

"THE DUTY AND RESPONSIBILITY OF CHIEF EXECUTIVES IN DEALING WITH PRISONERS"

Speech of Ex-Governor Cole L. Blaise Before the Conference of Governors at Boston.

Gentlemen of the Governors' Conference:

Three-quarters of a century ago, in the historic city of Boston, one of the clearest thinkers which Massachusetts, or even the nation, has yet produced, in an address upon "Man the Reformer," emphasized the thought that "every great and commanding moment in the annals of the world is the triumph of some enthusiasm." He cited as an example "the victories of the Arabs after Mahomet, who, in a few years, from a small and mean beginning, established a larger empire than

but the thought was suggested by the fact that the spirit which plunges nations into wars, except the nations which wage war against oppression, is the same spirit which has in centuries past led men to seek the cruel punishment of prisoners—a spirit which is vastly too much in evidence even in this twentieth century.

Within the past few weeks we read in the newspapers of a man who had made an attempt upon the life of another being pined with questions until he was too weak to talk, then being walked up and down the corridors of

vindicated. And when mobs are no longer possible, liberty will be dead. As was eloquently said by a Southern orator not long ago: "A nation of molly-coddles might meekly lie at the feet of popes and kings, while schools were being abolished, libraries burnt, scientific research penalized, and the great mass of the people plunged into ignorance, superstition and slavery; but such a nation never reared a Washington monument or drank patriotic inspiration on battle fields where brave soldiers died, or broke out into enthusiasm when the flags were flying and the bands struck 'Dixie.' Grape-juice dreamers may cry, 'Peace, peace,' but there is no peace, anywhere, nor was there ever any. The elements have no peace; the stars have no rest; the clouds toss and tumble, float or fly forever; the ocean always murmurs and always moves; the rivers do not stop, and the dews are ever going up or coming down; the storm is gathering its forces, or spending them, all the time; there is no peace. It seems to me, I remember something about 'mobs,' and, strange to say, these mobs are described as being pioneers of our independence and institutions. There was that Boston 'mob,' whose picture used to be in all our histories at school. You can close your eyes and see it now; the British soldiers, standing in well-dressed line, muskets at their shoulders, and the smoke and flame bursting out at the muzzles—and the members of the 'mob' falling to the ground. The firing on the Boston mob fired the American colonies, and the cry went all the way down to Savannah—"The cause of Boston is the cause of us all."

The chief executive of a State has not a more serious duty nor a graver responsibility than the obligation imposed upon him in dealing with prisoners—and by prisoners I mean to include those in jail awaiting trial, with the presumption of innocence thrown around them by the law, as well as those serving sentences after conviction. The aim of the law—not some of the iniquitous laws written by man, but the great Moral Law of God, which was in the beginning and shall ever be—exists for the benefit of society, and not for the punishment and degradation of offenders against the law. It is necessary to deprive men of their liberties, and sometimes of their lives, for two primary reasons; to remove them from society until they may be reformed, and to deter others from committing like offenses. To go beyond this is barbaric, inhuman and in violation of the highest law. A State or a nation that allows its prisoners to suffer cruelties is guilty of a greater crime than the prisoners themselves have committed.

We have prisons and prison methods in the United States today which are a disgrace to any civilization, and there are thousands of prisoners who might well describe their condition in the words of Lord Byron's "Prisoner of Chillon."

"My hair is gray, but not with years,
Nor grew it white
In a single night,
As men's have grown from sudden fears.
My limbs are bow'd, though not with toil,
But rusted with a vile repose,
For they have been a dungeon's spoil
And mine has been the fate of those
To whom the goodly earth and air
Are bann'd and barr'd—'forbidden fare.'"

Or we might describe some of these prisons in the words of Cellini, written in a jail in the sixteenth century, four hundred years before our boasted civilization of today:

"Mark well how Glory steeps her sons
in gloom.
You have no seat to sit on, save the stool;
Yet you were active from your mother's womb.
The knave who serves hath orders
strict and cool
To list no word you utter, give you
laught,
Scarcely to ope the door; such is their
rule.
These toys hath Glory for her nursing
wrought.
No paper, pens, ink, fire, or tools of
steel,
To exercise the quick brain's teeming
thought."

When I assumed the office of governor of South Carolina, I inaugurated in my State the parole system, and granted hundreds of paroles. As I stated in an article which I wrote for a leading law magazine recently, I was as rigorously condemned on the one hand, and as heartily praised on the other, for nearly every decision I reached upon each individual case, as any man who has ever been in public life in the history of this country. I cared not for the condemnation or the praise. I was seeking to do my duty under the constitution, to execute the laws faithfully in mercy, and striving

to do the right and to give human beings who had made a mistake a chance to correct it and to do their part for the benefit of society. The parole system which I inaugurated was entirely successful. Out of the hundreds of paroles granted, very few of those receiving this clemency failed to lead good lives. They were given another chance in life, and they took advantage of their opportunity.

