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## CURRENT BIBLIOGRAPHY.

### A. BOOK REVIEW AND NOTES.

The New York State Education Department has issued, under date of February 1, 1910, Bibliography 47, containing a list of medical serials in the New York State Library. Included in this Bulletin also is a general bibliography of books and periodical articles on medical jurisprudence and related topics, such as expert testimony, hypnotism and insanity, covering a considerable amount of criminological material.

LA JUSTICE PRIVEE: SON EVOLUTION DANS LA PROCEDURE ROMAINE, By *Louis Crémieu*. Paris: Larose et Tenin, 1908. Pp. XII, 324.

This is a study of the progressive diminution of private justice in Roman law and its gradual displacement by state-administered justice. The author shows that, among primitive peoples, all justice was private, but as the sovereignty of the state and of law became an established fact, the domain of private justice decreased. The extent, however, to which private justice has survived in modern law is pointed out in a concluding chapter.

A new edition (the fourth) of Judge J. W. Donovan's well-known work on "Modern Jury Trials" has been received. New York: The Banks Law Book Publishing Company, 1908. Pp. XXI, 720.

It contains accounts of sixty famous trials conducted by two hundred noted advocates, covering a period of thirty years. These cases illustrate the methods of conducting criminal trials, the rules of evidence, the art of winning cases, specimens of legal oratory, notes and rules of practice, true stories of crime, historical sketches, etc.

THE COURTS OF THE STATE OF NEW YORK. By *Henry W. Scott* of the New York Bar. New York: Wilson Publishing Company; 1909.

This is a study of the origin and growth of the judiciary of New York, the subject in the main being treated chronologically. Beginning with the early Dutch settlements in 1623 and the Colonial period following, during which the courts were not separate tribunals, but were often combined with executive and legislative bodies, the author traces their historical development down to the present time. Due consideration is given to their jurisdiction, procedure and

to their general political and legal status. By the adoption of a narrative style, a number of interesting historical facts have been introduced, which, aside from their relation to the history of the courts, are also of value as bearing upon early Colonial customs.

Though containing much valuable information, the work is somewhat open to criticism by reason of its method of treatment. Consecutiveness has not been observed throughout, but this is due in part to the complexity of the subject-matter. On account of the independent treatment given each court and the lack of proper correlation of facts in certain portions, the work, if considered as an attempt to show the development of the courts as a judicial system, is somewhat weakened.

The book is the result of research in a field hitherto unexplored and for that reason is of interest both to the lawyer and the layman.<sup>1</sup>

Archer's LAW OFFICE AND COURT PROCEDURE. Boston: Little, Brown & Company, 1910. Pp. XXIII, 300.

This is a useful work for students and young practitioners. It is full of hints and suggestions as to how to advise a client after listening to his story; how to choose a court in which to defend his case or prosecute his rights; the choice of process; preliminary steps; the starting of the suit; the drawing of the declaration; the entry of the suit; preparation for trial; the direct examination; the cross-examination; the conclusion of the trial; and the proceedings after the verdict, such as motions in arrest of judgment, application for new trial, the taking of exceptions, petition to vacate judgment, execution, etc. The rules of procedure are frequently elucidated by the use of illustrative material, such as copies of declarations, processes, specimens of examinations, demurrers, motions and other legal forms.

ALLGEMEINE GERICHTLICHE PSYCHIATRIE FÜR JURISTEN, MEDIZINER, PÄDAGOGEN. By *Dr. H. Schaefer*. Berlin: Ernst Hoffmann & Co., 1910. Pp. 256.

This is an excellent little book, giving a remarkably direct and simple statement of the main facts of judicial psychiatry, evidently from the experience of a man who has done a great deal of practical work, not merely in what constitutes the expert business in connection with murder trials, but in that broad field which has to be covered in the well-organized German judicial system. All through it there are very concise examples and especially clear statements to meet the frequent prejudices on the part of the legal profession and the public. A bright, frequently humorous, style makes the book very attractive reading.

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<sup>1</sup>Furnished by W. E. Britton.

Francis L. Wellman, Esq., of the New York Bar, whose work on "The Art of Cross-Examination" appeared two years ago, has recently published a book entitled "Day in Court; or, The Subtle Arts of Great Advocates." New York: The Macmillan Company, 1910. Pp. 257.

In this book he gives a variety of advice to young lawyers concerning the methods of conducting trials in criminal cases. He discusses, in turn, the qualifications, mental and physical, of the successful trial lawyer; the opportunity and rewards of the legal procession; preparation for trial; scenes in the court room; the mode of selecting the jury; the art of examination and cross-examination; and the "summing up" of the case. He dwells upon the English system of dividing the profession into two classes, barristers and solicitors, and points out the advantages of specialization which such a system secures. His discussions are illustrated at many points by actual incidents which have come under his own observation or of which he has heard.

Mr. Wellman has no criticism to offer against American methods of criminal procedure, such as impressed Nerinx in his study of judicial organization in the United States. Nothing is said of the intolerable delays of selecting juries, of the sacrifice of justice to technicality, of the tricks of "sharks" and "shysters" or of the delays of the law, although during his experience at the bar he has doubtless seen more of these than Nerinx ever saw during his American travels. His reference to the "so-called delays of the law" (p. 21) leaves the impression that he takes no stock in the widespread complaint against our tread-mill methods and that the delays exist only in the imagination of reformers. His discussion of the "art" of getting a jury that will render a verdict for your side of the case is not calculated to impress one with a very high opinion of the jury system as a method of "eliciting the truth."

THE PROBATION SYSTEM AS APPLIED TO PERSONS CONVICTED OF DRUNKENNESS. 1907. Pp. 25.

THE MASSACHUSETTS PROBATION SYSTEM: THE PRACTICAL APPLICATION OF THE SYSTEM TO PERSONS CONVICTED OF FELONIES. 1908. Pp. 54.

THE MASSACHUSETTS PROBATION SYSTEM: THE PRACTICAL APPLICATION OF THE SYSTEM TO FEMALE OFFENDERS. By *James P. Ramsey*, 38 Gates Avenue, Lowell, Mass., 1909. Pp. 48.

These three pamphlets, based on the extended experience of the author as probation officer in the Massachusetts (Middlesex County) Superior Court, tell, with considerable detail, the procedure of placing defendants on probation in that state and the methods of supervising and trying to help those who are on probation. The

pamphlets cite several cases illustrating the beneficial results obtained through probationary treatment. A. W. T.

DIE STRAFANSTALTEN UND GEFAENGNISSE IN PREUSSEN. Von Dr. *Jur C. Krohne* and *R. Uber*. Berlin: Carl Heyman's Verlag, 1901; Nachtrag, 1909.

