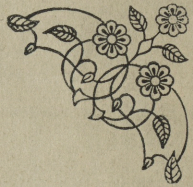
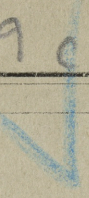


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# HOUSE OF REFORMATION

AND

# Instruction for Colored Children.



INCORPORATED

BY THE

General Assembly of Maryland,

AT THE

JANUARY SESSION, 1870.

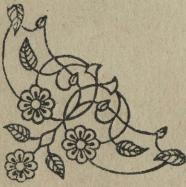
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BALTIMORE:

PRINTED BY J. JONES,

*No. 7 S. Holliday Street.*

1871.



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## BOARD OF MANAGERS.

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JOHN R. COX,	WILLIAM E. WOODYEAR,
HENRY W. DRAKELEY,	GEORGE A. POPE,
G. S. GRIFFITH,	WM. M. BOONE,
EDWARD STABLER, JR.,	ISAAC COALE, JR.,
CYRUS BLACKBURN,	JAMES BAYNES,
B. FRANK DEFORD,	W. R. LINCOLN.

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## OFFICERS.

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JOHN R. COX, PRESIDENT.  
G. S. GRIFFITH, VICE PRESIDENT.  
WM. M. BOONE, SECRETARY.  
WM. E. WOODYEAR, TREASURER.

## TO THE PUBLIC.

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Among the many charities that have received the fostering care of our State and city, none has for its object a more noble purpose than the "HOUSE OF REFUGE." In this Institution four hundred white boys find a home in which they are shielded from the contaminating influences of evil and corrupt companions, and are educated and trained in a manner that has restored many to society, useful and respectable men, affording to its Managers and the community the fond hope that the great majority who leave the institution to fight the battle of life, may be so imbued with the sense of right, justice and honesty, that they will never again become a burden upon the State, but be living examples of the careful moral training and of the habits of industry and sobriety inculcated by the management of the Refuge.

While so much has been done and is being done for these, there is another class of unfortunates whose needs are as great, for whom the laws of our State have made no provision, and for the amelioration of whose condition our benevolence has not yet been extended. A visit to our Penitentiary reveals the fact that "four hundred and fifteen colored persons are incarcerated therein, and of this number eleven are children under twelve years of age, and one of them but five years old, so small as to be able to creep through the prison bars." It is with this latter class that we now have to deal. The "Visitors to the JAIL" report the following commitments of colored persons during the year just drawing to a close:

"For violation of the Peace and for Drunkenness, 1,890; For Larceny, 375; For Vagrancy, 70;" in all, TWENTY-THREE HUNDRED AND THIRTY-FIVE, many of whom were children between the ages of five and sixteen years.

Do we need a stronger appeal to our sympathies or to our humanity. If we benefit them, we confer a blessing upon the community. For this, the opportunity is now offered, and should not be neglected. They are with us, and a better use should be made of them than supporting them in our prisons. Is it not a deplorable fact that our State and city are compelled to maintain at a heavy annual cost so many hundreds of criminals, who are not only producing nothing, but whose labor has been abstracted from the productive wealth of the State. It is a disgrace to our age and civilization, that we should allow children, who, for vagrancy, or for petty, real, or imaginary crimes, are thrown into prison, to remain in close companionship with those steeped in crime, and who have become hardened in their sins.—These children, many of them not really vicious or evilly disposed, are at a tender and susceptible age thus schooled in crime, and every day they breathe this polluted and tainted atmosphere, they become more confirmed in any vicious tendencies they may have developed, while a lengthened period of confinement transforms them into hardened criminals, to be supported hereafter at the expense of the Commonwealth.

We have a large colored population among us, and, while we are so dependent upon their labor, and they fill so important a place in the political economy of the State, it is not desired that it should be otherwise. This large population, who have heretofore been deprived of all the benefits of education, are now thrown upon us in a deplorable state of ignorance, and, as ignorance and crime go hand in hand, the class of juvenile offenders in question must of necessity be large, for

they in their ignorant and benighted condition cannot be expected to rise superior to the favored race, to all of whom the school and the church are ever open, and charity, both private and public, stands ready to help with outstretched hand. The need of agricultural labor throughout our State, as well as the great want of competent house servants, is daily becoming more pressing, while the material for intelligent labor is being contaminated in our prisons, or growing up in idleness and vice in our lanes and alleys, and rapidly becoming an element of danger, when it should be one of strength in society.

The subject is not a new one, for the present condition of things has long been too apparent to be ignored.

