

Petty Criminals Whipped Out of Delaware

OBERT PINKERTON, the detective, recently said in an interview that he hoped the whipping post would be established as the punishment of the criminals throughout the United States. This view, coming from such an eminent criminologist, has turned public opinion toward the state of Delaware, the only state in the Union still maintaining the whipping post.

Delaware's experience has just what Mr. Pinkerton claims, that is that a criminal suffers more from his back than by serving long terms in a penitentiary. It is not the physical pain that a man feels that causes a criminal to dread punishment, but it is the humiliation. So great is it that he even casts among his fellow prisoners those which establish the truth of the statement.

The whipping post in Delaware is an institution that is strongly upheld by the people of the state and by the courts. The fact that it has been retained from one end of the country to the other, and Delaware people have accused of supporting an institution of the dark ages. The people of this state know how it has been retained from the criminal classes, and is no doubt that they will always maintain this peculiar institution. For two hundred years it has been established and today Delaware, considering its small population, has a larger number of petty criminals within its borders than any other community of like size population in the United States.

It was about 1850 when the whipping was first introduced into Delaware. It was a continuation of the Swedish settlers, and even men, in those early years. In one case a negro who had assaulted a white man was not only flogged and then whipped, but also had his ears nailed to the pillory and after they were cut off close to his head, he was flogged for certain offenses in Delaware until about the middle of the last century, when that part of the law was repealed and other laws made with particular reference to punishment of petty criminals. These changes were wise and resulted in a smaller criminal population, the big thieves, out of the state.

An evidence of the effect of the whipping post on the criminal class, only necessary to elicit the fact that about half a century there have only two attempts at bank robbery in the whole state, and both of these failures. In one instance, of the attempt on the National Bank of Delaware, about 30 years ago, the man who was the most widely known burglar of the period, and the man who ever openly defied the state Inspector Byrnes of New York, Hope and several of his associates, including "Big Frank" McCoy, captured and after trial sentenced to stand in the pillory and also to be flogged. So great was their dislike of a method of punishment that the man who was the most widely known burglar of Delaware, \$5,000 in cash if the or would remit the whipping, was refused and the sentence was carried out.

Hope could be punished by a flogging and a whipping. "Big Frank" was the only one who escaped.

The date for the whipping of "Big Frank" was set and his friends declared that he would never appear in the pillory and that he would never be flogged. His friends from Philadelphia and New York would land at New Castle on the morning of the whipping and see him. So great was the feeling of the sheriff, that a circle of men, armed with rifles, were stationed around New Castle, and a detachment of guards every few feet, so as to deter any attempt. "Big Frank" was flogged and then whipped.

however, was whipped, and while the physical pain was practically nothing, it was a striking sight to see this big man, over six feet tall, crying like a child. It was the humiliation he felt. Later while serving his sentence in the New Castle jail he said that on account of this whipping he had lost caste among the other criminals, and that, after he got out of jail, all he would be able to do would be to associate with "cheap goods" for no longer would he be recognized among bank burglars.

It is seldom that a man once whipped at the post returns for a second experience. There are a few cases on record where men have returned as often as three times, but these are so few that they simply stand as the exceptions to a rule. It is a firm belief of the police officials of Delaware that the whipping post and the pillory keep the big criminals from the state. Situated as it is Delaware, and particularly Wilmington, the largest city in the state, and one with considerable wealth, is on the great highway of criminals travel. To the south lie Baltimore and Washington, while to the north are Philadelphia and New York, yet in traveling this highway the criminal seldom carries long in the Diamond state.

In addition to the whipping post Delaware also maintains the pillory. Efforts are being made to abolish it, because it is really more of an instrument of torture than a reformatory institution. All kinds of felonies and misdemeanors in Delaware are punishable by the whipping post and a number by both the whipping post and pillory. Attempted felonious assault, attempted murder, horse stealing, highway robbery, certain forms of arson, burglary and other felonies are punishable both at the whipping post and pillory in addition to serving a sentence in the jail or workhouse. All kinds of petty larceny is punishable by flogging and this is one method that for decades the large colored population of the state, chicken stealing has been reduced to or rather held down to a minimum.

In Delaware there are three counties, New Castle, Kent and Sussex. In the first the method of administering corporal punishment differs from that in Kent and Sussex. In New Castle county the whipping post is located in the yard of the workhouse near Wilmington and the public is admitted at the pleasure of the workhouse warden. The crowd at a whipping in this county varies from 10 to 300. In Kent and Sussex counties the whippings take place in the front yard of the jail in full view of the public road and its effect is so striking that those who witness it ever have little desire to play the role of the man at the post.