Dr. Krohne has associated with him a competent architect in publishing a report on the prisons of Prussia, which deserves the study of Americans. It is true that at present the separate system here illustrated would find little favor in the United States, the Eastern Penitentiary in Philadelphia being our only monument of a theory which has found favor in Europe while rejected in this country. There is, however, a strong current of opinion setting in favor of a certain restricted use of the separate cell, as for disciplinary punishments, but especially for city lockups and county jails, where the residence is brief, classification is impossible, the danger of corruption a crying evil and occupation less important than in case of long sentences. The tendency to establish houses or colonies of correction for those convicted offenders who now languish and are demoralized in jails will make it less expensive to provide a separate cell for each person detained awaiting trial. Therefore, the Prussian plans may be useful with us. There are many devices for securing light, ventilation, cleanliness and security which should be known to our architects. The text of these volumes ought to be printed, at least in summary, in English, and the descriptions accompanying the plans should be given in full. Even for those who do not read German, the drawings would be helpful, with a little explanation. These volumes present the latest and ripest fruits of German science and practical wisdom in the field of prison architecture. C. R. H.

STATISTIK DER ZUM RESSORT DES KOENIGLICH PREUSSISCHEN MINISTERIUMS DES INNEREN GEHORENDEN STRAFANSTALTEN UND GEFAENGNISSE UND DER KORIGENDEN FUR DAS RECHNUNGSJAHRE, 1908; RAWITSCH, DRUEKEREI DER STRAFANSTALTSVERWALTUNG, 1909.

Out of the vast materials here presented, we may select a few facts which may well go with the notice of the volumes of Krohne and Uber. The separate system (*Einzelhaft*) in the Prussian law means life in a cell day and night, sleeping or working; although in exercise and church attendance isolation is not absolute. This report shows that 4,998 cells were provided for 11,200 prisoners in the prisons for serious crimes, or 44.6 per cent; in the prisons for less serious offenses there were 7,804 cells for 9,314 prisoners, or 83.8 per cent. Since 1869 the number of cells have been increased from 3,247 to 12,802. The older congregate prisons are preferred for recidivists; the cells are reserved as far as practicable for the

younger and more hopeful; the theory being that the corrupting association of convicts should not be inflicted on those who give some promise of amendment. The duration of separate confinement is limited by law and by the advice of the physicians. The tables and text cover the facts relating to the prisons and houses of correction, the reports of morbidity and mortality of prisoners, instruction, libraries, etc.

During the year 127 were released conditionally (*vorläufige Entlassung*); 1,413 upon release have been under the care of societies of patronage and aid. The reports emphasized the fact that most of the prisoners enter the institutions with a very low grade of education, and that the prison school is needed to bring back what is forgotten, to arouse the faculties, and to save the man from mental decay in the monotony of his cell life.

C. H. R.

CRIMINAL INVESTIGATION: A PRACTICAL HANDBOOK FOR MAGISTRATES, POLICE OFFICERS AND LAWYERS. Translated and adapted to Indian and Colonial Practice from the *System der Kriminalistik* of Dr. Hans Gross, Professor of Criminology at the University of Prag. By *John Adam* and *J. Collyer Adam*. Madras: V. Kalyanaram Iyer & Co., 1906: Little, Brown & Co., Boston, Mass., American Agents. Pp. XXVIII, 889, XLVII.

In their preface, the adapters of Dr. Gross' work say: "This volume is designed to be a working handbook for all engaged or interested in criminal investigation." Encyclopedia, however, might more properly designate the mass of information brought together in the volume. There is much useful information and much valuable discussion of principles, but, with all this, there is a minutiae of detail and an insistence on the obvious which can be adequately characterized only as first aid to the tyro in detective work. The "investigating officer" of European systems, at whose instruction the book is aimed, has no single analogue in the English and American official scheme. The work of the investigating officer would, with us, fall within the fields of the official detective, the district attorney and the police. All these officials, as well as criminal lawyers, will find the book interesting and suggestive. No line is drawn between the original work of Dr. Gross and the additions of the adapters of the Indian edition, but it is evident that the adaptation has been quite free.

The work is divided into four parts. Part one contains much general exhortation of the investigating officer, such as the following: "If we now ask how should the investigating officer set about his work, we can come to but one conclusion, his whole heart must be set upon success. If not, he reduces his work to the mere dispatch-

ing of documents and firing off of reports as fast as he can. If he would succeed in each inquiry, his work will be by no means easy, smooth or peaceful; on the contrary, he will have to devote himself completely and continually to his task, working with all his might and never pausing for rest." There is also an interesting chapter on the examination of witnesses, including a discussion of the psychological value of testimony; a chapter on the inspection of localities and a discussion on medical jurisprudence, microscopical examinations and on anthropometrical measurements and finger-prints, as applied to the identification of criminals. In part two, much curious information on the practices of criminals, such as disguises, pretended illness, signs and signals and on popular superstitions, is assembled, and there is also a chapter on the construction and use of weapons. Part three instructs the investigating officer in the general principles of drawing, in the study of foot-prints and of ciphers and secret writings and of traces of blood. In part four, particular offenses, such as wounds, poisoning, theft and arson, are treated in detail.

A valuable feature of the treatment throughout is the illustration of the discussions by the citation of actual cases and instances and by a bibliography, which is included in the form of an appendix. This close association of the actual gives an impression of life and reality to the book, which not only adds to its practical value, but makes it readable. At the same time, discrimination is not always apparent, as, for instance, the following passage in the discussion of photography: "A short time ago, for example, a question was raised, 'Can a thought be brought onto a photographic plate?' Mr. Ingles Rogers seeks to answer this in 'The Amateur Photographer.' His efforts are indeed remarkable. He fixed postage stamps on a black card and gazed at them for a moment, the room was then darkened and a sensitive photographic plate was fixed in the same place where the stamps had been. When Rogers examined the plate twenty minutes later he found two clear pictures of the stamps upon it." Another example is the recommendation, in connection with the study of handwriting, to trace over the writing quickly, on the theory that the tracer in so doing will experience the same emotions as the writer had in executing the writing.

On the other hand, there are sensible and adequate discussions of many criminological problems, particularly those treated in the sections on the examination of witnesses and the accused and the summary of the theories of Lombroso and the Italian school of criminologists. On the whole, the book will well repay a perusal by students of criminology, as well as by the class of officials for whom it is intended.

E. L.

MASTEN: THE CRIME PROBLEM.

