

Fourth section

First question

THE JUVENILE COURT.

By Dr. Philippe Rottenbiller, Court of Appeals, Budapest.

It goes without saying that this question must be answered in the negative. The five studies prepared on this subject in 1905 by Miss Lucy Barrett, Samuel Barrows, Andrew Reed and Edward Grubb inspired by the highest sentiments and the sincerest devotion to the care of children, show in detail what had already been done in juvenile courts and by probation officers to institute other means of dealing with children than the ordinary method. The vote of the Congress at that time was to the effect that what has been accomplished for children in the United States awakes a sympathetic echo in Europe.

The secret of the success of the juvenile courts in the new world rests in the fact that they concern themselves not only with the protection of childhood but they do not lose sight of the interests of society. On the continent it is objected that the growth of juvenile criminality points to the need of greater severity. And in truth greater severity is needed, but it should be exercised not against the child, but against those who have ~~helped~~ helped to bring about his wrong-doing. The juvenile court is a sign that the conscience of society is awaking. The young delinquent is a drop of the blood of society, and as a drop of blood may reveal the latent disease that threatens the human body, so careful observation of the young delinquent promises to become a powerful means for preventing the dangers that threaten society.

The latter part of this "rapport" is devoted to commendation of the National Congress of Mothers, with a page ~~devoted~~ giving the aims and purposes of that congress.

Rottembiller

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Fourth Section
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Juvenile Delinquents.

By J.D. Robertson, Inspector of reformatory and industrial Schools, Great Britain.

The Childrens' Act, which went into force in Great Britain and Ireland the first of April 1909, fixed the penal age of children at 12. Children below 12 accused of crime for the first time may be sent to an industrial school and those between 12 and 14 also if it is their first crime and if it be thought that their influence would not be pernicious. Others under 16 can be sent to reformatory schools. In treating these juvenile delinquents they are encouraged to begin a new life in the school, where every effort is made to give them a normal education. They play cricket and foot-ball and have all sorts of gymnastic exercises as well as studies in the class room. Disciplinary cells have almost disappeared and there are no more bars and bolts than in any public school. Industrial education is carried to a certain extent, but if one specializes too much it tends to discourage the pupil who is well fitted to a trade if he cannot find work on going out in that trade.

Private benevolence is allowed to do its share of the work. The schools are under private management, the state aiding in their support, but exercising a minimum of supervision. The consequence is a most cordial relation between the authorities and the schools. The children retain their relations with the school in a pleasant way and only the other day one of them, who is now in good circumstances, wrote promising \$250 a year to boys leaving the reformatory of which he himself had been an inmate. The feeble-minded are provided for in special institutions as are also epileptics.

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Among the principles for managing these schools one is that there should be as many women as possible in the personnel and that teachers and nurses should be well fitted for their duties, especially for abnormal children. The greater number of the ~~children~~ ^{children} can be usefully occupied in manual work and nothing helps more to develop their intelligence.

There are also industrial day schools, open from six in the morning till six at night, to which children can be sent. They are served with three meals a day and have ordinary elementary education as well as manual training. Boys learn carpentering, tailoring, shoe-making, printing and brush-making. The girls learn cutting and sewing, laundry work and cooking. These schools often become real social centres and some of the directors do their best to improve the homes of the children and to find suitable places for them when they leave school. The parents are expected to contribute to the expenses of these schools according to their means. The directors, who are $\frac{1}{4}$ members of the local school boards, receive on an average about five dollars annually from the parents for each child.

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Abstract

The Childrens ' Act.

By Miss Rosa M. Barrett, Kingstown, Ireland.

Since the last International Prison Congress England has made notable progress in legislation concerning juvenile delinquents. Those under 14 are considered children and from 14 to 21 adolescents. Minors cannot be tried with other criminals and they must be tried in separate chambers. On arrest they may not be taken to a jail but ^{must be} kept in detention elsewhere.. A child under fourteen can be released with admonition, or with a fine, or he may be whipped. If he has not a good home he may be sent elsewhere, to persons qualified to look after him, or he may be sent to a reform school till he is released and placed under a probation agent.

The death penalty and penal servitude have been abolished for juvenile delinquents.

The law has many useful clauses. It is forbidden to sell cigarettes to children under sixteen or to allow those under fourteen in a beer saloon or to give alcoholic drink to a child under five, except by medical order.

Children and youth have been tried apart from adults for some years in England and Ireland. In Dublin there has been great progress in these matters within recent years. The best ~~exix~~ childrens' court in Great Britain is in Birmingham where great success has been achieved. From visiting the juvenile courts in the United States and in Great Britain I am convinced that the personality of the judge is the most important factor. In New York, though the law is good the court is overcrowded. The judge has no time for the

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individual cases. In Chicago , where the court is better organized, they have under one roof a detention home, a temporary home for abandoned children and lodgings for those connected with the court. The probation officers are both men and women , some being salaried and some giving their services. . In Boston, though the court is not imposing, consisting simply of two modest rooms , I was particularly struck by the procedure and by the spirit of the judge . The hearings are absolutely private and there is nothing that reminds one of the ordinary police court. . I was delighted to see there how the state looks after its weakest members , even, if necessary, at the expense of the parents.

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Juvenile Delinquents.

By Albert Vidal-Naquet, President of the Childrens' Committee,
Marseilles, France.

My suggestions are the result of eighteen years practice as president of the committee having in charge the defense of children who have been arrested. The basis of my studies is the result of the examination of the records of 6,000 children. .

Childhood is divided into three divisions. In the first, on account of its age the child is absolutely irresponsible. In the second period he has limited responsibility only, which prevents his being punished as an adult might be; that is the true penal minority. The third is the period between penal minority and majority. According to the case the adolescent may be punished as an adult or as a child.

The child of the first period, if he commits an offense, cannot be imprisoned. He must be dealt with in a purely educational or reformatory way, according to circumstances.

The child of the second period if arrested should be kept wholly apart from adults, in special quarters. In procedure it should be the cause of the crime that should be searched out and everything else should be held subordinate to that. The work of both advocate and judge should be to save the child. The magistrate should have the power to either return the child to the family, or to place it in an institution, or confide it to probation officers. There should be special judges to examine the cases of children. No child should be sentenced as adults are. Measures of protection and

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reformation should be adopted in his favor . The child may be returned to his family , released under surveillance, entrusted to other relatives, confided to ^a guardian society , or placed under the tutelage of the state , according to his character and perversity , the state taking such measures as may seem best, -a family home, a reform school or a correctional institution.