In New Castle county a cat-o-nine-tails, the lashes of which are about two feet long and made of round leather about one fourth of an inch in diameter is used in flogging the criminals. While it stings it seldom cuts the flesh, but reddens it. In Kent and Sussex counties a rawhide riding whip is used and there have been cases in recent years where a sheriff with a good muscular arm has cut the flesh with his whip. As a rule, however, it is not this pain that affects the criminal, but the humiliation he suffers that makes nearly every one vow as he leaves the post that he never again will be found "bugging Susan," as the post is called among criminals.

The punishment at the post and pillory, as administered in Delaware, is a more cruel or barbarous. The lashing of a prisoner is not always forcible. A little is the pain that frequently negroes have been known to dance a jig after leaving the post, but when they return to their cells and realize the humiliation it was to be lashed they hang their heads in shame. The humiliation is increased by the fact that a man once whipped at the post is disfranchised and is no longer a voter. The pillory is more or less cruel, and in bad weather, to be in the pillory is a very severe punishment. The sheriff generally covers the man fastened in the pillory with a

blanket to protect him from the elements. Twenty or 30 years ago a man fastened in a pillory was subjected to a bombardment of over ripe and decayed fruit, but this has been stopped, and the punishment at the pillory is made as humane as possible under the law.

During the past few years the whippings and its benefits have been much argued questions before the annual convention of the National Association of Chiefs of Police. The heads of the police department of Wilmington, the warden of the state prison, have contributed papers to these gatherings and to those prison reform associations. Among the most admirable papers of this class is one read by Chief of Police George W. Black, of Wilmington, at the last national convention of Chiefs of Police. In this paper Chief Black says:

"People from other states, who do not really understand the situation—writers in the various magazines—and editors of the newspapers—without hesitation, condemn the whipping post and the pillory, but like many people who discuss various topics, their discussion is based wholly upon theory. In this particular case the theory is that the whipping post is pre-historic and a relic of the ages of barbarism. In so far as the theory goes, they may be correct, but in practice, the greater majority of the people of Delaware are satisfied that such a theory is insufficient.

"The principal reason why the whipping post is condemned is because the people opposed to it do not understand the class of crimes in which it is used as a means of punishment, and its consequent practical benefits. As a matter of fact, our state maintains a record of less crime of a felonious nature than any state in the Union, and it is only in felonious crimes that the whipping post and the pillory are resorted to. They are not used for all crimes and misdemeanors, but only those that are of a low, malicious and felonious nature. Take the case of an assault and battery; no matter how serious the assault may be, unless it is done with a criminal intent, the lashes or pillory are not a part of the penalty, the reason for which is very plain. Men without regard to their education or morality will assault another because the temper is hard to control. In fact, the best of friends frequently come to blows. The penalty with us in such a case is a fine or imprisonment, the nature of the crime not being of a low or felonious character. It justifies the use of the whip or the cat-o-nine-tails, as we call it.

"Among the other felonious crimes that are punished by the whipping post or pillory are house breaking, burglary, highway robbery, horse stealing and wife beating; also in the case of a person who maliciously administers poison to another with intent to commit murder. In this latter case, part of the penalty is 40 lashes. This case furnishes an interesting example of what the punishment might be for one crime. Supposing a man should endeavor to poison a family of 10, and be tried on 10 separate indictments. The penalty in each case would be \$5,000 to \$50,000 fine; 10 hours in the pillory; 600 lashes, and imprisonment not to exceed 40 years; and the punishment would be the same even though none of the people were injured; providing the court and the intent was malicious or felonious. In fact, there are various other crimes in which the lashes and pillory are used as a means of punishment.

"Take the case of a person who maliciously deprives another of any of his limbs, or shall put out a person's tongue; or shall put out his eye; or who shall slit, cut or bite off the nose, lip or ear of another; in any of these cases he will be whipped with 30 lashes in addition to being imprisoned. Any person who burns any courthouse in the state or any building where public records are kept, in addition to the other punishment, shall stand one hour in the pillory and be whipped with 60 lashes. If a person sets fire to any ship, mill, any building of a manufacturing establishment, granary, warehouse, stable, church,

prayer meeting house, schoolhouse, he shall stand one hour in the pillory and be whipped with not less than 20 lashes. The same is true of a man who sets fire to any wheat, grain or lumber of any kind, providing he does so with a malicious intent. If a person breaks into a house in the night time with intent to commit a crime, he shall stand one hour in the pillory and be whipped with from 20 to 40 lashes whether the intended crime be committed or not. The same form of punishment is used where the breaks into a private office to destroy private records, or if he breaks into a house or store in the day time, or if he receives goods knowing them to be stolen.

