

day than it would the black flag of a "Kidd" or the torture-chambers of the middle ages.

Montaigne says, "Do but come in when the boys are about their lessons, and you shall hear nothing but the outcries of boys under execution and the thundering of pedagogues drunk with frenzy."

Cowper in the "History of the Rod," tells of a schoolmaster that during his fifty-one years charge of a large school had given 911,500 canings and 121,000 floggings. He had made 700 boys stand bare footed on peas and 6000 kneel on a sharp piece of wood.

Girls and boys alike were subjected to the most disgraceful and indecent flagellation.

"Many a white and tender hand, which the fond mothers had kissed a thousand times, have I seen whipped till it was covered with blood," says a writer in Spectator.

Lynam Cobb says, "I believe that corporal punishment has a degrading and hardening influence on those who receive it, and on those who inflict it."

While the names of Johnson, Coleridge and a host of others who grew up to be men of high character, disprove the first proposition; it is a fact that those who are accustomed to inflict pain on others become harsh and tyrannical themselves. Emerson says, "My experience is that the effect is necessarily bad on those who inflict the pain."

Most of the objections quoted above as before stated, may be shown to be arguments against the *abuse* not the *use* of corporal punishment.

Thus it is affirmed that the punishment is often inflicted in anger — frequently excessive — administered in an improper manner or with unsuitable instruments.

All this is true and some go so far as to declare that where this form of punishment is permitted at all, these abuses are to some extent at least unavoidable.

The only questions we have to consider are, 1st, Is corporal punishment ever necessary as a means of discipline? 2nd, Under what restrictions and in what cases should it be permitted?

In judging of its necessity there are two things to be considered: 1, the nature of the child to be governed; 2, the regulations under which school discipline is to be enforced. All vapidity and sentimentality is of course to be thrown away, and the hard facts of experience alone must be regarded. We must consider human nature as it is in school children and not as we would wish it to be.

We must consider the selfishness, wilfulness, idleness, mischief that must be controlled before instruction can accomplish anything, and before concluding that this form of punishment is never necessary, we must be prepared to show that under all circumstances which may arise, this control can be effected and maintained without any appeal to physical correction.

Is it not a fact that there are children so self-willed and wayward from lack of proper government at home that there is no way or controlling them except through the fear of bodily pain?

Many people (who have never tried the experiment) say, if you cannot control a boy without beating him the proper remedy is to expel. Expulsion is a tacit admission of the inability of the public school system to perform that *duty* for which it was mainly instituted. "The vicious and ignorant pupil is the very one," says Page, "for whom the reforming and civilizing influence of a good education is all important." If

this class of unfortunates be deprived of all chances of reformation by being driven away from the school at the very period of life when its restraining influences are most necessary, what may we naturally expect for them? We have solved the problem for the present but what about the future?

How many of the ignorant degraded wretches who gravitate unerringly to the police dock might in justice charge their shame and ruin to the very country for whose broken laws they are about to suffer?

Ignorance and crime are foster brothers.

In New York City corporal punishment was prohibited in 1870, and expulsion substituted. Three years later the superintendent in his report makes this statement:—"There is a larger class of boys whom our schools do not and cannot restrain, and whom therefore they cannot benefit but cannot send adrift to find their way inevitably to the reformatories and prisons after having inflicted on the community those injuries which it is the design of the school system to prevent."

To these especially the government owes an education and in order to bestow it the government is bound by every obligation of right and duty to govern them, and if its chosen officers expel them instead, they are responsible for their ruin. The writer once punished a boy for some flagrant act of insubordination. The father told him that he "did not believe in beating human flesh, he had never done it and he would not allow any one else to do so." To-day that boy is in prison serving out a sentence for an attempt to kill, and the victim was the father who objected so emphatically to "beating human flesh." Who is responsible for the ruin of that boy?

While the school codes are generally silent in regard to the right of teachers to inflict corporal punishment there are many judicial decisions in favor of this right.

Both by English and American law a parent may correct his child in a reasonable manner, and the teacher is *in loco parentis*. The following authorities substantiate this position:—2 Kent 205, 1 Blackstone 453, 9 Wendell's Reports 355, 27 Maine 280, 32 Vermont 123, 4 Gray 37.

The school law of Pennsylvania is stated thus:—"The right of the teacher to inflict such punishment is founded on the necessity of the case not upon statute. It is absolutely necessary that good order should be maintained in schools and that all proper rules and regulations and commands of the teacher should be strictly and promptly obeyed. Hence a necessity exists for sufficient power to enforce this duty and therefore it is held that the teacher may inflict such reasonable corporal punishment upon the pupil as the parent might inflict for a similar case."

Law of Indiana:—"A teacher while in the schoolroom is responsible for maintaining good order and he must be the judge to some extent of the degree and nature of the punishment required when his authority is set at defiance, and although he will be held amenable to the law for any abuse of this discretion, still he will not be held liable on the ground of excessive punishment unless the punishment be clearly excessive and would be held so in the judgment of reasonable men."

"A parent is justified in correcting his child by administering corporal punishment, and a teacher under whose care and instruction a parent has placed his child is equally justified in similar correction, but the correction in both cases must be moderate and given in a proper manner."

As to the offenses for which corporal punishment should be inflicted and the proper mode of inflicting it, the following