For adolescents practically the same things are needed, : special magistrates, houses of detention separate from adults, admission of the defendant to the whole procedure, special judges . If the court finds that the youth has acted with full discernment he is subject to the ordinary penalties of the criminal code. If he has not acted with discernment he will be considered a minor and so treated.

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The Procedure for Juvenile Delinquents.

By A.S. Goldenweiser, Advocate of the Court of Appeal, Kief,
Russia.

From the comments on this question by Samuel J. Barrows —
whose death ^{has} ~~will~~ greatly sadden ^{ed} the members of this congress —
it is evident that there was a desire to bring the subject to
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the Prison Society of Pennsylvania, there are ~~in many~~ jails
in which young offenders are kept with adult recidivists of the
worst type. This promiscuity is still possible in a country which
diffused through the world the humanitarian system which bears the name
of the Pennsylvania system. . We see how the masses, accessible as
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problems in this domain. They are quite indifferent to the way
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The difference between the opinions of the ^{ordinary} people and those of
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compromise between the past and the present. The idea of retaliation and intimidation have not been given up. If you suppress the idea of punishment in a criminal case, ~~now~~ the procedure seems to have no meaning. The character of a criminal trial does not the least in the world resemble an enquiry made in the interest of the accused, as for example ^{the way} a doctor examines a patient. It is rather ^{an attempt on the part of} ~~an effort~~ ^{the} judges to secure their own peace of mind in giving the verdict. In other words they are working for themselves. When the whole end of the trial is to apply punishment the entire examination is spent in trying to prove the crime and the ~~whole~~ proceeding is built up on that. . But if the object of the trial is solicitude and protection for the accused, as in the best minds is coming to be the case, especially in dealing with minors, the procedure will become quite different. .

It may seem premature to ask that the ~~the~~ procedure in the fight against crime should be turned from the idea of punishment to solⁱcitude, even for minors, since the representatives of advanced thought do not agree in their schools, the school of anthropology and the school of sociology. The anthropological school explains the criminal act by faults of organization. The sociological school sees the origin of criminal activity in the environment of the criminal; ^{the} the moral qualities have been changed and they must be reformed by education, gradual and obligatory. These schools separate co mpletely in their views of punishment. The anthropological school is not in the least inclined to gentleness, to pardon, to surveillance; it prefers repression, severe and decisive; / it believes in capital

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punishment . The sociological school , on the contrary, believes that the moral influences to which the criminal inclinations owe their origin can be changed to moral influences of another order . It approves of mild sentences and the largest application of ~~penitentiary~~ ^{reformatory (?)} measures . The irreconcilability of their points of departure, is however only ^{seemingly} ~~apparent~~, in the question we are discussing. In reality the two schools ~~must~~ agree on the essential things. It is ^{as} impossible to conceive that the moral faculties of man ~~exist~~ without corresponding ~~or~~ physical attributes, as it is to conceive that a physical vice would not manifest its influence on the moral side. Both conform to the law of ^heredit^ey , which manifests itself in both spheres..

In one way or another we must recognize that the treatment of juvenile criminals has entirely changed . The practice is ^{wholly} ~~entirely~~ different from the system of punishment for adults . One has but to study the juvenile courts of America to see this. The rapidity of this new ~~current~~ and the destruction of past methods that it has wrought, are significant of a new era. . These International prison Congresses, called together once in five years, play an important part in the practical legislation of ~~all~~ countries . In the London Congress, in 1872 (thanks to the remarkable paper ^{by} Miss Carpenter) the question was raised of the proper care of abandoned and disinherited children, as one way of preventing juvenile crime. At the Congress in Stockholm, it was recognized that there was not such a difference between criminal ~~children~~ and simply vicious children as to place them in different categories. The Rome Congress went farther and recongnized that even if they acted with discernment it was within the province ^{of the judge}

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to place the offenders in a house of correction or a reform school. The Congress at St. Petersburg developed this idea still further and said that the age of discernment should not be below sixteen. The Paris Congress and those which have succeeded, have given a whole section to the question of minors.. The practical result of all this was that the Emperor of Russia took under his own protection all the institutions for correcting minors. He could not have taken under his protection jails, ^{or} prisons, ~~places~~ simply for punishment. By the law of 1897 the limit of age in such institutions was raised to 18, and by the new law of April 17, 1909 the Douma and The Council of State raised it to civil majority, the age of 21.

It will be the glory of our epoch, not that we have established fingerprint methods, ^{of identification} but that we have established a new principle in the treatment of offenders of a tender age, a treatment not looking to the conviction ^{or punishment} of the accused, ~~and his punishment~~, but to benevolent assistance, with the object of determining the moral peculiarities in the personality of each. That method means a change in the fundamental principle of procedure and it comes to the aid of the one who has infringed the laws of society. The world will look to the proceedings of the present Congress for further progress, all the more because it meets in the capital of a country whose people ^{are} as ready to accept the good as are the people of the United States.

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Fourth Section
First Question
Abstract

Juvenile Courts

By Paul Neander, Director of the Roukavichnikoff
Asylum, Moscow, Russia.

The United States has set the example in the establishment of childrens' Courts. Other countries have followed, as Germany with her Juvenile Courts. . In Russia, on the 17th of April, 1909 the two chambers, the Douma and the Council of the Empire , in voting upon correctional establishments , confirmed the principle established by imperial ukase Dec. 5, 1866, that children and minors found delinquent should not be held in prisons, but in establishments for correctional education. The law of April 17, 1909, then lookson juvenile offenders not as criminals to be punished, but as children to be corrected and saved. They are to be sent to reform institutions where every attempt will be made to lead them to honest andmoral lives.

Judicial procedure is to be rather pedagogical than penal. It will have an intimate character and the court will ~~be~~ more like a ~~like a~~ confessional than a tribunal. To assure this the public will be absolutely ~~excluded~~. The pre lininary investigations will be made by a single person, who will feel himself more of a pedagog than a judge. Questions will be direct and the child will feel that the judge wishes to help him rather than to punish him. . There will be as small a number of jurors as possible , chosen from those who understand psychology in general and the psychology of children in particular, - doctors, teachers, clerymen . The accusation should be a simple statement of facts and the procedure should be as rapid as possi ble. Preliminary detention should be brief, and never in a prison . Childrens asylums should always have special sections that can be used for

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this purpose, as the asylum Roukavichnikoff has. There will be no more weeks of suspense in prison, no more policemen in uniform with weapons in their hands, as is still, unhappily, the way in Russia, no officers ^{seated} ~~standing~~ at each side of the child with drawn sabres and loaded revolvers ~~exist~~, no solemn bench with judges in robes,-- nothing, in short, to terrify the child. A simple room, simply furnished, a simple table around which people in everyday clothes are gathered and where the child will feel that he is to explain things rather than to be judged. .