THE CRIME PROBLEM: WHAT TO DO ABOUT IT, HOW TO DO IT.  
By Col. Vincent Myron Masten, Military Instructor at the New  
York State Reformatory, Elmira, N. Y. Elmira: The Star-  
Gazette Company, 1909. Pp. 156.

Colonel Masten is an admirer of the British prison system and thinks that we would do well to adopt its essential features in this country. Accordingly, in this little book on "The Crime Problem," he attempts to outline a system of penal and correctional institutions based upon the essential ideas of the British system and adapted to the needs of this country. He would have five distinct sets of institutions to deal with the criminal class, from the first tendencies to crime manifested in childhood to the hardened habitual offender.

First of all, he would have "primary industrial schools," to which all children under fourteen years of age, found begging or wandering without visible means of support or consorting with prostitutes and thieves, should be sent. These industrial schools, receiving children from six to fourteen, should aim to free the community of criminals by caring for all morally imperiled children. The commitment to these schools should not be optional, but should be mandatory. In them there should be provided industrial and military exercises and scholastic training. The children should be committed upon indeterminate sentence with the age of fifteen as the maximum term of detention.

Coördinate with these primary industrial schools should be "secondary industrial schools" for boys over fourteen and under nineteen years of age, for the first time convicted of a felony. The sentence to such institutions should be indeterminate, and operative up to the nineteenth year. Classification should provide for the separation into three groups, to the lowest and third division being assigned those evidencing abnormal tendencies. The whole equipment of the institution with gymnasium, military and industrial training should be such as to stop the development of criminal tendencies.

A third class of institutions should be "reformatories," to which should be sent maturing recidivists and first offenders over nineteen years of age, and other first offenders sentenced for life. In this class of institutions again, the whole discipline should be reformatory. The sentence should be indeterminate, and release, as in the case of the other institutions, should be only upon parole. There should be, again, the usual military and industrial training and classification into grades, the object being to develop power of inhibition and respect for authority, as well as adaptation to the industrial side of life.

The fourth class of institutions should be "convict prisons," to which should be committed life prisoners and those sentenced under



the habitual criminal act. These two classes, however, should be kept strictly separate from one another, the object with life prisoners being only to secure their maintenance as cheaply as is compatible with humane and merciful treatment. The habitual offenders, on the other hand, should be put through a rigorous discipline calculated to reform them, if possible. Their sentence should be indeterminate and they should be released only in those cases in which reform has been unquestionably accomplished.

Finally, there should be houses of reception instead of our present county and city jails, for each of the principal classes of offenders; namely, for boys of between sixteen and nineteen years of age, for ordinary recidivists and first offenders, and for the habitual criminals and for those committing capital offenses. In these houses of reception, prisoners should be kept awaiting trial until they are committed to one of the above classes of institutions. They should also be provided in some degree with military and intellectual training.

The above is a fair outline of Colonel Masten's scheme for dealing with the criminal class. Probably his admiration and strong indorsement of the essential features of the British prison system are well deserved; and it is probable that some features of that system might well be copied in essentials by our American states. However, certain features of the system, such as the "primary and secondary industrial schools" for children, the lack of probation for first offenders, and the like, do not seem to be in accord with the ideas of the most advanced penologists of our day. The chief criticism of Colonel Masten's scheme seems to be that he has too much faith in the institution and relies too much upon severe institutional discipline to adapt individuals to free society. Experience of the past seems to prove that the institution, at its best, is more or less of a failure in adapting men to free social life.

The English style of the book is very regrettable, inasmuch as it will repel many readers who might otherwise be brought to consider seriously its leading ideas. For example, in speaking of the policy which should govern in the treatment of habitual criminals, Colonel Masten says: "For habituels, justice of the resilient temper of the Damascus blade, which may easily be circled point to grip-crest, but which unfailingly insists upon the true angle of service."

C. A. E.

ANTROPOLOGIA CRIMINAL. By *Fructuoso Carpena*. With a Preface by *Rafael Salillas*. Madrid: Fernando Fé (Puerta del Sol 15), 1909. Pp. XII, 520.

The great Spanish master, Salillas, calls our author "a unique phenomenon among the lawyers of Spain"; and, we may add, among the lawyers of all other countries also. For, while a practicing advocate, he has made extensive personal studies of the anthropology of

criminals in the penitentiary, and has worked out independent principles from his own observations. One or two other lawyers in Italy may have done as much; but none elsewhere, we believe. In his introduction, Mr. Carpena avows the opinion that not only the anthropologist, the physician and the psychiatrist have the right and the duty to study the delinquent, but also those whose function it is to prosecute, to defend and to sentence him, as well as those charged with his imprisonment and correction." This is timely advice for ourselves.

The book is one of the outcomes of the course now given under the law faculty of the University of Madrid ("Estudios Superiores de Derecho Pénal y Antropología Criminal"), begun under Mr. Canalejas, president of the Royal Academy of Jurisprudence and Legislation; organized in 1903 by Mr. Dato, Minister of Justice; taught successively by Prof. R. Urena (author of an incomparable history of Spanish legal sources), Prof. Valdés y Rubio (the leading authority in criminal law) and Prof. Garcia-Prieto. All this, too, has its example for us.

The author begins at the fundamentals, writing as for his brethren in the professions, and takes nothing for granted. In the first four of his sixteen chapters, he notes the postulates of general anthropology, proceeds to the field of criminal anthropology, describes the precise methods used, and sums up the researches of the principal workers. He then considers elaborately the influence of environment in all aspects, using Spanish statistics as his basis. Then come five chapters with studies of individual criminals. Finally, in five chapters, he generalizes, taking by itself each bodily trait, whether anthropological (in the strictest sense) or psychical, and endeavoring to detect its relation to the criminality of the subjects examined.

As to method, he stands out among criminal anthropologists with a refreshing liberalism. He concedes that the criminal (in the sense of a pronounced malefactor) is the mixed product of personal traits plus environment. He totally lacks the prejudices (so often attributed to anthropologists) of explaining crime exclusively by bodily features predetermining a criminal act. He fully realizes that no one class of facts explains or predetermines crime. His attitude here is rational and open-minded.

As to results, in so far as the anthropological element of crime is involved, he concludes plainly in favor of the atavistic theory (already emphasized in France by Laccassagne, of whom, indeed, he makes little mention), i. e., that criminal acts are typically those of the primitive savage. An elaborate statement of embryology is given, to illustrate just how this is physiologically possible. His theory is further elaborated so as to account for the three main sub-

types, the criminal congenital, the criminal of late or retarded development (stimulated by external circumstances), and the criminal whose trait appears only by an abnormal and inexplicable "retrogression."