I stated to the general assembly of my State, in regard to this matter, that I considered the parole system the best system ever devised for the handling of convicts. In a letter of transmittal of the reasons which actuated me in each case, I said, among other things:

"Now, for instance, you parole a man during good behavior, who possibly has served more than half of the sentence imposed upon him—sometimes they have been paroled when they had only three or four more months to serve—you do not turn him loose, but say to him, go forth, make a man of yourself, for if you do not, and you are ever convicted again, you have to go back and serve the remainder of the sentence imposed. Now, if these men had gone ahead and served out their sentences, they would be foot-loose to do as they please, and no restraint would be upon their actions. Even a life prisoner may be paroled; it is simply giving him another chance in life; and how many men who profess to be great Christians would be living and enjoying the blessings of this life, had not God forgiven them and given them another chance? The parole, during good behavior, means that he shall not violate any of the criminal laws of the State. If they do, they are not of good behavior, and they can be recommitted to the penitentiary, without trial, to serve the remainder of their sentences. The system I have now established in South Carolina will be followed by other governors—possibly not so many will be paroled, but the system itself will be kept in vogue. The same system is being tried in other States; some going even further and allowing a man to work himself out by his good behavior in the penitentiary. Take one case, particularly, a negro had been in the penitentiary for eighteen years; he is paroled during good behavior; he is given another opportunity to live. If he disturbs the peace or violates any of the criminal statutes of the State, he goes back to the penitentiary for life; that condition hangs over him, and he knows that if he is not of good behavior, he goes back to serve the remainder of his sentence. Another instance, a white man sentenced to the penitentiary for a long term, for a crime committed while under the influence of liquor; parole him on the condition that he take not another drop of liquor. If he does, and thereby violates his parole, he goes back to serve the remainder of his sentence."

After an experience of four years as governor of South Carolina, during which time I exercised clemency in more cases than any other three or four governors combined, I believe more firmly today than ever before in the parole system as the most advanced step that has ever been taken in prison reform. As proof of the correctness of this opinion, I may state to you that since I retired from the office of governor, of all the large number of those whom I paroled not a one has been returned to imprisonment. These one-time convicts have reformed and are leading good lives and making substantial citizens. By the parole system they have been saved to their families and to the State.

But there must be places of confinement for prisoners who, it may be, can not be paroled, and for those who must serve sufficient time that the lesson may be taught. Therefore, every chief executive ought to familiarize himself thoroughly with the condition of the penal institutions of his State, and see to it that they are comfortable and healthy, and that the inmates are treated like human beings, and not like cattle.

I believe in fresh air and wholesome food for prisoners; and in comfortable, well-ventilated rooms.

I believe they should have good literature and good newspapers, especially their home county papers, enabling them to be posted upon the acts and doings and to keep up with the progress of the people of their respective counties and of their State, in order that when they are given back to society they may not be as strangers in a new and unknown world, but may have the incentive in familiar surroundings to build their lives anew upon the solid foundation of honesty and integrity.

I believe they should have the right kind of amusements, that the social instinct so necessary in the plan of their salvation may not be deadened within them.

I believe that the whipping of prisoners should be forbidden, except in cases of wilful disobedience of rules or acts of insubordination, and that when the whipping should be adminis-

tered only in the presence of disinterested citizens of good repute who are not connected in any way, directly or indirectly, with the institution. The people of the nation would be horrified if they knew of the fearful brutality practiced in our prisons—the merciless whippings, the electric shocks and other forms of shocking cruelty. Every chief executive should inform himself of these things, that he may remedy the appalling conditions. As I can testify from experience, it is no easy matter to secure the information. It can not be done by personal visits, because on such visits everything will be in the best of shape, and if the prisoners are asked how they are treated they will be afraid not to say they are well treated, because of the knowledge that if they state the facts they will be visited with even more cruel punishment by their keepers. But the proper kind of investigation, in the right kind of way, will bring forth the facts, and the remedy can be applied by a just and fearless man.

Tens of thousands of prisoners every day are being released after service of the full sentences imposed upon them. In what condition are these men to re-enter society and to take up again the burdens and responsibilities and privileges of citizenship? What more important duty rests upon a chief executive than that of seeing to it that confinement has tended to reform the prisoner rather than to make a more hardened criminal of him?

There are some professing Christians—God save the mark!—down in my State who condemn me for these ideas, and who sneeringly ask if prisons are to be made so attractive that they will lure men into them. We can only pity such beings, and pray God that His all-encircling charity may in some manner include them.