The verdict, depending on circumstances, may be a simple admonition, up to detention to the age of 21 in a correctional institution.

Probation officers will visit the family and will inform the court of facts that should be known. The work of the probation officer in this field is invaluable. .

At the moment of writing these pages the first effort to carry out this whole scheme is being made in St. Petersburg, where the judges have chosen one among themselves to be the childrens judge. Thus the idea is incarnating itself and is approaching, however modestly, the longed-for ideal.

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Juvenile Delinquents.

By Dr. Simon van der Aa, Professor in the University of
Groningen, Holland.

To the first part of the question the answer must be absolutely negative. The child is not a little man, a duodecimo edition, so to say, but he is an entirely different edition and is to be considered in an entirely different way. He thinks differently, feels differently and acts differently from an adult..
~~For~~
For that reason the form of procedure has been changed and penal measures are adapted to the age and conditions of life of the child and the youth. The interest in this question therefore centres about the second part. I will give the solution of it as reached by the Netherland legislators some years ago.

The penal code fixes penal minority at the age of 18. Up to that age all are treated as juvenile delinquents, though minors between sixteen and eighteen may be considered as above minority and be punished as adults at the discretion of the judge. Ordinary penalties may then be applied, except detention in the matter of. Children under 16 may be entrusted to their parents or guardians even if their guilt is proved. The judge is empowered to decide whether to sentence to a fine, a reproof, or to a school of reform. Sentence to a reform school may be pronounced conditionally. The child put at the disposition of the government is sent to a state school, or to some educational institution. This lasts till majority, but may be lessened by the minister of justice, after consultation with the counselor-general. At the time of placing a minor at the disposal of the government a sentence to later imprisonment may

Juvenile Delinquents.

By Dr. Simon van der Aa, Professor in the University of
Groningen, Holland.

To the first part of the question the answer must be abso-

lutely negative. The child is not a little man, a chibi-

edition, so to say, but he is an entirely different edition

and is to be considered in an entirely different way. He thinks

differently, feels differently and acts differently from an adult.

For that reason the form of procedure has been changed and penal

measures are adapted to the age and conditions of life of the

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be pronounced.

In the procedure in the case of minors it is not the deed ~~which is punishable~~ but the delinquent himself who is the object of examination. In the proceedings investigation must be made as to the education, the character, the development, the conduct, of the accused. For this purpose the trial judge must hear not the parents or the guardians, but witnesses. Unless otherwise preliminary ordered by the court these have the right to be present at the examination of the child and also at the hearing and they are at liberty to make any remarks in his defense. Thus the child feels all the time that he is in touch with those who by nature are called to watch over him. The assistance of counsel is assured to the juvenile delinquent. The task of counsel is not simply to defend the delinquent but to look after his interests in the widest sense and if he is found guilty to advise with the judge as to the best way to deal with him, always and before all considering the educative end of the measures that may be applied. Those above 18 must appear at the trial in person.

The public are excluded from the hearing of juvenile cases. The minor held in detention may see counsel and his parents or guardian at any time.

The right to appeal has been enlarged in behalf of minors. The interests of the child and the fact that the judge has great liberty in the choice of penal measures to be applied have led to this widening of the right to appeal and thus have another examination. The procedure, in case of appeal, is likewise modified for juvenile offenders.

Certain societies under the name "Pro Juventute" stand ready to aid in the disposal of juvenile cases. The first of these

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was founded fifteen years ago in Amsterdam, through the initiative of my dear master and honored colleague the professor of penal law, Dr. van Hamel. They now exist in all the principal cities. They see that an advocate is provided from among their members, . From the facts they gather it often happens that they are able to ~~to~~ recommend that the case be dropped by the Queen's advocate and this is sometimes done. . The work of these societies is an almost indispensable complement to the regulations of procedure in favor of minors .

The period of four years is not long enough to form a well-founded opinion as to the results of these changes in procedure for juveniles , but the present impression is very favorable. But it seems to me there are some improvements which might be made ~~and~~ without further legislation and without much difficulty . First, one chamber of the court might be reserved for all juvenile cases , whether civil or penal with the same persons to manage them, so that they would acquire a body of experience . These persons should be specially adapted for the work. Then there should be some arrangement by which the results of the measures adopted should be known by the judicial authority .. If these two points are provided for there will be a close resemblance between our system and that of the childrens courts as they exist in the United States . . It cannot be denied that the childrens courts seem very attractive , but it is not enough to read about them . We must see them to understand them and the Congress will give us occasion to do that in a happy manner.

It is not enough to study an institution in the place of its origin , but we should study to see how it can be used elsewhere , how it can be adapted to other surroundings. But above all it is necessary to see who are the persons called to execute the laws. And lastly we should see that delinquent minors, ~~in court procedure~~

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Fourth Section
First Question
Abstract

Juvenile Delinquents.

My. Mr. de Casabianca, Member of the Prison Society
of Paris.

The following are the conclusions reached in the course
of a long paper by Mr. Casabianca:

I. Below a certain age, ten years, for example, a child should
be held penally irresponsible and should not be subject to judicial
prosecution.

II. From the time of his arrest until the termination of the
prosecution the accused child should be kept apart from older minors
and from adults.

III. Every prosecution of a minor before a court with power
to punish should be preceded by a regular judicial enquiry.

IV. All judicial enquiries concerning minors charged with
crime should be examined and decided by speciali magistrates.

V. Every judicial enquiry concerning a minor charged with an
offense implies a thorough investigation, a medical examination, and
that the child should be kept under observation for some time.
Counsel should be assigned to him from the outset.

VI. The precautionary detention of an accused minor should
be in a place entirely free from the character of a prison.

VII. If pending the examination the magistrate entrusts
the minor to his family or to a probation officer the child should
be under careful supervision.

Juvenile Delinquents.

Mr. de Cassabianco, Member of the Prison Society
of Paris.

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be held generally irresponsible and should not be subject to judicial
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VII. If pending the examination the magistrate entrusts
the minor to his family or to a probation officer the child should
be under careful supervision.

VIII. In cases involving both children and adults the examination of the latter should be separate from that of the minors.

IX. Minor delinquents should be tried by special judges only and at private hearings.

X. Every judgment which concerns a delinquent minor should be pronounced conditionally, for later modification or withdrawal.

XI. If the predicament of a minor delinquent can be imputed to persons having authority over him, their fault or their negligence should be penalized; furthermore they should be compelled to bear a part of the expense of his maintenance in the institution for correction.

XII. Unless the record of a minor in the judicial registry shows henceforth the charges preferred against him and the failures to prosecute and the acquittals of which he has had the benefit, then all the memoranda of the slightest criminal offenses committed by minors should be collated so that magistrates may be fully informed of their antecedent history.