Approaching the theory of crime in its total aspect, he advances a formula which (we opine) may prove to be the ultimate basis of agreement for all schools (so far as mere theory goes).

"Crime (he says, on p. 502) is the resultant of (1) the individual forces which impel to the criminal act, and (2) the environmental forces repressing it (namely, physical comfort, education, social betterment, justice, etc.). Hence, the practical problem for us, namely, to reduce crime to a negative quantity, may be solved theoretically by striving both to diminish the instinctive forces that tend to it and to increase the deterrent forces that counteract it."

And he concludes (p. 505) by the optimistic pronouncement (remarkable in an anthropologist):

"Though the majority of criminal anthropologists assert that the instinctive and congenital criminal is incorrigible, I cannot accept a conclusion so depressing and so terrible. Excepting the pathologic cases (which are properly not incorrigible, but incurable), *I believe that every criminal is corrigible*; because I know of instances proving it, and because a cephalic regeneration is scientifically feasible. The fact is that the criminal usually is not reformed; but it is because no one sets about the task properly. \* \* \* We possess to-day an enormous arsenal of educative expedients. If, in fact, crime increases with civilization (an inconsistent anomaly!), it is even more true that the methods of combatting it increase also. \* \* \* *The dog is only a civilized wolf!* If a primitive beast of prey can be developed into a domestic animal, can we not equally succeed with man?"

In breadth of view, and in creative insight combined with sober adherence to concrete observation of facts, Mr. Carpena is comparable, among criminal anthropologists, to the late Professor Tarde among criminal sociologists. We venture to predict that, as he matures in his researches, he may be expected to take the place, in that field of research, which the late Professor Lombroso, the pioneer, has occupied in the past generation. J. H. W.

THE PRISONER AT THE BAR: SIDELIGHTS ON THE ADMINISTRATION OF CRIMINAL JUSTICE. By *Arthur Train*. With an Introduction by *Prof. John H. Wigmore*. New York: Charles Scribner's Sons. Second edition, 1908. Pp. XVIII, 386.

TRUE STORIES OF CRIME: FROM THE DISTRICT ATTORNEY'S OFFICE. By *Arthur Train*. New York: Charles Scribner's Sons, 1908. Pp. 406.

Mr. Train was for eight years an assistant district attorney in New York County. "The Prisoner at the Bar" is, therefore, in the

main a description of the criminal courts of that county. It is well to bear this fact in mind, because some of the things he has to say about the administration of criminal justice may not apply to courts in less urban districts, where the criminals vary somewhat from those of metropolitan New York.

In the first two chapters he discusses the nature of crime and of criminals. He contends that the sinfulness of a crime does not depend upon the nature of the act, though the penal code classifies crimes as acts. Many who have never been convicted of crime are as bad as criminals, and have not been convicted either because they have not been caught or because they have been afraid to commit crime. This idea is based, in large part, upon the author's belief that most criminals are normal individuals and that very few of them are degenerate. And here is revealed the profound contempt which Mr. Train feels for the criminologists. This contempt, which is revealed again and again throughout the book, can best be indicated by means of a quotation: "So-called criminologists delight in measuring the width of the skulls between the eyes, the height of the foreheads, the length of the ears and the angle of the noses of persons convicted of certain kinds of crimes, and prepare for the edification of the simple-minded public tables demonstrating that the burglar has this kind of a head, the pickpocket that sort of an ear, and the swindler such and such a variety of visage" (p. 17). It is unfortunate that this book should be marred by this attitude of mind. Mr. Train's inability to understand and appreciate the work of the criminologists undoubtedly arises, in large part, out of his purely legal training and experience. But the reviewer is inclined to think that it arises partly out of the peculiarly objective character of the author's mind, which renders him incapable of appreciating the less obvious hereditary and psychopathic causes of crime. However, criminologists are ready for information from every trustworthy source, and so, despite Mr. Train's opinion of them, let us note briefly what he has to say, for he is well-informed within his own sphere of knowledge.

He thinks more power ought to be given to the police and that a rough-and-ready justice is achieved by the police judges in the police courts. He has nothing to say about the congestion which exists in many of these courts, which forces a judge to dispose of scores of cases at each sitting, thus making it absolutely impossible to make an adequate examination in each case. He thinks the grand jury is no longer needed for most cases and that its function can be fulfilled better by an examining magistrate. Strange to say, he says nothing of the *juge d'instruction*, the judge who in French and in other Continental procedures takes the place of the grand jury. He also says nothing of the confusion which now exists between the

examining and sentencing functions of the police judge and the pressure of business which makes this judge very inefficient as an examining magistrate. The author thinks the petit jury works substantial justice, but that the American jury lacks respect for the law and frequently renders verdicts contrary to the law.

A graphic picture is given in two chapters of the law's delays, which are so unjust to defendants, complainants, witnesses and, in fact, to all connected with criminal cases, except the lawyers, whose fees are usually increased by these delays.

The inaccuracy of a great deal of testimony as a result of the inability of many witnesses to observe and to remember accurately is shown. It is evident that the oath is no guarantee of the credibility of testimony, though it may be some indication of the sincerity of the witnesses. The author believes that the advocate is the psychologist of the law who interprets testimony to the jury. This the advocate undoubtedly does to a certain extent, but he tends to be biased in his interpretation and nothing is said of the use which might be made of the data and inductions of the science of the psychology of testimony in testing the credibility of testimony.

The author shows that the law, with regard to insanity, is far behind the knowledge of medical science with regard to this subject and that a new test of criminal responsibility is needed. He very wisely recommends that contradictory expert testimony be abolished and that a special jury of experts be sometimes used in the place of the ordinary jury when the question of insanity is at issue.

The author believes that "lack of regard for law" is the main factor in fostering crime and that "a perfect respect for law would involve entire obedience to it" (p. 334). This statement is verbally correct, but it is far too simple a solution of the immensely complex problem of the causation of crime. His other book contains thirteen stories about spectacular crimes. Though interesting they are not as valuable to the criminologist as if each one of them pictured one type of crime and criminal. Furthermore, as we have noted above, the author has a peculiarly objective type of mind and, hence, fails to perceive and to describe the inner motives and causes of crime. If he had the subjective insight and the power of psychological analysis of a Balzac, a Maupassant or a Zola, he could have used his rich store of experience much more effectively.

University of Kansas.

MAURICE PARMELEE.

THE YOUNG MALEFACTOR: A STUDY IN JUVENILE DELINQUENCY, ITS CAUSES AND TREATMENT. By *Thomas Travis, Ph. D.* New York: Thomas Y. Crowell & Co. Pp. 243.

