

It is the duty of the state to protect the Citizen from injury in person or property, without expense to the party injured. 12

Man in his natural condition, or in a condition of barbarism is supposed to protect himself by physical force. This is his natural right. Where there is no law, man is a law unto himself. And the right to resent and redress wrongs is within himself. The manner of such redress lies with him to determine, and will depend upon his personal will, and physical force for its execution. In the formation of the state, however, ^{is} this right ~~is~~ ^{is} given up to ^{the} the state. The citizen surrenders the right to redress personal wrongs inflicted by his neighbor, by common consent, to the state. The state thus takes the contract to protect the citizen from personal wrongs, or violence against his person or property, so far as the nature of these wrongs will allow. This protection does not, however, take the form of an insurance. If one suffers a loss from theft, the state does not propose to pay for the lost property, but if the ^{original} identicle property can be found, and is properly attested, it may be returned to him. The citizen should not be relieved entirely of the burden of the criminality of citizens. The citizen bears the burden of the loss. The state agrees to use due diligence in searching out the offender, and in punishing him, with the end in view, that such offence shall not again be committed by the same or other parties.

The state does not propose to pay for the loss of life or limb inflicted by personal violence. This is the burden of

the citizen. But the state agrees, by implication, to search out and punish the offender who commits such violence, with the end in view of lessening the number of such attacks.

In this, however, certain rights are retained by the citizen; such as the immediate protection of his person from bodily harm. A man has always the right to repel personal ~~injury~~ assault. Here the supposition is that the state has not time to be apprised of the fact that an assault is being made, and of rendering assistance in time to prevent bodily injury. The state is, on this account, incapable of acting; and the individual must act independently. This fact, however, does ^{not} relieve ~~the~~ the state from the duty of punishing the offender.

This protection of the citizen from injury, is one of the principle functions of Government. It is the one point without which a government is not a government. We are not speaking now of what is known as civil processes; as the collection of debt, decisions ^{or the} as to the rights of property in dispute, or such questions as ^{arise} out of disagreements about property. These come properly under

the control of Government, but are of a different order; and require entirely different treatment. We wish to speak now, only of crimes, such as theft, and violence of all kinds. such offences as are ordinarily known as criminal.

I claim that the state has contracted with its citizens to punish each individual who commits a crime against his neighbor; and that the state should fulfill its contract without cost to the party injured. It is to this end that the state has its being; it is to this end that we pay taxes to the state.

it is to this end that we enact criminal laws, it is to this ~~end~~
end that we appoint officers and charge them with the duty of
executing these laws, and all of this is done that the citizen
may go to his rest in peace, and arise refreshed and ^ovigorous to
push forward the work of a higher and better civilization.

Is the state fulfilling its contract? ~~definitely~~ If we look
Over our statute books we may say that our criminal laws are
good and sufficient; if we run over the list officers appoint-
ed to execute these laws, we may ^{Say} they are sufficient in number,
and are fairly equip^ped for the work they have to do. from this
stand point we might be induced to say that the state is perfor-
ming its duty.

Let us now look at the matter from another point of view.
Here is a man who has been way-laid, Garoted, and robed. He makes
the matter known to the police of the neighborhood, ~~What happens?~~
What happens? These officers ask many questions, think the matter
over gravely, take the matter in hand with apparent vigor, look
around for a day or two, and, most likely report that the villi-
an is nowhere to be found; or, perhaps hint that the case is
one for the private Detective. Who is this private detective?
^{mention}
~~Is~~ I see no ~~mention~~ of such an one on the list of officers.
No, no. He is one ~~who~~ who makes it his business to search
such cases for private pay. Now if the injured party wants the
thief caught badly enough, to pay a first class private Detec-
tive a ^{sum} large enough, and employs him soon enough, the chanc-
es are that he will be overtaken. But without this, the chances
of bringing the criminal to justice are very slight indeed.
Especially is this the case, if the robbery be the work of ~~apro-~~

a professional^b thief. When we look back over the scenes of the last few years and know of the vast number^h of these^e cases that have occurred, we are sometimes inclined to ask ourselves if we have any criminal law that can be enforced^e against bold and fearless scoundrels. Witness the dirty work of the James Gang, and many others that might be named. In the Emma Bond case, ~~then~~ during the first trial, we were constantly informed that ~~startling~~ startling facts would be disclosed. But as day by day passed^s and the evidence was finally^h all in, it was found that the police disclosed nothing not previously known to the people. As it was in this case, so it has been in others the country over. Now and ~~then~~ we hear of a brilliant piece of work by the police. Much oftener, however, by the private detective. It is, I think, rather the exception that the police, under regular pay as such, follow up any case persistently, and work it out through any considerable difficulties. This has come to be recognised as the especial work of the private detective, operating by virtue of private pay; or, stimulated^a into activity by the offering of heavy rewards. If these things be true, and we assume that they are, we claim that the state is not fulfilling its contract.