XIII. Juvenile criminality cannot be successfully combatted without a broad appeal for the co-operation of private societies for the protection of children.

VIII. In cases involving both children and adults the examination of the latter should be separate from that of the minors.

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XI. If the predicament of a minor delinquent can be improved to persons having authority over him, their fault or their negligence should be penalized; furthermore they should be compelled to bear a part of the expense of his maintenance in the institution for correction.

XII. Unless the record of a minor in the judicial registry shows heretofore the charges preferred against him and the injuries to prosecute and the acquittal of which he has had the benefit, then a full record of the slightest criminal offenses committed by minors should be collected as that magistrates may be fully informed of their antecedent history.

XIII. Juvenile criminality cannot be successfully combated without a broad appeal for the co-operation of private societies for the protection of children.

Fourth Section
First Question
Abstract

Juvenile Delinquents.

By Dr. Aurel Lengyel , Recorder of the Court,

Budapest.

The magistrate who has charge of juvenile delinquents ~~who~~ should be able to exercise a certain amount of psychiatric knowledge; to look into the conditions of the child, its origin, its education , its moral and physical nature , that he might be able to judge the degree of will power of the child and his sense of responsibility . He should also be to a certain degree a sociologist, that he may judge of the child's relations with social conditions and the responsibility of society ; he should also be a psychologist , capable of scrutinizing the soul and recognizing ⁱⁿ ~~where~~ the arsenal of motives whether the offender is a chance delinquent or an intentional culprit.

The adult criminal is hard to reform , but the minor , if submitted to a humane reformatory treatment , may be rescued from the mire of crime by the development of intelligence, ^a strengthening ^{of} the sense of discernment, and ~~his~~ moral powers..

In juvenile cases punishment is not always the indispensable result of guilt . The disposition of the offender may be quite different from the disposition of an adult offender.

Oral procedure and direct action are much more necessary in juvenile than in adult cases. It is not rare that the public complainant , who , according to Hungarian law cannot make investigations himself, sees himself driven to the necessity of getting into communication with the minor and his family to ~~see~~

Juvenile Delinquents.

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secure a base ~~for~~ to support his decision . In certain cases the offense appears in quite another light if direct knowledge of facts can in this way be obtained ~~/~~ by personal observation and enquiry. The judge of the minor child , who has to look into his moral character , should hear every word of the deposition, draw out the confession himself , observe every intonation and play of features . No decision should be reached without the personal hearing. .

Public opinion considers publicity of trial as a guaranty of justice. It is certain that it quickens the conscience of the judge . In juvenile cases, however, there are other things to be also considered. Psychologic study shows that the law of imitation , the desire to be admired, the love of adventure - all accentuated at the time of puberty- are abundant sources of juvenile crime. To see and hear a trial where the offender is the source of the excitement , exercises upon the child who is present an injurious influence. Minors should be kept out of these trials and a juvenile case should never be tried with any one present but those who are directly interested. But the exclusion of the public is recommended ^{also} for the good of the child. To be put in a position where one must respond before an audience as to one's acts causes mortification and may cause bravado . Then there is the publicity given by the press which is to be avoided and this can be only by the court sitting with closed doors. If protective officers are present and agents of the guardian societies, in addition to the members of the court , publicity enough is secured.

For ascertaining certain required facts ~~a~~ about juvenile offenders , such as their conduct in school, the conditions of the family , the ~~a~~ way ^{behave} they ~~behave~~ at home, should be as-

secure a base for to support his decision. In certain cases the offense appears in quite another light if direct knowledge of facts can in this way be obtained, by personal observation and enquiry. The Judge of the minor child, who has to look into his moral character, should hear every word of the deposition, draw out the confession himself, observe every intonation and play of features. His decision should be reached without the personal hearing.

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For ascertaining certain reported facts about juvenile offenders, such as their conduct in school, the conditions of the family, the way they behave at home, should be as-

certained by discreet persons, by women when it is concerning young girls. According to circumstances such persons could be asked to take care of one case, or they could be asked to assist in an indefinite number of cases, as members of guardian societies. They should be present to bear their testimony *at*

the hearing of the case.

As to probation officers one cannot count for each case on finding some enthusiastic citizen or some lady who will consent to take the place of a detective, with zeal and circumspection. Often the affair is such that long, and painful examinations must be made, involving too much work for any one occupying a merely honorary position. The judge should have at his disposition persons whose profession it is to do this work. The same officer should look after those put on probation in cases where the legal representative of the child cannot assume this duty and where no private person is found to do it. Whether such a person should be employed by the government or by private associations must be decided according to circumstances.

A juvenile criminal should not be arrested unless it is a matter of necessity, nor should he be subjected to ordinary places of detention. He should be sent to some establishment specially designed for juveniles.

The childrens court is the incarnation of the special treatment of juveniles. The idea is of Anglo-saxon origin. In principle the following are the methods adopted. 1. The accused are kept entirely apart from accused adults from the time

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of ~~hxx~~ the preliminary investigation till the trial. If the courtroom is in the building where the ordinary trials are held the children should be tried at a different hour.. &

2. The judge should be specially appointed for this work and should be scientifically prepared for it. American opinion considers this judge one of the chief regulators of public education. His ~~importxxxxxxxxxxxx~~ task is important because he has to satisfy the needs of of a class who may become dangerous to society.

The task of the childrens judge does not end in the hall of trial . He must have the oversight of the juvenile for a certain period . He must protect and stand by him either in person or through his agents.

It would be to nurse a fatal illusion to believe that to organize a childrens court and to name ideal magistrates is to solve the problem of juvenile crime. The reprimand, the placing on probation, the doing away with imprisonment, are only the negative side. The positive side is the moral support and the supplying of economic efficiency. Those who have slipped ~~do~~ down in the social life , the victims of our social order, can be brought back to the strait path in but one way : the morally weak and the economically incapable must have guardianship. As to what is the best system that is a question that will depend on circumstances. In some countries this is made a part of the sphere of action of the juvenile court. There is much to be learned from the movement recently begun in Germany in favor of official guardianship{.

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Fourth Section
First Question.
Abstract

Juvenile Delinquents.

By P. Grimanelli Honorary Director t, Ministry
of the Interior, Prison Society of Paris etc.

