

*Crime*

# THE MASSACHUSETTS PROBATION SYSTEM

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## THE LAW AND ITS RESULTS

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The Practical Application of the System to  
Female Offenders.

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BY JAMES P. RAMSAY,  
SUPERIOR COURT PROBATION OFFICER,  
MIDDLESEX COUNTY,  
MASSACHUSETTS.

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AN APPRECIATION.

MIDDLESEX COUNTY CRIMINAL COURT,  
December Term. 1906.

TO HON. FRANCIS A. GASKILL.

Justice of Superior Court.

We, the undersigned jurors, wish to express our admiration for the system of probation practiced under the laws of Massachusetts in our courts of justice. Having, as we have had, the opportunity of watching its practical application while serving the Commonwealth, the humaneness of the idea struck home to us. We especially admire the chance it offers to those who have been led astray and committed their first criminal act, giving them a chance to lead upright lives thereafter, instead of having their heads bowed under the load of a prison sentence, leading usually to a ruined and criminal life when they are set free.

Hoping that the public at large will come to a better appreciation of the probation system, we remain,

Yours very truly,

(Signed) WALTER W. STIMPSON,  
WILLIAM F. GLENN,  
CHARLES A. WALTER,  
EVERETT S. GOULD,  
OWEN E. MARTIN,  
CHARLES W. FLORANCE,  
CHARLES A. DUDLEY,  
JOHN W. BLAKENEY,  
JAMES H. WOODWARD,  
WILLIAM C. PURCELL,  
J. F. HUNTER,  
FRED T. TIGHE,  
EARL K. ATWOOD,  
WILLIAM J. BARROW, JR.,  
JOHN L. BOYNTON,  
WILLARD C. PLASTRIDGE,  
D. J. SKELTON.



## The Investigation and Selection of Cases for Probation.

There is a great change in the method of treating women criminals by the Courts of today from the form of punishment meted out to them in the early settlement of New England, when the "ducking-stool" and "whipping-post" were in use for those who violated the penal code, or since that great and noble woman, Katherine Frye, visiting the female prisoners in "Old Newgate" in 1817 found the ward to which she finally penetrated, like a den of wild beasts, filled with woman, unsexed, swearing, dancing, yelling and fighting, justly deserving of its name "hell above ground."

The records of those early times disclose the infliction of penalties of almost unbelievable severity; for instance, on May 15, 1672, the General Court of Massachusetts authorized the use of the "ducking-stool;" on December 4, 1638, the public whipping-post for women as well as men was established; March 18, 1631, the same legislative body enacted the law punishing adultery by death; and since the settlement of the Massachusetts Bay Colony, women have been burned at the stake for murder, the penalty having been duly prescribed by law and carried out by the officers sworn to uphold its majesty. It was not until 1813 that the minor infamous punishments, such as whipping, branding, cutting off ears, boring tongues, etc., were abolished by legislative enactment. With the passage of time, however, all this has gradually been changed.

There has been for many years a deep-rooted conviction in Massachusetts that the State should be ever ready to assist in the most liberal manner degraded and fallen women, who come before the Courts charged with drunkenness or immoral conduct. The Legislature, recognizing public sentiment in this direction, several years ago en-



acted into statute law that divine attribute of "Go and sin no more," which permits the Courts, through its Probation officers, to utilize the most up-to-date treatment in the effort to reclaim and uplift disgraced womanhood.

It will be my endeavor to present to my readers the possibilities of the probation system as a reformatory agency for women offenders.

The number of women who come before the Superior Court in Middlesex County is, happily, not large, yet I have dealt with a sufficient number to warrant citing a few of my probationary experiences with them, while considering the merits of the probation system in its application to women.

One occasionally may hear it said that woman can sink lower than man in the whirl of vice. To this I do not agree, as abnormal natures and degenerates are found in both sexes, but it is safe to say, however, that it is much more difficult for a woman to reform, and win back her good name, than it is for a man. Man demands from woman a higher degree of morals than he does from his own sex.

I have given especial attention to women who come before the Superior Court on indictments, or on appeals from sentences to a term of imprisonment given them by the lower Courts, and, by having them placed on probation, have procured for them employment in good homes, and enabled many to turn from the degrading lives they were leading.

I have felt that women, when once they have been arrested or imprisoned, have little to encourage them to improve their ways when released, and the task of helping them reform appeals strongly to me. Then it is that the helping hands should be extended, and the cheering words spoken. Without these the old associations and former haunts of pleasure are apt to loom invitingly before the fallen woman, who will at once, without a thought as to the consequences, go back to the environment which accomplished her downfall.

On the other hand, if a woman is made to understand that the state, through its probation officers, and others who are willing to co-operate with them, is interested in her welfare and anxious to secure for her a good home, she is usually quick to take advantage of the offer made. In such cases a woman is told that she must go to an entirely new locality, and she generally realizes that this is to her advantage.

The assistance to be rendered must be practical. The mere giving of a card of instructions, stating how persons are expected to conduct themselves while on probation, can be of little help to a woman whose past few years have been filled with tribulations, and whose downfall can be traced to drunkenness, or the leading of an immoral life.

It was in 1902 that my attention was particularly directed to probation for women offenders.

At the October sitting of the Superior Court of that year, there were the cases of ten women upon the criminal docket, nine of whom had been convicted of drunkenness in the police court, and had taken an appeal from the sentence given them, the tenth had been indicted for lewd and lascivious cohabitation. The nine women charged with drunkenness had records of previous arrests.

Justice Bond was upon the bench, and when these women were called before the bar His Honor cast his eye over the motley group of women and said "Mr. Probation Officer, why is it so many women come before the court at Lowell charged with drunkenness?" I replied that seven of the women worked in the cotton mills, and of the ten only two were native born. Most of the factory hands come from over the sea, leaving behind them the parental roof and its protection. The drinking habit is largely the result of lonesome lives and homesickness. Their new conditions of home life in America have much to do with their acquired habits. A seat at a table, with ninety-nine others in one of the corporation boarding-houses, is generally where they get their first meal, and their private quarters is a room in the same building,



along with two or three other women who share the apartment.

There is not much sunshine in this mode of life. Perhaps one of the women is addicted to the snuff habit, and soon the green girls are initiated into the art of "scouring," which is accomplished by dipping a piece of cotton cloth into the snuff, then applying it to the teeth and gums. I have known women to become so intoxicated from this practice that they would fall from their seats.

It is but a short step from the snuff habit to other intoxicants, in moderation at first, then the inevitable result—drunkenness—followed by arrest and disgrace, public exposure, police court, repetition of the offense, and sentence to jail. Sometimes they appeal from the sentence given them, then they are sent to the Superior Court for disposition.

As the Judge looked over the records of the women before him, he remarked that inasmuch as most of the women had already served time in the Woman's Reformatory at Sherborn, and had evidently not reformed, he would like to have me take them all on probation as an experiment, and one year later furnish him with a report on each case bearing upon their conduct throughout the year.

As six of the women were without work, and four had no homes to go to, I asked for time to find homes and employment for them, as it would be a rather futile effort at reformation to place them on probation and turn them adrift at the court-room door without a place to lay their heads.

In two days, with the aid of a few practical Christians, I was ready to accept the responsibility for the ten women, and they were turned over to me by the Court, and their period of probation began.

The first case, Number 154, was that of a woman young in years, but old in vice. She had previously told me, when I was in jail interviewing the prisoners, the following story of her life:—

She was twenty-five years of age, and had been born in

Canada. Her people lived in Manchester, N. H. At the time she fell, she was attending High School in that city, and a friend of the family, under the cloak of friendship, invited her to his office for the purpose of aiding her in her school studies. Seduction followed and she gave birth to a child. Her people closed their doors against her. Later her child died. She worked when seventeen years old in a State Institution at Concord, N. H., for a period of seven months, then began to go rapidly down hill, and finally became an inmate of road-houses and brothels.

Her first arrest was for drunkenness in L—— in 1893 when but seventeen years of age, and in nine years she had been before the L—— Court eleven times, had been at the Women's Reformatory at Sherborn for one year, besides serving several sentences in the Common Jail.

