

Charities - N.Y. Char. Invest. Keegan
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PRIEST BAITING IN 1916

THE STRONG COMMISSION
NOW AN OLIGARCHY*

FORCED ON THE WITNESS STAND

THE DEFENDER OF CHILDREN'S INSTITUTIONS
BAITED BY STRONG, CLARK AND HOTCHKISS

A DISGRACEFUL INTERROGATION
IN THE NAME OF THE LAW

BY
W. B. FARRELL

*"Oligarchy: A form of government wherein a few men domineer,
do what they list." (Burton)

“Courage then, my countrymen; our contest is not only whether we ourselves shall be free, but whether there shall be left to mankind an asylum on earth for civil and religious liberty.”
—Samuel Adams.

**After reading, pass to your
fair minded neighbor**



“Commissioners must proceed according to legal methods and the individual rights and constitutional privileges of the citizen must not be subverted.”—JUSTICE BURR.

THE STRONG COMMISSION IGNORES THE CONSTITUTION

On Tuesday, March 14th, at the sessions of the Strong Commission in the Bar Association rooms, New York was treated to an exhibition of how a private citizen can openly be imposed upon, threatened and deprived of his Constitutional rights under the guise of legal procedure.

It was a great spectacle, staged and well advertised.

Under the authority of appointment by the Governor, the Strong Commission forced an arbitrary and unlawful inquiry into the lawful and private acts of a Catholic priest. The parties to the outrage conducting the “inquiry” were Charles H. Strong, Commissioner, John Kirkland Clark, his counsel, and William H. Hotchkiss, counsel for Commissioner Kingsbury of the Department of Charities, and all specially employed at the expense of the taxpayers at large salaries.

Limitations of the Strong Commission.

Section 8 of the Executive Law provides that the Governor may appoint one or more persons “to examine and investigate the management and affairs of any department, board, bureau or commission of the state * * * and subpoena witnesses and the production of books or papers deemed relevant or material.”

This is called the Moreland Act, because a member of that name presented a bill to the Legislature which became this law

This act has been frequently referred to by the Commission as though it gave some arbitrary power or conferred some remarkable rights. A State Senator tells me that the act was only intended to give the Governor power to appoint investigators to find out facts about some branch of the State government he wished to know but could not give his personal attention. The authority conferred on the Strong Commission has been strained to the limit, if indeed, it has not overstepped the bounds. A review of the acts of this



Strong Commission will show that they have departed from the intent of their appointment, and have rambled miscellaneously without any warrant whatever.

How I could become "a department, board, bureau or commission of the state" is not apparent. The Commissioner has power to investigate in the state service only, and not the Department of Charities.

I had no knowledge of the state departments, no records, books of accounts or papers relating to any of those departments.

If it be admitted for a moment that Commissioner Strong and his counsel had lawful authority for summoning me, what right had Mr. Hotchkiss, counsel for Kingsbury, to cross-examine or interrogate me? There has never been in this city a more impudent, scandalous and lawless misuse of pretended authority.

What the Commission Really Did.

Commissioner Strong, having subpoenaed me, after a display of fireworks and beating of tom-toms, began to interrogate me not about anything relating to state departments, or bureaus, or commissions, but about some pamphlets I had dared to issue. He instructed Mr. Clark to begin the inquisition and then told Hotchkiss to follow. The fact is they had no more right to interrogate me upon the only matter lawfully before them than to question King George of England about the conduct of the war.

As an exhibition of audacity, bold and unscrupulous lawlessness, under the guise of exercising rightful powers, the things done by this Commission can only be matched by those for which our fathers fought the Revolution. This performance, a revival of the acts of the Venetian Doges, was done in the name of the law and in the name of the Governor of this state.

Our Constitutional Rights.

The State Constitution provides, "Every citizen may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that right; and no law shall be passed to restrain or abridge the liberty of speech or of the press."

My counsel promptly informed the Commission that standing on my constitutional rights he had advised me not to answer as to my personal opinions and acts, as I did not propose to submit

to unlawful and venomous heckling. I said the same thing. This we reiterated almost continuously for five hours, or while the Governor's Commissioner, Mr. Strong, arbitrarily "ordered" me every few minutes to "answer," and they manufactured 160 pages of "evidence."

Personal Rights Ruthlessly Disregarded.