When a work so full of human interest is written in such a graphic style and calculated to arouse so much needed consideration

of its subject as is this volume by Dr. Travis, it comes hard on the reviewer to be a fault-finder. And yet the book falls so short of being the careful piece of work its title would suggest that at least a number of incompetencies must be insisted on in fair estimation of its value. Particularly is this necessary because in the treatment of the general juvenile criminal situation there has been comparatively so little work savoring of scientific effort that a book like this, which is somewhat of a pioneer in its field, is apt to be regarded as authoritative and to be made the basis of much future citation. The researches which undoubtedly the author would confess were very superficial and the needless inaccuracies of his work would make such a result decidedly deplorable.

The following examples may be offered to satisfy the just demand upon a reviewer for specific criticism. The author seems to handle figures in a careless way, and they gain no real strength from the repetition which they sometimes receive throughout the work. For instance, one might well question the fact of the several times repeated statement attributed to Lindsey that 20 per cent of city boys are arrested between the ages of 10 and 16—in one place (p. 109) it is 10 to 15. What would this mean, say, in Chicago where there are, according to estimate, some 150,000 of that age! Or take the large statistics on page 37: Travis there puts 130,000 in our reformatories. Now, the last (1904) census report on this subject was available before his work was published, and in the light of it one can only wonder at his figures. It appears that in prisons, penitentiaries, jails, workhouses and reformatories, all told, there were enumerated 81,700 adults and the total population of reformatory institutions for juveniles was 23,000. Or consider the general conclusion offered that the delinquent is characteristically a product of city and town life to the extent that only two per cent in our reformatories (p. 37) come from the open country—whatever that means, or, as a variation of the statement that not two per cent of delinquents come from the open country (p. 123). This conclusion seems decidedly questionable since the census gives 17 per cent of all commitments as coming from a single class designated "agriculture, transportation and other outdoor occupations," and since it is a well-known fact that many violations of moral and statutory law are particularly rampant in out-of-the-way places. This last point is so well attested that it seems to the reviewer very doubtful whether in proportion to the population there is any balance in favor of the existence of greater morality in "the open country."

Medical facts in many places through the book are dealt with so strangely that we have (p. 87) a touch of the hand revealing feverish blood and twitching nerves; a clear case of feeble-mindedness (p. 91) turned into a case of insanity; the curious statements

that (p. 96) "operations which are serious or fatal in adult life can be easily performed in infancy," and that (p. 153) many children have been cured of delinquency by castration. Some citations looked up by the reviewer are needlessly inaccurate. On page 157 it is stated that Ellis found that 99 per cent of males and 100 per cent of females examined, smoked before entering prison. As a matter of fact Ellis states ("The Criminal," p. 131) that 279 out of 300 males smoked before entering prison—making only 93 per cent, and indeed this whole point seems quite trivial since it includes such small numbers, viz., 300 males and 32 women. Then in a paragraph on gambling (p. 166) Travis states that Ellis gives a case of a criminal who "was so absorbed that he forget his approaching execution." Ellis (p. 144 loc. cit.), however, tells the story of this criminal, saying nothing whatever about gambling and especially dwelling on the *sangfroid* and literary ability with which this individual deliberately dwelt upon his crime and approaching execution.

One does not wish to be a caviler, for after all the main conclusions of Travis are very sound, but certainly there is great need for scientific and accurate development of the study of juvenile criminality. This is to be accomplished neither by a carelessly gotten up literary work nor by wholesale superficial glances at groups of individuals such as the author repeatedly tells us he has been engaged in giving. In one place (p. 111) he tells us, "It takes at least all afternoon to examine ten men for anthropological data." Now, if anthropology were synonymous with anthropometry it seems to us it might barely be possible to examine ten men in the time named, but the study of the science of man is so much wider that competent examination of criminals which may lead to any sort of knowledge about them that is worth while, in these days when the Lombrosian school is so much discredited, is a vastly different matter. Whether in opposition to jurists who are only able or willing to give ten or fifteen minutes to the decision of a child's case—and it is with regard to this that Dr. Travis makes the point—or for the sake of the scientific accuracy of the work, let us insist on the real needs of the situation, viz., a thorough-going study of the individual and the causative factors of his career.

One hears, nowadays, from professional men and conservative, experienced social workers considerable criticism of the poorly considered and often inaccurate statements of writers and lecturers upon juvenile delinquency. Without in any way discrediting the value of personal services one can but wish that these workers would join the movement to place the study of their problem upon a more careful, rational, more scientific and consequently more effective basis than it has been on heretofore.

WILLIAM HEALY.

Chicago.

A POCKET CODE OF THE RULES OF EVIDENCE IN TRIALS AT LAW. By *John H. Wigmore*, Professor of Law in Northwestern University. Boston: Little, Brown and Company, 1910. Pp. LIII, 556.

This work represents an attempt to provide the practitioner with a concise manual for ready reference and is based on the author's monumental *Treatise on the System of Evidence*. He has succeeded admirably in reducing the law of evidence to 231 rules with 2,148 subsidiary articles and explanatory notes.

In preparing this compendium Mr. Wigmore has aimed: (1) to provide a system of copious cross-references and distinctions calling the attention of the practitioner to the different applications of the rule stated; and, (2) to provide a system of references to the varying and often opposing rules of different jurisdictions. In the present work alternate blank pages are provided for the annotations of decisions and statutes in the practitioner's own jurisdiction, and there is an elaborate index as well as a table of contents.

In the execution of his task Mr. Wigmore has, very properly, we believe, proceeded on the assumption that it is the author's right and duty to state the scientific principles of the law and to formulate the rules of evidence in each case as they ought to be, as well as to state them as they actually are. No one, he says, can pleasurably, and we may almost add, honestly, share in giving currency to a rule which he believes to be unscientific or impolitic, and from this it is but a short step to the formulation of a constructive proposal of the rule as it should be. In accordance with this view, Mr. Wigmore indicates by means of brackets what the rule in each case is, and, when it should be otherwise, what it ought to be.

