

CONDEMNED BY THE BOARD OF CHARITIES.

Chains and Knout Ordered Abolished at the Westchester Home.

Pierce's Cruelties to Children Investigated by Officials of the State.

Marks of Shackles Found on a Little Boy's Legs and a Terrible Story Confirmed.

JOURNAL'S CHARGES SUSTAINED.

An Order on the Managers Issued Which Will Prevent Corporal Punishment or the Use of Shackles on the Little Ones.

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

Resolved 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.

The New York State Board of Charities passed the above resolutions and order at Albany yesterday, after analysis and verification of the Journal's evidence of cruelty at the Westchester Temporary Home for Destitute Children was made by Commissioner E. H. Litchfield and Inspector of Charities James O. Fanning. The proofs were so comprehensive and conclusive that the Board added to its resolutions and order the following ringing expression of opinion:

"The use of chains for either punishment or restraint, as shown to exist in the Westchester Temporary Home for Destitute Children, is the practice of cruelty to children abhorrent to the enlightened sentiment of this age and merits severe condemnation. The Board reiterates the opinion expressed in 1890 in its twenty-third annual report, to the effect that whatever may be said in favor of or against corporal punishment or whipping children in families or common schools, its tolerance in corporate and private institutions, without the natural restraint of parental instincts in the family and of public criticism in the common schools, is a tolerance that cannot be divorced from an inevitable tendency to abuse.

"Once admitted as an exceptional or extraordinary remedy, its use inevitably extends until it becomes the chief reliance for enforcing discipline, and the 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."

WHAT INSPECTORS LEARNED.

Commissioner Litchfield and Inspector Fanning were sent to White Plains in January 6 to verify the story of cruelty told by Harry Weeks on January 5, after his release by the Journal. Harry's testimony as to the use of chains and the cat-o-nine-tails, as given in the Journal, was the basis of the inquiries made of his former companions in distress and of Superintendent Pierce, and every fact related by the boy was found to be correct.

George Patterson, who was Harry's companion in a former attempt to get away from the Home, corroborated his statements in detail, and William Yerks, an inmate fourteen years old, who wore the chains several years, was found to have badly calloused ankles as a result of his punishment.

Harry's statement that the boys were required to wear the chains at night in bed was confirmed by several witnesses now detained in the Home. The whipping of both boys and girls with cat-o-nine-tails was proven to be a regular custom of the institution, although the Commissioner's report says that the severity of the punishment has been "somewhat modified in recent years."

Pierce was not allowed to accompany the investigating officers on their tour through the institution. The children were closely interrogated and their testimony taken by a stenographer. It was not found necessary for the purposes of the investigation to go outside the institution among the dozen or more former inmates who have told the Journal their stories of cruelty. Enough was learned from the children now detained at the home to convince the State Board that the Journal's demand for peremptory action in the cause of humanity was justified by Pierce's methods. The superintendent's unfitness for his position is so directly shown by the report that the resolution and order subsequently adopted were addressed to the Board of Managers of the institution instead of to him.

OVERCROWDED AND UNDERCLOTHED.

Commissioner Litchfield, in his report to the Board, relates that the object of his investigation of the Westchester Home was to inquire into reports alleging severity of discipline, as well as to make the usual inspection. He made his visit unexpectedly. The institution was found to contain 159 inmates, between three and fifteen years of age, a number of whom were colored.

"The main buildings," said the Commissioner in his report, "were destroyed by fire in February. The new buildings are as yet incomplete, and it will probably take several months to make them tenable, 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, whether temporarily in use are badly overcrowded, and the beds in the little temporary building are wooden bunks poorly made. The institution is even now receiving additional children, although in the present state of

The Fight for the Convention Draws the Tiger from His Lair. BYRNES'S FEELINGS HURT.



At the meeting yesterday of the Tammany Committee of Thirty-five, appointed to go to Washington and urge upon the Democratic National Committee the claims of New York as a place of holding the party convention, announcement was made that Mayor Strong had given Chairman Isidor Straus a check for \$100 for the fund to

secure the convention. The Mayor said he was glad to give something to the fund, and he hoped the convention would be held here. He considers New York the proper place to hold all conventions. The National Committee meets next Thursday. The Tammany Committee was formally organized yesterday after-

noon by the election of ex-Mayor Gilroy as chairman, and Andrew D. Hammersly, Jr., secretary. The committee then adjourned until Monday next, when final arrangements for the trip will be made. The delegation from this city which will go on to the Capital will include from 100 to 150 prominent

citizens, Democrats and Republicans. The advance guard will leave on Monday, and will be followed on Tuesday and Wednesday by the remainder of the delegation. The gentlemen who are interested in the movement are hopeful that New York will be selected. Upward of \$50,000 has been subscribed to the convention

fund so far, and the committee expects a large addition to the fund. The Tammany Tigers will go to Washington next Tuesday, and will make their headquarters at the Shoreham Hotel. District-Attorney John R. Fellows and State Senator Thomas F. Grady will speak for New York as Tammany representatives.