Her latest offence was drunkenness, and she had been sentenced for the second time to the Sherborn Reformatory, from which sentence she had appealed.

When placed upon probation Oct. 27, 1902, she had been in jail, awaiting trial, just four months and twenty-three days,—a considerable punishment in itself.

After I took her from the court-room to the probation office, the poor girl threw herself full length upon the floor, and with her head between her hands she sobbed for ten minutes or more.

I had secured a home for this girl through the aid of a prominent lady in a city one hundred miles north of L——. For a few days the girl was under the care of my wife, and her conduct during this time was irreproachable.

Nov. 1, 1902, my wife and I took the girl to her new home and left her in the care of generous friends, who promised to aid this Magdalene to reform. Although the lady was a woman of considerable fortune and position, she, nevertheless opened her home to the unfortunate one, and on one occasion, when No. 154 was ill, she nursed her for a whole week, took her to ride in her carriage, and altogether treated her as a social equal.

One evening they took her to a ball, and while ar-



rayed in some of her kind patroness' garments, she was privileged to dance with His Excellency the Governor, who was present, no act nor word of hers was discreditable, and she made quite a few friends in the world she had entered.

A young mechanic of good repute, began to pay her attention, and matters looked favorable towards an honorable marriage, but one cold winter's night he was found frozen to death upon the country highway. This experience was too much for the girl, as shortly afterward rumors regarding her conduct began to spread, and on the 12th of May, 1903, I received a telephone message that No. 154 had broken her pledge.

The following day, to prevent a scandal, I deemed it best to take her away again. She received \$49.34 in cash as the balance of wages due her from her employer.

On the way to Boston she was inclined to be hysterical, said she could not reform, that if she had been given a like opportunity two or three years earlier things might have turned out more favorably, and asked me to return her to prison.

I had no intention of doing that, but for a time was at a loss to know what to do with the woman. I bought the *Boston Globe*, and glancing down the "want" column saw an advertisement that girls capable of running sewing machines were wanted in a shoe-factory in C—— I took my charge there and she was given employment. I then went to police headquarters to get information that would locate the girl in a respectable home to lodge and board.

When this had been accomplished, I told her that nothing more would ever be done for her by me, and left orders for her to report by letter every two weeks.

The first letter came, but not the second, and upon investigation I learned that No. 154 had again been intoxicated, had left her work and told the lady I had left her with that she must have liquor, and was going to G—— I went to that city in October 1903, and with the aid of the City Marshall, found out that she had been living her

old life, but fearing to meet me, she had gone to Providence, R. I.

The year of probation having expired, I discontinued my supervision and gave Justice Bond the above story.

In the summer of 1906 No. 154 visited L—— for a few hours, and I was informed by an acquaintance that she had married, and had stated that for two years she had been leading a temperate life.

It would therefore seem that while this case cannot rank as a complete reform, the fact remains that the woman has never been seen before the Criminal Courts in Middlesex County since going on probation six years ago.

The second woman, No. 155, was born in Ireland, age twenty-nine, gave her occupation as a mill operative, offence drunkenness. She had a record of previous convictions for drunkenness, and had been sentenced in the Police Court to the Sherborn Reformatory for one year, and had taken an appeal.

She was a married woman and her husband is known as a temperate man, and is successful in a small retail wood-yard business.

She had been in jail ten weeks awaiting trial, and wanted a chance to reform. I secured a place for her to work as a domestic in the family of a gentleman who holds public office in the city of Lowell. When she was placed on probation, Oct. 27, 1902, I took her in a public carriage to her new home, where she was given a cordial reception. Her new mistress volunteered to make her duties pleasant for her, and pay her the current rate of wages.

I made an extra condition in this case, that the woman should not be permitted to leave her place evenings without permission, to which she agreed.

She worked just fifteen days, then without notice of any kind left her place, and I heard nothing until she was arrested Nov. 30th, 1902, just thirty-five days from the day she was given her liberty. She, along with two other women and four men, was taken from a house early one Sun-



day morning, the police saying that they were drinking and playing cards.

I surrendered her to the keeper of the Jail the following day, and when the Superior Court came in at Cambridge the following February, she was sent to the House of Correction for twelve months.

Just before the expiration of her sentence, this woman again solicited an interview, and begged me to give her one more chance by finding her employment away from Lowell. I again tried to aid her by securing employment for her as a domestic in the city of Waltham.

She worked well, but it was only a short time before she was back in Lowell again with her old associates.

I last saw her in 1907, and although but young in years, she looked old and dissipated—a broken down woman apparently beyond redemption. I verily believe that this woman preferred a life of vice and squalor, to decency and good living. Why, I wonder?

The third woman, No. 157, seventeen years of age, was born in Lawrence, and by occupation a cotton mill operative, and was charged with drunkenness, found guilty, and although it was her first offense, was sentenced to the Women's Reformatory at Sherborn.

She appealed, and when interviewed prior to her appearance in the Superior Court, admitted that she had been arrested from a house in Lowell that was occupied by a woman of unsavory character, although she was not aware of the fact when she first went there. Her parents lived in Lawrence. She said she would go to work and do better, if given a chance.

She was placed on probation Oct. 28, 1902, and as one of the Lieutenants of Police needed a domestic for his family, she was taken from the Court directly to his home. She failed to give satisfaction, however, never having been trained for household duties, so I secured for her employment at the Chelmsford Woolen Mills. She got room and board with a family that did not bear a very good name, and as the case was not progressing very well I suggested

that she go to the "Dedham Home for Women," and upon receiving the consent of the authorities of that Home she was admitted there May 11, 1903. I then learned for the first time that the girl had been an inmate of that Home on a former occasion, having been taken there from Lawrence because of an arrest for lewdness in that city.

A little over three months later an officer at the Massachusetts Reformatory made application to me for a girl to work in his family, and I gave him the name of No. 157. He went to Dedham and returned with the girl, who stayed with the family until they gave up housekeeping in October. Then they found a place for the girl as a waitress at the E — House in Old Concord. The following is a quotation from her last report Oct. 6, 1903:

"I am working here in the E — House, and getting along lovely. Have saved some money this month, and am happier than I ever thought I would be again. I can never thank you enough for what you have done for me."

October 1908, five years later, this woman is now married, resides in the city of Lawrence, and is the mother of two children.

No. 158 was before the Superior Court on an appeal from a sentence to the Woman's Reformatory at Sherborn, given her in the Lowell Police Court.

Her story was in effect that she married before she was fifteen years of age, had two children, a boy of four years and a girl of eight years. Her husband went to the Spanish-American war, and upon his return, learning of his wife's bad conduct during his absence, he secured a divorce, with the custody of the little girl. Mr. Richardson, the agent of the Humane Society, placed the boy in the care of the State Board of Charity.

Upon further investigation I found that the young woman had served previous sentences, five months in the Common Jail, and one year at the Women's Reformatory at Sherborn.

Her father was connected with one of the best families in Lowell, but because of his wife's conduct, he left home,



wife, and child (the subject of this story) when the baby was three years of age, and he has never returned nor has he been seen by them since.

As the young woman requested a chance to go into the country to work, she was placed on probation and employment was found for her in the town of G — October 29, 1902.

She gave entire satisfaction to her employer, and a little later when the factory operatives went on a strike in Lowell, and the girl's mother was thrown out of employment, she also went to work with her daughter in G —.

No. 159, the fifth woman, was forty-three years old, born in Ireland, and a factory operative. She had served time in the Work-house and Common Jail for drunkenness, and was before the Superior Court on an appeal from a one year sentence to the Women's Reformatory at Sherborn.

The woman told me that she had been married in Lowell, but having been deserted by her husband, she became discouraged and took to drinking. She had parents living in Holyoke, and wished to get home to them. On making this request known to the Court, I was ordered to buy a railroad ticket for the woman and place her on the train for that city, and notify the local authorities in case of any further trouble, to return her for sentence.