Mr. Strong had absolutely no right and no power to summon me before his publicity congress to interrogate me, not about the objects for which his Commission was authorized, but about my private acts, the opinions I had expressed concerning the course followed by himself and his associates. He attempted to break down the very portals of my mind and to enter lawlessly into the domain of my thoughts. I do not hesitate to affirm that there has hardly been so great an outrage on individual rights and personal liberty since the British evacuated New York.

The Strong Commission gave a splendid public demonstration of the things of which I have been complaining, its intimidation, exaggeration, needless publicity, attempts to mislead the public; and they did it in a way that those who run may see. That triumvirate of lawyers, Strong, Clark and Hotchkiss, displayed the animus to me that has been shown in this investigation for weeks, and their fury because I stood on my rights was measured only by their impotence.

Just One Illustration of General Unfairness.

Mr. Hotchkiss had been reading from one of my pamphlets and asking questions I had been declining to answer. He produced another pamphlet on the margin of which some one had written a scurrilous sentence, which Hotchkiss alleged Doherty had received through the mail, though he offered no proof. The writing read by Hotchkiss concluded, "It is a pity you did not croak when you went to the Adirondacks for four months. Hell is too good for you." Turning to me, Hotchkiss said: "Did you have anything of the same kind in mind when you wrote that statement in this pamphlet?"

The Commissioner directed me to answer; of course I refused. Mr. Hotchkiss: "I offer this in evidence."

Commissioner Strong: "I announce to you, Mr. Hotchkiss, that I shall not connect that with Father Farrell."

(This was unexpected kindness.) Then Hotchkiss said: "No,

I have not the slightest idea of connecting that with Father Farrell."

But any man of sense would wonder why he ever introduced the thing, except for the purpose of in some way implicating me.

It was as dirty an attempt to create an evil impression as a supposedly decent man ever resorted to.

The incident afforded Strong an opportunity to moralize to Mr. Butler, who objected to such tactics, on what might be "the effect of a pamphlet of this sort."

Of course, the highly interesting observation of Mr. Strong was both insulting and stupid, for by the same process of reasoning, the great danger and harm of creating the Strong Commission itself can be fully demonstrated.

I ask all fair-minded persons to note that I was dragged to Mr. Strong's judgment seat under the drastic arm of a subpoena. Most all witnesses were simply asked to come. This subpoena is one of the most effective and powerful weapons in the arsenal of formal court procedure.

Arrived at the court, my counsel, at proper times, began to follow the practice of protecting his client's interests, but was told by Mr. Strong, "There is no need of referring any further to the strict rules of evidence; I am not following them." And he spoke the truth.

The Press a Scapegoat.

In common with the rest of the world, we are dependent upon the newspapers for information. It is generally expected that they will try to give the true spirit of what takes place. If an article appears in several papers with such variations as show it the work of separate reporters, but with the essence of the story unchanged, it is pretty good evidence that story is true.

I have relied upon the reports in the press on this basis for a few of the facts I criticised in my papers.

At the inquisition it was intimated that he who takes press statements goes wrong, that things reported about the work of his Commission did not take place. Please note two facts:

1. Stories given out through the press are the only means the public has of knowing what is going on. Public sentiment is created by the press.

2. If erroneous reports have been sent out, the Strong Commission has corrected none of them.

It is no use to try to make the press a scapegoat. The Strong people should have seen to it that their reports were fair. In the main I believe the papers have reflected the atmosphere and the acts of the Commission. If, however, the press has misrepresented the Strong Commission for the last three months, which is unbelievable, why hasn't Mr. Strong subpoenaed the editors of the offending papers and demanded of them that they tell the truth? Possibly he thinks it perfectly safe to undertake to interfere with the individual rights of a poor priest, whereas he might hesitate before summoning the New York press to answer at his petty tribunal.

The Scandalous Anonymous Pamphlet. A Complete Exposure of the Hypocrisy and Evil Purpose of Those Who Secured the Appointment of the Strong Commission.

To fully appreciate the evil and outrage, bad faith and mischief in the publication and circulation of the anonymous pamphlet, you must recall that Homer Folks, head of the State Charities Aid Society, and John A. Kingsbury, Commissioner of Charities, induced the Governor to appoint the Strong Commission.

For many years Homer Folks has posed as the author of about all the reforms and improvements in charity matters in the City and State. He is the fountain of all that is good, and true, and pure.