"From the few cases I have enumerated to you, you can readily see the nature of the crimes that are punished at the post and the pillory, and such punishments are usually in addition to fines and imprisonment. We have some few cases in which the only punishment is the pillory and others where the only punishment may be the whipping post. A person convicted of inducing another to swear falsely in a court of justice is sentenced to stand one hour in the pillory. A man who beats his wife may be sentenced to receive punishment at the whipping post. The punishment in the latter case being at the discretion of the court whether it shall be imprisonment, fine or lashes. The two last-mentioned cases are, therefore, effectively punished while the county is put to no expense in boarding and maintaining the people convicted. It is possible that you may have listened to what I have said, and are still unable to see what are the practical benefits. To narrate them briefly, I would say that we can only judge by results, both as to amount of crime and the cost of keeping the prisoners. We have shorter terms of imprisonment than other states, thus saving the county the cost of maintaining the prisoners. We also think that we have less crime.

"Statistics in 1902 in the City of Wilmington, a city of 80,000 population, show that the property stolen was valued at \$2,282.85, of which \$2,250.25 was recovered, and during that year there were less than 250 cases where persons were charged with having committed felonious crimes; another proof of the effectiveness of this punishment is that it is dreaded more than the imprisonment and the fine, and a criminal who is punished at the whipping post or pillory is rarely ever again punished in our state. If he commits another crime he usually goes elsewhere to do it, because of the fear of the punishment. Members of the bar in our state are qualifiedly recommended both of these methods of punishment, and say in favor of them that in nearly every case they represent where the penalty is a fine, a term of imprisonment, or the whipping post. The clients generally tell them that they are willing to take the limit of imprisonment providing they can escape the pillory or the lashes. Further than that, as soon as a criminal is sentenced to the jail, the majority of them make appeals to the governor or to the board of pardons to have the lashes remitted, and frequently they agree with the prosecuting attorney to plead guilty providing the only punishment is a fine or imprisonment.

"Any man who has ever whipped at the pillory or has ever been whipped at the whipping post feels that he is forever disgraced, even among the criminal classes, and he has no desire to spend the rest of his days in the state of Delaware. A majority of the few who do remain are thoroughly reformed and become useful citizens of the state. We feel that other states could take good examples from little Delaware in this matter, and we are glad to note that some of them are doing so in a small degree. Our system has the indorsement of President Roosevelt and many of the best judges of the criminal courts of America. With the system we are perfectly satisfied, and we feel certain that we are condemned only by persons who do not understand the real benefits derived from the system."



WHIPPING POST AND PILLORY AT GREENBANK, DEL. WARDEN MESERVE LAYING ON THE CAT.

NEW CASTLE COUNTY WORKHOUSE, GREENBANK, DEL., IN WHICH OFFENDERS ARE WHIPPED.

A School for "Rooters"

ROOTING," or the art of making a loud and continuous noise, is now taught regularly in the University of Delaware. The rooters' classes are by far the most popular in the university. Nearly every student enrolled in the university is expected to be a rooter and is not honored with a diploma unless he has taken the course.

The "Rooter's club" is an organization composed of 40 upper class members are elected because of their ability. Lyons of Kansas City, a senior, is the president of the club. His ability to lead is unexcelled among the rooters. The club has a large membership and is very popular. The club has a large membership and is very popular. The club has a large membership and is very popular.

The spelling of Missouri is another favorite subject with good effect. Each letter is long drawn out, especially the final "i," the whole result being a yell equal in volume to the "Rock-a-bay-haw" of Kansas. The old variety still is still given, and several new combinations have been rehearsed and will be given at the approaching game. Under the instruction of the rooters, the students are becoming proficient in yelling. When Missouri made the first touchdown of the season against Kentucky, the rooters did their duty manfully. Although some are still a bit hoarse, they will be in good condition for the next game. If the team does not win, it will not be the fault of the side lines.