I obtained little knowledge of this woman's conduct during the year that followed, and can only say that she was not re-arrested during that time, and when last I heard of her she was in the city of Hartford, Conn.

No. 160, the sixth woman, age thirty-two, born in England, a mill operative, had been convicted ten times on charges of drunkenness, had served time in the work-house, Common Jail, and one year at the Women's Reformatory at Sherborn, and had been given another year's sentence to the same institution.

Realizing that this was a difficult case, I secured employment for the woman in the woolen mills at North Chelmsford. The overseer arranged to have her taken in-

to a respectable lodging-house, whenever she reported for work.

I gave this woman her car-fare and told her not to look behind-her until she reached her destination, and should she be found in Lowell within a period of one year, I would surrender her back to the court for sentence.

She left me, and a few weeks later I made an inquiry concerning her, and learned from the overseer that he had never seen the woman.

Dec. 12, 1902, just six weeks from the time she left the court-room, I saw her talking with two men on the streets of Lowell. It was late in the evening and cold, and she was lightly clad. I approached them and asked her why she had not gone to North Chelmsford. She replied that she "was going," but as she had been over six weeks on a three mile journey, I concluded to surrender her, and took her to the Lowell jail for safe keeping.

On Feb. 18, 1903, she was sentenced to the House of Correction for one year.

This young woman's parents are respectable people, own their home, but sadly acknowledge that their daughter is an outcast, and is lost to them.

The seventh woman was thirty-eight years of age, a native of the state of Ohio, married and had three children. She had no previous jail record, and had been sentenced to forty-five days in the work-house for drunkenness. Her story to me was as follows:

When she was married she had a little money in her own right, but as her husband turned out to be a drinker and a gambler and would not work, all the money soon disappeared. Her mother owned a home that was to be hers. Her mother died, but the place was mortgaged and finally passed into other hands. Disappointment and discouragement led to her drinking.

She seemed to feel her position keenly, being a woman of more than ordinary intelligence. On her promise to do better she was allowed to go to her home, Oct. 28,



1902. She gave no further trouble during the probationary period of one year.

The standing of this family to-day is as follows: Oct. 1, 1908, children good and holding respectable positions in the community; mother doing fairly well; husband in prison serving a sentence for drunkenness and larceny.

No. 160, the eighth woman, was a police officer's wife. She was forty-five years of age and the mother of twelve children, born in Ireland, and very much addicted to the use of intoxicants. She had been before the Court fifteen times, and had served time in the County Jail. She had been sentenced this time to serve six months more in the County Jail, and had appealed to the Superior Court for a revision of the sentence.

As she stood at the bar of justice, no one came forward to speak a word in her behalf. The mother of twelve children looked lonesome indeed, and fully expected the sentence of the lower court to be affirmed, not knowing the attitude the Judge had taken toward her or the other women that had come before him at that sitting.

Her case looked worse than the others, because she had been on probation for short periods of time on three occasions from the lower court, but she was to be the recipient of the favor once again. She left the court Oct. 28, 1902, and I have the word of her husband, and the Deputy Superintendent of Police, that the woman never gave any further trouble up to the day of her death in Feb. 1908.

The old adage of "Never too late to mend" was never better illustrated than in this case.

The ninth woman, thirty-nine years old, born in England, factory operative, married, had ten previous convictions against her, and had served time in the Work-house and Common Jail. She was sentenced Aug. 19, 1902, on a charge of drunkenness to the Sherborn Reformatory, for one year and took an appeal.

She was placed on probation Oct. 28, 1902, after being in jail over two months waiting for a hearing in the Superior Court. I allowed the woman to return to her

husband, with certain instructions regarding her future behavior. These were soon forgotten, however, as she never reported at the Probation Office, and one day I learned that she had secured a bill of her time in advance of the regular pay-day at the mills, sold it to a pawn-broker (who made a business of this sort of thing) and had gone to Lawrence.

Four months later I found that she was staying at a lodging-house on Bridge St., Lowell, and that considerable drinking went on in her room. I went there with a police officer about eight o'clock in the evening on Feb. 20, 1903. Not being satisfied with the conditions I found, I sent for a carriage to take her to Jail. The woman pleaded with me a great deal saying "little did I think on saying my prayers before I went to bed that I was to be in a prison cell before day-break." This utterance led me to think that there was still some good left in the woman, so I cancelled the carriage order, on a further promise that she would take the pledge and bring it to my office on the following day.

True to her word she came to me the next day, in company with her husband, and brought the following pledge:—

"Immaculate Conception Church:—  
This is to certify that the bearer has taken the pledge to abstain from all intoxicating drinks for one year, Feb. 22, 1903.  
Oblate Fathers."

One day later she was taken from her room by an officer on complaint of the lodging-house keeper that she had broken her pledge, and was creating a disturbance. On being informed of the fact I had her brought into Court at East Cambridge. On the way to Court she begged the officer who had her in charge to send her anywhere, but not to let Mr. Ramsay see her. When she was brought to me in Court, the poor woman hung her head in shame.

I surrendered the unfortunate, and she was sentenced to the Sherborn Reformatory.



No. 171, the tenth case, was a woman thirty years of age, born in Nova Scotia. When nineteen years old she fell from virtue's path and gave birth to an illegitimate child. She was driven from home by her father, and deserted by the father of her child. He was afterwards de-killed on a Canadian railroad.

Her baby died, and she came to Massachusetts with a family named M—— making her home with them. She fell in love with M——, and he with her. They eloped and had been living together about two years when arrested. (The moral of this story for wives is not to have women living in the family, who are liable to fall in love with their husbands.)

E—— H—— pleaded "not guilty" to the charge of lewd and lascivious cohabitation with J—— M—— at Somerville, Mass., and went to trial before a jury. The trial showed the woman to be pretty much alone in the world. Her general character was good, and apart from her infatuation for the man, she was undoubtedly a respectable woman.

The jury returned a verdict of "guilty" after being out five hours. Several of the jurors told me afterward that they were satisfied of the woman's guilt within five minutes after retiring to the jury-room, but that the defendant had their sympathy, and they hesitated about coming in with their verdict, out of fear for the sentence the Court would inflict.

I told them they had done wrong in staying out so long, as it was costly to the County and a detriment to the prompt dispatch of the Court's business. I moreover reminded them that the Court always dealt leniently with those deserving such treatment and that I proposed to suggest probation for the woman upon the condition that she would keep away from M——, who had left the state.

I did so, and to this the Court agreed. I secured employment for E—— H—— in the state of New Hampshire, but she soon returned to Massachusetts, and I shortly

afterward learned that she was in communication with her paramour. The following letter best indicates the infatuation these two people had for each other:

"My dear John:—

I will write to you, my dear, if I cannot see you, but I would just as soon be dead as to think I had to live without you. My heart is so full night and day, I do hope and pray the Lord will be good enough to us and let us get married. I will never know what it is to be happy until I get you. You be a good true boy to me, and you will never be sorry for it.

Whatever you do, don't drink, for if you do it will break my heart; you be careful of your money, because that will help you more than anything else.

When Mrs. M—— saw this letter she agreed that it would be better for her and for them were they permitted to marry. Shortly afterward she petitioned the Divorce Court, and was granted a decree nisi. In the course of time H—— and M—— were married.

I last saw him in October 1908, when he told me that he was living happily with his new wife in the City of Somerville. If this woman had been sentenced to imprisonment, she would have left the prison marked with the bar sinister, with no home or relatives to go to, and would undoubtedly have drifted into a life of shame.

The results obtained in these ten cases were encouraging. Seven of them had come before the Court with sentences to the Sherborn Reformatory, one to the House of Correction for six months, one to the Work-house for forty-five days. The tenth, if sentenced, would have been sent to Sherborn or the House of Correction for a year or more.

At the end of their year's probation, five rendered a good account of themselves, two gave improved behavior, three were surrendered and sentenced for violating the conditions of their probation.

Five years have passed by since these histories were



enacted, one woman has died, three continue to render a good account of themselves, while three show improved behavior.