For two years Kingsbury has employed much of his time and much of his office force in singing the praise of his own immense interest in all that affects civic charities. The desire of his heart and his life's ambition has been to aid and upbuild the children's institutions.

Mr. Geo. F. Canfield is vice-president of the State Charities Aid Association. On March 2d he wrote the Governor as follows:

"I believe that everyone interested in caring about improvements in the administration of public charities will join with you in your desire that an impartial, complete and thorough investigation, such as you have ordered, shall be made, and that the judgment of the public be suspended until all the facts are known."

This is beautiful. But the Governor had not ordered an investigation of public charities. Anything but that.

On March 8th Mr. Canfield, as vice-president, sent a letter to the members of the State Charities Aid Association on its official

stationery, urging members to uphold the impartial and honest investigation by the Strong Commission of the institutions. Along with this letter was a set of resolutions endorsing the Commission. There was also a pamphlet. I know this because a member of the Association promptly sent me the outfit, just received by mail.

Description of the Pamphlet.

This pamphlet is 24 pages, 9 by 12. It is filled with photo plate matter made up from the public press reports of the Commission's evidence. Ten pages are of scarehead lines torn from the newspapers without any modifying text. The rest of it, sensational statements made by hired witnesses during the progress of the investigation.

This pamphlet is anonymous, no one publishes it. I have copies given out on request at the office of the State Charities Aid Association, 4th Ave. and 22d St., room 710. I declare this whole business as bare faced an attempt to mislead and deceive as was ever accomplished by the lowest crooks and swindlers. The letters are hypocritical and untrue. The pamphlet a villainous and abominable production designed and intended only to deceive and do harm. A conviction of private institutions by scare headlines from the press. It certainly is the most ingenious, diabolical attempt to injure and ruin ever conceived by people posing and passing as respectable.

While on the witness stand I produced and distributed copies, thereby calling the attention of the Commission to this audacious and evil publication. Shortly after I left the stand Mr. John M. Bowers called Edward A. Moree, a secretary of the State Charities Aid Association and its publicity agent. He was forced to admit that he was the creator and publisher of this villainous publication and said he was going to pay for it.

He said that Commissioner Kingsbury had furnished material and talked with him about the publication at the City Club.

Additional Details.

On Wednesday morning (March 15) Mr. Moree was recalled, and testified that the publication of the pamphlet was discussed by his board and left to his attention.

That John A. Kingsbury agreed to furnish \$500 to pay towards getting the pamphlet printed and circulated.

The last four pages of this paper of mine gives reproductions of sample pages, much reduced in size, of this outrageous publication.

Mr. Geo. F. Canfield, vice-president, was called and testified that after discussing the matter of the publication it was left to a Committee, of which he was chairman, also having in charge resolutions and letters to be sent out to the Governor and others. That publication of the pamphlet was finally left to Moree.

Oh, what a fine and noble work all this was for high-toned Christian gentlemen to be engaged in! This assassination of the children's institutions by an anonymous and designedly misleading publication, intended to create a false impression and deceive the public!

Mr. John Purroy Mitchel, there is your Commissioner of Charities! At last he is stripped of his mask and you have him as he is. One of the originators of the most dastardly publications, which he pays for, that was ever sent out to work ruin and shame to innocent people. Perhaps malice and hate can go further, but it needs a very black heart to drive them.

There is the man of whom you testified only a few days ago, "I am absolutely satisfied with the work done by Mr. Kingsbury." "I appointed Mr. Kingsbury because I considered him the best man in the city for that work."

At first it was alleged that this pamphlet was created to offset my papers. But it was shown that this job was put out before I had written or sent a line. It was to be a stab in the back, in the dark.

News Censorship at the Commission.

On Tuesday afternoon this State Charities Aid pamphlet scandal was brought to the Strong Committee, and a line or two was in Wednesday morning papers. On Wednesday forenoon the exposure of those wretched men was completed by Mr. Bowers.

No such significant news has been made at any session of the Commission.

But not a line about it has appeared in any of our big papers. Can any one say this silence is just accidental, or was the matter hushed up? How is it that this important news was not given to the press? Why didn't they get it? Of course there's a reason.

A Naive and Charming Explanation.

Because I have declared this investigation to be anti-Catholic, the Commission and the Governor have assured the public this is not so, and to prove it, point out that they have criticised Protestant institutions as well as ours. They do not say that these are small homes in the main, or that they also resent the attacks on their honor and work as much as do we.

