

ANNUAL REPORT

OF THE

STATE BOARD OF CHARITIES

FOR THE YEAR 1895.

TRANSMITTED TO THE LEGISLATURE MARCH 25, 1896.

WYNKOOP HALLENBECK CRAWFORD CO.,
STATE PRINTERS,
ALBANY AND NEW YORK.

1896.

REPORT.

THE WESTCHESTER TEMPORARY HOME FOR DESTITUTE CHILDREN.

Visited without notice January 6, 1896, by Commissioner Litchfield, as a special committee, accompanied by Inspector of Charities, James O. Fanning, and a stenographer.

I have the honor to report that I visited and inspected this institution January 6, 1896, accompanied by Inspector of Charities, James O. Fanning, and by a stenographer.

The object of the visit was to inquire into certain reports alleging severity in the discipline, as well as to make the usual inspection.

We first thoroughly inspected the entire institution. There are now 159 inmates, between 3 and 15 years of age, a number of whom are colored.

The main buildings were destroyed by fire in February last. The new buildings are as yet incomplete, and it will probably take several months to make them tenantable, although they were contracted for to be ready on January 1, 1896. The delay is attributable to building strikes and the other usual causes. In consequence of this, some of the children are housed in two cottages a mile distant from the other houses. All the buildings thus temporarily in use are badly overcrowded, and the beds in the little temporary wooden bunks are poorly made up. The institution is even now receiving additional children, although in the present state of affairs it ought not to do so, but should rather be discharging some of those it has in charge.

The general health of the children appears to be good, and they look well fed, although not quite as well cared for in the matter of clothing or shoes as is to be desired. The management appear, however, to be anxious and desirous to do their best, and much

allowance must be made for the difficulties under which they now labor.

The census of the inmates and of the officers, and the further results of the inspection, will be given in a separate report, the intention being to confine this communication as nearly as possible to the inquiry into the methods of discipline.

After completing the inspection we sent for several of the boys and examined them, one at a time, in a private room, with nobody present besides myself but, Inspector Fanning and the stenographers the superintendent, Mr. Pierce, was called and examined privately as to the statements made by the boys and on matters pther. The testimony of these boys was taken in writing. After-kindred thereto; and his and their testimony is appended to this report.

It seems that the superintendent has been for sixteen years in the habit of using a chain for the punishment of certain offenses, particularly that of "running away." The boy wears this chain continuously night and day, whether in his bed or at his studies, or going around the house or grounds.

On examination the instrument proved to be a strong chain, with two heavy padlocks. One end was placed around the boy's ankle and padlocked snugly in place; the other end was similarly placed around the other ankle. The length of chain left between the two feet was about 12 inches. The total weight of the instrument varied in different examples from $2\frac{1}{2}$ to $2\frac{3}{4}$ or 3 pounds. The superintendent claimed that the ankles were usually protected by buckskin wrappings. He admitted that in one case, that of William Yerks, 14 years of age, this precaution was neglected for several weeks. On a personal examination of this boy we found that his ankles had become markedly calloused in a ring running around them, but more especially so at four points, namely, the front, rear, and two sides. These chains were taken off at bedtime for the purpose of undressing, but immediately replaced, and the boy kept on his stockings for protection from them. Another boy, one Patterson, said the chains made no sores and he showed no callosities.

On one occasion two boys were chained together by the ankles for at least a couple of days, and were handcuffed at the same time, sleeping the intervening night on two beds placed side by side.

The superintendent claims that only three boys have been punished by the use of chains during the last year, being one Weeks, who left the institution a few days ago (discharged), and Patterson and Yerks, who testified before us. These boys claim that they had worn the chains for a period of six and seven months, respectively.

The superintendent admitted that it was possible that Yerks may have worn his chains for seven months in all, but he was positive that Patterson did not wear his for the six months he claimed.

It seems also that the children are punished occasionally by the use of what they call a "cat-of-nine-tails." This, on examination, proved to consist of what looked like a light drumstick, about 14 or 15 inches in length, to the small end of which were fixed, by the middle, five brown leather shoe or boot laces, making a cat-of-ten-tails. This is not a formidable instrument, although it must sting if well laid on. It is applied to the boys upon the bare buttocks and upon the hands. The boys claimed that it was sometimes applied to the backs of the hands as well as to the palms. The superintendent, however, stated that if it was so used on the backs of the hands that it was only by accident.

The boy Patterson said that he deserved the whipping received; that he was punished for fighting.

It appears that the girls have, in at least two instances, been punished by chains, but that the practice has been discontinued for some years. They are now punished, when necessary, by the cat-of-nine-tails on the palms of their hands or by cutting their hair, as a mark of disgrace. Girls have been in former years punished by whipping with the above-described "cat," after being put to bed in their nightclothes and covered with a sheet. This practice has been absolutely discontinued since several years.

The superintendent justified the use of chains as being better, in his judgment, than locking up in a cell, either light or dark, and feeding on bread and water, inasmuch as by this system the boy goes around the place as usual, and his health is maintained. He also states that he does not use the "cat" frequently, and that it has not been in use for a fortnight. He keeps no record whatever of the punishments, and I think he was possibly mistaken in stating that but three boys had worn chains during the last year.

Recommendations.

I recommend that the use of the "chains" in any form, whether as a punishment or a deterrent, be absolutely discontinued.

I further recommend that corporal punishment be discontinued.

In view of the very crowded condition of the dormitories I recommend that no more children be received by the home, until this state of affairs is remedied, either by securing additional temporary accommodation or by making prompt, earnest and diligent efforts to place out some of the surplus population.

The above report and recommendations are respectfully submitted.

EDWARD H. LITCHFIELD,

Commissioner, Second Judicial District.

The State Board of Charities, having at its session, January 8, 1896, fully considered and accepted the report and recommendations of Commissioner Litchfield, in the matter of the investigation into the alleged improper treatment of inmates of the Westchester Temporary Home for Children, do thereon make the following declaration of its opinion:

1. That the use of chains for either punishment or restraint, as shown to exist in the home, is the practice of cruelty to children, abhorrent to the enlightened sentiment of this age, and merits severe condemnation.

2. That the Board reiterates the opinion expressed in 1889 in its twenty-third annual report, to the effect "that whatever may

be said in favor of or against corporal punishment by whipping of children in families or in common schools, its tolerance in corporate and private institutions, without its natural restraints of parental instincts in the family, and of public criticism in the common school, is a tolerance that can not be divorced from an inevitable tendency to abuse;" and further, that once admitted as an exceptional or extraordinary remedy, its use inevitably extends until it becomes the chief reliance for enforcing discipline; and that familiarity with this form of correction leads to cruelty, brutality and inhumanity, and is pernicious in its influence on both officers and inmates, and in the end detrimental to discipline; therefore, be it

Resolved, That the secretary of the State Board of Charities be instructed forthwith to notify the managers of the Westchester Temporary Home for Children, in writing, that the use of chains upon the children in its custody for punishment or restraint must at once be stopped, and that corporal punishment upon such children must be abandoned.

And further, that upon failure to comply with this instruction, this Board will issue its mandate under the Constitution and the statutes and proceed to enforce the same.