This experience has been invaluable to the Court and the probation department, for we have adopted the policy of giving a lift to nearly every woman who comes before the Superior Court, if she is ready and willing to take our probationary terms, notwithstanding the number of previous convictions. We are governed by our experience in these cases and others, and believe that "it is never too late to mend." When one probation officer may fail to help a probationer, another officer may meet with success, as no two officers work along the same lines, just as certain clergymen and physicians influence us and hold our confidence, where others will fail. It will be ever so with probation officers, one will succeed where another will fail.

Some probation officers are more optimistic than others; one will see good in a person, where another will see nothing to build upon. To illustrate this point:— A successful probation officer came to me one day and said "I see that J—— F—— has broken loose again. I wonder at your trying to help such a person."

Now this was a case where we took opposite views. J—— F—— was the father of a family of six children, and had been before the local Court several times, and had served a three months term in Jail. Some time later he was again sentenced by the same Court to Jail for six months, and took an appeal. On coming before the Superior Court he was placed on probation March 11, 1907 for the term of one year.

One year later, March 11, 1908, the man had money in the Savings Bank, and had not tasted liquor during the preceding twelve months. In another month the man had broken his pledge and was again re-arrested, which resulted in the above remark, but the reader will see that it was uncalled for, as twelve months sobriety was surely better than six months imprisonment and the increased burden to the State of helping to support his family.

There are some Courts and members of Police Departments who become exasperated sometimes when offenders, after sentence in Police and District Courts, appeal their cases to the Superior Court for a revision of sentence, and are sometimes placed on probation in the higher Court, but when the appellate Court sees fit to increase the sentence given in the lower Court, they rarely ever come forward to say that there has been an injustice done to the defendant.

My experience with defendants coming before the Superior Court on appeals, compels me to say that the right of appeal is God's justice, and when the Legislature enacted Chapter 319 of the Acts of 1905,—that persons convicted in the lower Court shall have the right of appeal, and shall be notified of such right, it was an extension of that privilege under the law that few can appreciate until they have been brought before the bar of justice for the first time. There are cases that come before the Courts from time to time that look badly for the defendant as presented by the government witnesses the day following the arrest, especially so when the person charged is without counsel but with the passing of time an entirely different aspect of the case and its merits is disclosed. To illustrate:—

I remember the case of a young Greek, who had been arrested for an assault upon a countryman of his. The young prisoner spoke English rather imperfectly; and was without counsel. The result of the trial was a sentence of six months to the House of Correction, from which he appealed. Before the case was heard in the Superior Court, two police officers who figured in the case as witnesses for the government told me that they had found additional evidence that warranted them in saying that the assault was more in the nature of self-defence than otherwise.

When the case was called in the Superior Court it was amicably settled by the payment of \$33.00, the physician's charges.

A more recent case was that of a young man, eighteen



years of age who had been arrested and convicted on the charge of vagrancy, and sentenced to the State Farm. He appealed and when his case came before the Superior Court, the officer who made the arrest came to me and recommended probation, saying that the defendant was all right, and upon further investigation, I found that the facts were in accordance with the officer's statement.

I have had police officers come to me quite frequently and say that they favored the probation system of investigation, for the reason that they found themselves occasionally placing under arrest young men who were impertinent to them while more or less under the influence of liquor, and to justify their action the morning after arrest, in open Court, would find themselves giving evidence a little colored, which sometimes resulted in sentences. They feel ashamed of it afterwards and when an appeal is taken to a higher Court they have no hesitancy in coming forward and agreeing with the probation officer upon a probationary disposition.

To fully illustrate the success of my method in dealing with women probationers, I am presenting in the following table the history of one hundred, what may be termed, aggravated cases, inasmuch as fifty-six of them consisted of Grand Jury indictments, and forty-four came up to the Superior Court on appeals from long term sentences given them in the lower Courts.

Their ages ranged all the way from seventeen to fifty-one years of age. Fifty-eight of them had former convictions against them, and many had served prison sentences.

When investigating the offenses of women, and in making disposition of the offenders after they come into my care, I am ably assisted by my wife. Those who are on bail are privileged to come to my house or office for interview; others I interview in Jail. Each individual case selected for a recommendation of probation is thoroughly investigated and some practical solution arrived at, if possible, prior to the Court session, when we present to the presiding Justice our recommendation, with a brief statement as to the conditions of probation.

Then comes the question of disposing of my wards, and in order to facilitate matters we arrange in advance, where practicable, for those that have been selected for domestic work, to have the intended employer in Court when the case is called. In this way the employer takes the woman off my hands at once to her own home. If the place selected should be at a distance, and many have been sent into adjoining states a distance of one hundred and twenty-five miles or more, where there is always a demand for these women in good homes, we have to make other arrangements, such as buying them tickets and placing them on trains that will take them to their destinations, where they are met by responsible persons.

Of the one hundred cases we are considering, disposition was made of them as follows:—

38 were placed in domestic service;  
42 were allowed to return to their homes;  
3 were sent to their homes in sister states;  
1 sent to an insane asylum;  
1 sent to her native country;  
2 placed in religious institutions;  
7 sent with their families to other cities;  
1 defaulted;  
5 were married while on probation;

Total, 100

Regarding the placing of the thirty-eight in domestic service, the terms were agreed upon in advance, i.e. that they should remain in service for one year, keep the peace and be of good behavior, and be paid the current rate of wages if their knowledge of housework is good, otherwise, what they are worth to their employers. (The wages paid are generally from \$2.00 to \$3.50 per week.) Should they misbehave or run away from their places, they were to be re-arrested, when located, and surrendered to court for sentence.

It will be interesting to know how many of these women profited by the help and opportunity extended them. Following is a table of classification, showing their rating after the expiration of one year from the day of their being placed on probation:—



# CONDUCT

No.	OFFENSE	GOOD	FAIR	RE-ARREST	SURRENDERED	HOPELESS	DEFAULT
41	Drunkenness,	15	6	7	11	1	1
36	Adultery,	16	14		3		3
11	Lewdness,	5	5			1	
6	Larceny,	2	1		2	1	
2	Forgery,	2					
1	Arson,						1
1	Asst. to Absortion,	1					
1	Illegal sale of Liquor,			1			
1	Stubbornness,			1			
100		41	26	9	16	4	4

As it may be interesting, I will cite a few specific cases which were treated under the probation system:—

Case No. 457 was that of a woman, thirty-five years of age, with no relative or home of any kind. She came before the Superior Court Dec. 15, 1904, on an appeal from a fifteen months sentence to the Sherborn Reformatory. Her offense was drunkenness, and she had a record of twenty-three previous convictions. She had spent seven years and three months of her life in prison all on account of her drinking habits.

The woman asked for probation. I felt that it would be useless to look for any improvement should she be merely released with no place to go to, so I offered her domestic service, which she was eager to take advantage of. I informed the family who employed her of the woman's weakness, and they promised to keep an eye on her conduct.

Four years have elapsed and the woman keeps on working. I do not claim the woman is reformed in the true sense of the word, but she has certainly improved during this time—something prison life had failed to do for her.

Case No. 526 was that of a very prepossessing young woman of Glasgow, Scotland, age twenty-five, who came to her uncle's home in Arlington, Mass., to begin life anew in America. She had given birth to three illegitimate children in Glasgow by three different fathers. Two were adopted and the oldest, a boy, is being reared by his grandparents. She became housemaid to a family in the Back Bay district, Boston, and while there, met a janitor whom she shortly afterwards married, notwithstanding the fact that he had a wife and four children in Scotland that he had deserted eleven years earlier.

One month after they were married, the man's sister notified the police of the circumstances; they were indicted and brought into the Superior Court at Cambridge. and were sentenced, the man to two years in the House of Correction for bigamy, and the woman was placed on probation because of her apparent ignorance of the law, for she



stated that her uncle had told her that when a man had been seven years away from his family he was free to do as he pleased. I secured her a place in New Hampshire as a domestic, but she proved very headstrong and would leave her place when she pleased.