standing the position, resumed quietly her usual frame of mind. He offered her a clipping from a New York paper. Her attorney, Mr. Lynch, objected, but it was allowed by the Court. She was asked if the extract was a true interpretation of her character. She said: "I do not know the man, and I do not think that there is not a thought of devility in the piece in which I appear. In the second place, I do not let it down below my shoulder, and there is little about it that is not chargeable with him."

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 as the matter of clothing or shoes, as is 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 STORY OF CHAINS.

"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 beside myself, and Inspector Fanning and the stenographer. The testimony of the boys was taken in writing. Afterward the superintendent, Mr. Pierce, was called and examined privately as to the statements made by the boys and on matters kindred thereto.

"It seems that the Superintendent has been for sixteen years in the habit of using a chain for the punishment of certain offences, 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. 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 twelve inches. The total weight of the instrument varied in different examples from two and one-half to two and three-quarters or three pounds. The superintendent claimed that the ankles were usually protected by buckskin wrappings.

"He admitted that in one case, that of William Yorke, fourteen 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 bed time for the purpose of undressing but immediately replaced, and the boy kept on his stockings for protection from them. Another boy, one George Patterson, said the chains made no sores, and he showed no callousities.

"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 Harry Weeks, who left the institution a few days ago, and Patterson and Yerks, who testified before us. These boys claimed 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-o-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-o-tentails. This is not a formidable instrument, although it must sting if well laid on. It is applied to the boys' bare backs and upon the hands. The superintendent stated that it was sometimes applied to the back of the hands as well as to the palms. The superintendent, however, stated that it was so used on the back of the hands, that it was only by accident.

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ANOTHER INSTRUMENT OF TORTURE.

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"The boy Patterson said that he deserved the whipping he 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-o-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 night clothes and covered with a sheet. This practice was absolutely discontinued several years ago. The superintendent keeps no record whatever of the punishments, and I think he was mistaken in stating that but three boys had worn the chain during the last year."

PUBLICITY CAUSED REFORMS.

Pierce's explanation to Commissioner Litchfield that the whipping of girls in bed with a cat-o-nine-tails had been discontinued tallies with the rumor that the Board of Managers, after the Theresa Se. incident last year, ordered the abandonment of the practice. It appears also that since the Journal's liberation of Harry Weeks and its exposure of brutalities at the Home both the chains and cat-o-nine-tails have been laid away. The exact connection the Board of Managers have had with the perfunctory execution of these reforms will appear later in their disposal of the superintendent. In the pointed remarks of the State Board of Charities Committee, and the peremptory order of that body thereon, the Board of Managers will find both an incentive and a justification for the prompt dismissal of the man whose cruelties have brought the institution into disrepute.

The Commissioner recommends: "That the use of chains in any form, whether as a punishment or as 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."

QUAY IS NOW FOR MORTON

The Pennsylvania Senator Will Join with Mr. Platt in Booming the Governor. James S. Clarkson returned from Washington yesterday where he was in conference with the Republican leaders concerning Presidential candidates. He refused to say anything about the conference that took place on Tuesday night at the home of Senator Matthew S. Quay, of Pennsylvania.

Ex-Senator Thomas C. Platt, who was one of the leading men at the conference, also maintains strict silence as to what happened. It was longly stated, however, that the candidacy of Governor Morton was thoroughly considered by the two big leaders, and it can be stated on the best of authority that Quay is not unfriendly to Morton. In fact, it would not be much of a surprise if he should come out openly for him.

General Russell A. Alger, of Michigan, was here yesterday, and said Governor Morton was favored by the business men of the nation. He thought, however, that the Governor's chances were injured by the tardiness of the announcement of his candidacy. Reed and McKinley he considers the strongest candidates in Michigan.

THE BOND BILL GOES OVER.

Senators Baker and Stewart Talk Until Too Late to Take It Up. Washington, Jan. 9.—The House Bond bill, with the free coinage substitute for it reported from the Committee on Finance, was to have engaged the attention of the Senate to-day, but a half hour's speech by Mr. Baker in favor of an extreme application of the Monroe doctrine, and an hour and three-quarter's speech by Mr. Stewart on the financial question, prevented the taking up of the Bond bill until so late an hour that Mr. Jones preferred to withhold his opening speech upon it till to-morrow.