By " young delinquents " and "children and adolescents"
penal minors are meant . In France, since the law of April 12,
1906, penal minority, which was formerly up to the age of 16 is now
extended to the age of 18. The term " procedure" must not be
taken too strictly. ~~It~~ It is not only the form of prosecution , of
examination, of discussion and decision which are to be considered.
The character and choice of the magistrates who are to deal with
juvenile offenders , their competence, their ~~maner~~ manner of procedure,
the provisional measures to be adopted while waiting decision,
are doubtless intended to be included in this study . But there
are other things to be thought of. ~~xxxxxxx~~ Are you convinced that in general
when it is a question of a minor that it is not so much the act which
~~is to be considered, as the act as~~ ^{by itself} ~~has been committed~~ ^{as it is} an index revealing the tendency, ~~and~~
~~or~~ ^{life} the conditions of living of the one who has committed it? Have
you thought that the greater social security as well as the social
duty toward the child demands measures that will preserve him from
growing worse, and to reform him morally and physically, often
by changing his environment ? Do you appreciate that that is the true
way, rather than a system of penal measures ? If you have considered
all these things you will have seen that "procedure" cannot be identi-
cal for the different ages even of minors.

I. Let us recall the chief essentials of French legislation

Juvenile Delinquents.

By P. GRIMMOND, Honorary Director of Ministry

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I. Let us recall the chief essentials of French legislation

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in regard to this subject.

1. Prosecution and examination are entrusted to the same magistrates and subject to the same legal rules for minors of all ages as for adults.

2. Minors of all ages are subject to the same legal provisions touching detention and provisional release, except that juvenile criminals are kept apart, in separate quarters.

3. The custody of a child may be entrusted to a relative, or a charitable institution till the judicial decision is given provided he is less than sixteen.

4. If the act ascribed to a minor ^{is a} misdemeanor (délit) the tribunal is the same as for adults, no matter what the age of the minor, (le tribunal correctionnel).

5. If the act is a felony (crime) and if the minor is less than sixteen it is still the tribunal correctionnel which is competent to take charge of the case, unless the minor had accomplices older than himself, or unless he is charged with a crime punishable by death or imprisonment at hard labor or deportation. In these exceptional cases it is the cour d'assises.

6. The rules regulating publicity are the same for minors of all ages as for adults.

7. Whatever the age of the minor, up to eighteen, the court or the jury must decide whether the said minor has acted with or without discretion.

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There has been an evolution in legislation in these subjects outside of France. The limit of criminal minority varies from seven in Russia to 15 in Sweden. Several countries have organized special courts for juveniles. Within ten years we have seen a change

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outside of France. The limit of criminal minority varies from
seven in Russia to 15 in Sweden. Several countries have organized
a special courts for juveniles. Within ten years we have seen a change

in this direction , as for example in Denmark, Norway, Germany , Austria, Holland and in the Swiss cantons . Under different names and differently organized there are in these countries chambers, or courts of guardianship , generally of a civil order, though having disciplinary power in some cases. They are destined in some states to ~~take~~ replace parental authority , to look after juvenile delinquents and morally abandoned children. The Holland law, for example differs from the Danish . In Holland it is rather for the protection of childhood without jurisdiction over juvenile crime. In Denmark it has three degrees of jurisdiction / : With regard to juvenile offenders under 14 who are not prosecuted before the court they have paternal powers, pronouncing no sentences; for older children they act as aids to the court; for all juvenile and morally abandoned offenders they have the right of guardianship.

May we not here pay our respects [^] to the American childrens' courts? which is their due? Without forgetting the part played by Australia in the starting of juvenile courts, it is just to give the principal honor to the United States for them. The late and deeply mourned Samuel J. Barrows , wrote proudly in 1904: " If one asks what thing marks the greatest progress in the United States in the last five years in judicial methods and principles one would reply without hesitation : The creation of courts for children. " It is not to a Congress gathered in Washington, at the gracious invitation of the federal government of the great republic , that we could try to describe the childrens courts of the United States, nor to tell their history . There is nothing better on the subject than the excellent ~~XXXXXXXXXX~~ account of it given by Mr. Barrows himself in 1904: Childrens courts in the United States, their origin, development and results; and for the spread of ideas in France relative

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Since 1906 24 states have adopted the institution on which Judge Tuthill of Chicago and Judge Lindsey of Denver have put their imperishable imprint.

The children's court has jurisdiction over minors up to the age of 16, rarely to the age of 18. A special judge presides over them. The audience is limited. The court room is apart from the general court room. The magistrate sits near the child. No one is admitted except those duly authorized. There is no technical procedure. The forms are reduced to the greatest simplicity. The magistrate conducts the investigation and makes the decision, always with the idea of finding the best method of dealing with the case, whether by probation or by reformatory discipline.

The organization of children's courts is completed by the appointment of probation officers. The two are inseparable. The probation officers may be benevolent citizens, men or women, paid or unpaid, or they may be public officials. They secure the information about the child, his family, and his surroundings. The importance of their service does not need to be demonstrated. Partial adoption of these methods have been made in England, Scotland, Ireland, Germany and Italy, as well as in the Swiss cantons. . . . But the partisans of reform in regard to proposed legislation are divided. One side, jealous guardians of tradition, prefer amendments to existing laws rather than reform legislation. They believe in having ^{who understand the affairs of} special magistrates for ^{minors,} juveniles but that they should in all cases be the ordinary trial judges and magistrates of repressive courts. ^{only} For very young children

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they reject special magistrates and whatever the age of the accused they believe in entire publicity. They recognize the dangers, but think the police powers of the presiding officer is sufficient to ward them off.

The other side, without dreaming of overthrowing existing judicial institutions are less opposed to important changes. They do not think that identical rules can be applied to all juveniles. The forms of justice do not seem to them forms that cannot be touched. Struck by the grave effects of the mixed audience, even in cases where children above twelve are concerned, they do not hesitate ^{at the} ~~at the~~ suggestion of restricting the audiences ^{at the hearing}, on condition that justice shall be secured by useful assistants and witnesses whose presence is a guaranty for the judges as well as for the defendant. In a general way they believe that what is demanded is not ~~more~~ ^{less} dignity, but more ^{simplicity} ~~solemnity~~. Frequent discussions of this subject have taken place in the Société générale des Prisons, in the Comité de défense des enfants traduits en justice, in the Congrès de patronage, ^{in the} ~~in the~~ Conseil supérieur des prisons etc.. With reference to these subjects one may read with profit the luminous work on "Les Procédures d'information relatives aux mineurs" by M. de Casabianca.