I believe that prisoners, in healthy and wholesome surroundings, ought to be put to work at useful trades, or taught useful trades when they do not know them. In my State most of the convicts are now worked on the roads. This work, properly required, is healthy for the able-bodied, and benefits the people at large. But we have the women and the weak-bodied also to look after, and other suitable work may be found for them.

And there is another matter which should be considered. In the majority of cases the family of the prisoner suffers more than the prisoner himself. It seems to me that much of this suffering could be relieved by paying to the dependent family of a prisoner a small compensation for the prisoner's labor. In many instances in my State the husband and father is imprisoned for crime, and his wife and little ones are left at home without any means of support, suffering hardships and privations, thrown absolutely on the mercy of the world for the bread they must have. Had there been a system of compensation to the family in South Carolina while I was governor, it would have relieved me of what I felt to be the necessity for taking action in a number of cases, where the husband and father was sent home to save his family from dire distress. We are told by some that a man should consider his wife and children before he commits a crime. That is true, but if he does not, the fact of suffering women and children stares us in the face—innocent women and children suffering for food and clothing. Of course there are cases in which even their appeals must be disregarded, in order that society may be protected, and charity, which too often is found wanting, must be relied upon to put bread in the mouths of babes crying because they are hungry.

Still another matter which I have urged is that we ought to discard the system of numbering prisoners—designating them only by number. It would have a much better effect in reclaiming prisoners if their identity was maintained, even though they occupy a prison cell, keeping constantly before them the fact that they are human beings and that they have a soul.

And when the prisoners are released it is nothing short of a greater crime than most of them have committed to hound them down by always reminding any one to whom they might apply for work that they are ex-convicts. There ought to be a law passed by every State, and a national law passed and enforced, to prevent this great evil. The poor fellow should be helped to rise and do better instead of being held down, with so-called detectives, hirelings, running around trying to get people to perjure themselves in order to work up new cases against men who have expiated their crimes by the time they have spent in prison.

I was heralded to the world as "the pardoning governor," and I am proud of the title. I investigated every case before me, and always was saddened when I found a case in which my duty to my people forbade me to exercise clemency. My ideas along the line of the parole system and of prison reform have been called extreme by many, but there are those of us here today who will live to see them carried out

throughout the nation, if we continue to go forward in the future as we have advanced in the past. "What if some of the objections whereby our institutions are assailed are extreme and speculative," said Massachusetts' great scholar, "and the reformers tend to idealism; that only shows the extravagance of the abuses which have driven the mind into the opposite extreme."

The greatest debate this nation ever witnessed was staged in the senate of the United States between a son of Massachusetts and a son of South Carolina. Both were imbued with the highest patriotism, and each was striving towards the same goal, but along different paths. Looking back to that time, we can see the gloom of civil war, in which brother was to be pitted against brother, was already settling upon our great nation. A few years later the inevitable storm was upon us. Fifty years have now passed since its fury was spent, and today South Carolina and Massachusetts, by the fervid devotion to principle which helped to bring on the great battles in which the sons of one wore the gray and the sons of the other the blue, can clasp hands with higher respect each for the other and with the friendship of brothers each of whom knows the courage of the other and his devotion to a common mother. And I am glad that today South Carolina's voice can be raised in Massachusetts in the interest of the great reforms which I would urge.

I hear sometimes expression from the North and the East and the West as to the treatment of negroes and negro prisoners in the South. Let me say that while I was governor of South Carolina, three-fourths, at least, of the cases in which I exercised clemency were those involving negro prisoners. The best friend the negro has ever had, so long as the negro stays in his place, is the Southern white man, and the negro knows it. The South will work out her own problem along this line, and outside criticism and interference can only retard the solution. But in the underlying principles of improving our systems generally, we should all work hand in hand.

In this connection, I may say that recently I visited the penitentiary of my State, and I saw walking around in a large, comfortable corridor, two negroes held upon the charge of having criminally assaulted white women. They had escaped their just deserts for the time being. Locked and barred inside of cells about four feet wide and about seven feet long, with a little window, iron-barred, about two feet square, were three white men, charged with having killed a negro who had criminally assaulted a white woman. I do not mean to say the incident is usual, but it was in South Carolina.

In conclusion, I would again urge the importance of the duty of the chief executives in the proper handling and treatment of prisoners. Our chief executives are clothed with large powers, and a heavy responsibility is theirs. A man in jail awaiting trial is presumed to be innocent—a presumption too often trampled upon by the law which has made it. A prisoner serving a sentence is a human being, with a soul—a being created in the image of the same God in whose image you and I were created. Society must be protected, but the most efficient means of protecting it is the reform of the criminal, and just as surely as we make criminals more hardened by the punishment which we mete out, as surely is society going to suffer, and those responsible must give an accounting some day, if not in this life, then at the bar of the Great Judge, who, I must believe, is going to hold to a stricter accountability those who have violated His laws under the hypocritical cloak of laws made by men, than he will hold the poor unfortunates who have erred through the frailty of their human natures.

