The "Comparative method" of study rests on the implicit belief that persons and peoples can learn from each other; that civilized races have some things in common; that, making all necessary allowance for differences in ethnology, character & disposition, there are general causes at work and general principles which may be relied upon in the guidance, control and management.

The following study rests on this belief, but the facts will be set down in such a form that they may be available for use even by those who do not reach the same conclusions as the writer of these studies.
Part I

Chapter I. The German Criminal Code; so far as it most directly affects the administration of prisons.

Part II

Chapter II. The Rules of Administration.

German

others (so far as they can be marked as such)

Part III

Chapter III. Experiments in Prison Management and Unresolved Problems under Discussion.
Chapter I. The Principles of Prim Administration found in the Criminal Code of the German Empire.

One of the earliest achievements and services of the German Empire was the formation of a Criminal code. In all the states of this great nation one law prevails. In a small volume of 201 pages, which can be bought for twenty-five cents, any citizen can discover an exact statement of his obligations and responsibilities in the sphere of personal conduct. In the United States we have as many systems of definition and penalty as we have states; and these in much confusion and discord, as well as feeling of injustice and inequality, arise from this fact.
کسی در این زمان‌ها به کتاب خوانندگان سیاسی به عنوان افرادی که در مورد سیاست‌ها و سیاست‌های عمومی مورد نظر دارند، علاقه‌مند و تربیت‌کننده‌اند. 

اگر یک کتاب خوانندگان سیاسی وجود نداشت، فردی که در مورد سیاست‌ها و سیاست‌های عمومی مورد نظر دارند، علاقه‌مند و تربیت‌کننده‌اند، 

اگر یک کتاب خوانندگان سیاسی وجود نداشت، فردی که در مورد سیاست‌ها و سیاست‌های عمومی مورد نظر دارند، علاقه‌مند و تربیت‌کننده‌اند،
German Administrations and Prisons

On the Ministries in German States, etc.

Goodman, ComDomus Administrationes

I. 139-142.
   Loeper, 62.
   J. F. Leney, 62.
   M. G. B.
   Zorn, 1201.

Biehlak, Preussisches Staatsrecht. II. 384.

M. M. S. 438-504.
The Code distinguishes two forms or grades of criminal actions, somewhat corresponding to our terms felony, misdemeanor, and offense; and these are further distinguished from each other by the character of the penalty.

1) A felony (sein Verbrechen) is an action which exposes its author to the penalty of death; or penitentiary (Gewahren) or for three years in prison (Vertheuffen) more than five years in dungeon.

2) A misdemeanor (Schwerde) is an unlawful action which exposes its author to the forfeiture of 600 marks, or to an ordinary prison (Besänkiere), or to a fine of more than 150 marks.

3) An offense (seine Unverbundenheit) is an act which makes its author liable to reparation, or to a fine of 150 marks.

519. Of Street-Rights.
§ 13. The death penalty is inflicted by means of hanging (Enthauptung).

§ 14. The penitentiary imprisonment (Zuchthausstrafe) is either for life or for a term. The longest term is fifteen years and the shortest one year.

§ 15. Ordinary prison (Befängnis). Here the longest term is five years and the shortest one day.

§ 16. Arrested prison. The term of incarceration may be for life or for a fixed limited period, ranging from one day to fifteen years.

§ 18. Detention in prison (Haft) is for a period from one day to six weeks; it is merely deprivation of liberty for the term.
§ 21. Equivalence. Eight months of a penitentiary equals one year of ordinary prison, and eight months of ordinary prison equals one year of fortress imprisonment.

[The thing here is that life in a penitentiary is not necessarily:] a) worse, b) more disagreeable, c) worse work than in ordinary prison, and so eight months in equal 12 months of the ordinary prison. Some doubt whether this does not lead actually to milder sentences for worse crimes, since it is impossible to make the conditions harder in penitentiary, with all the precautions the hygienic rules established for public health.


Labor in prisons.

The code (§ 15) provides for penitentiaries that their
inmates are also required to labor at the tasks
they may be required to labor at the tasks
they may be employed at
They may also be employed at
labor outside the prison, especially on public
works, not only when convicts are separated from
other free workmen.

Those who are condemned to enduring prison (Gejärpiris)
may be occupied with work suited to their
capacity in this institution; they can not be
brought into the institution without their
consent (§ 16).
Cellular ("Solitary") confinement.

