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**BENEVOLENT AND PENAL INSTITUTIONS.**

**152. Prelude.**—There is, perhaps, no surer proof of advanced and advancing civilization than the manner in which society cares for the defective—the imperfect—classes, and administers lawful punishment to evil-doers. Every one recognizes that age, infirmity, and misfortune may and do create claims upon both the sympathy and the aid of society; while the very name, penitentiary, indicates clearly that we have wisely established a place where law-breakers—presumably penitent—shall be punished and, that which we so often forget, reformed.

**153. Four Classes.**—There are four great classes which need the almost constant care of society: (1) the defective; (2) paupers; (3) vagabonds; (4) criminals.

**154. First Class.**—The defective include the insane, the blind, the deaf and dumb, and the feeble-minded (or idiotic). For all these our State makes ample provision.

The *insane* are divided into two classes,—those needing only general care and oversight, and those needing special

treatment. For the first, the law provides guardianship. This is secured through the Probate Court, which has special jurisdiction in all such cases. Information of the insanity is duly given, and a jury of six persons, one of whom must be a physician in regular practice and of good standing, hears the facts in the case and determines the condition of the person. If the Court thinks it unnecessary to send the person to an asylum, the Probate Judge appoints a guardian, who must give bonds, and who is entrusted with all the property and business of the lunatic. This guardian acts very largely under the advice and control of the Probate Judge, and may be removed by the latter for neglecting business or for disobeying any order of the Court. Probably no better way could be devised for protecting all the interests of a person of unsound mind. Yet the opportunities for fraud on the part of both the guardian and the Court are very many; and the very helplessness of the lunatic should increase the care with which we select our Probate Judges.

If the Judge thinks the person needs special treatment, he applies to the Superintendent of one of the *State Insane Asylums* for the admission of the lunatic, which is granted whenever there is room for such patient. Of these asylums Kansas has two, one at Osawatimie, the other at Topeka. The buildings are erected at public expense, and a large share of the cost of maintaining the institutions is borne by the State treasury. Whenever the patient has means sufficient for his own support and that of his family (if he has one), the Probate Court orders the guardian to pay for his maintenance at the asylum. If he is not able to support himself and his

family (if he has one), or if he is a minor and his family is not able to support him, the county in which he resides is made responsible for his maintenance while under treatment. If restored to health, he is at once restored to liberty as well, and to full control of his property.

**155.** The *Asylum for the Blind*, or, as it is now called, the Kansas Institution for the Education of the Blind, is situated at Wyandotte. It is in charge of a Superintendent, with the usual teachers. As far as possible, the family or friends of the blind pupils contribute towards their support. Failing in this, however, the Overseer of the Poor in the township in which the pupil resides makes due provision from public funds for his care and instruction. Besides general schooling, the pupils are taught some useful trade or calling.

**156.** The *Institution for the Education of the Deaf and Dumb* is located at Olathe. In general management, regulation, and instruction, it is very similar to the Asylum for the Blind.

This is also true of the *Asylum for the Feeble-Minded*, located at Winfield.

**157. Second Class.**—*Paupers* are those who are unable to supply themselves with the necessaries of life, and are compelled to ask either for entire support or for aid. The statute requires each county to support its own poor, and makes the Township Trustees and the Mayor and Council of each city *Overseers of the Poor*. These Overseers examine all cases reported to them, and determine the amount of relief needed and in what way it shall be granted. Several plans are followed. Some-

times aid is given directly to the persons in need. In certain cases others are paid the reasonable cost of caring for the pauper. Children of paupers may be bound out by the Overseers; that is, may be compelled to enter the service of others, working as far as possible for their own support. Most counties own what is known as a *Poor-house* or *Poor-farm*, where, under a Superintendent, the poor are cared for and the farm worked in their behalf—the paupers performing as much labor as possible.

**158.** The subject of the treatment and care of the poor does not receive as much nor as intelligent attention as it deserves. There is a wide difference between the worthy poor and those who are made paupers by their own idleness or viciousness. How to separate these; what shall be the plan for assisting each; how to make the receiving of aid sufficiently disgraceful and unsatisfactory to prevent an increase of paupers, and, at the same time, avoid neglecting those who really deserve assistance; how to prevent the terribly demoralizing effects of herding all classes and sexes together, as is only too common in some of our poor-houses; how best to help both classes help themselves; how to lessen poverty,—these are questions to which every citizen should give most careful thought.