The bill proposed by the Conseil Supérieur des Prisons in 1909 must be mentioned here. It deals with all juvenile offenders under the age of 18. In this is laid down the principle that no child under twelve who is held to be guilty of breaking the law should go before any repressive court. He is to be transferred by the public minister to a new and special court that shall take charge of the case and if found guilty measures of security, of surveillance, of discipline and of such assistance as may be necessary, are to be under

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this court. The accused is to be held for safety where ^{ever} the magistrate may direct, under the provisions of the bill, but never in a prison.. But these are only negative provisions. It is further necessary to verify the facts about the child, to learn all that ~~it~~ is possible about him and to take measures for his interest and for the interest of society, often measures of long duration; to follow up the carrying out of these measures and to modify them when there is need. To carry out this complex program an organ is necessary. What organ? A court or magistracy at the same time social and familiar which will watch over the child without ^{the interference} ~~prejudice~~ of any other jurisdiction.

Various suggestions were made in discussion, but the majority of the Conseil superieur preferred to place the jurisdiction in the hands of a single judge that responsibility might be concentrated. He is to be called the ^{counsellor} family adviser (Conseil familial). Without giving the details we may sketch ~~this~~ this portion of the bill.

The Conseil familial is to be aided by an indefinite number of deputies, men and women, for all that concerns, not the decisions, but the surveillance and care of the children.. They should also aid in the enquiries about cases of children from 12 to 18 years of age. They are to be in ^h sort American probation officers in French dress..

In everything concerning children under twelve the Conseil familial would investigate and decide. His own investigations should be ^{supplemented} ~~completed~~ by physical examinations by a physician. The The child and the parents may have counsel. The trial is not public.

Magistrates delegates from the Co/nseil, members of the societies of guardianship and relief societies admitted by him may be present. Appeal may be made to the Minister against any decision of the Conseil. This ^{arise} might be in case of putting the child out of the custody of the

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family without their consent, or charging the whole or part of the maintenance of the child on the family.

None of the measures taken having anything of the nature of a ^{penalty} ~~sentence~~ or condemnation, the question of "discernment" does not come up. The ^{State attorney} attorney general (procureur) of the Republic is charged with the responsibility of seeing that the decisions of the Conseil are executed.

Youth between the ages of 12 and 18 would continue to be brought before the repressive judge (Criminal court(?)) They may be held for detention in a prison but in separate quarters. They may be released under surveillance.

Conclusions. I. Juvenile offenders ought to be submitted to a different regime from that applicable to adults. The knowledge of the psychology of juvenile delinquency, of the conditions of existence of the duty of society in the protection, correction, and reformation of children and youth ; the need of society to protect itself from juvenile crime , agree in the statement that there should be a different method of treating youthful offenders.

II. The little child who has been accused of breaking the law before he has reached the age of twelve, ought not to be brought before the criminal court , nor submitted to criminal procedure nor even brought before a so-called judge. He should be brought before an authority competent to verify the facts , to investigate his usual conduct , his education, his surroundings and if necessary to take means for taking care of him, watching over his education , and giving such training , discipline and aid as may be needed according to the circumstances of the case.

II. This principle being granted does not permit identical modes of application for all ages included in the period of penal minority.

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III. The principal being created does not permit identical nature of application for all cases, in the matter of penal authority.

Summary
IV. This important work requires a special magistracy, ~~but~~ which, without being a tribunal, should advise and decide with regard to juvenile delinquents under twelve years of age. There may be difference of opinion as to the name to give to this court and as to its organization, whether the power shall rest in one, two or several persons, or in a select council, where the judicial element should always be represented, but should not be the only representant.

V. This court ~~which~~ should be under the public minister, ~~who who~~ should act for the good of the helpless as well as for the safety of society, ^{and the forms of procedure should be simple, hearings} ~~should proceed in the most simple forms~~. The ~~xxxxxxxxxx~~ should not be public but public authorities should be represented and independent persons known to be interested in childhood may attend. The decisions, ~~in~~ which may always be modified by itself under certain conditions, may be appealed. Families may have right of appeal in certain cases and to the minister in all cases.

VI. This court, whatever the mode of its organization, ought ~~to be~~ not only to give decisions, but to make investigations, to exercise the power of probation and release under surveillance, acting as a central office with deputies of both sexes analogous ^{to} American probation officers.

VII. It will always be necessary to have the custody of the child under twelve. Suitable means of guarding and caring for him ought to be put at the disposal of the magistracy. But detention in a prison should not be allowed on account of its corrupting effect ^{on a child} if in contact with other prisoners, and as too severe if placed in solitary confinement.

may be differences of opinion as to the name to give to this court and as to the organization, whether the power shall rest in one, two or several persons, or in a select council, where the judicial element should always be represented, but it could not be the only representative.

II. In regard to the court, the authorities having the power to V. The court should be established under the judicial authority and should not be the same as the legislative, as well as for the safety of the country. The court should be independent and should not be influenced by the executive or the legislative branches. The court should be composed of judges who are not public officials and who are not interested in the result of their decisions. The decisions, in which they always be notified by itself under certain conditions, may be appealed. The court may have the right of appeal in certain cases, and to the minister in all cases.

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VII. It will always be necessary to have the custody of the child under review. This means of a judge and calling for his court to be put at the disposal of the authority. But detention in a prison should not be allowed on account of its corrupting effect. It is to be kept with other prisoners, and as for review it should be subject to a final decision.

VIII .Juveniles accused of crime, after the age of twelve, should be prosecuted before ^a criminal court, but always after examination.

IX. In regard to these cases the authorities having the power to examine and sentence, should, without going beyond the limit of the existing judiciary, as far as possible be specialized. In France, for example, they should still be trial justices (Juges d' instruction) and criminal courts (tribunaux correctionnels), but under the following conditions:

X. Everywhere where there are already, or where they might be created, several trial judges, one or several of them should be specially charged to be the permanent examiners of these juvenile cases.

XI. Wherever it is possible there should be in these tribunals *(une chambre special non soumise aux regles de roulement)*? a special chamber not subject to the ~~law of rotation~~ ^{be}. If that is impossible the hearing should at least ^{be} by itself.

XII. The criminal court ~~when~~ thus constituted should have competence not only in dealing with misdemeanors, but with felonies (crimes) .

with XIII. Detention may be in a prison in cases where it is necessary, but separate provision. Liberty must be granted to the examining magistrate to grant temporary guardianship, before sentence, in the family or outside the family, with surveillance. This may be prolonged by the court to a suitable time.

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IV. The special court instituted for accused under the age of 12
is already hinted, may cooperate ^{with} to furnish to the examining magistrate ^{by far}
^{reaching} facts concerning accused youth ~~over~~ above 12. This cooperation
would have weight in the investigations and in the surveillance.
It would not exclude the cooperation of guardianship societies,
nor that of Comités de défense des enfants traduits en justice.

The examination should always be followed by medical opinions.

