

Spring 1932

## Book Reviews

Follow this and additional works at: <https://scholarlycommons.law.northwestern.edu/jclc>

 Part of the [Criminal Law Commons](#), [Criminology Commons](#), and the [Criminology and Criminal Justice Commons](#)

---

### Recommended Citation

Book Reviews, 22 *Am. Inst. Crim. L. & Criminology* 929 (1931-1932)

This Book Review is brought to you for free and open access by Northwestern University School of Law Scholarly Commons. It has been accepted for inclusion in *Journal of Criminal Law and Criminology* by an authorized editor of Northwestern University School of Law Scholarly Commons.

## BOOK REVIEWS

THORSTEN SELLIN [ED.]

PSYCHOPATHIC PERSONALITIES. By *Eugen Kahn*. Translated from the German by H. Flanders Dunbar. xxii+521 pp. Yale Univ. Press, New Haven, 1931. \$5.00.

This is a tremendous book, originally published in German, but now translated into English. Dr. Kahn's position as Sterling Professor of Psychiatry and Mental Hygiene at Yale University causes us to pick up the volume with interest and respect. The concept of the abnormal personality has furthermore been alternately so disconcerting and so hopeful that a contribution on this subject is always welcome.

The book is difficult to read because it deals so much with that which is abstract and also because the terminology is cumbersome. Though essentially modern in concept and expression, one suspects that its roots are Kraepelinaean.

The first four chapters deal in a general way with modern concepts of personality, both normal and psychopathic. The following clinical descriptive classification is given as a starting point: 1. The nervous. 2. The anxious. 3. The sensitive. 4. The compulsive. 5. The excitable. 6. The hyperthymic. 7. The depressive. 8. The moody. 9. The affectively cold. 10. The weak-willed. 11. The impulsive. 12. The sexually perverse. 13. The hysterical. 14. The fantastic. 15. The cranks. 16. The eccentric.

A few quotations tend to give the author's point of view:

"Psychiatry as Ewald expressed it stands by its very nature between

natural and philosophical sciences'; on this account, however strongly, it may feel itself a natural science because of medical discipline, it will be unable to escape in psychological matters contact with philosophical science and so ultimately with the teleological point of view." (p. 38.)

"But there is no possible doubt that the impulse to self-preservation is no less elemental than is the sex impulse." (p. 40.)

"From the fact that psychopathic deviations are to be distinguished from normal phenomena only in terms of degree, it becomes clear immediately that a given psychic characteristic may appear to be psychopathic without falling either above or below a given average." (p. 61.)

"By psychopathic personalities we understand those personalities which are characterized by quantitative peculiarities in the impulse, temperament, or character strata." (p. 62.)

As the book continues the terminology becomes more involved and meanings are less clear to the reader who is not familiar with the field being explored. There is always evidence of profound insight into human personality and yet it is generally quite impossible to apply the concepts to one's clinical experience.

The three great chapters, "Psychopathic Personalities Considered from the Point of View of Impulse," "Psychopathic Personalities Considered from the Point of View of Temperament," and "Psychopathic Personalities Considered from the Point of View of Character" show a carefully developed system of thought, but again the overlapping among groups renders clinical application difficult. In fact, the author acknowledges that a great many of the concepts are difficult

to apply concretely. A later chapter, "Complex Psychopathic Types," has some case material the want of which is quite obvious in the earlier chapters.

The book has been characterized, with a good deal of propriety, as a compendium of the opinions of rival German psychiatrists. It furnishes an excellent record of German thought at this period, but contributes little to clinical medicine. Indirectly a criminologist in seeking to understand the springs behind character, should be familiar with such a work, but since it is so exclusively speculative and philosophic its practical usefulness in this field is slight. It seems odd that a school so highly speculative in its scope should become characterized as analytic.

There is an extensive bibliography of eighteen pages, almost exclusively German.

A. WARREN STEARNS, M. D.  
Boston, Mass.

---

THE MENTAL DEFECTIVE. By *Richard J. Berry, M. D.*, and *R. G. Gordon, M. D.* xiii+225 pp. Whittlesey House, New York, 1931. \$2.50.

*The Mental Defective* by Berry and Gordon is an excellent attempt to make available to the layman much of the recent research in the field of mental deficiency. Social workers, educators, probation officers and all those who have to deal with delinquency whether juvenile or adult, criminal or merely social or personal mal-adjustment, will find in it many interesting and helpful facts! To criminologists, psychologists, or medical men, who are trained in this field, the book may, however, seem elementary.