After meeting her in Boston one day, I gave her twenty-four hours to get back to New Hampshire on pain of surrender, and, moreover, told her to stay there and jokingly said to marry some New Hampshire farmer. She returned to New Hampshire August 29, 1905. December 16, that same year, she came to my home in Lowell and said, to my surprise, she had done what I told her and wished to marry a farmer. I investigated, gave my permission, and they were married December 18, 1905.

In May, 1908, I met this woman and her husband in Boston on a little shopping tour; they both declared they were well pleased with the match, and the woman said she had never been so happy before.

(Any other treatment of this case might have made this woman a street-walker.)

Case No. 525 was that of a woman twenty-nine years of age. She told me she was married eleven years before in Waterbury, Conn., and had two little girls. Her husband first brought to their home the man who was afterwards the cause of her downfall. Her husband was a flirt and she grew indifferent, became involved with other men, and was finally arrested. She had lain in jail two months awaiting trial. During this time her husband had called every week with fruit, etc., and had fully forgiven her wrong. Probation was ordered.

This was a case that needed no visits by me, and I did not call until one year had passed by. Then I found the husband and wife together. She said her husband had never used her better during their married life than he was then doing. I shook him by the hand and congratulated him upon his course. Their two little girls were sitting near their parents, and as I left wishing them happiness and prosperity, their tears were flowing freely.

Case No. 537 was that of a woman thirty-seven years of age, without any home. After our interview she impressed me as being a chronic drinker, and when I had secured her record, it was confirmed.

She had been married twice, but both husbands were dead. She had a son seventeen years of age, who lived with his grandmother in Nova Scotia. Mrs. G.—— had been in the United States fourteen years, and was a woman of a very nervous temperament.

As she expressed a desire to go to work in the country, I secured her a place in New Hampshire, and she was placed on probation June 15, 1905, in order to go there. She later worked in Plymouth, N. H., but on Nov. 7, 1905, she left her place saying the work was too hard for her.

Jan. 16, 1906, she was re-arrested in Boston, and when the local probation officer notified me of the fact, I went to Boston and surrendered Mrs. G.—— Jan. 17, 1906.

March 22, 1906, another lady offered her employment, and on my recommendation she was again placed on probation.

Sept. 10, 1906, I received a letter from a Mr. D.—— stating that he had married her, and that she could be found at Somerville, also that she was happy and sent her regards along with his.

Two years later, to satisfy myself of the outcome of this case, I visited this home and found it all that one could desire.

The following is quoted from a letter I received from one of my probationers in Rhode Island:—

"Just a few lines, as it is your wish I must do so, to let you know that I am living with my husband. I am working in the mill. Dear Friend, may I call you so, as that is how I feel you have been to us. God bless you, Sir, for the few kind words you sent me on Aug. 2, 1906. God alone knows how I feel, for I feel nearly heart-broken at times. Thanking you for your great goodness to us, I remain yours obediently."



The following is a letter received from one of my probationers who went to Philadelphia, Pa.:—

"Please pardon me for not answering your letter ere this. We are very busy in the Studio, and I have very few minutes that I can call my own. I am truly grateful to you for the interest you have taken in my welfare, and I would not hesitate to call upon you for help or advice at any time. It is a great comfort to know that one has a few good friends, and I know that I have some in Lowell. I feel now that my trouble is about over, yet I may have to ask your advice a little later in regard to my boy; that I shall not know until in June. I am in hopes that it will come out as I wish, without troubling anyone. Thanking you for all your kindness I am gratefully yours."

The following is quoted from letters received from people in New Hampshire, with whom I placed probationers in domestic service:—

"V—— C—— is still here with us, and we find her irreproachable and perfectly satisfactory, thus far. We wish to thank you for securing so valuable a girl for us."

"H—— B—— wished me to inform you that she is still in our family, expecting to remain here until Thursday, Sept. 15, when she will probably rejoin her husband. She has given me satisfaction through the year, and I should be very glad if she felt like doing our house-work longer, but she prefers mill-life in the city, it appears. Shall you be able to furnish me with another suitable girl this fall? I would like one about H——'s age. I have been greatly encouraged in regard to the domestic problem by my experience with H—— and I hope that you will be able to supply me with help equally as good the coming year. I see Mrs. D—— often, and she is even more pleased with her girl, sent by you. Hoping to hear from you soon in regard to this matter, etc."

## HOW THE DEPUTY-SUPERINTENDENT OF POLICE WAS HOAXED.

My first meeting with M—— D—— was at the Middlesex County Jail in Lowell, in the month of February, 1905. She had asked for an interview with me, and when I called she told me the following story:—

"I was born in New Hampshire thirty years ago. My parents died when I was a child, and my grandmother cared for me until I was in my teens, when I started out to get my own living as a domestic, and feel that I have made good, as I can earn good wages as a laundress and first-class house woman."

It is true that I have acquired an appetite for intoxicants, but am not a bad woman or a hopeless case even, although here on a sentence of one year to the Women's Reformatory at Sherborn, from which I have appealed, and would like you to secure me a position to work and take me on probation."

Upon investigation I learned that the woman had been arrested Nov. 21, 1905, and after pleading guilty to drunkenness, was placed on probation in the Police Court and told to stop drinking and leave the city pavements for the country lanes of New Hampshire, but she failed to go and six months later she was again before the same Court upon another charge of drunkenness, when she was again sentenced to the Woman's Reformatory at Sherborn from which sentence she appealed.

When the case came before the Superior Court, Justice Hitchcock presiding, I told his Honor that I had a very respectable family located in the country one hundred miles north of Lowell that would give the woman employment. This, together with the fact that she had been in Jail over two months awaiting a hearing, brought a probationary sentence. She stayed three days at my home in the care of my wife, before going to her new place, March 17, 1906.



One year later I received the following letter from her employer:—

MR. J. P. RAMSAY,

"P——, N. H.,  
March 5, 1906.

Dear Sir:—I enclose check for \$5.00 transportation for J——. M——, who will stay with us for a week after the new girl comes and get her initiated, has done splendidly. We never had her equal for capability in the house. For six months there has never been the slightest trouble from her drinking, and she has done all that she could to please us. She has got herself nicely clothed and has \$100.00 in the bank; she is going to Boston and will engage in her work as laundress."

Ten days after the receipt of the above letter the March term of the Superior Criminal Court was again in session at Lowell. It was the opening day, and as usual everyone was very busy. I had been before the Court many times recommending probation for erring ones, and every time that I passed the benches where sat the public spectators, I would notice a nicely dressed woman, who seemed to know me, and later she nodded her head, but I was all at sea as to who she was until the Court took a recess for a few minutes when the woman stepped up to me and I discovered she was M——, who had dropped in to show me how well she was attired. I introduced her to the Deputy-Superintendent of Police, who chanced to be in my office, and was, by the way, the officer who had prosecuted her one year earlier. The Deputy bowed graciously and acted as though he was delighted at the introduction, when M—— said "Mr. Deputy, why cannot you always be as nice when you have me in Court?" At this remark the officer gasped, and on asking her name was dumb-founded to learn it, and then to recognize a former prisoner at the bar—no longer dishevelled and a disgrace to her sex, but a woman with the bloom of health upon her face, well-dressed, and \$100.00 in her pocket.

## A STUBBORN GIRL

One of the most stubborn girls that I ever met was M—— R——, twenty years of age, the daughter of a successful building contractor, and the youngest of three children. Her home surroundings were all that could be desired; her brother and sister were well behaved and self-respecting and her parents stood well in the community.

Under such circumstances it is remarkable that she should have developed so persistent a tendency toward wrong doing. When she was less than nineteen years old she began to frequent Bowdoin Square, Boston, and this, to one who is familiar with that district, one of the worst in Boston, tells its own story.

Things drifted from bad to worse with M—— R——. Pleadings of her father and mother, the arguments of her older brother and sister were persistently disregarded. Her father having exhausted his powers of persuasion but to no avail, tried threats, which were equally ineffective.