The explanation, however, is important as showing the mental operations of the Strong Commission. It is as though we were to be told by some giant bully, "Don't feel hurt because I have slammed and kicked you; I have slammed and kicked somebody else as well."

The appeal of Mr. Strong to Mr. Bowers is another illuminating incident. Mr. Strong asks Mr. Bowers if he thinks it was all right to call me as a witness. Mr. Bowers, attorney for the defendant State Board, Strong acting as judge, says quite naturally and properly, not wishing to disagree, "of course it was all right."

How badly Strong needed consolation and support; but how the laconic and able Bowers must have grinned inside!

A Heart-Breaking Tragedy.

At the very time Mr. Strong was making his unseemly efforts to bring me before his bar, a member of the State Board of Charities, a man of the highest character, a gentle, lovable, sincere, upright soul who had given the best 40 years of his life to unending and intelligent efforts in the cause of real charity, was simply sinking from the effects of shameless attacks upon his motives and honor. It was as when the first frost strikes the vines in autumn, and the sun rises, he withered and shriveled away. These wounds to his sensitive heart were made by a creature of his bounty and by a man who should have known better—who has had years and years of personal acquaintance in which to know better—alas! a high representative of the government of this great city. This noble soul of whom I am speaking was himself to have appeared on this very Friday before this Commission that has behaved itself so unseemly.

What happened! What has happened! I do not need to say but I do say that the studied and elaborate eulogies presented at this Strong Commission in the dark of Friday evening last better would have been unsaid. They sound artificial, empty, false and flat. **There is no ring of sincerity!** The metal is base! These

eulogies so contrary to the things actually said and done—were a farce, a sham.

And I say this who know: That man was my life-long friend, my old mother, still living, his godmother. My heart bows down and I weep as I think of it. **You who investigate, you who are “expert,” you have done better than you know, for you have given all true charity a martyr!**

The Position I Have Taken.

Standing on my rights, the right to criticise, the right of free speech, I have refused to be catechised on any of my letters or to give any information about them, or where or how I obtained the facts set forth therein. I believed them true, and I refused to submit to the interrogation of a commission so discredited, especially when I am sure it has no right to question me upon my freedom of speech, and I was notified by Mr. Strong that it was for such purpose I was summoned to be there.

If this be contempt of court, then I am ready to answer at those tribunals which our laws prescribe and where justice, propriety and decency have a chance.

W. B. FARRELL,
71 South Third Street, Brooklyn.

ADMITS 'STRAPPING HIS ORPHAN CHAR'

HOSPITALS UNFIT SAYS 'WILL PUSH STATE CHARITIES INQUIRY'

ADMITS STATE FAILS TO INSPECT ASYLUMS

Superintendent of Asylum at River Falls

Affidavits of Institutional Heads Accepted Without Any Investigation.

KINGSBURY

Kingsbury Attacks Sec. Heberd and Vice-President Mulry of State Board

PUSH STATE CHARITIES INQUIRY TO BEGIN

INSTITUTION IS VIOLATED

DOHERTY IS CRITICISED FOR CHARITISM

Charges that St. Catherine's Hospital at Amityville received money from the State for the care of patients without the supervision of the State Board of Charities

PUTS FOUR MORE INSTITUTIONS



CHILDREN'S HOMES UNDER FIRE IN PROBE BEGUN BY WHITMAN

Mr. Doherty Describes "Heights Hospital. D. Operating Room"

INSTITUTIONS SO DIRTY CHILDREN WERE REFUSED

CHILD CHARITIES REPORT FORECAST

KINGSBURY DECLINED TO SEND SMALL CHARGES TO 19 HOMES.

Commissioner Strong Declares His Mind Still Open and No Conclusions Reached.

Conditions Were Improved in 9 of Them

Says Commissioner Doherty of Pun-

HEIGHTS HOSPITAL DENOUNCED

NEWSPAPER COMMENT ON Governor Whitman's Charities Investigation

ON STAND. COERCION YES INQUIRY

Inspector Tells at Heights Revolting Conditions in Uptown Institution

CONDUCTED BY

CHARLES H. STRONG

State Board Tried of Kingsbury's Investigation.