"For they appeal from tyranny to God."

NOTICE.

A meeting of the stockholders of The Farmers' Bank, Silverstreet, S. C., will be held in the bank building at Silverstreet, S. C., on Tuesday, the 31st day of August, 1915, at 4 o'clock p. m., at which meeting the matter of liquidating, winding up the affairs and dissolving the said bank, a corporation under the law of the State of South Carolina, will be considered and voted on. Stockholders may attend in person or by proxy. This meeting is ordered by the terms of a resolution of the board of directors of said bank.

H. O. Long,
President of The Farmers' Bank,
Silverstreet, S. C.

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that of Rome." "But," he predicted, "there will dawn ere long on our politics, on our modes of living, a nobler morning than that Arabian faith, in the sentiment of love. This is the one remedy for all ills, the panacea of Nature. We must be lovers, and at once the impossible becomes possible. Our age and history, for these thousand years, has not been the history of kindness, but of selfishness. Our distrust is very expensive. The money we spend for courts and prisons is very ill laid out. We make, by distrust, the thief and burglar and incendiary, and by our court and jail we keep him so. An acceptance of the sentiment of love throughout Christendom for a season would bring the felon and the outcast to our side in tears, with the devotion of his faculties to our services."

There is not crystal ball in which man may see portrayed the future, and little did Emerson think that two decades after he was so eloquently preaching this doctrine of peace and love that this nation would be plunged into four years of civil strife. When he said that "this great, overgrown, dead Christendom of ours still keeps alive at least the name of lover of mankind," and prophesied that "one day all men will be lovers, and every calamity will be dissolved in the universal sunshine," little did he reckon at seventy-four years later the far-flung battle lines of Europe would stretch from hundreds to thousands of miles and that nearly the whole world would be in a death grapple, attended by cruelty and sacrifice and misery which passes human understanding. Millions of men are seeking each other's blood, and

"Few, few shall part where many meet;
The smoke shall be their winding sheet;
And every sod beneath their feet
Shall be a soldier's sepulchre."

But it has been the history of the world, in accordance with the slow but steady progress of the human race that the darkest night is ever followed by the brightest dawn, and from the gloom which now enshrouds the land and the sea, will emerge a nobler civilization, which will continue to gain strength in an atmosphere purified by the sword of battle, and human nature must be redeemed by the blood that has been shed by the tears that have been shed by the prayers of widows and orphans that have ascended to the throne of God.

For this digres-

his prison to revive him, then plied with questions again, and subjected to God alone knows what else, in the administration of the "third degree." Later he is prisoner was found on the floor of his cell with his skull crushed in, and it was stated that he had climbed to the top of his cell door and jumped to the floor, killing himself. Whether he was murdered or whether he really committed suicide I do not know; but this I do know, that the suicide of any man would hardly be unnatural under such circumstances, and that the treatment accorded him, before conviction, would have been a disgrace to our civilization even had it occurred after he had been tried and sentenced. As remarks a very distinguished Southern minister of the Gospel, "the so-called 'third degree' is a revival of the horrible method of the Spanish Inquisition, a species of torture to compel an accused person to incriminate himself, a flat contradiction of the humane principle of law that regards every person innocent until proved guilty." This "third degree" method that is practiced in the North and the East and the West—less frequently, I am glad to say, in the South—whether a man be killed during its administration, or whether he be driven to commit suicide, or whether he be tortured sometimes into confessing crimes of which he may be innocent, is barbarity in a sneaking form, under the sanction of law, and those guilty of practicing it evidence a spirit as mean and contemptible as the malice which animates the midnight assassin.

Three years ago I had the pleasure of addressing this conference in Richmond. My remarks were telegraphed throughout the nation, and I was heralded to the world as a chief executive who advocated mob violence. I do not propose to go into a discussion of that here; it is entirely beside the question. Suffice it for me to say that in the South, the lynching of a man for the unmentionable crime is a protection to our civilization, while the practice of this "third degree" violates the letter of our constitution at its most vital point and is a blow to the whole spirit of our institutions. In the South an aroused mob is an outraged community which carries out the law, but brushes aside with mighty force the law's technicalities and delays. There is no hypocritical, sanctimonious violation of fundamental rights under the cloak of law by those sworn to uphold the law; the deed is open, and civilization and justice are