In the introductory chapter, mental deficiency is defined as "a partial or complete premature arrest of brain growth and development before birth or during prepubic years." This leads to a discussion of the evolution of the brain, from which develops, in the third chapter, an account of the "Making of Mind." One section is entitled "The Daily Bombardment" describing the constant impact made on the mind by impressions from the senses. Owing to the complexity of the human brain, delayed and differentiated reactions to this bombardment are made possible. With this concept of mind, the authors proceed to show the necessity of an environment where one is "constantly bombarded" by the proper types of stimuli. Much delinquency can be attributed to a lack of helpful influences as well as the presence of a definitely harmful environment.

The next few chapters give a discussion of mental deficiency; its classification, and its relation to other forms of illness, and the concluding chapters show the consequences of mental deficiency and suggest a policy for dealing with it.

The theme of the book seems to be that "mental deficiency depends on an insufficiency of brain cells" and that it can be easily recognized by those who will put forth the time and effort to study it. As it cannot be cured, we must develop more satisfactory means of caring for it, and attempt to reduce its incidence by a better program of eugenics.

LOUIS D. GOODFELLOW.  
Northwestern University.

---

REPORT ON THE CHILD OFFENDER IN THE FEDERAL SYSTEM OF JUSTICE. By the *National Commission on Law Observance and Enforcement*.

*ment.* 175 pp. Government Printing Office, Washington, 1931. \$0.40.

The purpose of this report, prepared largely by Dr. Miriam Van Waters, is to show the inadequacy of the Federal courts and institutions to deal with child offenders, and the competency of State courts and institutions to cooperate with Federal authorities in dealing with this problem.

To prove the tenability of this thesis, Dr. Van Waters presents an array of very convincing facts. She points out (a) that the authors of the Federal Law had in mind only the definition of what constitutes Federal crime and punishment; (b) that Federal Laws do not in any way differentiate between the child offender and the adult criminal, either by court procedure or in dealing with the offender after conviction; (c) that it is generally necessary to transport child offenders long distances to be tried in a Federal Court and, if convicted, to transport them even greater distances in order to incarcerate them in prisons totally unfit for their rehabilitation; (d) that, whereas the Federal law, as it relates to juvenile offenders has been static, laws enacted by the several states, relative to the same class of offenders, have changed from year to year to meet the new conception—that the child offender has rights peculiar to children, and that it is the duty of the State for its own good and for the good of the child to do everything possible to salvage him. Dr. Van Waters, with abundant reasons, therefore concludes that the Federal law concerning apprehension, trial, and conviction of juvenile offenders should be so altered as to permit State courts, in most cases, to deal

with them in the same manner they would deal with children, resident in the state where the offense was committed.

The graphic manner in which Dr. Van Waters presents the cases of several typical juvenile offenders, as handled by Federal courts, makes a strong argument for the modification of the Federal law relating to juvenile offenders.

Twenty-four statistical tables and "Information Concerning Recent Juvenile Court Legislation in every State in the Union," add much to the value of the report.

J. M. McCALLIE.

New Jersey State Home for Boys, Jamesburg.

---

PRISONS OF TOMORROW. By E. H. Sutherland and T. Sellin. v+ 262 pp. The American Academy of Political and Social Science, Philadelphia, 1931. \$2.00.

This volume appeared as the September, 1931, number of *The Annals of the American Academy of Political and Social Science*. It is offered as a separate volume and is recommended to all students of penology interested in what our prisons are and what they should be. Coming as it does at the time when public attention has been focused on the prisons of our country and when numerous new laws are being introduced by our general assemblies, this work is offered with the hope that still further thought will be given to the solution of our general penal problems.

Starting with an historical background of our prisons, the various phases of our present penal problem are presented by men whose names are recognized internationally. Each chapter discusses an im-

portant step in the whole system. Within a limited space is discussed: legal aspects, architecture, examination, classification, segregation, prison industries, education, selection and supervision of parolees and general scientific study. One chapter written by an intelligent prisoner offers numerous topics for serious consideration. Six chapters are devoted to prisons abroad and indicate that students of penology in our country should follow the European developments very closely. Very little emphasis has been given to the possibilities of prevention of delinquency and further application of efficient probation as means of reducing the penal population of the very near future. Other neglected features are: the general apathy of the public, legislative appropriations, potential markets in the state-use system for prison products and other items known to many but openly discussed by few. There is some overlapping in subject matter but this serves to present the subject more forcibly and at the same time gives the reader different points of view.

The title assigned to this volume is somewhat misleading as the review of the past and the statement of the present status of our prisons are emphasized probably more than the desired system for our future institutions. But when we consider the rapid strides of the past few years who could assume to prophesy what the next decade will produce? Several of the chapters emphasize what will be needed on the basis of our present progress and the student of penal affairs will be able to summarize these chapters for himself.