TABLE FOR 400

COMMISSIONER APPOINTED UNDER THE MORELAND ACT

BER RESIGNED

in Dispensary Room

Commissioner Doherty's Conditions in Home.

BARES ANIMAL NEGLECT OF BABIES

Adolph Lewisohn and Effort to Have Dr. Bernstein Withdraw.

Reproduced from State Charities Aid Association Pamphlet.

N. Y. SUN
**CHARITIES PROBE MET
ENERGETIC OPPOSITION**

W. J. Doherty Describes
as Investigator

**19 INSTITUTIONS OF
CHARITY ARE UNFIT**

Commissioner of Charities
Refused to Send Any
Children There

**"OLIVER TWIST"
OUTDONE IN
S. I. HOME**

**FOUND HOMELESS
BOYS NEGLECTED**

Deputy City Charity Commis-
sioner Tells State Investiga-
tors of Sh-
Children

**PUTS BAN ON 10
CHILDREN'S
HOMES**

ALBANY HERCZYRBOCKER
PRESS

**HITS CONDITIONS
IN INSTITUTIONS**

Nineteen on Blacklist of State Be-
cause of Unsanitary Sur-
roundings.

BUFFALO TIMES

**SAYS CONDITIONS BAD
IN STATE INSTITUTIONS**

**DIRTY CONDITIONS IN
MISSION, WITNESS SAYS**

W. J. DOHERTY TESTIFIES BEFORE
COMMISSIONER STRONG.

**STATE INSTITUTIONS IN
DEPLORABLE CON-
DITION**

**BLAME IS SHIFTED
IN CHARITY INQUIRY**

The Governor's Commissioner
Finds State and City Divide
Responsibility.

**SHARP CON-
TRAST**

**CHARITIES BOARD
FACES ACCUSE**

Effort to Block Inquiry I-
to Institutions, W. J.
Doherty Testifies.

**10 CHILDREN'S
INSTITUTIONS
FOUND 'UNFIT'**

Poorly Equipped for
Work That Commissioner H-

BUFFALO COURIER BLACKLISTS 19 INSTITUTIONS

**TURNS CONDITIONS FOUND
IN CHARITY INSTITUTIONS**

New York, Jan. 31—W. H. Hotchkiss, special
investigator appointed by Gov. Whitman
today before Charles H. Strong, special
investigator appointed by Gov. Whitman.

N. Y. HERALD

**ACCUSES STATE
OFFICER OF TRYING
TO BLOCK INQUIRY**

W. J. Doherty Swears T. M.
Mulry Sought to Disrupt
Charity Investigation.

BROOKLYN STANDARD UNION

**HAD ONE TOOTHBRUSH
FOR 400 CHILDREN**

Deputy Commissioner Doherty
Testifies to Conditions in
Staten Island Home.

**YOUNGSTERS DIDN'T
PROTEST CONDITIONS
IN MANY INSTITUTIONS**

CHARITIES

**ALBANY ARGUS
TROTCHKISS TELLS OF 19
INSTITUTIONS CONDEMNED**

New York, Jan. 31.—W. H. Hotchkiss,
special investigator appointed by Gov. Whitman
today before Charles H. Strong, special
investigator appointed by Gov. Whitman.

UTICA PRESS

UTICA OBSERVER

UTICA OBSERVER

UTICA OBSERVER

UTICA OBSERVER

UTICA OBSERVER

**ONEONTA STAR
UNFIT CHARITY INSTITUTIONS**

**SAYS MULRY TRIED TO
STOP CHARITIES PROBE**

ALBANY ARGUS

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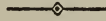
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“GOVERNOR’S INVESTIGATION WILL BENEFIT 25,000 CHILDREN.”



Mayor Mitchel's Testimony Before Commissioner Charles H. Strong:

“I believe that the investigation of the State Board of Charities which is now in progress, represents one of the useful types of co-operation between the State and City governments. I believe that the Governor’s action in bringing on this inquiry will be fruitful of good results—can be fruitful of nothing else—and if this matter is sifted to the bottom, as it is being, and the facts are all collected, it ought to result in a very great benefit to the 25,000 children who are committed to the care of these institutions and who need this inquiry very much for their own physical and moral well being.”

Reproduced from State Charities Aid Association Pamphlet.

**Truth lives in the light of
publicity.**

**Pass this pamphlet to your
neighbor who desires to know
truth from falsehood.**