The active and benevolent mind of our highly esteemed fellow-citizen, the late Benjamin Deford, Esq., was so thoroughly impressed with the importance of establishing in our midst a place more suitable than the Jail or Penitentiary for the reformation and instruction in useful learning and labor of the juvenile offenders or vagrants of the colored race, that at the last session of our State Legislature he applied for an Act of Incorporation for a "House of Reformation and Instruction for Colored Children," which was granted; the location to be at any point within the State of Maryland. A copy of the charter is herewith appended. One condition of the act is, that after the Managers shall have obtained Thirty Thousand Dollars by private subscription, the State will pay Five Thousand Dollars per annum for two years. Had Mr. Deford lived, this unfortunate class for whom he felt a deep interest, (prompted by a noble humanity that would do good to all, of whatever clime or race,) would have been provided with a "House of Reformation and Instruction," and it would now be in the full enjoyment of its benefits, for so earnest was he in this good work, that he declared "if the citizens will not help to raise the Thirty Thousand Dollars, I will furnish it myself."

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The plan proposed to be adopted is that known as the Farm School System, or as it is called in several States in which it is adopted, Reform School.

That we may not fail in this good work, and that the aid promised by the State may be made available, the Board of Managers would now earnestly appeal to every citizen of the community for the assistance necessary to secure the establishment of the "House of Reformation and Instruction." And as confirmation of the condition of this class amongst us, and of the pressing necessity for such an institution, we beg to direct attention to the accompanying reports of the Grand Jury made from time to time, the reports of the Warden of the Penitentiary, and the Board of Visitors to the City Jail, also the testimony of his Honor, Robert Gilmore, Jr., Judge of the Criminal Court, and A. Leo Knott, Esq., States' Attorney.

The management of the House of Refuge is constantly being importuned by the Courts and by committing Magistrates in all parts of the State to receive colored boys convicted of minor offences, but that institution is prohibited by its charter from taking them, hence the pressing necessity of immediate action, so that the benefits of the Act of Incorporation may be conferred without delay upon this unfortunate class of beings, against whom all institutions are closed except the bolted and barred doors of the Jail or State Prison.

The foregoing is respectfully submitted to our fellow citizens, to the Mayor and City Council of Baltimore, and to the further consideration of the Legislature of our State, by the BOARD OF MANAGERS.

## ACT OF INCORPORATION.

### CHAPTER 392.

#### *An Act to Incorporate a House of Reformation and Instruction for Colored Children, and to appropriate a sum of money to the same.*

SECTION 1. *Be it Enacted* by the General Assembly of Maryland, that JOHN R. COX, JOHN C. BRIDGES, EDWARD STABLER, JR., HENRY W. DRAKELEY, WILLIAM M. BOONE, G. S. GRIFFITH, GEORGE A. POPE, BENJAMIN DEFORD, JAMES BAYNES, WILLIAM E. HOOPER, ISAAC COALE, JR., and CYRUS BLACKBURN, are hereby constituted and declared a body politic and corporate, by the name and style of "THE HOUSE OF REFORMATION AND INSTRUCTION FOR COLORED CHILDREN," and by that name and style shall have perpetual succession, with the power to have a common seal, and to change the same at pleasure, to make contracts relative to said institution, to sue and be sued, and by that name and style shall be capable of purchasing, taking, holding and conveying any estate, real or personal, for the use of said Corporation, and to establish By-Laws and Orders for the regulation of said Institution, and the preservation and application of the funds thereof.

SEC. 2. *And be it Enacted*, That every person who shall hereafter subscribe the Articles of said Association, and pay to the funds of said Institution the sum of fifty dollars, or ten dollars annually for the term of six years, shall be a member for life; and every person paying the sum of two dollars annually shall be a member while he continues to contribute the said sum, such payment to be made at the time and in the manner prescribed by the By-Laws of the said Association.

SEC. 3. *And be it Enacted*, That the estate and concerns of said corporation shall be managed and conducted by sixteen managers, of whom twelve shall be elected by members of the Association, and two appointed by the Mayor and City Council of Baltimore, and two shall be appointed by the Governor, in the month of February, annually.

SEC. 4. *And be it Enacted*, That the members of the Association shall assemble on the Third Monday of February, annually, at such place in the City of Baltimore as the Board of Managers may from time to time appoint, and of which the President, or in case of his absence or refusal, the Secretary, or any member of the Association, shall give notice in at least two of the daily papers in the City of Baltimore, and elect by a plurality of ballots twelve Managers.