This method represents a distinct scientific advance over any work of the kind now in existence. Thus after stating the rule which forbids the judge to instruct the jury upon the weight of evidence he states the rule as it should be, namely: "The judge may express to the jury after the close of evidence and argument, his personal opinion as to the credibility or weight of the evidence or any part thereof"—a rule which is not now in force in any jurisdiction, except in New Jersey and in the federal courts. "Perhaps," he adds, "a reaction will some day come to redeem us from the great error which we committed two generations ago in thus abandoning one of the best traditions of jury trial at common law" (p. 8). Again he states the rule as it should be, governing the power of the court in passing upon the admissibility of evidence, namely: "In all rulings upon the admissibility of evidence, the trial court's determination is final and absolute," subject to certain exceptions stated. This, he adds, is the second great commandment of enlightened trial procedure, which forms, with the rule regarding instructions on the



weight of evidence, as above proposed, and the rule against new trials for erroneous rulings on admissibility, the chief hope of future progress toward attaining truth by trials (p. 17). Again he states the rule as it should be in regard to allowing appeals from rulings on erroneous admission of evidence: "Appeals in such cases shall be allowed only when the appellant shows *prima facie* that the alleged error would entitle him to a new trial under Rule 23 and also files such an affidavit of merits, subject to a penalty as is otherwise usual to deter from frivolous or dilatory proceedings" (p. 19). Rule 23, referred to above, contains a statement of the law as it ought to be on the subject of new trials for erroneous rulings, namely: "An erroneous ruling by the trial judge in admitting or excluding evidence shall not be a ground for ordering a new trial or otherwise reversing a judgment, if the jury's verdict, without the erroneously excluded evidence, ought nevertheless to have been to the same effect as actually rendered."

This, he adds, is the third great commandment of enlightened trial procedure and, with the other two rules proposed above, forms the foundation of future progress. But, as yet, it is probably not the law as actually enforced in any jurisdiction (p. 28). With these three rules introduced into our procedure and observed both in spirit and in letter, the course of technicality, says Professor Wigmore, so far as it burdens our system of evidence, would soon disappear. But after all, he adds, and this ought to be burned into the mind of every judge in the land, it is the spirit that gives life to the rules. "All the rules in the world will not get us substantial justice if the judges have not the living moral attitude toward substantial justice. We hear much lately about pragmatism. Whatever else it teaches, one truth it assures us plainly, that in the long run a man's concrete beliefs and actions are shaped and selected for him by the controlling power of his underlying disposition. What the law of evidence, and of procedure, nowadays most needs is that the men who are our judges shall firmly dispose themselves to get at the truth and the merits of the case before them. Until they become of this disposition and spirit, the mere body of rules, however scientific, however sensible, however apt for justice, will minister to them in vain."

J. W. G.

## B. ARTICLES IN PERIODICALS.<sup>1</sup>

- Administration de la Justice Criminelle en France (1907). *Revue Penitentiaire et de Droit Pénal*, Jan.
- Administration de la Justice Criminelle en France (1908). *Revue Penitentiaire et de Droit Pénal*, March.
- d'Alesandro, S.* Discussions sur les riformatori di filles. *Revista di Discipline Carcerarie*, Jan.
- Alger, G. W.* Mayor Gaynor and the Police. *Outlook*, Jan. 1.
- Almandos, L.* La dactyl as copie et la défense sociale. *Archivos de Psiquiatria y Criminologia*, Nov.-Dec.
- Ambos, J.* Was erwarten wir für den Strafvollzug von der Seelsorge? *Blätter für Gefängniskunde*, Mar.
- Andreotti, A.* La Jurisdiction d'instruction dans la Science, la Legislation et le Nouveau Code de procédure pénale. *Rivista di diritto penale e sociologia criminale*, Dec.
- Andreotti, A.* Le Federation nationale des patronages de libérés et des mineurs delinquants. *Revista di Discipline Carcerarie*, Feb.
- Aree et Alba.* Del recurso de revista del veredicto del jurado. *Revista general de legislacion y Jurisprudencia*, 1909.
- Baker, H. H.* Procedure of the Boston Juvenile Court. *Survey*, Feb. 5.
- Bartlett, C. J. and Goldberg, S. J.* Blood Spots: A Medico-legal Study. *Archives of Internal Medicine*, Mar.
- Benton, G. H.* The Influence of Physical Defects on Personalities, Moral Obliquities and Crime. *West Virginia Medical Journal*, Mar.
- Barrows, Isabel.* Madame Breshkovsky in Prison. *Outlook*, Mar.
- Brazilian, A.* Experiment in Penology. *Review of Reviews*, Feb.
- B. O. M.* Prison Life as It Affects Women. *Contemporary Review*, Feb.
- Blanchi, Q.* Les associations de malfaiteurs. *Revista di diritto penale e Sociologia criminale*, Dec.
- Bloss, James R.* Sterilization of Confirmed Criminals and Other Defectives. *West Virginia Medical Journal*, Mar.
- Borosini.* Juvenile Court Abroad. *Survey*, Feb. 5.
- Brockway, Z. R.* American Reformatory Prison System. *American Journal of Sociology*, Jan.
- Brown, H. B.* Judicial Treatment of Criminal Offenders. *Ohio Law Bulletin*, Jan 10.
- Burritt, B. B.* Public Intoxication and Inebriety. *Survey*, Feb. 19.
- Coates, J. H.* Difficulties of a Juryman. *Scribner's*, Jan.
- Chase, F. W.* White Slave Traffic in Boston. *New England Magazine*, Jan.
- Carrington, C. V.* Hereditary Criminals. *Virginia Medical Semi-monthly*, April 8.
- Commitment and Discharge of the Criminally Insane. *Outlook*, Feb. 26.

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<sup>1</sup>This list covers the periodical literature mainly for the months of January, February and March of the present year. The bibliography will be continued in future numbers of the JOURNAL.