XV. the hearings should not be public. The law should determine who
may be present and ~~it~~ should be opened to certain qualified persons.
These restrictions should also be applied to cases where minors and
adults are implicated together, and in criminal processes where minors
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Fourth Section
First Question
Abstract

Juvenile Delinquents

By Dr. Egge de Balogh, Professor in the
University of Budapest.

In answer to the first question it may be said that the genral laws of criminal procedure concerning adults should not be applied to minors without important modifications. . . There must be radical changes in methods . It is indispensable to have special courts for minors in every state where juvenile crime is assuming disquieting proportions. . The special magistrate should ~~should~~ receive such information as will enable him to wisely dispose of the cases that come before him. . Such a special tribunal will not have been in operation many months before it will be evident how many types of juvenile depravity are to be found in the large cities . And in making use of the methods of investigation, ; in ^{studying} ~~sounding~~ the problems connected with the criminality of youth, it will soon become evident how closely related are poverty, , the indifference and ignorance of parents, and the circumstances which govern the work and the pay of children , with the obstinacy, the turbulence and the general lack of discipline of the young. The judge should always be a man who shows an interest in his duties in dealing with children and one who is ready to study the individuality of each child.

Within the past few years my country has adopted the new idea which we owe to American legislation and w the merits of which were pointed out to us by the ^{decision} ~~eminent~~ and deeply regretted Dr. Barrows. By a ministerial resolution , published in 1908 , minors brought before the court were entrusted to a special judge . Probation officers were also appointed to aid the

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judge in his efforts to know the young delinquents , and to gain the data necessary to know how to make the right disposition of the youthful culprits.

The organization of juvenile courts ought to be immediately followed by legislative action fixing the jurisdiction of these courts . The necessity for this is seen in the fact that the procedure for minors must be quite different from that for adults and the judge must keep up with the wonderful progress in penal science . It is forbidden him to swerve from the new duties imposed upon him by recent legislation..

In trying juvenile delinquents the question of guilt is not the chief one. The interest of the child is the important factor to be considered . There must be an enquiry as to his life before the alleged offense, his occupation, his manner of living, his conduct , his social position and environment , his moral and intellectual development , the influence of his surroundings , whether he has had pernicious influences about him in his home and among his neighbors , or whether it was not in the home that his depravity manifested itself. In other words one must learn the most important facts about him in order to know how to arrange his future..

The court does not limit itself to learning the guilt of the child , but it assumes paternal authority and, if necessary it may suspend, at least temporarily the parental authority of the father and mother and take such measures as *are* needed to prevent the child from falling into further wrongdoing.

The judge will be in close touch with guardian societies and with persons who are prepared to give information and aid.

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with more leniency than if he is one of a band of street gamins. gamins.

I lay great stress on several things in dealing with young delinquents. First, that there should be a special physician in connection with the juvenile court, to decide upon the mental condition of the child as well as to give other information. Second, that there should be probation officers.

The new penal law for dealing with juvenile delinquents with all that it includes, will not be settled in one year or two. It may take ten years to develop it properly, as it has taken decades to develop penal procedure for adults.. When it shall have been crystallized it will be the beginning of a new era in the treatment of young delinquents.

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Fourth Section
First Question.

Abstract.

Juvenile Delinquents.

By J.A. Felineau, Civil Judge, Barbezieux, France..

The young vagrant, the young beggar, the young thief, is one day arrested. He is taken to the police station and to the prison ~~house~~ of detention where nine times out of ten he comes in contact with the worst criminals, hears their talk, listens to their advice.. Justice does not seem to him so terrible. He sees the arrogance of criminals with the magistrates, hears the laughter of the audience at the coarse jokes, and when his turn comes imitates these chiefs in crime as if he wished to earn his own first decorations. Let no one say that we exaggerate. As advocate and as magistrate this sad spectacle has been too often under our eyes. There is no spectacle more demoralizing.

If the child is returned to his home it is usually a return to vagabondage, to begging, to stealing, to crime. If he is sent to a reform school it is not much better, for there is the daily contact of the bad with the worse, of the curable with the hardened, of the normal with the abnormal. This of course might be lessened in evil effects if there could be a closer classification in institutions. Still it is not a palliative that we seek, but a remedy.

It would seem that the United States have found that remedy, for they have inaugurated a system which merits close study. We will give the chief features of this system as reported in the Musée Social, 1906 (Arthur Rousseau, editor, Paris) No. 4.

[Statistics concerning the childrens courts of Denver, Chicago and Salt Lake City are given.]

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social protection! And that is our aim.

We might cite more facts to show the excellence of the American system, but it is superfluous, ~~here~~. We have found here elements which in our opinion characterise penal legislation for juveniles. They are: 1. special courts; 2. liberty under surveillance, social detention; 3. children in moral danger; 4, adult accomplices and negligent parents.

1. The special courts have, if possible, a special judge, a separate room for the hearing, procedure ~~xwithxspecialx~~ not open to the public and special decisions.

2. The child who is arrested is never confined in the common police station; never kept in the common prison. ² 3, in case of incorrigibility, or of depraved parents, he is sent to a reform school or to some guardian society, but whenever possible he is entrusted to his own family under conditional liberty. That is a characteristic of the American system. ³ 4, There is always an attempt to place the responsibility for juvenile crime on adults, parents or others. ⁴ Parents or others guilty of negligence or of conduct contributory to juvenile delinquency, are subject to punishment.

The court has within its jurisdiction the care of neglected and abused children and becomes their protector. It is the arbiter in school and child labor laws.

One may say that the American system has foreseen all that in our premises we have considered indispensable to rescue children from crime and to prevent crime among the young.

Conditional liberation under surveillance is logical, rational, normal, when it keeps the child in the family and where, save exceptionally, the child will find care, love, good example and supervision. It recalls its duties to the family, so that it

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reaches a twofold result : it cures both the child and the family.

The following are our conclusions: Children and youth , delinquent or criminal, ought not to be treated like adults either as to procedure or penalties.

The child must have education and protection . If guilty he must be kept apart from hardened criminals; he is rather to be healed than to be punished.

The reform of the young delinquent or criminal whenever possible, ought to be the work of his own family . Parents and adult accomplices in wrong-doing should be made penally responsible for the crimes of childhood.

We have then the honor to present to the Washington Congress the following:

In civilized countries a serious study should be carried on with the object of rapidly creating special courts for children and youth that they may be rescued from crime , with the aid and under the responsibility of their families wherever that is possible.

That there should be an international bureau to take measures to bring this about.

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JUVENILE DELINQUENCY IN A SMALL CITY.