In this connection should be noted one specific provision of the statutes. In case of the death of an ex-Union soldier, sailor, or marine, without leaving means sufficient to defray the funeral expenses, the Township Trustee, or some other person appointed by the County Commissioners, is authorized to see that the body is decently buried (the expense not to exceed \$50) and the grave marked by a suitable headstone, not to cost more than \$20.

**159.** The *Soldiers' Orphans' Home* is in charge of the Trustees of State Charities, and provides for the education and maintenance of all poor children between the ages of two and fourteen years, preference being given to children of disabled ex-Union soldiers or sailors, or of those who have died poor. The children cannot be kept at the Home after they are sixteen years old. This institution is located at Atchison.

These expressions of gratitude to the men who perpetuated the Union are among the most worthy we have placed in our laws.

**160.** The *St. Vincent Orphan Asylum*, at Leavenworth, receives orphan, destitute, and friendless children, and secures homes for them; binding them out or apprenticing them whenever it may seem desirable, but never longer than until they come of age. It is not under the control of the State, but is aided by Legislative appropriations.

**161. Third Class.**—*Vagabonds* are those who wander about from place to place, or loiter around any given place, without any occupation or any visible means of support. The statute of Kansas calls them *vagrants* under certain circumstances,<sup>1</sup> and inflicts either fine or imprisonment. As every county is presumed to care for its own deserving poor, vagabondage is thought to indicate willful and vicious neglect of self-support, and therefore the law strikes sharply at such offenders.

**162. Fourth Class.**—*Criminals*, under the statute, are those guilty of any violation of law. Acts or omissions

<sup>1</sup> When found in drinking-saloons, or gambling-houses, or other places of ill repute, or, if able-bodied married men, when neglecting the support of their families.

for which the laws of this State inflict punishment are called *Public Offenses*. Of these there are two classes: *Felonies*, or offenses punished by death or by confinement at hard labor in the penitentiary; *Misdemeanors*, a name applied to all offenses which are not felonies.<sup>1</sup> The places for detention and punishment are the city prisons, the county jails, the State penitentiary, the reform school, and the State reformatory.

**163.** *City prisons* are under the control of the city authorities, and are occupied only by those violating the city ordinances. Cities of the second and of the third class are permitted by law to use the county jail as a city prison if they so desire.

**164.** A *County jail* is provided by each county organized for judicial purposes. It is built at the county-seat, and is inspected by the County Judge and the County Attorney at each term of court. The Sheriff has charge of the jail and of the prisoners, and supplies the latter with all necessaries. The occupants of a county jail are those awaiting trial, those undergoing punishment, and those awaiting transfer to the penitentiary.

**165.** The statute recognizes, and endeavors to guard against, the dangers of association and of crowding. It declares that all prisoners shall be treated with humanity, and in a manner calculated to promote their reformation. If the jail will admit this, the younger prisoners

<sup>1</sup> The statute also speaks of *infamous crimes*, which name is applied to the most atrocious or offensive felonies. All persons convicted of felonies are declared disqualified, or rendered incompetent, to be jurors, or to vote, or to hold office, unless restored to civil rights by pardon. Offenses against city ordinances are neither misdemeanors nor felonies.

are kept separate from more experienced and hardened criminals. Women are given separate rooms. Parents and friends who desire to exert a moral influence over the offenders are permitted to visit them at all reasonable times. A Bible or Testament is given to each prisoner, and ministers of the gospel can converse with them at any proper season.

Notwithstanding all this, it is to be feared that the influence of the greater number of our city prisons and county jails is simply terrible. No regular labor is exacted of the prisoners, and idleness and association with others of his own class must be very demoralizing to every man within the walls. Very few jails are large enough to meet fully the demands made on their space, and almost none are well ventilated. The sexes are not often separated during the day, nor always even at night; hardened criminals and children are often thrown together; there is no employment for either mind or body. Competent inspectors, in various States, say emphatically, "*The common county jails are the common schools of crime and vice.*" Common humanity, common decency, a due regard for common public safety, unite in demanding that good citizens shall study this question with the greatest care, and bring to bear upon it all the results of the widest and most accurate investigation.

**166.** The *Penitentiary* is situated at Lansing, near Leavenworth. The general management is in the hands of three *Directors*, appointed by the Governor. Each Director holds office three years. The officers directly in charge are a *Warden*, who is the principal keeper, and must reside at the penitentiary; a *Clerk*, a *Physician* and

*Surgeon, a Chaplain, a Deputy Warden, such Assistant Keepers* as the warden and the directors may deem necessary, and an *Architect*, who is superintendent of the construction of the buildings and walls. Of these, the first and the last are appointed by the Governor; the others, by the directors.