To what can we assign this inefficiency of our police. 1st, to a short term of office. 2nd, to the lack of organization. 3rd, to the lack of individual responsibility of the men to an acknowledged head.

The term of office of a policeman is usually one year. and it frequently happens that they are employed by the month; or, for only for a few days. The duties of a policeman are dif-

cult and intricate. The proper and efficient performance of this function requires a special aptitude combined with an efficient drill. This is perhaps the principle reason for the existence of what is known as the private detective. Men take this up as a profession, study the subject, and by close application become proficient. This is necessary to proficiency. This being the case, we should not expect proficiency from men who are appointed at random, or from a species of political preference, to serve a few months or a year. In the very nature of ^{efficiency} things, ~~there~~ is not to be expected.

The lack of responsibility to an authorized head, is combined with this. Most of our policemen are appointed at the dictum of the ward politician. Most generally, I think, from what is known as the "Bummers class"; and feel themselves responsible to this "bum^{my}er class", if they feel any responsibility at all. The office of ~~my~~ policeman is usually regarded as one of the smallest offices in the gift of the politician, and as such, is claimed by the smallest of the Ward politicians. That is one of the offices ~~of~~ which he thinks he should have ~~for~~ for his friends. Therefore he has a large influence in this appointment. Hence it happens that the appointment is, practically, wrested from those that nominally appoint. They must do something for this class of voters, and they give them the police. It is no great wonder that the men should feel that their greatest responsibility is to the class to whom they owe their appointment. We do not say that these are necessarily bad men. Some of them, no doubt, ^{are}. But very many of them are really very good men; and make an honest effort to do their duty ~~as~~ as far

as they know it. The trouble is, rather, that they do not know their duty, or have entirely erroneous ideas as to what they ~~should~~ should do.

In the smaller Towns there is nothing that can be called an organization of police. A man is probably assigned certain hours in which he must consider himself on duty in a certain district. Farther than this, there is practically no instructions, he is his own master; and does, or fails to do, as he may see fit. In our large Cities there is, of course, a greater pretense, at least, of organization; some control by the chief of police, is felt, and perhaps, some harmony of action is maintained. At best, however, this is very slight ~~inconspicuous~~ as compared with that which is necessary to efficient work.

I think if ~~any~~ any of our military officers were to examine the organization and drill of our best City police, they would regard it as an unmanaged mob. In the very nature of things it can be little else. When we consider the manner of appointment, and the short term of office, together with the fact that the office of Chief of police, who is supposed to have the direction of affairs, is also very short, we have little to expect from the force in the way of efficiency.

Then, we have ^{no} combination of the police force of the ~~state~~ state. Each Town is a law unto itself. Each is isolated, and distinct. There is no organization between them. There is no arrangement for united action, notwithstanding the well known fact that the Burglar who works here to night, is likely to be some ^{other} city tomorrow night. ~~Our means of rapid transit~~ Neither is there any means provided by which the police may promptly follow

up a Thief whose track he may feel sure he knows. He is usually not provided with any means of defraying the expense, unless he should foot the bill out of his own earnings. He may, if he will take ^{the} time and trouble to hunt up the Mayor, (usually) ~~inter~~ ~~soothe in the matter~~ and interest him in the matter, get the proper ~~amount of money~~ ~~from the city~~ ~~and~~ ~~it seems to call for some~~ ~~kind of sufficient funds for his most necessary expences.~~

Our means of rapid transit seems to call for something better than this, for a different plan of action from that which seemed proper and right for our police force in its ~~unhappy~~ efforts to meet the needs of our civilization one hundred years ago.

~~THE~~ THE REMEDY for the evils here detailed is to be found, we believe, in a different mode of appointment of the police force; but especially in a different kind of an organization. At present there is practically no organization. An organization should be effected under which each man would be required to give an exact account of himself and his acts, to ^a recognized and responsible Chief; under whose guidance every man should work in accordance with some general plan. We care not so ^{much} about the plan to be adopted, farther than to say that, at any rate, it should not include less than a complete State under a single responsible head. we are not certain but that it should be under the control of the general Government. Be this as it may, it certainly should not be any ~~other~~ thing less than State control. The United States system of Marshalls in its dealings with the Whisky traffic has demonstrated

the fact that a national organization is better capable of dealing with this class of law breakers, than any local police that it is possible to appoint. We believe that a State system of police for the detection of criminals would, in a very few years, develop an efficiency that would be simply appalling to would ~~be~~ criminals.