In despair of being able to control her, he finally sought the aid of the police and at their suggestion a complaint was sworn out against the girl and she was brought into Court. She was found guilty of being a stubborn child and was sentenced to the Women's Reformatory at Sherborn. From this sentence the girl entered an appeal and was bound over for a hearing in the Superior Court. She was unable to secure bail and was taken to the jail, to await the next session of the Superior Court two months later.

It was in jail that I first made her acquaintance. I talked with her several times and found that she blamed her father severely for his part in her present predicament. She showed little concern as to the final disposition of her case and certainly could not be considered penitent. Her attitude was characterized by defiant indifference and stoical unconcern. She did not relish the thought of spending eight or nine months in the Reformatory, how-



ever, and finally agreed that she would go to work, if I would take her on Probation.

When the case was called in Court I told Justice Bond the girl's story and he agreed to place her in my charge. I saw at once that the case was an unusual one and likely to cause a great deal of trouble.

On her return to freedom the girl showed no desire to mend her ways. She refused to go to work and she began to frequent her old haunts and companions. I exhausted every means within my power to control her but without success and finally at the end of two months, I left word with her parents that unless she went to work immediately I should surrender her to the Court. Whether or not this ultimatum was the incentive, I do not know, but a few evenings later the young lady walked into my office in East Cambridge and introduced me to a fine looking young fellow who was her husband, she said. She showed me her marriage certificate, which brought out the fact that they had been made man and wife two days before.

The young man, I afterwards found out, comes of a very respectable family, is a steady reliable workman, and quite the antithesis of the girl's Bowdoin Square companions. He had known her for a long time and seemed to be really in love with her. Her parents, particularly his mother protested strongly against the match and even secured legal advice in an attempt to have the marriage annulled. The young man, however, was true to his bride, so the legal proceedings were given up.

From the day of her marriage M—— R—— has quite changed. I don't know that I ever saw anyone apparently more settled and contented than she is.

Fourteen months have rolled by, and so far matters are moving along smoothly, for I recently met the third generation of this family, mother and grandmother were present. They said the child was thriving and everybody seemed to be happy and satisfied.

## AN ACT RELATIVE TO THE SUPPORT OF WIVES AND MINOR CHILDREN.

(Chapter 501) ACTS OF 1906

*Be it enacted, etc., as follows:*

SECTION 1. Whoever unreasonably neglects to provide for the support of his wife or minor child or minor children without adequate support, or leaves them in danger of becoming a burden upon the public, shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than six months. Proof of neglect to provide for the support of wife or minor child shall be prima facie proof that such neglect is unreasonable.

SECTION 2. All fines imposed under the provisions of the foregoing section may, in the discretion of the court, be ordered to be paid in whole or in part to the wife or to the city, town, corporation, society or person actually supporting the wife or minor child at the time the sentence is imposed, or to the treasurer of the Commonwealth for the use of the state board of charity, if the minor child has been committed to said board.

SECTION 3. If a person convicted under the provisions of this chapter is placed on probation or if his sentence is suspended and he is placed on probation under the provisions of chapter three hundred and thirty-eight of the acts of the year nineteen hundred and five, the court may require, as a condition of such probation, that such person pay other conditions as the court may deem proper, or to such person as the court may designate, such reasonable sum as the court may direct for the support of the wife or minor child, and such person give a bond, with or without sureties, in a sum not exceeding two hundred dollars, to the justice of said court and his successors that he will make such payments. Suit may be brought upon said bond by any person authorized by the court and the proceeds of the suit shall be applied to the support of the wife or minor child, as the court shall direct. The court may place the case on file on similar conditions and may take it from the files at any time. The court may at any time in its discretion modify and alter the conditions on which a person is placed on probation or on which his case is placed on file.

SECTION 4. The court may order any sums paid under the provisions of the foregoing section to be paid over in whole or in part to the city, town, corporation or society supporting the wife or minor child at the time the sentence is imposed, or to the Treasurer of the



Commonwealth, for the use of the state board of charity, when the complaint is for neglect to provide for the support of a minor child or minor children who have been committed to the custody of said state board.

SECTION 5. Complaints under the provisions of this chapter may be made by the wife or by any other person to the municipal, district or police court or trial justice of the district in which the husband and wife or either of them are living or in which they last lived together.

SECTION 6. The provisions of this act, so far as they are the same as those of existing statutes, shall be construed as a continuation thereof and not as new enactments.

Probation officers can be of great service to neglected wives and deserted children. I am acquainted with officers who specialize in this form of probation work, and a great amount of good is accomplished by them. One officer attached to a large court in Essex County informed me of the probation system, and working together as they did, many cases, where husbands failed to provide for their wives never reached the public stage of the open court. A complainant would call to see the Judge in his private room, tell her story, she would then be referred to the probation officer, who, after giving her a hearing would call upon the husband, or write him a letter requesting him to call at the Probation office. If he came voluntarily and most of them did, they would sit down and talk the matter over. The probation officer would point out to the man the folly of being brought into a public hearing in Court, and being obliged to submit to the Court's decree when the business could just as well be settled privately. This method usually prevails and an agreement is entered into, whereby the probation officer is paid a stipulated sum weekly, for the benefit of the family.

The amount collected and paid out by this one office is very large, amounting to several thousand dollars annually.

Many other officers do a large amount of this same

kind of work, which the public learns but little about, inasmuch as this branch of probation work is not printed in any public document, these cases, not being entered upon the Court's docket, don't get a place in the annual report of the Prison Commission.

Another great influence for good in these cases is that of the probation officers' efforts in facilitating and bringing about the reunion of husband and wife, parted as they often are, by a fit of temper, or domestic infelicity, a good counsellor can do much towards ironing out the family creases, and bring about harmony and good feeling, where nothing but discord has previously reigned.

I remember one case where a man and wife had trouble in the home circle. The wife sought counsel from an Attorney at Law, which resulted in action for non-support being taken against the husband, a hard-working mechanic. The husband also secured counsel, and they, husband and wife, met in the Police Court. Bitter recrimination followed, charges and countercharges were made, counsel became angry with each other, to the great dissatisfaction of the court. The case was finally continued by order of the Judge, with a view to amicable settlement, but the lawyers evidently did not help at reconciliation, for at the next hearing of the case, the husband was served with a libel for divorce and matters looked worse than ever; again the case was continued.

A day or two later a fellow workman of the husband's came to my home and wanted me to take a hand in the matter, as he knew the husband loved his wife and felt that they both could be reconciled if taken in hand by a disinterested mediator. I sent for the husband and talked matters over with him, then wrote to his wife, who had gone to work as a domestic, leaving her children in the care of friends.—Suffice it to say they adjusted their differences and have continued to live happily ever since.

Some of the probation officers I have met are wonderfully successful in this line of work. They are married men and at the head of a family of children, and can un-



derstand and appreciate just the right word to use, at the right time.

I have seen one probation officer, sit down with a man and wife who for some time have been pulling in opposite directions, and in a few minutes they would be all weeping together, a sure sign of victory for the probation officer. Wonderful! you say, of course it is, and I doubt very much whether or not this probation officer would be able to pass an educational test. He was selected for the position by the Judge of his Court, and in this Commonwealth where the Judiciary are given life tenures, where politics do not enter into the administration of Justice, the system of selecting Probation Officers cannot very well be improved upon.

My own experiences in cases of non-support have not been so extensive as some officers, yet some of them have been quite interesting.

No. 848. A young railroad man earning \$18 per week, tired of his wife after two years of married life, deserted her for another woman. She came before the Police Court under Chap. 501., Acts of 1906, and the Judge decreed that the husband should pay his wife the sum of five dollars per week for her support.

From this decision the husband appealed and came before the Superior Court to obtain a revision of the sentence (in his favor if possible.) He got the revision, but it was an order to pay his wife through the probation officer \$5.50 per week or be surrendered to Court. The wife was one of those unassuming persons with but little to say; she was much discouraged at the outcome of her short married life, and asked me what I thought she ought to do. I suggested that she leave Boston and her troubles, and go to work somewhere. To this she agreed, and I found her a situation in the family of the Court Stenographer as a domestic. She is paid six dollars per week for her services. This, together with her weekly income of \$5.50, paid by her husband, placed her upon the preferred list of deserted wives.