SEC. 5. *And be it Enacted*, That whenever any vacancy in said Board of Managers shall occur by death, resignation, removal or otherwise, the same shall be filled for the remainder of the year by such person as the Board of Managers for the time being, or a majority of them, shall appoint, except the two appointed by the Governor, in which case the Governor shall fill the vacancy.

SEC. 6. *And be it Enacted*, That if the said annual election and appointment shall not take place at the times appointed for that purpose, the said Corporation shall not therefore be dissolved, but the members of said Board shall continue in office until a new election and appointment shall be had.

SEC. 7. *And be it Enacted*, That five of said Managers shall constitute a quorum for the transaction of business.

SEC. 8. *And be it Enacted*, That the said Managers shall appoint from their own body a President, a Secretary and Treasurer, and prescribe the duties of each.

SEC. 9. *And be it Enacted*, That they may from time to time make such By-Laws, Ordinances and Regulations, relative to the management, government, instruction, discipline, employment and disposition of the minors in the House of Reformation and Instruction, not contrary to law, as they may deem proper, and may appoint such officers, agents and servants as they may deem necessary to transact the business of said Corporation, and may designate their duties.

SEC. 10. *And be it Enacted*, That they shall make a report to the General Assembly, at each regular session thereof, of the number of minors received by them into the House of Reformation and Instruction, the disposition which shall be made of such minors by instructing or employing them therein, or by binding them out as apprentices, the receipts and expenditures of said Managers, and generally all such facts and particulars as may tend to exhibit the effects, whether beneficial or otherwise, of the said Association.

SEC. 11. *And be it Enacted*, That the Treasurer before he shall enter upon the duties of his office, shall give bond in the penal sum of five thousand dollars for the faithful discharge of the duties of his office.

SEC. 12. *And be it Enacted*, That the Board of Managers shall provide a suitable building in any part of the State of Maryland, and establish such regulations respecting the religious and moral education, training, employment, discipline and safe keeping of its inhabitants, as may be deemed expedient and proper.

SEC. 13. *And be it Enacted*, That the ground and the buildings which may be erected thereon for said House of Reformation and Instruction shall be free of tax.

SEC. 14. *And be it Enacted*, That no public streets, lanes, alleys, roads, railroads or canals of any kind, shall be opened through the lands, or any part of the lands, of the House of Reformation and Instruction where the same are exclusively used or appropriated for the purposes of its incorporation, except with the consent of the Board of Managers.

SEC. 15. *And be it Enacted*. That the Board of Managers shall have power, in their discretion to take into said house all such colored children as shall be taken up and committed as street beggars or vagrants, or shall be convicted of criminal offences, or as hereinafter provided for, in the case of application of parents or guardians.

SEC. 16. *And be it Enacted*, That they shall have power to place the children committed to their care, during the minority of such children, at such employments, and cause them to be instructed in such branches of useful knowledge as may be suited to their years and capacities.

SEC. 17. *And be it Enacted*, That the Managers of the House of Reformation and Instruction shall have power to bind out the children committed to their care, with the consent of such children, as apprentices, during their minority, that is to say, males until the age of twenty-one years, and the females until the age of eighteen years, to such persons and places, whether in or out of this State, and to learn such proper trades or employments, as in the judgment of the said Managers will be most conducive to the reformation and the future benefit and advantage of such children, and the indentures by which such children shall be bound shall contain the covenants, and shall be recorded as prescribed by Article Sixth of the Code, and all the provisions of the said Article in relation to white apprentices shall apply to apprentices bound under this Section.

SEC. 18. *And be it Enacted*, That the manner of receiving inmates into the House of Reformation and Instruction shall be in either of the following modes, namely: First, colored minors may be com-

mitted by a Justice of the Peace for any of the Counties, or the City of Baltimore, on complaint and due proof made to him by the parent, guardian, or next friend of such minor, that by reason of incorrigible or vicious conduct, such minor has rendered his or her control beyond the power of such parent, guardian, or next friend, and made it manifestly requisite, that from regard to the morals and future welfare of such minor, and the peace and order of society, he or she should be placed under the guardianship of the House of Reformation and Instruction.

Second, Colored minors may be committed by the authority aforesaid, when complaint and due proof have been made that such minor is a proper subject for the guardianship of the House of Reformation and Instruction, in consequence of vagrancy, or of incorrigible or vicious conduct, and that from the moral depravity, or otherwise, of the parent, guardian or next friend, in whose custody such minor may be, such parent, guardian or next friend is incapable or unwilling to exercise the proper care and discipline over such incorrigible or vicious minor.