The punishment at the penitentiary includes the hard labor exacted of every convict, the absolute silence which he is compelled to maintain, and the fact that, though working with others, he is really alone, because of nothing but physical companionship. To this was once added hard fare; but at present the diet, in quantity and quality, is rather better than that to which the average prisoner is accustomed before conviction. As a means of occasional and special punishment, however, scanty fare is still used.

167. Kansas employs its convicts in two ways: directly for the State, as in mining coal at the penitentiary shaft, or in various kinds of labor about the institution itself; or by hiring the convicts on contracts to those who will use them in some industry carried on inside the prison walls. In this way the prisoners are kept busy, have an opportunity of earning something for themselves, and can make the institution in a measure, if not entirely, self-supporting. The women, always quite few in number, are confined in separate quarters, and employed in work connected directly with the institution.

Effort is put forth in several directions to reform the convicts. The statute requires that three hundred dollars shall be spent each year for books for their use. The chaplain is expected to do a great deal towards instructing them and guiding them to a better life. They are

taught some useful trade, which they may follow when they are again free. A small percentage of their wages is laid aside to be given them when they are discharged; which savings may be forfeited by bad conduct. Good conduct entitles a convict to a deduction of three days per month for the first year, six days per month for the second year, and eight days per month for each year thereafter. All these measures tend to encourage the prisoner to reform and to prepare for a better use of his freedom when it comes. It is gratifying to know that they are successful in the greater number of cases.

168. The *State Reform School* is near Topeka, on a farm of a hundred and sixty acres. It is under the general oversight of the State Board of Trustees of Charitable Institutions; and in special charge of a *Superintendent, Matron*, and other and usual officers and teachers. Boys under sixteen years of age whose sentence renders them liable to imprisonment, or who lead a vagrant life and cannot be controlled by parents or guardians, may be sent to this school. There they remain till they are twenty-one years of age, unless discharged or bound as apprentices. They are given general instruction, are taught to labor, and are placed under all influences that the State can control which may lead to reform.

The *State Industrial School for Girls* is located at Beloit. Its purposes and management are similar to those of the State Reform School.

These schools are an outgrowth of the feeling already referred to, that young offenders should not be confined with more experienced and hardened criminals.

169. A "*State Reformatory*" was located at Hutchin-

son, intended for male convicts between the ages of sixteen and twenty-five years, not known to have been sentenced to State's prison, in this State or elsewhere. The building is not yet completed nor occupied, but it is hoped that the Legislature will authorize its completion soon. The law provides that the managers may use either farm work or mechanical industry as part of the means for securing good habits and a better life. The general management is to be much like that of the penitentiary.

**170. Conclusion.**—We have learned much during the last half-century about the proper and wise treatment of criminals; but the great problem for all good citizens to aid in solving is, *how to lessen or prevent crime*. Undoubtedly a proper study of this question will show us that the only method is to go right into the families of the vicious, and separate children, at an early age, from criminal parents; placing them under influences that tend to honest and industrious lives. Just how this can best be done, if at all, is yet to be determined.

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LAND SURVEYS.

**171. Prelude.**—The National Government has adopted a system of surveying the public lands which touches the every-day life of all citizens so closely as to deserve some explanation. In this State, as in all Western States, nearly all land outside of cities is described (or bounded) and bought and sold according to this public or *Government Survey*. Every resident, therefore, should

know something of the system, and of the meaning of the terms used in connection with it.

**172. Principal Meridian.**—Choosing some natural and permanent point, as the junction of two rivers or a solitary hill or mountain, the surveyors run a line north or south from this point, called the *initial point*. This line is called the *principal meridian*. In the Government system, the first of these is the western boundary of Ohio. The *sixth* is the meridian for Kansas; and is the west line of Washington, Clay, Dickinson, and Marion counties.

**173. Base Line.**—Crossing the principal meridian at right angles, that is, running east and west, is a line known as the *base line*. The base line for Kansas is the *northern boundary of the State*.

**174. Range Lines.**—Six miles east of the principal meridian another north and south line is run; and six miles east of that, another; and so on. Similar lines are run on the west of the principal meridian. These are called *range lines*.

**175. Township Lines.**—Six miles north of the base line another east and west line is run; and six miles north of that, another; and so on. Similar lines are run on the south of the base line. These are called *township lines*.

**176. Townships.**—The crossing of the east and west lines with the north and south lines divides the country surveyed into *townships*. These would be exactly six miles square but for the fact that, because of the shape of the earth, all the north and south lines would meet at the