VISITATION OF CHARITIES.

THE OPINIONS OF JOHN JAY.

A LETTER ON THE POSITION OF THE STATE BOARD OF CHARITIES TOWARD THE BILL TO GIVE THE STATE CHARITIES AID ASSOCIATION THE RIGHT OF VISITATION.

John Jay has written a letter to Miss Sarah M. Carpenter, Commissioner of the State Charities for the Second Judicial District, concerning the bill now pending in the Legislature, which authorizes any Justice of the Supreme Court to empower persons named by the Aid Association to visit any public charity in his district for inspection of its workings. He discusses at length the opposition of the State Board to the bill. Following is the text of the letter in full:

MADAM: During our recent official visit in West-Chester, when we touched upon the question of the Aid Association, you did me the honor to say that you would be glad to know more fully the reasons why I had regretted the opposition of the State Board to the pending bill, and why, as a visitor of the State Board, I would welcome its passage as securing for us the most valuable assistance. I respond the more readily to your courtesy after reading your elaborate report on the numerous charities of the Second District, and I recall with pleasure the expression of your wish that the two bodies might work in harmony. There is evidently a misunderstanding somewhere, which seems to be shared by some members of the State Board, and I observe that the distinguished Editor of *Harper's Weekly* (April 30), while declaring that "the assertion or implication that the State Board has been hostile to its volunteer ally, is wholly unfounded," holds that the Board "has been remiss in not frankly stating the grounds of its opposition to the bill as it stood," and adds, "it has been placed but none the less unquestionably in a false position."

Notwithstanding the amendment of the bill, it is reported that its passage still encounters the opposition of the State Board, and it certainly seems desirable and in accord with the high dignity of the State Board that, if it is not hostile to the Aid Association, the fact should be made clear; and if it is opposing the pending bill, it should state with frankness and courtesy the grounds of its opposition, so that its objections may be fairly met and the bill amended as may be found desirable. It authorizes any Justice of the Supreme Court to empower persons named by the Aid Association to visit, inspect and examine, on its behalf, during one year, with a view to the public benefit, any poorhouse or almshouse within the judicial district of such justice; and it would seem that by the amended bill the Association is to report annually to the State Board the result of their visits, with suggestions—a provision that recognizes the official supremacy of the Board and secures for it the labors of its city.

This plan of authorizing visitors through the judiciary has obtained for thirty years in the case of the Prison Association, and it applies also to institutions under the General Benevolent Act. When the State Board declined any longer to appoint visitors nominated by the Aid Association, excepting on the conditions that they should not report elsewhere than to the State Board, nor publish the information acquired without its consent—a condition which tended to delay the correction of abuses which might be arrested by a prompt invocation of public opinion through the local press—that new rule led the Aid Association to ask that their visitors be authorized by the justices. The managers asked only the right to visit, uncoupled with any restriction on their use of the information thus obtained.

NO DANGER IN THE BILL.

Now, if the Aid Association, under this apparently harmless bill, is in fact to obtain power that will supersede and humiliate the State Board, and disable its members from the performance of their grave duties, it is proper that that fact should be made to appear. If our countrymen are clear in their right to visit, when and by whom they please, their own charities, if they view with dishavor all official attempts to limit the popular observation of the official management of such institutions, they are equally clear on the point that there shall be no clashing of authority, no intrusion upon official powers, no interference with official rights and duties and responsibilities. Every official body and every individual official must be protected in his official right. On this point, in case the State Board shall think that the bill will curtail its powers, compromise and confuse the management of its trust, and arrest its efforts to correct abuses and establish reforms, it is conceded to be proper for it to show that these dangers are involved in the bill. Thus far this has not been done, and our most conservative people, those most interested in these matters, find no such danger in the bill. On the contrary, they demand, with singular unanimity, the passage of the act, as a measure which will secure to the State Board of Charities a continuance of the aid which it has enjoyed in the past from the Aid Association, which the citizens build has brought to their common work the best elements of society throughout the State, marked by character, culture, special training and large experience. They attribute to the Aid Association the skill, judiciousness and tact which only training and experience can give, with the added life, vigor and inspiration that are born of well-directed voluntary effort.

The question, therefore, as it stands, you will observe is entirely distinct from that of the rule adopted by the State Board, which was forcibly sustained by the argument that the State Board was responsible for the acts and utterances of its own appointees and must therefore control them; and the Aid Association did not discredit that principle when it held in its turn that its own visitors should report to the Association as the body on which rested the responsibility of their nomination.

NO RESPONSIBILITY ON THE STATE BOARD.