## POLYGAMY

The first case of polygamy placed on probation in Middlesex County was by Justice Sherman, and in doing so, His Honor said: "We are getting pretty near the line, but the circumstances and conditions seem to warrant it," the honorable justice having reference to the following case:

No. 727, a man 34 years of age and the father of four healthy little boys, deserted his family and married again. A few weeks later, his perfidy was discovered and he was arrested. When he came before the Court for sentence, Justice Sherman said that if the man was sent to prison he would not only be a public charge, but that his children would become wards of the city or of the Commonwealth, while if placed upon probation he would have his children to support.

In turning the man over to me, the court instructed me to ascertain the amount the offender earned per week and tax him what I considered to be just. To this, counsel for the defendant agreed, and I ordered the sum of \$7.50 to be paid to me each week, until his children were able to provide for themselves. To this L—— agreed. I also told him that he must not be found in the company of wife No. 2, and as wife No. 1 would not have him, he felt his punishment to be severe indeed, particularly so after I had requested the Court to pass sentence and suspend the same pending the carrying out of L——'s obligations.

The suspended sentence was two years. L—— paid \$217.50. Then he tried to get a divorce and failed; tried to thrust his attentions upon wife 2, who repulsed him. He took to drinking heavily at the turn things had taken, and wound up by undertaking to shoot wife No. 2, then himself, but only succeeded in wounding the woman, and as he told me afterwards, lost his courage when it came to turning the weapon upon himself. He was sent to the State Prison for six years.

Through the public benefactions of a gentleman well-



known in the city of L——, the children of the prisoner are now being cared for in a home that provides for all their needs and wants.

Another polygamy case on probation, and up to this time a more successful one than that of No. 727, is that of H—— S—— No. 827.

When this man's double life was exposed, it was found that he had married in 1883 and deserted his wife and three children in 1896. He married another woman in 1897, and there are now five children by this union.

Upon investigation of this man's antecedents, I was told a story stranger than fiction, and it is doubtful if ever in the criminal annals of Middlesex County has the exposure of a man's double life been followed by a solution in which every one is set right before the law, the innocent children of an illicit marriage given a birthright, and the abandoned children of the legal marriage supplied with means of support until such time as they became self-supporting, while, by a happy turn of fate, matters have been so adjusted that neither set of children will know of their father's shame.

In past days S—— would have been sent to prison for a long term for bigamy, and the children of both marriages would have become charges of the state, while now he goes forth a free man under the conditions laid down by the probation officer and approved by the Court.

H—— S—— was born in L—— 46 years ago, according to his own statement, and his father died when he was but three months old, leaving his mother penniless. Shortly after his father's death his mother, driven desperate by hunger, sold him for \$46.00 to a French couple who were childless, and they brought him up until he arrived in his teens, when he was thrown upon his own resources. He was married in 1883.

Upon investigation I found that the children by the first marriage had been taught to believe their father dead. The mother never wanted to see her husband again, but wished for some pecuniary aid for her children, and was

willing to petition for a divorce that the children by the second marriage might be made legitimate.

S—— was placed on probation, ordered to return to work, live apart from his second wife until such time after the divorce as he could legally marry her, then he must marry her and live with her, and pay \$2.00 per week towards the support of the children of his first wife until they were able to provide for themselves, and in the meantime, of course, he must support the second family also.

These conditions have been carried out up to date. I took charge of Mrs. S——'s divorce suit, the decree has been granted, and when the time arrives that my probationer can legally marry, I will see to the consummation of the ceremony.

This seems to have been the only wise and practical course in this case, as the man is not over-intelligent, and did not deserve the same punishment which would rightly be meted out to another more capable of understanding the nature of his crime.

## DRINKING AMONG WOMEN

The total number of arrests in Massachusetts for the year ending September 30, 1907, was 131,686, of which 10,457 or 8% of the whole were women, and 6,618 or 58% of the women arrested were directly charged with drunkenness. If we compare these figures with those of the year 1882, when there were 8,813 women arrested or 14% of the total number of arrests that year, i. e., 63,000, we are safe in saying that so far as statistics show, the number of drinking women is happily growing less.

An investigation of the primary causes which lead to drinking among women brings out some genuine surprises and when I have given the results of my own observation in answer to inquiries on the subject, I have frequently met with skeptical incredulity.

The habit of drinking among women, leading its victims ultimately before the courts, in many instances has



grown up in the homes of the well-to-do and the appetite for liquor, first acquired at the dining table of respectability, more than once has led its helpless victim on the downward path to public disgrace and arrest. Parents who are in the habit of imbibing alcoholics at their social functions and in the presence of their children, should not be surprised when the latter develop a fondness for intoxicants which they are unable to control, and can only lead to certain disgrace.

Another custom, which I trust is by no means general, I have seen in actual practice by well-meaning mothers, is that of giving stimulants to their babies to keep them from crying.

I remember making a call one day at the home of a man whom I had on probation, and the mother became disturbed in her talk with me, because of the baby's crying; I noticed that she gave the child its milk bottle, and soon the crying ceased. Seeing that the fluid in the bottle was not milk; I asked what she had given the child to drink, and was startled to hear her say, "hot water and gin." She added that many of her friends did the same thing to keep their babies from disturbing them. Can one wonder at men and women having an appetite for alcohol when they suckle it in infancy?

Irresponsible people, and even some physicians are much to blame for recommending malt liquors as a body builder. Thousands of people still believe they cannot do their day's work without the aid of intoxicants, and many are convinced that it is the one thing necessary for the cure of all kinds of diseases. Such people are under a delusion. Experiments by scientific men the world over prove this conclusively.

I remember a few years ago when la Grippe was epidemic in Lowell, I met a physician who showed me a list of thirty or more names of patients, all suffering from la Grippe, for whom he had prescribed whiskey and quinine. On my asking if it had done them good, he was frank

enough to say he did not know, but that "his patients liked it."

Many times women have told me that their first drink of liquor was given them by their husbands, which later on developed the alcoholic germ that made drunkards of them.

None intend to become drunkards, but they do become so a long time before they are aware of it, and even then delude themselves into believing that others have not noticed it.

## DECREASE OF COMMITMENTS

The total number of females committed to all the prisons in the Commonwealth during the year ending September 30, 1898, was 3,187. Ten years later, i.e., for the year ending September 30, 1908, there were 2,670 committed, a decrease of 517 notwithstanding an increase in the State's population of over half a million inhabitants.

On September 30, 1898 there were 999 females in all the prisons of the Commonwealth. On September 30, 1908 there were 695, a decrease of 304.

The decrease in commitments can be largely credited to the growing practice of our courts of giving to their probation officers all possible means for the uplifting of unfortunate women before they are stamped as failures and sentenced to prison. There are, however, women who must be sentenced even when it is their first appearance in court, because of the offence committed, and as a protection to the community; for when a woman is suffering from a contagious disease, it behooves every probation officer to exercise his privilege and do his duty to society by calling these facts to the court's attention.

## CONTAGIOUS DISEASES

I had occasion quite recently to interview a young married woman under indictment for adultery. It was her first arrest, and from all I could learn, her husband was a



worthless character. Ordinarily, this would have been a good case for probation; however, my suspicions were aroused through seeing an eruption upon her arms, and when I later consulted the prison physician, I was told that the poor woman was suffering from a loathsome venereal disease.

When the case was called in court a few days later, I made known the facts to the Judge, who promptly sentenced the woman to the Women's Reformatory at Sherborn on an indeterminate sentence.

It has been my practice for some time to consult with the prison physician relative to persons in jail awaiting trial, and when I learn of a person who is suffering from a contagious disease, he or she is not considered for probation, if guilty, but a sentence is recommended.

When one stops to consider the terrible sufferings that result from permitting to go at large persons who are suffering from chronic infection, then we know how disease and vice are spread through society and to the individual by the girl who is developed physically and undeveloped mentally and morally.

## COMPENSATIONS

Compensation is one of nature's laws, and it is gratifying to know that one can be of some service to those who really deserve pity.

