombs Prison have been greatly relaxed.

My experience is that there is always great uncertainty as to how a New York jury will decide in the case of a trial for murder. The keepers could nearly always tell me for certain when there would be a conviction. "How will it go with Harris?" I inquired of an old keeper. "Oh, they'll convict him." "How can you say that? I, for one, don't believe he is guilty. What grounds have you for your opinion?" "None particularly," he replied, "only there have been so many escaping lately, they're bound to fetch him in guilty."

A WOMAN WHO MURDERRD HER PARAMOUR ESCAPES

The charge against this woman was "murder in the first degree." She consulted with Dr. Morgan, the superintendent of our City Mission, (whom I once accompanied on a visit to the Women's Prison), about the advisability of taking a plea in a lesser degree. He advised her to see her lawyer. The lawyer said: "No, if the worst happens you, being a woman, will not get more than the punishment for murder in the second degree. We'll take chances. You may get off with only manslaughter." She acted on his advice and was acquitted. A short time after another woman was charged with murder under exactly similar circumstances and was found guilty. She was sentenced to the Penitentiary for life. The time of her trial made all the difference as to the verdict of the jury.

JACK THE RIPPER (?)

A man who had been charged with murder under circumstances precisely similar to the murders which had been committed by the notorious "Jack the Ripper" in Whitechapel, London, was only found guilty of murder in the second degree. It was such a case of butchery that if the man was guilty at all he was guilty of one of the most brutal murders that was ever committed in New York City. The evidence was purely circumstantial and rested on expert testimony as to the analysis of the parings of the man's finger nails. The last man seen in the company of the woman who was killed has never been accounted for.

The supposed murderer was a harmless-looking Arab and had really no more to do with the murder than the man in the moon. But "Jack the Ripper" had turned up in New York. The eyes of the London police, who could never catch the "Ripper" over there, were on the Police of

New York. Inspector Byrnes was determined to have the "Ripper" caught and found guilty. An innocent creature, who did not understand a word of English and whose nationality was doubtful, was just the thing. There will be no foreign complications, for no one owns "Poor Frenchy," as he was called. The unfortunate wretch was sentenced to life imprisonment. It was all a dumb show to him. He bowed his respects to the court, made his *salaam* to the Judge, and went away cheerfully supposing that he would have to put up with only a short imprisonment, but as soon as he began to learn a little more English and to realize the situation he went insane and is now a jibbering idiot in the State Asylum for Lunatics. Had a case like that taken place in Russia some George Keenan would have written it up as an example of what might happen in a despotic country, but as it took place in Republican America, under the Stars and Stripes, it must have been all right.

MARTIN LOPPY AND WILLIAM FANNING

When I first visited the cells in Murderers' Row there were, amongst others, two men condemned to death in whom I took a special interest. They had appealed against their sentences and were kept here waiting the issue of their appeals. Their names were Martin Loppy and William Fanning. The one was convicted of having murdered his wife, and the other of having murdered a woman of the town. Poor Loppy was deserving of a better fate than to be killed in the electric chair. His domestic life was connected with a history which might have pleaded for a merciful consideration; but he was without friends and without influence, and no one seemed to care much whether he lived or died. It all happened while under the influence of liquor, and as regards the circum-

stances of the crime his memory was an utter blank. I believe had his case been properly investigated it could have been found that there were circumstances which drove him to drink and desperation which, while they could not excuse the crime, might at least have pleaded for a mitigation of the punishment. I took a similar view of the case of young Fanning, and at his request went up to Albany and interviewed Governor Flower on his behalf with the result, as I have reason to believe, that through my representations his sentence was commuted to imprisonment for life. I did not think for the sake of a bad woman, who had already been (so I had been told) the cause of the death of two men, a bright and intelligent young fellow with good dispositions, and whose life had been heretofore without open blame, should have been put to death as a felon.