But the appointment of visitors for the Aid Association by the justices would impose no shadow of responsibility on the State Board. The new visitors would represent in their appointment neither the State Board nor any political body, but rather, as Mr. Choate said in his very able argument, which remains unanswered—his friends suggest for the reason that it is perhaps unanswerable—they would represent the public eye, the public conscience and the public judgment. It is in this light, as an association devoted to the public good, having and asking no legal power save the right to see with no restriction on the right to speak, exceptionally instructed in the science of pauperism, and with its trained county committees, thirty-one in number, that the continued assistance of this body, with the right to visit, is regarded by the most thoughtful, conservative, well-balanced, practical men among us as an invaluable aid to the State Board in detecting abuses and suggesting improvements for the judicious and wholesome management of the State charities, with justice to the beneficiaries on the one hand and the taxpayers on the other. This is the view held by such accomplished statesmen and men of affairs as Governor Morgan, Mr. Belmont, Mr. Dodge, and Mr. Hewitt, Mr. Peter Cooper, Mr. Astor and Mr. Vanderbilt, with bankers like John J. Cisco & Son, Morton, Bliss & Co., Brown Brothers & Co., Drexel, Morgan & Co., Seligman & Co.; great merchants and thorough businessmen like Royal Phelps, Samuel D. Babcock, Samuel B. Schieffelin, Jackson S. Schultz, Benjamin H. Field, Morris K. Jesup, Howard Potter, Samuel Sloan and E. S. Jaffray; jurists like the venerable Charles O'Conor, James Emott, George F. Talman, Theodore W. Dwight and Noah Davis; scientists like Drs. Egleston, Derby, Chandler, Dawson and Draper; men noted for their useful services to the public, philanthropy, and art, like Frederick Law Olmstead, Charles L. Brace and John Taylor Johnston; with names long identified with the respectability of New-York, like those of Stuyvesant, Gallatin, Cooper, Emmett, Cutting, Gracie, Kingsland, Kane, Hammersley, DeForrest, Bayard, Sands, Talmadge, Van Schaick, Lorillard, Delhanc, Murray, Travers, Prime, Iselin, Edgar, LeRoy and Livingston; and lastly, eminent divines versed in the philosophy and management of large charities, like Dr. Morgan, Dr. Henry C. Potter, Dr. Howard Crosby, Dr. John Hall and Dr. Morgan Dix.

While an endorsement of the pending bill by such names furnishes a sanction of the measures such as few legislative projects can boast, there are certain classes in our community whose opposition to any bill seeking to a scrutiny of our State charities would excite small surprise.

Regret it as we may, our politics are not humane. The increasing power and wealth of the Republic offer temptations, and our political methods, with the engrossment of our people in private affairs, afford facilities which the skill of our politicians, intensified by the desire for wealth and power, have successfully devoted to the construction and perfection of political machinery by which power has been wrested from the people and transferred to the managers of the machine; and popular government has been converted, as notably in this city, into a gigantic scheme of plunder. Hardly a place in the Nation has been too high for this corruption. At Washington it stained the lofty honor of the War Department, and National Commissioners bore to Vienna, as their contribution to the culture of the age, the morals and methods of our political slums. Since we met have been disclosed the Postoffice frauds that have been quietly hatched under the wrap-rascal of hypocrisy, and to-day the people of New-York, led by their physicians in solid phalanx, and demanding clean streets to avert threatening pestilence and an advancing death-rate, are answered from Albany that the cleaning of their streets is a matter of patronage and votes. When such an answer can be given to such assemblages as gathered at the Cooper Institute and at Steinway and Chickering Halls, one need scarcely wonder that the rights of children and paupers are not always too sacredly regarded in regard to the moneys and the offices connected with the State charities, and included in the general plunder alluded to in the maxim, "To the victors belong the spoils." The improvement in our prisons, poorhouses and asylums from fearless and rigid inspection, as voluntary and unofficial as that of Howard, has been very great; but we are still reminded how easily they might relapse into schools of brutality and vice, "through whose instrumentality the law itself was the principal teacher of the science of lawbreaking."

SOME STATISTICS.

Although the statistics connected with the poorhouses and almshouses, which alone the Aid Association asks the right to visit, as given in the interesting tables of the State Board for 1880, are small when compared with the total statistics, including Homes for the Friendless, Hospitals and Dispensaries, all of which are subject to visitation by the State Board, the number of persons relieved in the almshouses and poorhouses during the last year was 137,777, including more than 5,000 insane persons, and besides idiots, epileptics, blind, deaf-mutes and children. The estimated value of their property was about six millions, and their expenditures for the year, $2,300,000. And probably many managers and spoils-politicians, excepting such as are sufficiently astute to mark the threatening aspect of public opinion, are opposed to the addition of volunteer visitors named by a body in whose appointment they had no choice, and among whom they may have no friends.

But why among the opponents of this bill should be arrayed the State Board I confess I cannot understand, and its resolutions of January 11 seem to render its opposition the more mysterious, and to recall Mr. Curtis's regret that it has placed itself in a false position. The resolutions, as reported, declared:

"That the proper execution of the duty devolved upon the Board is not compatible with the delegation of similar powers to other bodies, and more especially to private incorporations, self-perpetuating and irresponsible."