§ 22. The penitentiarium (Zuchthaus) and punishment of the ordinary prisoner (Häftlinge) may be carried on for all the term of sentence or for a part of it, in separate confinement (Dingelhaft), so that the prisoners may be kept isolated from other prisoners. This separate punishment cannot exceed three years without consent of the prisoner.
"Good time" law. Provisional or conditional release (dauermäßige Entlassung).

§ 23. Those who are sentenced for a long term to penitentiary or ordinary prison may be released before the end (dauermäßige Entlassung) when they have completed three-fourths of the term of sentence, at least one year, a during that time have conducted themselves well.

§ 24. If the judge releases before the end of the sentence term (dauermäßige Entlassung) may, in case of bad conduct, be recalled at any time. If such recall has the effect, that the term elapsed between the release and the recall shall not be counted as the legitime of the sentence.

n. B.

§ 25. The decision upon the release, as well as upon the recall proceeds from the highest judicial authority (der obersten Justiz-Aufsichtsbehörde). Before the decision relating to release the prison administration is to hear:

The temporary court of the conditionally released cannot, for urgent reasons or further welfare, make or decide by the police authorities of the place where the released prisoner is staying. A decision of the matter alone.
§ 27. The maximum fine for felony or misdemeanour is ten (10) Marks; for offenses six (6) Marks.

To be distinguished from the fine (Geldstrafe) is the compensation (Reparation, Bussel), i.e. a sum of money (the plaintiff's or injured party's request, or instead of further damages.

[Example: Case of physical injury, infringement of personal or only rights.]
§ 31. Condemnation to the penitentiary carries with it incapac. for service in the German army or the imperial marines, or to occupy certain offices.

§ 34. Condemnation to an ordinary prison may be accompanied by certain civil rights, known for a limited time.

33, 34.
§38. Supervision by local police is authorized for certain counties, for definite periods, not exceeding five years.
§ 39 (cf. § 361)
Minor: children

§ 55. Under 12 years a person cannot be
Criminaly proceeded. If the law is broken the
child may be handed over to reformatory agency.

§ 56. Youth (bt. 12 to 18) years, if it is found that they
have not unright into the criminal nature of
the act, they may be handed over to the family
or other reformatory agency.

§ 57. Youth (bt. 12 to 18) who are capable of understanding
the criminal nature of the act are punished with
shorter sentences than adults for the same acts.
Surveillance; imprants (landstreicher);
Assays;
men who violate under justice
 participación also violate sentencing unable
police
requiring to drink 25 or more units per prisoner receiving aid.

Some 25 men to depart hence in the
prison, or (of escaped from the camps) abdicate
the restitution (landvand) by progression
(ex-convicts).

Surveillance & police may, in some cases, be added.

Minors (under 18) cannot be held in work house.
Crimes or Penalties.

Most of the Code is made up of definitions of crimes and statements of sanctions or penalties. These are not taken into account in prison administration.

The directors of prisons were not concerned with the nature of the offense but only with executing the sentence as written for that crime the sentence was rendered.

I have already called attention to the defects which have occurred strictly on prison administration.
The Administra of Justice... - Prussia: 

An all of the Justizverwalt.

In each Bezirk there is a Supreme District Court (Oberlandesgericht); in each Kreis, a District Court (Landgericht). In each Bezirk there is an Amtsgericht.

[for this, in dubio in Stephano ordine, apostolis, 1578.]

Minor criminal cases are tried in Sheriff's Courts (Schöffengerichte) throughout the Bezirksrätte Districts, with serious offenses by the Criminal Chambers of the District Courts; all cases are by Special Jury-Courts (Schwurgerichte) which sit under the presiding judge of the District Court.

"The Mräzrichter, all judges, rests with the King; but their appointment is for life, other judges have no a position of substantial independence. The Mräzrichter, being known, completely controls all Criminal proceedings."
Justice Court

Wilson, The State p. 271

The empire superintends and regulates.

The Court of last resort is the Imperial Court (Reichsgericht) at Leipzig, created in 1871.

The state governments appoint the judges of the state courts and determine the judicial districts; but imperial laws fix the qualifications of the judges, as well as the organization of the courts shall have. The decisions of the court at Leipzig are uniform with system of law.

[9. Strafverwaltungsgeg.]

The Central Executive Departments (Ministries).

Wilson, The State p. 281


The Staatsministerium (Ministry of State) or College of Ministers. It consists of

the heads of the 9 ministers and a cabal.