When I visited Sing Sing a few months later, Warden Brown thanked me for the part I had taken in relieving him from a disagreeable duty. He also allowed Fanning to come in and see me. His expressions of gratitude were a full compensation for what I had done, and it was also gratifying to hear the officers speak of his excellent conduct and the value of his services as an engineer in the prison yard. In my opinion, having closely observed the conduct of Fanning for more than a year, he might very well be entrusted with his liberty at the expiration of five years at the most.

THE CASE OF OSMOND

This poor fellow was executed a short time ago for a crime precisely similar to that for which Deacon received a penalty of one year's imprisonment in France about two years ago. The only difference was that he shot his wife as well as her lover. But then Deacon's punishment was a mockery on justice. If he only deserved

one year in prison, Osmond should only have had two years. I fully expected that he would have had his sentence commuted to imprisonment for life.

THE CASE OF CARLYLE HARRIS

I do not hesitate in saying that had this young man been some obscure ignoramus he would have stood a better chance of receiving a fair trial. I do not think that he was fairly tried or justly punished. I sum up my opinion of the Carlyle Harris case by saying I consider he has been *judicially murdered*. He was only twenty years of age when he was arrested, rather, when he surrendered on a charge of having murdered his school-girl wife, to whom he had been secretly married. A theory of poisoning was suggested by a New York newspaper. It was asked, "Is this Murder?" in sensational head-lines. The mind of the public was worked up to the idea that a murder had been committed.

The Assistant District Attorney, who had charge of the case pretended to have unearthed the circumstances of a previous marriage, according to which Harris must have been married to somebody else when he was less than thirteen years old. Given two things; first, a class of witnesses not of the most reputable character, and influenced by mean and malicious motives; second, that every foolish remark or jocular expression should be admissable as evidence, and there is hardly a young man in New York but could be proved a monster with murderous designs. It was along these lines that Carlyle Harris was portrayed as a villian capable of committing the crime with which he was charged. In fact, the words of one of the jurymen after the trial were, "If he did not commit the murder, he was shown to have been capable of committing it."

Knowing what I do of Harris, from an intimate intercourse of about eighteen months, the view of his character as presented by the District Attorney was impossible and absurd. No one now admits that there was a tittle of direct evidence that warranted the verdict. There are several other possible theories as to how his wife came to her death. The fidgety mother and the furious father made it quite possible that the scared child should have been driven to suicide. The very childish exclamation, "I didn't do it," on the death-bed had a guilty look, according to the French proverb: "*Qui S'excuse S'accuse.*"

It was never proved that what Carlyle Harris said at first was not true, "It must have been the druggist's awful mistake." Medical men know well the difficulty, not only of distinguishing, but of equally mixing the two drugs, phosphate of morphine and of quinine. Supposing the morphine, after all, got lumped up into one of the capsules. It was also proved in evidence that Helen Potts had complained of the capsules she had first taken, "the medicine had done her no good." Either the morphine in the capsules had not been prompt to act (and this would be easily explained on the supposition that she was in the habit of taking morphine), or the capsules had been secreted until the last one was taken when they all acted together, and so caused death. In either case the circumstances pointed to a theory of death other than the deliberate design of Carlyle Harris to take away her life. I conceive that a greater outrage on justice has never been committed than in the condemnation and execution of this unfortunate young man. He always seemed to me immensely superior to his prosecutors, and their unrelenting endeavors to bring about his doom appeared like the attempts of little men to down a greater man than themselves.

Carlyle Harris had some of the qualities of which heroes are made. The courage and fortitude which he manifested all through the terrible ordeal is equal to anything of which I have ever read in the way of stoical suffering and indifference to fate. Had it not been for the dark cloud which, on the very morning of his young manhood, overshadowed his life, he would have become a distinguished man. I cannot refrain from saying that I grew fond of him, and do now cherish his memory and mourn his death as that of some dear departed friend.

Had it not been that an innocent American woman is now pining in the dungeon of an English prison, who, having been spared the gallows, was reserved for a more prolonged and cruel torture, I would have said such a thing could not happen in England. But then Mrs. Maybrick was found guilty through a judge who forced that issue with the frenzy of one on the verge of insanity, and even a British executive would not carry out the extreme penalty where the evidence had been so purely circumstantial.