Third, Such children as their parents, guardians or friends may desire to place therein for temporary restraint and discipline, and whose parents, guardians or friends shall agree and contract with the Managers for their support and maintenance; and fourth, minors committed by the several Courts in this State, as provided in this Article, and the annual sum of Five Thousand dollars shall be appropriated out of any unappropriated moneys in the treasury for the aid and benefit of the House of Reformation and Instruction for the period of two years.

SEC. 19. *And be it Enacted*, That the Treasurer of the State shall upon the warrant of the Comptroller, pay to the Managers of the House of Reformation and Instruction, or as they shall order and direct, the sum appropriated in the preceding section, in equal quarterly instalments of twelve hundred and fifty dollars each. But before the Comptroller shall issue his warrant for the first quarterly payment hereby provided for, he shall require the Managers of the House of Reformation and Instruction to furnish satisfactory proof that the sum of Thirty Thousand Dollars (\$30,000) has been collected by said Managers from private subscriptions.

SEC. 20. *And be it Enacted*, That it shall be the duty of the Justice of the Peace, when committing a vagrant, or incorrigible or vicious minor under this article, in addition to the commitment, to annex the

names and residences of the different witnesses examined before him, and the substance of the testimony given by them respectively, on which the adjudication was founded, and the same duty shall be performed by the Clerk of any Court the Judge whereof shall make such commitment.

SEC. 21. *And be it Enacted*, That whenever any colored minor under the age of sixteen years, shall be convicted of any felony in any Court of this State, the Judge of said Court in his discretion, and with reference to the character of the House of Reformation and Instruction as a place of sojourn, and not of punishment, may order said minors so convicted to be removed to and confined in the said House of Reformation and Instruction. *Provided*, That in all cases no transfer of any such minor from the counties shall be made until due notice has been given to the Superintendent of said House of Reformation and Instruction, and an answer received from him, that there is room in the House of Reformation and Instruction for the reception of such delinquent.

SEC. 22. *And be it Enacted*, That this act shall take effect from and immediately after its passage.

FERDINAND C. LATROBE,  
Speaker of the House of Delegates.

BARNES COMPTON,  
President of the Senate.

APPROVED, April 4th, 1870.

ODEN BOWIE,  
Governor, (*The Great Seal*.)

MARYLAND, SCT.

I, JAMES S. FRANKLIN, Clerk of the Court of Appeals of Maryland, do hereby certify that the foregoing is a full and true copy of Chapter 392. of the Act of January Session, 1870, of the General Assembly of Maryland, as taken from the original engrossed bill deposited in and belonging to the office of the said Court of Appeals.

IN TESTIMONY WHEREOF, I have hereunto set  
my hand as Clerk, and affixed the Seal of the said Court. { SEAL. }



## EXTRACTS

FROM VARIOUS REPORTS OF THE GRAND JURY, THE REPORTS OF THE WARDEN OF THE PENITENTIARY AND BOARD OF VISITORS TO BALTIMORE CITY JAIL. ALSO LETTERS FROM HON. ROBT. GILMOR, JR., JUDGE OF THE CRIMINAL COURT, AND A. LEO KNOTT, ESQ., STATES' ATTORNEY.

[*From Grand Jury Report of September, 1867.*]

"We would again call your attention to the imprisonment of negro children in the Jail for trifling offences. One was there for stealing three loaves of bread; another for stealing twenty-three cents in money: and we would most earnestly recommend it as a duty, that the community owes to itself, that provision should be made to instruct and reform this class."

[*From Report of September, 1868.*]

"Our experience during the term must be added to that of several of our predecessors, who have mentioned and pressed the necessity for a place of detention, with a view to reform the many negro children who are committed to the Jail. Their offences are generally very trifling; they are seldom indicted, but after a few weeks imprisonment are discharged, but their association with older offenders has made them far worse at their discharge than when they went in. In a few years their offences have become great enough for imprisonment in the Penitentiary. There is no probability that the colored race will be removed from among us. Interest, therefore, as well as humanity, would dictate all that can be done to elevate them should be done."

[*From Report of September, 1869.*]

"The importance of having young prisoners kept separate from others demands immediate attention, and especially does this apply to the colored youth, for whom there is still no other place of commitment than the Jail. The great need of a 'House of Refuge' for these, like that for the whites, should be regarded as admitting of no delay."

[*From Report of September, 1870.*]

"This body deem it their duty to call attention (though previous Grand Juries have frequently referred to it,) to a great want in our vast and rapidly increasing city, and desire that your Honor may take such action as to bring it to the special notice of the Legislature. It is the extreme necessity for a House of Correction, or Reformatory Institution for the care of Colored Juveniles. Quite a large number of colored children have been charged, before this body, with petty larceny, and the only place of punishment or reformation provided is the Penitentiary. To the humane and philanthropic mind the idea is revolting, and therefore the immediate erection of such an institution is strongly recommended as a matter of social and moral necessity."