It might have been advisable, however, for the purposes of the more elementary students or the

layman to have had the editors themselves add a summary chapter. A widespread need exists for an up-to-date text-book based on the material used in this volume and the editors are fully qualified to present such a text.

PRENTICE REEVES,  
Ohio Board of Parole.

---

SINGLE FINGER PRINTS. By *Harry Battley*. 98 pp. Yale University Press, New Haven, 1931. \$2.50.

Students of police science take notice. New Scotland Yard, London, has quietly developed a new system of dealing with finger prints found at the scene of a crime. Its bureau chiefs have tried it over a three year period. Having found it to work with a higher number of identifications than any system heretofore in use at New Scotland Yard or elsewhere. Government in 1930 authorized its installation and use to supplement the Henry system of classification and filing ten print sets. This new system is Battley's method of classifying and filing single finger prints and fragmentary impressions.

Government has published a manual for official guidance, available only through H. M. Stationery Office, London. Publication of an American edition has been sponsored by the Bureau of Social Hygiene, New York, in cooperation with the Yale University Press, to make available in printed form the system as finally adopted.

It is published under the above named title and is in every respect a faithful reprinting of the official manual. Supplementing this the leading American optical houses are now making the inexpensive ruled disk with magnifier essential to

classifying prints by the Battley system. Thus every expert striving to keep abreast of important developments in identification practice may and should study the book and system carefully.

Battley has combined in an interesting way the workable features of earlier empirical classifications with a few of the more scientific morphological methods and principles as laid down by Larson, Vucetich and others. Using a circular area defined by seven concentric circles and placing the center spot of these at the innermost point of the finger print pattern, the print is described by referring its determinative features including deltas to the circles within which they fall. This follows the classification of the print by core, the core then becoming the fixed point for the subclassification. Arches are treated separately.

No change has been made by Battley in the enumeration of types and the main patterns are dealt with by him in the order familiar to all students of the Henry classification system for ten digits. This facilitates application of Battley's system to existing Henry files for special types of offenders likely to leave latent prints at the scene of a crime.

Absence of fixed linear measurements enable the method to be applied to variable impressions from the same digit; also to prints from the same digit though varying in size, as between infancy and maturity.

For details of the new system the reader is advised to study the book. The beauty of this system is that it works under practical policing conditions. To Henry has come a crown prince!

EDWARD OSCAR HEINRICH.  
Berkeley, California.

MASSACHUSETTS POLICE PROCEDURE.

By *Albert B. White*. 492 pp.  
Reynolds Printing Company,  
New Bedford, Mass., 1931.  
\$5.00.

"Massachusetts Police Procedure" is the type of book which should be written for the police departments and police officials of each of the several states in this Union. The thirteen chapters deal with classification of crimes; legal terms and definitions; evidence; powers of the police; search warrants; misdemeanors; the right to arrest; homicide; burglary, robbery, and larceny; narcotics; dangerous weapons; preparation and presentation of criminal cases in the lower courts of Massachusetts, and general questions and answers.

As a policeman in the New Bedford police department, and as Treasurer of the Massachusetts Police Association, the author has had unusual opportunities to study and appreciate the difficulties which beset police officials in their efforts to enforce the law intelligently and lawfully. Taking advantage of these opportunities, he has prepared a volume which contains a gold mine of legal information for the policeman of Massachusetts. Due to the fact that the substantive and procedural law of Massachusetts is not the law in other states, the book cannot be recommended for wide use by the non-discriminating reader. It should, however, prove invaluable to instructors in every police school in this country.

AUGUST VOLLMER.  
Berkeley, California.

LEGAL PSYCHOLOGY. By *Harold Ernest Burt*. xiv+467 pp.  
Prentice-Hall, Inc., New York,  
1931. \$6.00.

The author, Professor of Psychology at the Ohio State University and a former student of the late Professor Munsterberg, of Harvard, presents in this volume a large amount of material which is of practical value to the legal practitioner. He discusses such fundamental questions as errors in sensations and perception, attention, memory and suggestion, showing how these factors bear upon the reliability of testimony. After further discussion of association reaction, breathing, blood pressure and other tests for the determination of truthfulness he proceeds to a consideration of the mentally disordered and mentally defective criminal and makes some general remarks on such matters as education, crime prevention and eugenics.

Some of his chapters, such as that on predelinquency for example, are rather unduly condensed and abbreviated and in his discussion of the causation of crime he appears, as psychologists frequently do, to underestimate the value of social factors. In general, however, he has directed attention in a readable way to some fundamental principles which are all too frequently overlooked by those who deal with problems of crime and of evidence both in criminal and civil cases.