Young girls will continue to enter the life that leads to public prostitution, just as long as so many men are going about seeking whom they may lead into that life. Girls are induced to go to Boston, sometimes on the promise of work or better wages, sometimes "for a good time." One girl, I remember, went to an employment agency to look for work; she was hired by a man and woman who happened to be in the office at the time, and when she reached her new home, she found it was a road-house near a small town. She was induced to stay for a time, and when she came out, ruined, it was only to go to Providence

to enter the life which leads ever downward to public disgrace. In time she was arrested, came before the court and was placed on probation. She was placed in a respectable family, and although at first she smoked cigarettes, and had the snuff habit, she proved to be a splendid domestic. She stayed with her new employers a period of eighteen months. I have not heard of her since she left them.

There can surely be no better satisfaction to a person than to know that he or she can be the instrument of good with such unfortunates.

The reader may ask whether or not they reform permanently.

My experience has shown that while in some cases these women continue to live respectable lives, a certain proportion drift back to the paths of shame; but, whatever the outcome, there is much satisfaction in the thought that the opportunity to reform has been theirs. The state has done its part—and we all have the satisfaction of knowing that many poor girls who once frequented the streets are now in good homes leading respectable lives.

## TO WHOM IT MAY CONCERN

A former law provided that Probation Officers should send their annual reports to the Board of Prison Commissioners. The following is a copy of my annual report made to the Prison Commissioners, and the last report that will be sent to that office, as under Chap. 465 of 1908, provision is made that all reports are to be sent to the Commission on Probation. Superior Court Probation Officers, however, are also required to send a copy of their annual reports to the Justices who form the Committee on Probation in the Superior Court.



# Commonwealth of Massachusetts.



Superior Criminal Court, Middlesex County

Probation Office

Lowell, Mass., October 1, 1908.

HON. FREDERICK G. PETTIGROVE,  
Chairman Board of Prison Commissioners,  
Boston, Mass.

DEAR SIR :—

I have the honor to submit my report covering the probation work in the Northern Middlesex District of the Superior Court, for the year ending September, 30, 1908.

During the year, 188 men and boys, and 31 women, a total of 219, were placed in my care by the Court. There were also 19 others placed on probation in Suffolk County Superior Court who were residents of Middlesex County, sent me for supervision and care, making a grand total of 238 persons. They had pleaded guilty to thirty-eight different kinds of criminal offences as follows :

Drunkenness,	72
Disturbing the peace,	4
Idle & Disorderly,	5
Adultery,	26
Lewd & Lasc. Cohab.	5
Polygamy,	1
Indecent exposure,	1
Carnal abuse,	1
Assault & Battery,	7
Neglect of wife,	1
Non-Support.	1
Threatening wife,	1

Vagrancy,	4
Truancy,	1
Stubborn child,	1
Delinquent child,	2
Ringing false fire alarm,	1
Conveying articles to convicts,	2
Breaking, Entering & Larceny,	21
Breaking and Entering,	28
Breaking & Attempt to commit Larceny,	2
Attempt to Break and Enter,	4
Larceny,	22
Larceny in a building,	3
Larceny from the person,	3
Larceny from a team,	1
Robbery,	1
Perjury,	3
Accessory to Arson,	2
Assault with dangerous weapon,	4
Receiving stolen property,	1
Rescuing prisoner,	1
Attempt to rescue prisoner,	2
Attempt to obstruct R. R. tracks.	1
Forgery,	1
Unnatural Act,	1
Assault,	1
Total	238

This office has been called upon to work out many intricate problems during the year. One was a boy 15 years of age, guilty of unnatural acts. He lay in jail three months forsaken by his parents, and looked upon by them as a moral leper. The boy could easily have been disposed of had the Court thought the Lyman School a suitable place, but it was not so considered. I found the Captain of a deep-sea ship who took an interest in the case, and he was shipped as a cabin-boy, with the consent of his parents. When I last heard from him he was enjoying his new life.



# CONDUCT OCTOBER 1st. 1908.

OFFENSE	GOOD	FAIR	RE-ARR.	SURR.	DEF.	TOTAL
Arson,	1					1
Abandoning Child,				1		1
Adultery,	4	2		1		8
Assault and battery,	9	3	1	1	1	15
Accessory to abortion,	1					1
Assault with dangerous weapon,	1					1
Assault to Carnally abuse,	1					1
Breaking and Entering,	6	2		2		10
Breaking, Entering & Larceny,	6	1		3	4	14
Burning a building,				1		1
Carnal abuse,	1					1
Drunkenness,	18	17	12	13		61
Disturbing the peace,	5		2		1	8
Delinquent child,	2	1				3
Fornication,	1			1		2
Forgery,	1					1
Indecent exposure,						
Lewdness,		2			1	3
Liquor nuisance,	1					1
Larceny,	9	2	1	2		14
Larceny from person,					2	2
Lewd & Lasc. Cohabitation,	5	4	2	4	1	16
Non-Support,	2	1				3
Receiving stolen property,	2					2
Robbery,	1					1
Simple assault,	1					1
Stubborn child,	1					1
Rape,	1					1
Unlawful appropriation of team,	1					1
	80	37	18	28	12	175

Another case was that of a Belgian woman who could not speak English. She was without home or friends, and was on the way for the first time to the Sherborn Reformatory. I found a kind-hearted lady, a linguist who could speak the woman's language, and she took the woman into her employ. This lady has assisted me on many occasions with these unfortunate women, finding them places to work as domestics. I regard her as a most valuable volunteer probation officer.

A Somerville man was sent to jail for ten months. His wife who was mixed up in the case was placed on probation. She had no home of her own to go to, hence she was assisted by this office and a home was found for her in Newton.

A Lowell girl, 20 years of age, sentenced to the Women's Reformatory for the first time, took an appeal, and was placed on probation in the Superior Court on condition that she go to work away from Lowell. A place was found for her in Natick with a well-to-do family, who have taken quite a liking to the girl, whose parents are dead, and have offered her a permanent home.

A young Swedish woman, deserted by her husband and with no relatives in the United States, was found a home in Newton, and a letter received from her recently says:— "My employers are kinder to me than my own parents ever were."

A sixteen year old waif was sent on to relatives in California.

During the year six young men have enlisted in the Army or Navy of the United States, and from what I know of them, I feel sure they will make good men, as they are more unfortunate than criminal.

Several others were aided to secure employment and homes. The youngest probationer was eleven and the oldest sixty.

The following table shows the standing of the probationers that were given into my care between October 1st, 1906, and September 30th, 1907. These cases have all been under my supervision for from one to two years.



It will be interesting to note that the average results for the year 1907 compare quite closely with those of 1906:

## 1906

Conduct Good . . . . .	82	
" Fair . . . . .	39	121—69%
Defaulted . . . . .	6	
Surrendered . . . . .	36	
Re-arrested . . . . .	19	
Continued . . . . .	4	65—31%
	186	

## 1907

Conduct Good . . . . .	80	
" Fair . . . . .	37	117—67%
Defaulted . . . . .	12	
Surrendered . . . . .	28	
Re-arrested . . . . .	18	60—33%
	175	

The increase in the number defaulted can be attributed to the hard times, many workmen having been compelled to change their former places of abode, and some have neglected to send me their new addresses.

Under the practice of having probationers (when able) pay Court expenses and make restitution to injured parties, I have during the year collected and paid over \$332.64 expenses.

I have also supervised the payment of \$953.79 for restitution purposes.

There has been collected and paid out for neglected wives and minor children \$477.02, and have supervised the payment of \$324.00 more, making a grand total of \$2,087.43.

The work of the probation department in Middlesex County continues to increase, and it can be largely attributed to the heads of police departments and police officers themselves in charge of cases, who frequently come to the probation officer and recommend probation for persons they have arrested and convicted as the best method of disposing of their cases. I find the police always ready to co-operate with me in aiding to bring about the reformation of an offender, or in furnishing me with any information they may have that will assist me in my work.

Yours respectfully,

JAMES P. RAMSAY.