# INDEX OF PERIODICAL LITERATURE.

- Le Congrès national pour la lutte contre la tuberculose et l'administration pénitentiaire. *Revista di Discipline Carceraria*, Nov.
- Conte, D.* Un système de complément des Peines. *Revista di Discipline Carceraria*, Nov.
- Causes of the Law's Delays. *Independent*, Feb. 24.
- Criminology from the New Standpoint. *Current Literature*, Feb.
- Coudert, F. R.* French Criminal Procedure. *Yale Law Journal*, Mar. 10.
- Cuche, Paul.* La Défense Sociale et la Transformation de Droit Pénal. *Revue Penitentiaire et de Droit Pénal*, Feb.
- De Lacy, W. H.* The Washington Juvenile Court. *Juvenile Record*, Mar.
- De Courcy, Chas. A.* The Probation System of Massachusetts. *Yale Law Journal*, Jan.
- Devine, E. T.* Society and the Criminal. *Outlook*, Feb. 5.
- Les enfants anormaux et coupables en Hongrie. *Revue Penitentiaire et de Droit Pénal*, Jan.
- Une Enquête belge sur la Criminalité enfantine. *Revue Penitentiaire et de Droit Pénal*, Jan.
- Epileptic Dream-like Mental Distraction in Two Soldiers with "Wandering" Mania. *Münchener medizinische Wochenschrift*, Mar.
- Ethics of Prison Life. *Hibbert Journal*, Jan.
- Ferris, A. W.* Alcohol and Insanity. *Survey*, Feb. 19.
- Finty, T.* Texas Prison Investigation. *Survey*, Dec.
- Flexner, B. C.* Juvenile Court as a Social Institution. *Survey*, Feb. 5.
- Folks, Homer.* Juvenile Probation in New York. *Survey*, Feb. 5.
- Foster, Stephen A.* The Cook County and English Judicial Establishments Compared. *Illinois Law Review*, Jan.
- Foster, H. A.* Simplification of Procedure. *Bench and Bar*, Jan. and Feb.
- Franchi, B.* Les Idées directrices d'un plan d'organisation préventives pour les mineurs. *Revista di Discipline Carceraria*, Jan.
- Friedman, L. M.* Expert Testimony: Its Abuse and Reformation. *Yale Law Journal*, Feb.
- French and English Trials. *Living Age*, Dec. 18.
- Funaiola, G.* Figures Anthropologiques de Delinquants. *Revista di Discipline Carceraria*, Jan.
- Gibbon, Percival.* The Ferrer Trial. *McClure's*, Jan.
- Greene, J. K.* The Municipal Court of Chicago. *University of Penn. Law Review*, Mar.
- Gamon, H. R. P.* The Punishment of Crime and the Indeterminate Sentence. *Law Magazine and Review*, Feb.
- Garner, J. W.* Criminal Procedure in the United States. *North American Review*, Jan.
- Gemmell, W. N.* A Comparative Study of English and American Courts. *Illinois Law Review*, Mar.
- Gennat.* Zur Frage der Auskunftserteilung. *Blätter für Gefängniskunde*, Mar.
- Glanning.* Die Militär-strafvollstreckungs-Vorschrift. *Blätter für Gefängniskunde*, Mar.
- Guy, W.* Private Prosecution. *Juridical Review*, Jan.
- Hoebrook, E.* Divorce Laws and the Increase of Divorce. *Michigan Law Review*, Mar.

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- Hale, W. B.* A Court That Does Its Job. *World's Work*, Mar.
- Helm, Lynn.* Reform of Legal Procedure. *American Law Review*, Jan.
- House, F. B.* The Offense of Disorderly Conduct. *New York Law Journal*, Feb. 28.
- Hurley, T. D.* Criticism of the Boston Juvenile Court. *Juvenile Court Record*, Mar.
- Ignotus.* Law of the Prophets. *Westminster Review*, Jan.
- Jaquet, A.* The Obligation to Professional Secrecy on the Part of the Physician. *Correspondenz-Blätt für Schweizer Aerzte*, Basel, March 10.
- Judson, F. N.* Modern View of the Law Reforms of Jeremy Bentham. *Columbia Law Review*, Jan.
- Just Out of the Penitentiary. *Harper's*, Mar.
- Kendall, B. G.* Capital Punishment. *Law Times*, Jan.
- King, R. L.* Change Law to Avoid Hanging. *Kansas Lawyer*, Feb.
- La Justice aux Colonies (France). *Revue Penitentiaire et de Droit Pénal*, Jan.
- Lanza, P.* Sur le Sujet passif des faux en écriture privée. *Revista Pénal*, Jan.
- Lieske, H.* The Privileged Communication. *Berliner Klinische Wochenschrift*, Mar. 14.
- La Liberation et la Condemnation Conditionnelles dans la legislation pénale russe. *Revista Penitentiaire et de Droit Pénal*, Mar.
- Lilienthal.* Projet d'un nouveau Code de procedure pénale et la nouvelle sur l'organisation judiciaire. *Revue générale de Droit Pénal*, Vol. 29.
- Lind, G. D.* What Can the Medical Profession Do to Prevent Crime? *West Virginia Medical Journal*, Mar.
- Lindsey, B. B.* Beast and the Jungle. *Everybody's*, Jan.
- Lindsey, B. B.* My Lesson from the Juvenile Court. *Survey*, Feb. 5.
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- Lobinger, C. S.* Law's Delays. *Nation*, Dec. 9.
- Lombroso, Cesare.* *Revista di Discipline Carcerarie*, Nov.
- Lombroso, C.* Crime in Spain and Its History. *Independent*, Dec. 9.
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- Mabon, W.* Public Provision for the Inebriate. *Survey*, Feb. 19.
- Mack, J. W.* The Law and the Child. *Survey*, Feb. 5.
- McWeeney.* Identification of Blood Stains. *Lancet*, Feb. 26.
- Mängel im Amerikanischen Gefängniswesen. *Blätter für Gefängniskunde*, Mar.
- Marcovich.* Der vorentwurf Zu Einem Nueren Oestereichischen Strafgesetzbuch und einen strafvoll Zugsgesetz. *Blätter für Gefängniskunde*, Mar.
- Marcovich.* Oesterreichischen Gesetzentwurf über Fürsorge Erziehung. *Blätter für Gefängniskunde*, Mar.
- Masters, E. L.* Trial by Jury in Illinois. *Illinois Law Review*, Jan.
- Mazzolini.* Figures Anthropologiques de Delinquents. *Revista di Discipline Carcerarie*, Nov.
- Moore, C. C.* Use of Intoxicating Liquors by Jurors as Ground for New Trial. *Law Notes*, Jan.
- Musgrave, R. W.* The Dull or Backward School Child. *California State Journal of Medicine*, Mar.
- Olney, Richard.* Honor of the Profession of the Law. *Yale Law Journal*, Mar.
- L'Ouvre de Lombroso. *Revue Penitentiaire et de Droit Pénal*, Nov.