Mr. Baker's speech—his first in the Senate chamber—and for his text and ground-work a joint resolution introduced by him declaring that the extension by any European power of its territorial limits on the Eastern Hemisphere, whether by war, treaty, purchase or otherwise, without the consent of the United States, will be regarded as an unfriendly act, and in his speech he declared that that position would be maintained by war, if necessary. The joint resolution was referred to the Committee on Foreign Relations, and the Senate adjourned till to-morrow.

MME. MAY'S LIFE STORY.

Proceedings in the Pullman Libel Suit Begun in a Decidedly Interesting Style. An Energetic Defence of Herself and of Her Personations on the Stage. EVIL TO HIM WHO EVIL THINKS.

The Actress Numbers Sardou, Henri Rochefort and Casimir-Perier Among Her Friends—Will Push Her \$25,000 Suit to the Utmost.

Bridgeport, Conn., Jan. 9.—Mme. Jane May, the French actress who has been made famous through her suit for \$25,000 against Rev. Joseph Pullman, of this city, for defamation of character in his sermon against the immorality of the stage, arrived here yesterday at the Atlantic Hotel. No sooner had she done so than Sheriff Dolan appeared at her room and presented a subpoena requiring her presence in one hour at the office of Judge Carroll for the purpose of taking her deposition. She pleaded as an excuse her great fatigue, but as the Sheriff had also a capias in case she failed, she accepted the inevitable, and accompanied by several members of her company was on time before the Magistrate.

The counsel for the defence, Judge Stoddard, of New Haven, and N. W. Bishop, of this city, opened the case, having previously sworn two French gentlemen as interpreters for Mme. May, who does not speak a word of English. The principal interpreter was A. La Berge, the manager of her company, but to make it a fair thing her attorney, J. P. Lynch, instructed the second interpreter to promptly challenge his colleague in case the questions and answers were tinged with favoritism toward either side.

Mme. May is a very pretty woman, possessing that charm of manner peculiar to a cultivated woman of France, and as she sat there wrapped in her costly furs she presented an extremely beautiful picture and won for her the sympathies of the newspaper correspondents who composed the audience. Judge Stoddard displayed the utmost courtesy toward the fair witness, enforcing his legal rights with extreme politeness. Her life record was the main thing brought out in the examination so far. It was a sort of fishing expedition on the part of Judge Stoddard, who failed to catch anything sensational. The facts elicited were of a nature which would do credit to any woman in her own country and in London moved in the highest society. Victorien Sardou, the great dramatist; ex-President Casimir-Perier, Henri Rochefort and numerous dignitaries were her personal friends.

Judge Stoddard asked for their address, which irritated the fair witness, and she refused to reply, shaking her head and stamping her foot. But her feet were so small that they made an almost inaudible sound. As he pressed his questions she deemed them impertinent and evinced her displeasure according to the best form of French society, shrugging her shoulders and indignation flashing from her eyes and in French expressing her feelings. It was a capital piece of acting, with a touch of nature thrown in. Her inquisitor, regretting the incident, had the interpreter explain in a few words his object, and she then, under-

standing the position, resumed quietly her usual frame of mind.

NO THING OF DEVILITY.

He offered her a clipping from a New York paper. Her attorney, Mr. Lynch, objected, but it was allowed by the Court. She was asked if the extract was a true interpretation of her character. She said: "I do not know the man, and I do not think that there is not a thought of devility in the piece in which I appear. In the second place, I do not let it down below my shoulder, and there is little about it that is not chargeable with him."

THE PLAY IS PYGMALION AND GALATEA.

"The play is Pygmalion and Galatea," originally, she continued, "and mine is a travesty upon it, and, of course, requiring treatment in appropriate style. For example, a man is the statue and a woman falls in love with it. To wed a statue, is not that Platonic love? I offer it a rose. Instead, but surely that is not low, but the statue is really a man I am not supposed to know it, although the audience is entitled to draw what inference they may. I am not chargeable with that."

She testified that she is thirty-four years old, but she looks ten years younger. She was born in Paris, and married when she was seventeen years old, on October 20, 1880. The marriage was both civil and religious. The custom in France, but she could not tell the name of the Mayor before whom she went or the name of the priest.

"I guess," she said, "who performs the different ceremonies? The important part to me was getting married. In reply to Judge Stoddard as to how she could so accurately remember the date but not the names of the mayor or priest, she said:

THE ACTRESS BLUSHED.