E. W. Burgess, Ohio State University.

Numerous studies have been made of juvenile delinquency and dependency in the cities. The small city and the town have been overlooked. Yet the problems of child development are present in the smaller community, and are even more difficult of solution, because of the survival of the traditional point of view, and because of the absence of the trained social worker. The difficulty is increased rather than diminished by the fact that institutions, such as the Juvenile Court, which were developed to meet city needs, are transferred to the country unmodified with reference to a widely different situation.

The following study is a fragmentary one. Not enough cases are included to give it statistical value for the making of generalizations. But it does have a value as a pioneer attempt to indicate the main facts in the situation of child delinquency and dependency in a small city of 12,000 in a rural state. With this end in view a study was made of juvenile delinquents and dependents for a two-year period beginning May 1, 1912, and ending April 30, 1914. During this time fifty-two children were brought into the Juvenile Court.

The facts of age, sex, and race stood out at once. The majority of the children were in the age group from eleven to sixteen. There were only nine children between the ages of six and ten, and but nine boys and girls five years old and under. Thirty-two boys and but twenty girls were brought before the juvenile judge. The proportion of delinquency was higher with the colored than with the white children.

A detailed analysis of the less obvious facts such as residence, nature of delinquency, and disposition of the cases will lead us closer to the underlying factors in the situation. A study of the residence of delinquent and dependent boys and girls brought out a striking difference

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Various studies have been made of juvenile delinquency and dependency in the city. The small city and the town have been overlooked. The problems of child development are prominent in the smaller community, and are even more difficult of solution, because of the isolation of the traditional point of view, and because of the absence of the trained social worker. The difficulty is increased rather than diminished by the fact that institutions, such as the Juvenile Court, which were developed to meet city needs, are transferred to the country unmodified with reference to a widely different situation.

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in proportion of delinquents and dependents from the different wards. The following table gives us a classification of children by sex and race according to residence in the various wards:

NUMBER OF CHILDREN APPEARING IN THE JUVENILE COURT.

WARD	BOYS		GIRLS		TOTAL	% OF TOTAL NUMBER OF CHILDREN FROM 5 to 17.
	White	Colored	White	Colored		
I.	11	2	2	2	17	3.22
II.	2	2	0	0	4	0.82
III.	3	1	4	0	8	1.55
IV.	7	1	5	35	16	10.55
V.	0	0	0	0	0	0.00
VI.	2	0	2	1	5	2.06
	25	6	13	6	50	
	22.76%	4.22%	1.48%	3.24%	of total number in particular juvenile group.	

Boys appearing in Juvenile Court 31, or 2.96% of total number in juvenile boy age group. Girls appearing in Juvenile Court were 19, or 1.79% of total number in juvenile girl age group.

The statistical method used here of computing the percentages of the delinquent juvenile groups upon the basis of the total number in the juvenile group in question seemed to the writer the only fair basis. By juvenile age group is meant the total number of children of the ages from 5 to 16 years inclusive. By percentage number is denoted the proportion of delinquents to the particular age group.

The grouping by sex and race shows certain significant things. The colored boys lead in delinquency with a percentage number of 4.22, followed by the colored girls with a percentage number of 3.24, followed by the white boys with a percentage number of 2.76, with the white girls last with a percentage number of 1.48. As indicated here, the difference between the sexes is more striking than the differences between the race. While only a third more colored boys in proportion to their number were brought into the Juvenile Court, more than twice as many colored than white girls found their way there.

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NUMBER OF CHILDREN APPEARING IN THE JUVENILE COURT.

WARD	WHITE	COLORED	GIRLS	TOTAL	% OF TOTAL NUMBER OF CHILDREN FROM 5 to 17.
I.	11	2	2	15	2.32
II.	2	2	0	4	0.82
III.	3	1	0	4	1.25
IV.	7	1	2	10	10.85
V.	0	0	0	0	0.00
VI.	3	0	1	4	2.08
	26	6	5	37	
	4.22%	1.48%	2.34%		

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residence. In the fourth ward, for example, one out of every ten children over 5 and under 17 years old, appeared before the juvenile judge. If this proportion should be maintained for an eleven year period and if there were no repeaters corresponding to the juvenile age group, one-half of all the children in the fourth ward would have appeared in the juvenile court. The fact that the proportion of juvenile delinquents from this ward is more than three times as large as that from any other ward gives us a clue to the causes of the problem. The race factor is not the chief one, because three-fourths of the juvenile delinquents from this ward are white. The underlying cause is the low grade home conditions which tend to the demoralization of the child. The bad housing conditions of the city are concentrated in the fourth ward. Poverty is present in the homes and finds expression in the stunted growth and undernourished bodies of the school children from this ward when compared with those of the other wards. This is the one ward within the city which has within its borders neither a church, nor a school, nor a playground. The report of the health supervision of school children showed that seven-eighths of the children in the New York school were unvaccinated. The business street which forms its western boundary has a distracting and a quite demoralizing influence upon the children of this ward. A study of these facts demonstrates the necessity for conscious community action to save the child. Would the supervised playground here as in the city be the social prophylactic for juvenile delinquency?

A comparison of conditions in ward 4 with the situation in wards 5 and 6 exhibits the influence of geography upon child development. The economic condition of the inhabitants of these wards differed but little from the ward studied above. The proportion of negroes is as great. Yet the fifth and sixth wards have an extremely low juvenile delinquency rate. Two geographical factors enter into this result.

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Penitentiary. The small community needs a playground as well as a large city.

The work of the juvenile court as an institution, however, can only be fairly studied in the disposition of cases and the life-history of its wards. The wisdom of the juvenile judge has been shown in the fact that only twelve of the fifty-two individuals^{have been} sentenced to the state Industrial School, and in the case of three of these sentence was suspended. Six children have been sent to the children's home and five have been adopted. The remainder have been paroled. Experience has taught the judge of this court that the boy or the girl should be sent to the state industrial schools only as a last resort.

In counties containing but small communities, the juvenile court functions under grave limitations. The juvenile judge is elected as probate judge and the work of the juvenile court tends to become a by-activity with him both in office and when running for office. Then, too, the juvenile judge in the rural county faces conditions similar to those in the city, but without adequate means of meeting them. For example, in the small as well as the large community, a close correlation exists between feeble-mindedness and juvenile delinquency. But in the town and village there are no facilities for mental examination and no ungraded rooms in the public school for the mentally deficient. The compensation for the probation officer is so inadequate that only incompetent service is likely to be secured.

The problems of juvenile delinquency, then, in the town or small city appear to be as real and pressing as those of the large city. The agencies, transplanted from the large community, have however, not as yet become adapted to the changed environment. The situation challenges the attention interest and efforts of the friends of the child. We need a constructive program for the promotion of the welfare of children in our smaller as well as in our larger communities.

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