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- Police Problem in New York. *Outlook*, Mar. 5.
- Porter, F. H. A Reformatory which Reforms. *Outlook*, Feb. 5.
- Pound, Roscoe. Some Principles of Procedural Reform. *Illinois Law Review*, Jan. and Feb.
- Prison Horrors in Russia. *Current Literature*, Jan.
- Recidivist, The, Charity Organisation Review, Jan.
- La Reform de la Procédure (France). *Revue Penitentiaire et de Droit Pénal*, Jan.
- Reichardt. Der Vorentwurf Zu einem deutschen Strafgesetzbuch von 1909. *Blätter für Gefängniskunde*, Mar.
- Reynolds, M. J. Policeman at the Home; How Cleveland Avoids Expense. *Delineator*, Feb.
- Roosevelt, T. Enforcement of Law. *Forum*, Jan. 10.
- Rosbrook, A. I. Reformed Procedure. *Law Notes*, Jan.
- Russell, W. L. Further Extension of State Care of the Insane. *Survey*, Jan. 8.
- Scoville, Samuel. Safeguarding the Criminal. *Saturday Evening Post*, Mar. 26.
- Sganga, F. Delinquance des mineurs. *Revista di Discipline Carcerarie*, Jan.
- Saskice, D. Story of Eugene Azeff; unmasking of Russia's secret police system. McClure's, Jan.
- Statistiques de la Justice militaire 1907 et 1908 (France). *Revue Penitentiaire et de Droit Pénal*, Mar.
- Statistique pénale italienne, 1905-06. *Revue Penitentiaire et de Droit Pénal*, Mar.
- Stoppato, A. L'Expérience de la Condemnation Conditionnelle en Italie. *Revista di Discipline Carcerarie*, Feb.
- Stowe, L. B. Robbing the United States. *Outlook*, Dec. 11.
- Stowe, L. B. Prisons and Progress. *Outlook*, Jan. 29.
- Le Sursis en Suisse. *Revue Penitentiaire et de Droit Pénal*, Jan.
- Tedrow, H. B. Comments of Federal Judges in Jury Trials. *Central Law Journal*, Feb.
- Thurston, H. W. Ten Years of the Chicago Juvenile Court. *Survey*, Feb. 5.
- Unbestimmte Verurteilung. *Blätter für Gefängniskunde*, Mar.
- Veiga, T. Les Aliénés criminels et la défense sociale. *Archivos de Psychiatria y Criminologia*, Nov. and Dec.
- Wadler. Développement et état actuel de la statistique criminelle de quelques États d'Europe. *Revue générale de Droit Pénal*, Vol. 29.
- Weir, Hugh C. The Menace of the Police. *World Today*, Jan. and Feb.
- White, W. A. Old order changeth; what about our courts? *American Magazine*, Feb.
- White Slaves and the Social Evil. *Chautauquan*, Feb.
- White Slaves and Immigration. *Outlook*, Dec. 25.
- White Slaves. *Outlook*, Jan. 22.
- Whittier, C. B. New Rules of Practice of the Municipal Court of Chicago. *Illinois Law Review*, Feb.
- Wines, F. H. The Indeterminate Sentence, the Parole and the New Criminology. *Springfield (Ill.) Register*, Mar. 3.
- Volume 34, part I, of the *Blätter für Gefängniskunde* contains a bibliography of the recent literature of prison science (Gefängniskunde) by Professor

## GOVERNMENT PUBLICATIONS ON CRIMINOLOGY.

Kirchenheim of Heidelberg. The bibliography contains lists of books published in the principal languages of the world, including government publications and new periodicals.

J. W. G.

### C. GOVERNMENT PUBLICATIONS ON CRIMINOLOGY.

The following is a list of the more important books and reports relating to crime and penal reform, published in recent years by the United States Government:

Abnormal Man, being essays on education and crime, criminal sociology, criminal hypnotism, alcoholism, insanity, and genius, with digests of literature and a bibliography. 1893. Published by U. S. Bureau of Education. Washington, D. C. 445 pp., 8°. Second edition. 1895.

Education and Patho-Social Studies, including an investigation of the murderer "H." (Holmes); reports on psychological, criminological and demographical congresses in Europe; London slums and General Booth's Salvation Army movement. Reprint (from Annual Report of U. S. Commissioner of Education for 1893-94.) 57 pp., 8°. Washington, D. C. 1896.

Experimental Study of Children, including anthropometrical and psycho-physical measurements of Washington school children; measurements of school children in United States and Europe; description of instruments of precision in the laboratory of the Bureau of Education; child study in the United States; and a bibliography. Reprint (from Annual Report of U. S. Commissioner of Education for 1897-98). 325 pp., 8°. Washington, D. C. 1899.

Hearing on the Bill (H. R. 14798) to Establish a Laboratory for the study of the criminal, pauper and defective classes, treating especially of criminology, with a bibliography of genius, insanity, idiocy, alcoholism, pauperism and crime, had before the Committee on the Judiciary of the U. S. House of Representatives. 309 pp., 8°. Government Printing Office. Washington, D. C. 1902.

This hearing may be obtained gratis on application to the Chairman of the Judiciary Committee of the House of Representatives.

A Plan for the Study of Man (Senate Document No. 400, 57th Congress, 1st session) with reference to bills to establish a laboratory for the study of the criminal pauper and defective classes, treating especially of hypnotism, with a bibliography of child study. 166 pp., 8°. Government Printing Office. Washington, D. C. 1902.

This document may be obtained gratis on application to any United States Senator.

The above studies were prepared by Arthur MacDonald of Washington.

Statistics of Crime, Suicide, Insanity, and other forms of abnormality in different countries of the world, in connection with bills to establish a laboratory, etc. Senate Document No. 12, 58th Congress, special session. 195 pp., 8°. Government Printing Office. Washington, D. C. 1903.

Report of the delegates of the United States to the Fifth International Prison Congress, held at Paris, France, in July, 1895.

The criminal insane in the United States and in foreign countries. (55th Cong., 2d sess., Senate Doc. No. 273, 1898.)

GOVERNMENT PUBLICATIONS ON CRIMINOLOGY.

The indeterminate sentence and parole law. (55th Cong., 3d sess., Senate Doc. No. 159.)

Penological questions. (55th Cong., 3d sess., Senate Doc. No. 158.)

New legislation concerning crimes, misdemeanors, and penalties. (55th Cong., 1st sess., 1907.)

The reformatory system in the United States. (56th Cong., 1st sess., House Doc. No. 459.)

Prison systems of the United States. (56th Cong., 1st sess., House Doc. 566.)

The cost of crime. (56th Cong., 2d sess., House Doc. No. 491.)

Growth of the criminal law of the United States. (57th Cong., 1st sess., House Doc. No. 362.)

The Sixth International Prison Congress, held at Brussels, Belgium, 1900. (57th Cong., 2d sess., House Doc. No. 374.)

Penal codes of France, Germany, Belgium, and Japan. (56th Cong., 2d sess., House Doc. No. 489.)

Modern prison systems. (57th Cong., 2d sess., House Doc. No. 452.)

Program of questions for the Seventh International Prison Congress to be held at Budapest, Hungary, 1905. (58th Cong., 2d sess., House Doc. No. 702.)

Children's Courts in the United States; their origin, development, and results. (58th Cong., 2d sess., House Doc. No. 701.)

Tuberculosis in penal institutions. (58th Cong., 3d sess., House Doc. No. 192.)

The Seventh International Prison Congress, held at Budapest, Hungary, 1905. Washington, Government Printing Office, 1907.

J. W. G.