It would appear to the reviewer that the author has perhaps devoted too much attention to the details of psychological tests and theories and perhaps not enough to the practical application of these data to the problems which confront not only the prosecutor but any attorney whose work leads him into the court room.

The book can be recommended as one which could be read with profit

by any member of the bench or bar.

WINFRED OVERHOLZER, M. D.  
Massachusetts Department of  
Mental Diseases.

---

ALS LANDSTREICHER DURCH  
DEUTSCHLAND [A Hobo Travels  
Through Germany]. By *Joachim  
Ruegheimer*. 272 pp. Wilhelm  
Koehler, Minden i. W. R. M.  
2.65.

The author is a man who for the love of adventure left his home and entered the world of the vagabond to study hobo life. He reports candidly and entertainingly how he did it and what happened. For those who have read the literature of vagabondage the book contains nothing new. In one chapter devoted to types of hobos, tramps and beggars the author opens with the sentence: "This is a chapter important enough to be written," and then we are introduced to some of these representative personalities. It all should be interesting for those who do not know the professional vagrant from the worthy destitute man. The author's narrative leaves the reader with the conviction that as yet neither sociology nor legislation have solved the problem; that is we remain without resources when it comes to dealing sanely with the anti-social and non-social minority of tramps and hobos.

FRITHJOF A. HARTMANN.  
Welfare Council of  
New York City.

---

CRIMINAL STATISTICS ENGLAND AND  
WALES 1928. By the *Home Office*.  
lxix+197 pp. His Majesty's  
Stationery Office. London, 1930.  
4s.

CRIMINAL STATISTICS ENGLAND AND  
WALES 1929. By the *Home Office*.  
xxxii+197 pp. His Majesty's

Stationery Office. London, 1931.  
3s. 6d.

The reports on criminal statistics of England and Wales, published by the Home Office under the direction of Arthur Locke, Esq., head of the Criminal Division, are to Americans, at least, among the most interesting of all foreign reports on criminal statistics. They have frequently been held up—with some justice—as models of their kind and until a few years ago they were unique among national reports in that they included in a single volume both police, judicial and prison statistics. In recent years, however, the prison statistics have been taken out and are now (since 1927) issued separately.

Of the two reports before us the 1928 report is the most interesting. It contains an admirable introductory study on "the offender and the community, before the war and since," statistical comparisons being made between the year 1928 and the five year period 1910-14. There is a keen analysis of the meaning of statistical fluctuations, discussions of the relationship between breaking and entering and "the motor age"; drunkenness and crime, etc. Mr. Locke found that while the English population had increased nine per cent during the period studied, indictable crimes known to the police had risen 33 per cent, and if the "unreliable" figures for simple and minor larcenies are excluded, 41 per cent. Known crimes of actual violence against the person fell four per cent. Known burglaries fell 17 per cent, robberies 28 per cent, while "breakings-in," etc., rose about 100 per cent and much faster in country districts than in towns. Very serious increases were recorded in offenses against property

without violence. In general, the proportion of indictable offenses that were cleared up to the point where proceedings were justified increased. In spite of the increase in known indictable offenses, the number of persons proceeded against for such offenses fell, while the number dealt with by courts of summary jurisdiction (petty offenses) rose. It is to be noted that in 1928, less than 5 per cent of those charged with indictable offenses were tried by jury.

Mr. Locke notes a progressive tendency toward leniency in the courts. From 1911 to 1928 the number of convicted prisoners placed on probation increased 51 per cent, the number sent to Borstal institutions 56 per cent, and the number dealt with as mentally irresponsible, 306 per cent. The number sent to Reformatory schools decreased 42 per cent; the number sentenced to whipping, 89 per cent; the number sentenced to imprisonment (short-timers) 42 per cent; the number sentenced to "penal servitude" 46 per cent, and the number sentenced to preventive detention, 46 per cent. He notes that *police supervision* as a form of penalty has grown obsolescent. In 1911 121 were so sentenced, in 1928, only 2. The same tendency toward leniency is noted in the treatment of non-indictable offenses.

True to the belief that each annual report should bear the same relation to the conduct of the work of the "department of justice," that intelligence does to operations in the field of war, Mr. Locke has in the introductory analysis of the 1929 report placed emphasis on two main problems, the age and sex of the convicted offender, and the relationship between industrial depression and crime. He discovered

that from 1907 to 1929 the number of boys under 16 found guilty of indictable offenses increased 49 per cent, although in the general population this age group declined about 12 per cent. The delinquents in the 16-21 age group increased 19 per cent as compared with a 9 per cent increase in that age group in the general population. All higher age groups showed a relative decline. In his analysis of economic conditions and crime Mr. Locke arrives at the conclusion that the increase of crime in the industrial areas of England is without doubt closely associated with economic distress.