Assuming that Carlyle Harris was guilty, yet remembering that so many thought him innocent, while so many more considered the verdict as not justified by the evidence, there was at least something due to the public sentiment in his favor. But I am satisfied, not only that the verdict was not justified by the evidence, but that his last words were true words. Seated in that electric chair and with only a few seconds of breathing time left he declared: "I have no reservation to make. I desire to say that I am absolutely innocent of the crime of which I have been convicted." If I am not mistaken the men who sent Carlyle Harris to his death will yet have to make a heavy reckoning with an enraged public sentiment. The number who

think that his life might at least have been spared are not few nor uninfluential.

GENERAL CONCLUDING REMARKS

I have often felt, while acting as a Prison Chaplain in New York, that in connection with our modern courts of justice and methods of prison punishment, the Bastile has not yet been conquered. While I hope I am always willing to bow before the majesty of the law, I cannot regard with unqualified reverence some of its functionaries and supposed guardians. The disregard for human feelings, the disposition to treat the offender with undue harshness and unjust severity, the utter flippancy with which men and women are consigned to long years of restraint or to life time incarceration have often raised a feeling of indignation in my breast against the man who administers the law, has made me regard him as a harsh and cruel tyrant and an agent of injustice and wrong. I once pleaded with a judge for a young man, only just out of his teens, for merciful consideration. The young man had been the go-between for a more experienced criminal; he had carried a letter bearing a forged check to a place of business where it was to have been exchanged. On my advice the youth pleaded guilty. We hoped that he would have been sent to Elmira, but no, he was sentenced to five years in Sing Sing, and I was snubbed by the severe and angry judge for my pains. I have no doubt this young fellow will leave Sing Sing a confirmed criminal. The punishment meted out to criminals is, as a rule, altogether too severe. I would take it out of the hands of one man to decide on the term of imprisonment, in fact, I would never keep any man a day longer in prison than he could be safely trusted with his liberty. For all major offences it would be well that there should be a given time, but after it had expired,

if the prisoner's record showed well, discharge him. Should he commit crime again, send him back, double "the given time" for which he must stay before he can be discharged again.

We have not yet learned, or rather we have forgotten that reformation and not vengeance should be the great object of punishment. The old church of Rome, which many of us think we have outlived and left behind far back in the dark ages, may yet have something to teach us on this subject, as in fact, she has of late years, through the present wise and revered Pontiff, taught us many valuable lessons on the great social questions of the day. Pope Clement in 1701 had already anticipated the directions of future prison reform, for over the gate of the prison of St. Michael, a prison for youthful offenders, he inscribed a latin motto, the english of which is: "It is folly to restrain by coercion unless you reform by good discipline."

Our present modes of prison discipline necessitate the most brutal men as best fitted to be officers and managers of our prisons. The good possibilities of our criminals are repressed and destroyed instead of encouraged and fostered. Instead of making our prisons what they all ought to be—reformatories—we turn them into schools for crime and agencies for vengeance. We shall never solve the problem as to how best to treat the criminal classes until we learn how to make men better for prison life, not, as now, almost invariably the worse for it. I do not believe in making prisons desirable places of residence. I would make every man who goes to prison a hard worker. He should, by his services, first pay for his own keep. He should be allowed to earn money and save money by a system of Prisons' Savings Banks. He should, if he has left a wife and children outside, contribute out of his savings something toward their support. For industry and good

conduct he should be entitled to some immunities and privileges, amongst these should be certain recreations and amusements, physically and mentally, of an elevating character. I would allow at given intervals, and as a reward for good conduct, private re-unions with members of his family. In short, I would put no obstacles, but give every facility, for men to raise themselves while in prison.

To sum up, I would treat men, however degraded and vile, as a loving father would treat his erring children, not as a despot treats his slaves. Punish for vengeance, never; but punish for protection to society and reformation to the individual. Remembering always that kindness to the prisoner and regard for his welfare has the endorsement of him who said, "Inasmuch as ye have done it to one of the least of these, my brethren, ye have done it unto Me."