The final aim of the system is practice in yelling is to produce a practice in yelling that will put Kansas to shame at the Thanksgiving day game. Missouri expects every rooter to do his duty. It is the motto, and no matter how the game goes Missouri students intend to support the team with their voices until the last.

Now Mexicans Test Eggs. From the Mexican Herald. It is a common sight in the plaza to behold a stall woman, who is selling two real's worth of eggs, pick them up one by one, put one end and then the other to her lips and hand them over to the customer, who repeats the same identical operation.

The inexperienced onlooker it seems as if they were tasting the extremities of the egg. As a matter of fact they never touch the egg with the tongue. The idea of the performance is that when an egg is fresh one end is distinctly colder than the other. The end which has the air chamber is the warmer of the two. The human lips are exceedingly sensitive to heat and cold, and even the novice at this form of egg testing promptly becomes a capable judge. If both ends of the egg reveal the same temperature, that egg may be counted as bad, as it is a fairly good sign that the air-chamber is broken and the contents spread equally within the shell.

Floating Pipe Carries Silt

PREPARATORY to being taken to the mouth of the Mississippi river, where they will be used by the United States engineers to support a floating pipe line, 18 steel pontoons and nine sections of iron pipe two feet in diameter have been unloaded on the barge facing the Johnson iron works, Algiers, La. The pipe and pontoons were made at Chicago under contract. The Johnson iron works will put finishing touches on the outfit and finally send the consignment to its destination.

The pontoons are of steel, 22 feet in length and five feet wide. They will be arranged in such manner that pipe nearly 1,000 feet long will be supported on the water by means of flexible connections, which will permit the action of the waves without severing the fastenings. Through the pipe tremendous quantities of silt, which is drawn from the bottom of the Southwest pass with a powerful suction dredge for keeping a uniform depth from the passes to deep water in the gulf, will be piped for about 1,000 feet. After passing through the pipe line the deposit will be dumped into the sea.

The use of a floating pipe line is a unique undertaking. The system will enable the engineers to do away with barges to take the silt and carry it to the passes, and instead of the old method, the mud is going to be handled in the same manner as oil in Standard pipe lines. It will require two pontoons to support one section of pipe, which will be joined by means of flexible connections of either rubber or canvas materials. The line will not be disturbed by the action of the water, and the harder it blows the more the pontoon and pipe will bounce. With the aid of the elastic joints, it will not be necessary to keep the pontoons on a uniform level, as they will act the same as foundations for a pontoon bridge.

Ever since the United States government assumed charge of the Southwest pass from the estate of Captain John B. Eads efforts have been made to simplify the disposition of mud from the bed of the passes. Barges have been used with limited success at much cost, until it was decided to experiment with the pontoon pipe line, which is expected

to prove superior in every way. If the undertaking turns out satisfactorily, the line may be extended further out in the gulf.

Mrs. Lehr's Dog Gives Party. Mighty Atom Invites His Well-Bred Friends to Observe Birthday. Newport Dispatch to New York World. The winter season has become frightfully dull. It remained for Harry Lehr, who is always full of exhilarating ideas, to revive the spirits of the few cottagers who are left here.

Little Furniture Latest Style

From the New York Sun. THIS is the era of the empty room. Fashion, which changes for modes of furnishing as well as for everything else, has swung as far away as possible from the over-crowded rooms that were in style a few years ago.

One no longer stumbles over the so-called "silver table" in the attempt to get out of the way of the glass-covered dining table, and then falls over the kidney dish which has been moved out to make room for the Louis Quinze cabinet. One can now travel without difficulty through the fashionable apartments which look like the check-a-block apartment of a decade ago.

"The new style is in accord with better standards of taste," said a decorator who admitted that the fashion had changed, "and that the day of the overcrowded room has passed forever. I can remember some years ago when the rage for First Empire furniture began, and how the rooms in French palaces which had seen the best of the period, know that only a few pieces of this massive furniture were used in every room.

"I can recall rooms of that kind in New York, however, so crowded with Empire pieces that they filled all the available space. Chairs, sofas, the heavy, awkward tables and dishes were piled about until the ornamental, gave the whole room a brassy look. The amount of furniture used nowadays is in a measure due to the artistic methods of decorators. Rooms in first-class new houses for which their owners pay large sums are now decorated in a more artistic than stretch of vacant wall, interrupted only by the cornice, the baseboard and the doors. This had to be covered with wall paper, and then the object of the decorator was to fill up that wall as much as possible with pictures, or set the room so full of furniture that the sense of bareness was removed.