[*From Report of January Term, 1871.*]

"Another matter which elicited our attention was the hardship of placing mere children where they are daily brought into contact with the vicious and criminal of larger growth. We allude of course to negro children, several of whom scarcely more than infants, are serving out sentences in the Jail. We think a House of Refuge or Farm School for such waifs should be provided at as early a day as possible."

[*From Report of September, 1871.*]

In speaking of the colored persons it says:

"Eleven are children under twelve years of age. It is greatly to be regretted that a more suitable place has not been provided for the young of this race."

GEN. HORN, THE WARDEN OF THE PENITENTIARY, IN HIS REPORT OF 1ST DECEMBER, 1870, ALSO REFERS TO THE SAME SUBJECT AS FOLLOWS:

"I cannot refrain from calling your attention to the fact that we have about twenty colored boys confined here, principally for Petty Larceny, whose ages range from eleven to eighteen years. I need not tell you that this is no place for them; thrown as they are in daily and hourly contact with old and hardened criminals, their young minds speedily become corrupted, and they go from this place schooled for wickedness and crime. Further comment is unnecessary, but for the honor of our State, something should be done towards the erection of a proper reformatory for the reception of these youthful violators of the laws."

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**THE BOARD OF VISITORS TO THE BALTIMORE CITY JAIL, IN THEIR REPORT DATED DECEMBER 31ST, 1870, USE THE FOLLOWING LANGUAGE:**

"In two successive reports this Board has called attention to the evil of incarcerating colored children in the Jail, and suggested the establishment of a House of Industry, or a Farm and Manual Labor School for this class of offenders. Although no institution of this kind has been organized, the Board are gratified to know that the Maryland Legislature at its last session in response to the requests of some of our prominent and charitable citizens, who themselves promise liberal donations to this object, appropriated the sum of \$10,000 for its establishment, and before another official year expires, the Board hope to be able to announce the organization of such a department."

LETTER FROM HON. ROBERT GILMOR, JR., JUDGE OF THE CRIMINAL COURT OF BALTIMORE.

CRIMINAL COURT, BALTIMORE, Oct. 26, 1871.

JOHN R. COX, ESQ.,

*Dear Sir:*

I address you, learning that it is proposed to call a meeting of citizens at an early day to consider the best means for securing a "House of Refuge" for negro minors, charged and convicted of crime in this city. This, in my judgment, is a step of much importance. The movement or the call for it, should, and I trust will meet with a hearty response on the part of the public, and be joined in by all who will feel the desire to unite in promoting greatly needed public reforms and charities. Almost every week's experience in this Court confirms the testimony so frequently borne by Grand Juries, and so often commented on and urged by those whose situation enables them to observe the necessity and speak advisedly on the subject. The class of offenders referred to are becoming extremely numerous, and from the great evident increase of this portion of our population they must continue to increase, and with that increase, multiplication of an evil in its consequences so pestiferous to our people must come, and just as it has been found necessary to repress the immoral or vicious tendencies of minor whites by establishing a House of Refuge for these, so for the self same reasons, or perhaps still greater, should we now seek to obtain a similar establishment for the first mentioned kind of delinquents. Neither Jail or Penitentiary at their best management can provide the discipline or culture in connection with correction, calculated to rescue erring youth from a protracted course of guilt. It is admitted that their influence can scarcely ever be rendered salutary in these cases, and yet also while it is as certain that there exists an admitted obligation or duty for society to

interpose in behalf of those who are young in the practice of crime, time is passing, and this important work is left neglected.

I hope your efforts may prove successful, and go far towards repairing this want. With much respect,

ROBERT GILMOR, JR.

LETTER FROM A. LEO KNOTT, Esq., STATES' ATTORNEY  
FOR THE CITY OF BALTIMORE.

BALTIMORE, November 13th, 1871.

JOHN R. COX, Esq.,

*Dear Sir:*

I fully concur in the views and sentiments expressed to you by his Honor Judge Gilmor in his note of October 26th, ult. With him I can bear testimony not only to the usefulness, but to the necessity of such an institution as you propose in our midst. I know of no object which appeals more strongly to State aid and private benevolence than the establishment of a Reformatory for the juvenile delinquents of our colored population.

Very truly, &c.,

A. LEO KNOTT.