Mr. Choate remarked of this clause that no terms could be more unhappily chosen to describe an association which devotes time and money for the public benefit, in revealing what is going on in charitable institutions, and which is dependent every hour on public opinion for its support. But is the proposition itself accurately stated and well founded? Do not the official powers of the State Board extend to many other State institutions and embrace wider functions, and is not the alleged incompatibility of the proper execution of those powers with the right of the Aid Association "to visit, inspect and examine" the poorhouses and almshouses a mistake? Do the character of these people of the Aid Association and the record of other laborers for the past eight years, really justify these suggestions of interference and incompatibility?

The recent address of their elected committee on the severance of their relations with the State Board, bearing the twenty signatures of Louisa Lee Schuyler, Abby Howland Woolsey, Theodore W. Dwight, Henry C. Potter, Florence Bayard Lockwood, Susan M. Van Anthony, Frederick Law Olmsted and Howard Potter, refers to the members of the Association as "men and women representing the best elements in their communities, of all religious sects and of both political parties, of recognized ability and purity of character, with the keenness of oversight and freedom of motive which are most rarely found in non-official organizations, using the local press, but always working within such well-defined restriction as cannot fail to make the volunteer system, and the publicity which is its necessary accompaniment, valuable for the public good."

A SECOND PAGE FROM OFFICIAL.

Their record seems equally free from offense to the authorities and from daring to the charities of the State, and presents features of which the large experience of the State Board must enable them to appreciate the importance. Such, for instance, are the thorough organization of the four standing committees on children, on hospitals, on adult able-bodied paupers, and on the elevation of the poor in their homes. To enable the members of these committees to become familiar with the best thought of the day on a subject of systematic charities, a library of more than a thousand volumes in various languages has been collected, thirteen practical treatises have been published by members of the Association, some of whom have studied with this view charitable institutions in England and the Continent.

The reforms which the Aid Association has aided and accomplished in New-York have exerted an influence in other States. "The Children's Law," the passage of which it largely aided, has led to the establishment of children's homes. "The Training School for Nurses attached to Bellevue Hospital" has furnished heads for twenty other schools or hospitals, and has received from voluntary contributions seventy thousand dollars. Other hospital improvements, the act concerning trained, the tenement-house system in New-York, the Sanitary Reform Society, the elevation of the poor in their homes, the improvement of county poorhouses and infirmaries, especially of the pauper insane, the collection of papers, magazines and books for seventy-four different institutions, are among the results of the Aid Association, which have given it so strong a hold on the regard and confidence of the people.

The last of these resolutions of the State Board declared "that it be inadvisable at this time to place itself upon recently expressed ground of forcing the authorities of the Aid Association and Aid Association, as one established to supersede the existence of the Board, and to bring about a conflict and rivalry."

Here, again, a misunderstanding of the Board would seem to have been drawn to one side from the line of the former relations between the two bodies, and how it could have been acquiesced in by the other members of the Board is a thing not easy to understand. In it or in it and in that the State Board, now in its fourteenth year, had no visiting committees till they were furnished by the Aid Association; nearly five years obtained by that Association in 1872, leading to the harmonious cooperation of the two bodies which lasted until it was interrupted by the new rule of the State Board in 1879. And now, when the Aid Association, temporarily deprived of that power by the legal right (which does not appear to be conceded by the judiciary—a question for the Board to decide) to obtain access to the charities of an adequate number of legal agents, oppose the bill on the ground that the Aid Association, which it describes as a private self-perpetuating incorporation, will supersede the Board, the valuable supervision of which, with its well-defined duties, and the system of visitation by its appointees, has been in fact the work of the Aid Association, so publicly acknowledged by the State Board in its application to obtain aid from the State Legislature.

MRS. LOWELL'S OPPOSITION.

There is one other argument against the bill which has been presented to the public on behalf of the State Board by a private member and accomplished author, Mrs. Josephine Shaw Lowell, whose recent report upon public charities, annual report for 1880, abounds not only in its value. Mrs. Lowell, in a note to *The Evening Post* of April 7, refers to the statutory power of visitation conferred upon the State Board, which it regards as a more provision for the official inspection of charitable institutions, for which reason it opposes the bill granting to the Aid Association a legal right of visitation "as unnecessary, and therefore objectionable."

Then follows the following paragraph:

"Nothing can be more unfortunate than the attempt made by the State Charities Aid Association to put the Board, by the side of their visitation of county institutions, that for a moment it desire to do so, in the position of a rival institution. The Board is the only body in the State which can, with any hope of success, undertake the difficult work of inspecting the charities of the State, and it is the only one which can, with any hope of success, bring to bear upon the managers of these institutions the pressure of public opinion which is necessary to secure the adoption of the reforms which are needed. The Board