In a measure, much furniture was necessary in these big rooms, with their lack of distinctive style. The difference today in the work of decorators explains the difference in the quantity of furniture needed. Nowadays a drawing room will be decorated, say in Louis Seize fashion. The walls will be paneled, with mouldings about the silk or pictures. The ceilings will be treated in the same way. The effect of this decoration is to furnish a room very much more than the plain old wallpaper ever did. There is, of course, no need for the quantity of furniture that used to be wanted, and fine pictures can be hung on these walls.

I saw the Louis Quinze room the other day, which was in perfect taste. There was a piano in it, a small grand, but that was necessary, and it was covered with a drapery which made it decorative, if it did not improve it aesthetically. Two chests of drawers which were genuine Louis Quinze specimens—a chaise longue and four separate chairs—all of them perfect pieces, furnished beautifully a room 16x22 feet. There was no sense of emptiness in this room, which 10 years ago would have been so clogged with furniture and bric-a-brac that it would have been all but impossible to get around it.

An Army Hunts Thieves

ESB E. Kirkwood of Guthrie is head of an army of 40,000 residents of Oklahoma and Indian Territory, each man of his subject to immediate service time to take the trail and aid in the capture of the horse thief. The passing of the horse thief in Oklahoma is credited to the efforts of the Anti-Horse Thief army, which now has close to one million members in Oklahoma and Indian Territory. The National Anti-Horse Thief association was organized in Missouri 43 years ago and lately extended its membership of the middle and western states during the past year in Oklahoma

alone there were organized 131 new lodges, with a membership of 14,000. In this county 17 new lodges were organized during the year, with over 700 members. Throughout Indian Territory the increase has been even greater. In the territorial division of the national association there is one Anti-Horse Thief lodge to every 50 square miles; in Kansas one to every 216 square miles; in Oklahoma alone one to every 120 square miles; Pawnee county has a lodge to every 24 square miles; Lincoln and Pottawatomie county one to every 25 square miles; Logan one to every 16; and Greer county one to every 140.

During the past year the association has aided in the capture of 137 horse thieves and the recovery of \$12,000 worth of stolen animals. There were 124 horses stolen and 130 recovered, some of them being stolen during the previous year. Out of the 137 thieves captured 117 have been convicted.

The association at times has proposition to resort to mob violence, notably in the murder of Capt. J. S. Poole, an Indian Territory association leader, by two horse thieves, Barclay and Brummitt, during the summer of 1902 in the Osage Indian country. After a hard fight the two outlaws were captured and placed in the federal jail here. The feeling against the two was so bitter that threats of lynching were made until Hominy lodge of the Anti-Horse Thief association took charge of the prisoners until the two could be transferred to Guthrie prison, and sent out with a warning that a mob would be resisted with Winchester. Barclay and Brummitt were tried, convicted of murder and sentenced to hang, but afterwards the sentence was commuted to life imprisonment at Fort Leavenworth by President Roosevelt.

While the association has been successful in weeding out nearly all of the outlaws and desperadoes, one remains who has fought all possums, escaped arrest and is still at large. He is Ben Craven, the only living king of outlaws left of the old gang, and for his capture the rewards aggregate nearly \$19,000.

Several cats, of nature not too brutal, were introduced into the drawing-room. Mighty Atom and his friends enjoyed themselves hugely chasing the cats under sofas and over chairs, until the dogs' owners feared their treasures might exhaust themselves. Then carriages were called and the entertainment, which was really one of the season's great successes, ended.

Seven Ages of Woman. From the Yonkers Statesman. Says she's sixteen when she's twelve. Says she's eighteen when she's fourteen. Says she's eighteen when she's twenty-one. Says she's eighteen when she's twenty-five. Says she's eighteen when she's thirty. Says she's eighteen when she's thirty-five. Says she's eighteen when she's forty. Says she's eighteen when she's forty-five. Says she's eighteen when she's fifty. Says she's eighteen when she's fifty-five. Says she's eighteen when she's sixty. Says she's eighteen when she's sixty-five. Says she's eighteen when she's seventy. Says she's eighteen when she's seventy-five. Says she's eighteen when she's eighty. Says she's eighteen when she's eighty-five. Says she's eighteen when she's ninety. Says she's eighteen when she's ninety-five. Says she's eighteen when she's one hundred.