"I guess I remember it. What woman is there that don't?" and a blush of excitement mantled her countenance. She stated that she had received a letter from her husband within a few days, with clippings from French and London papers, containing Dr. Pullman's denunciation of her. Her husband is an artist. He has a personal fortune. They have a daughter four years old. What she said about her acquaintances in this country, she replied that she came to this country under the direction of Augustus Dreyfus, which she thought was enough. She had visited Mr. Daly's house in New York on invitation of Mr. and Mrs. Daly.

"I am not sure," she said, "but I should like to see me and some other persons." This closed the examination, which will be continued at New Haven on Saturday morning. She invited Judge Stoddard to witness the play at New Haven, but he declined, giving as his reason that he had Paritanical and religious reasons. When this was translated to her she expressed great sorrow for him and his plea. The announcement of the Judge caused smile among the newspaper correspondents who remembered that he was a graduate of Yale.

In an interview she said she had suffered enormously both physically and pecuniarily through the notorious attack on Dr. Pullman's remarks, and that \$25,000 would not repay her for the injury done. "It is a good name that I hold so precious. The money is of far less importance," she excitedly said.

Ex-Chief of Police Thomas F. Byrnes, who, with his family, arrived on the steamer Majestic Wednesday night, after an absence of three months in Europe, was seen last night at his home, No. 17 West Fifty-eighth street.

HE DOES NOT DIGNIFY HIMSELF BY REPLYING.

He Declares That the Present Condition of Police Affairs is "Very Grave." IS PUZZLED HIMSELF OVER IT. Will Not Talk of the "Comparisons" Made of His Administration and That of the Present—Out for Good, He Says.

BYRNES'S FEELINGS HURT.

"I shall not dignify any such insinuation with a reply. Mr. Roosevelt is at liberty to state anything he may know regarding my official career, but I doubt if he can make his threat good. It seems to me that his object in making such a statement is to divert the public mind from the serious condition of affairs now existing in New York, by trying to involve me into a controversy with him. This shall not be done, however, by any assistance from me."

"Then do you think the condition serious?" the ex-Chief was asked. "I don't mind saying that I do. I have only been back a day, but what I can learn from friends who are in a position to know, I deem the present condition of things very grave."

"To what may it be attributed?" "That I cannot say. The same old force who have looked after the welfare of the people for so many years, with few exceptions, are still in charge of the Police Department, and this fact makes it the more difficult to solve the question. They know all of the crooks, and I cannot understand why they are not apprehended if they are guilty of these depredations."

"I do not like to express myself about these matters because I am not connected with the Police Department, and when I speak, it is not my intention to reflect upon any one, but something is radically wrong."

THE BURDEN ROBBERY.

"What do you think of the Burden diamond robbery?" "It was a very bold affair, but I guess the members of the 'gang' will run it down. They are there for 'em, and I do not doubt but that they will eventually succeed."

"Did you run across any crooks in your rambles since your return?" "Well," said the ex-Chief, "that's a hard question. You know there are various kinds of crooks, and I guess I saw some who might come under that head. I am only a citizen now, and I don't think it would become me to pay my attention to any one I may have known in an official way."

"Is it your intention to resume your old business in any of its forms?" "OUT OF POLICE BUSINESS. "No, I am out of it, and think I will remain so, unless," and here the ex-Chief suddenly paused. "It is not my intention to engage in the business again," he resumed. "What have you to say about the published story of crimes which it is said occurred during your administration, in which no arrests were made?" "I have not seen the list, and consequently have nothing to say. Sometime I may look over it, and if there is any necessity for it may say something, but what has that to do with the present administration? Why should that fact be published at this time?"

CRACK BERLIN POLICE.

Mr. Byrnes was asked what he thought of the police of the European cities, and said that he was favorably impressed with the Berlin force. "They are a splendid body of men," said Mr. Byrnes. The Paris police are not what I expected. They seem to lack discipline, but in Germany no man is appointed on the police force until he has served a number of years in the regular army, and this requirement is readily observed in the magnificent physique of the men.

BOWELL'S RESIGNATION.

The Governor-General Refuses to Accept It—The Premier to Try to Reorganize His Cabinet. Ottawa, Ontario, Jan. 9.—In the House of Commons to-day Sir Adolphe Caron announced that Premier Bowell had several interviews with the Governor-General yesterday, which resulted in the Premier offering his resignation to His Excellency. Lord Aberdeen intimated that he was not ready to receive it, because he thought Parliament should first have an opportunity of considering and passing an opinion upon the speech from the throne, which was now before it. Under these circumstances Sir Mackenzie Bowell, as the head of the Administration, considered it his duty, as he is in him day, to resign the Government, and therefore he (Caron) noted that the House adjourn till Tuesday next. An exactly similar statement was read in the Senate by the Premier.