The appointment should be for the term of good behavior, and effective work. The organization should embrace all the policemen of the State in one body, under a suitable ^{as} ~~com~~ of officers, and be of such a nature as to allow of promotions being made, based upon merit. For the accommodation of the smaller ⁱⁿ ~~A~~ Towns, small divisions could be formed; and the men might be appointed largely from the neighborhood in which they were expected to serve, if that should be thought most expedient. But we are convinced that the organization should contemplate occasional changes of men from one place to another. And that every Town should have in its police force a certain proportion of men not identified, socially, with the place. There should be a State Chief of police, who should have general charge of the organization; and to whom each division should report as often as might be necessary to keep the whole force in efficient working order.

We do not wish to specify any detail of such an organization. It would in some degree resemble a military organization; but the service it is to render would call for many important differences. It would be the business of this organization to preserve order in the state, to prevent crime, enforce the laws against the illegal vending of strong drink, bring criminals

before the bar of justice, and find evidence for their conviction. They should have nothing to do with the serving of ^msummons, or collection of debt, or any thing connected with legal ^{le}disputes. Such things should be left to the local Constables.

With such a body of men which this scheme contemplates we could manage the Liquor traffic in our Cities and Towns. ~~the~~ Detection of irregularities, and disobedience to law would be so certain^p and rapid that men would be deterred effectually from over stepping legal bounds. Whenever our Liquor dealers find that detection and punishment is ^rcertain, or nearly so, they will obey the law. As the case now stands, they make money by their disobedience. They evade the law so successfully that their fines for selling to minors, to habitual drunkards, on the Sabbath, &c. amount to less than their gains by the illegal practice. These men work for money; and whenever disobedience to the law is made sufficiently expensive, they will ~~sease~~ cease their disobedience. The removal of the police from the control of our Cities, and placing ~~the~~ ^Cthem under the control of the State would, we believe, serve to mitigate many of the evils now felt. On account of the accumulation of certain elements of society in certain Wards and Districts of our Cities, it has become almost impossible to enforce order by means of local police appointed from these districts. Such police will not enforce order among their friends who have been directly instrumental in their appointment. They could not be reappointed if they did, and the appointment to fill their places would, under the present system, revert to those who are in sympathy with the community. For this reason there will continue to be dangerous localities in our large

Cities as long as the present system is maintained. There are certain Vices, and vicious persons, who collect in these districts, on account of the licence they enjoy, which cannot ^{be} reach-^{ed} by a local police system, on account of the ~~state~~ sympathy which they entertain for such vicious practices.

It seems to me that the only way open to us by which these localities, be they in city, or country, can be controled^l, is by the State, or by a National police system. These localities would doubtless enter the objection that, they are not ~~uncontrolled~~ allowed self government. But this objection is weak, if not ~~foolish~~ foolish. In this country the ^amajority governs; and in the matter of public order, the voice of the whole people should be the guide. Not the majority of this or that locality. It is the voice of the State that should determine what constitutes crime, and execute the laws for its suppression. Not individual localities. The power of suppressing crime rests principally with those who apprehend criminals, and furnish evidence for their conviction. ^{May} We pass laws against crime till dooms-day and it will do no good in vicious districts, so long as the officers placed to enforce them are in sympathy with the vicious practices of the community. I repeat, the voice of the State should define crime, apprehend criminals and bring them to the bar of justice. Not individual localities.

We believe, also, that the difficulties so often complain^d of, about obtaining convictions in our Courts, would in a measure, disappear. This difficulty, I believe, is not the fault of the ~~the~~ Court; but in the evidence presented. And with a body of men skilled in obtaining evidence, this difficulty would, in a great

measure disappear.

Another point should be insisted upon. The force should contain a sufficient ^{ps}core of skilled detectives, stationed in widely different localities in the State; and always within Telegraphic call of the chief of the force, ~~and~~ prepared to go to any point at a moments notice, and ready to follow a criminal anywhere within the jurisdiction of the United States, if necessary. In this matter of following up criminals neither time distance, nor expence should be considered. It should be made, as nearly as can be, imposible for a criminal to escape. Exactness should be the one aim. No criminal should be given up while in the land. With such a system the J A M E S G A N G would be an ^simpossibility. If such desperados should show themselves, enough men would be sent against them-or rather rise up in their path,-to bring them to justice in a day. Our frequent Rail Road ^hRob^aberies woud be at an end. For such gangs would find the police force in their path. And Safe Blowers would find honest labor more remunerative employment. Crime of every discription would be reduced to the minimum.

We are not forgetful that this kind of a police system may be said to be foreign to the ideas of the English speaking peoples; and we know that it will grate harshly on many ears. It may be said that it does not harmonize with our traditions, and former practices; and that among us it is untried. Very well, let us cosider it, and see whether^p or not it offers advantages.

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