Without wishing to disparage in the least the excellent work manifested in these reports, the reviewer may be excused for calling attention to one peculiarity. The English reports have firmly established the reporting of "crimes known to the police," thus providing a good basis for the study of crime fluctuations. It is to be regretted that the data of "crimes known" presented in these reports are not statistically crimes on the basis of police reports *alone*, which would seem the "pure." Instead of compiling these logical way, everything considered, the published figures are a composite of (a) the number of crimes *judicially determined*, (b) those for which the prisoner is arrested (failing proceedings) and (c) those which come to the notice of the police (failing apprehension and proceedings). There is every reason to think that if a comparison of the first mentioned group be made with the police determinations made for the same offenses, considerable divergence might be found.

THORSTEN SELLIN.

Bureau of Social Hygiene,  
New York City.

DEUTSCHES STRAFRECHT. BAND II, DAS VERBRECHEN: ALLGEMEINE LEHREN. By *Robert V. Hippel*. xxxiv+584 pp. Julius Springer, Berlin, 1930. M46.80.

This is a second volume of a work by the very diligent, learned and accurate author—the first volume having appeared in 1925, dealing in four excellently written parts with the object of criminal law, the historical development of German criminal law, the criminal law of non-German countries and the efficiency of criminal law.

The present volume is no less valuable than its predecessor and it is more comprehensive and practical. It begins with an introductory survey of the development of criminal law in Germany and non-German countries during the preceding five years.

In the former field, the effect of the World War, the unrest driving hither and thither, is duly noted and, indeed, is all too manifest: the author doubts whether under existing circumstances, a complete measure of Criminal Law reform is desirable—"The needs of Germany," he says—and he might truly have added those of some other countries—"can be met only by a criminal law founded upon our highest present day scientific knowledge, far removed from the strife over questions of the day and party politics."

Non-German countries in Europe, Asia, North and South America receive attention. In England, the new editions of Stephen and Harris are noted; and on this continent, many works in the United States as well as the Criminal Code of Canada, 1906. The conclusion is reached that in many countries, the science of criminal law is growing

more and more practical—a consummation devoutly to be wished for.

The author then proceeds to the main object of his work, the exposition of learning in general concerning crime.

The first chapter deals with the sources of law, i. e., custom and legislation—the familiar “Nulla poena sine lege,” become “Keine Strafe ohne Gesetz” again making its appearance with “Lex” and “Gesetz,” carefully explained. A chapter on the concept and classification of crime follows: and “Crime is that upon which the State must needs make open war”: the old Italian division, “delicta levia, atrocia et atrocissima” is not yet effete—the original penalties, death, imprisonment, the lash, the fine are still to the fore.

In the third chapter we have the act and its result with a passing glance at the erstwhile prosecution of animals, the private right of revenge and the *talio*—crime now appearing as a human act or omission which disturbs the law-protected right of another or of the community. The causal relation is discussed at length, and a conclusion reached not very unlike our familiar “Causa causans” compared with “Causa sine qua non”—for, “not every causal act or omission involves criminal liability.” Then comes unlawfulness generally with its wrongs, punishable or otherwise and its distinction from guilt, self-defense, necessity, conflict of duties, malap Praxis, etc. Chapter five is on guilt and its two-fold meaning of conviction of crime and a condition of the mind of the accused, responsibility, intent, malice, “voluntas et animus occidendi,” mental incapacity, juvenility, “error in persona qui non excusat,” inadvertence, etc.

The sixth chapter has as its subject crime in the light of its punishability, the previous chapters having dealt with it as being wrong: “the man believes that by temporary wrongful use of the tools of another, he makes himself liable to punishment—but that by our law cannot be punished.” Then comes a chapter on attempt—“the punishability of an attempt is a token of an advancing law”: but while the principle that “every attempt is to be punished as the crime intended is logically clear and simple in practice,” it has not been found to work. The accessory, joint action and agency are considered in the eighth, and single and multiple crimes or consequences with their juridical treatment take up the ninth.

This extraordinarily able and interesting work concludes with what many readers will, with me, consider the ablest and most interesting chapter, namely, that on prevention and punishment, amnesty, commutation, pardon and rehabilitation—all these are wisely and practically discussed: and no lawyer, no legislator who takes an interest in criminal law, who can read German can afford to leave it unread.

This work, like most of the modern works on any branch of science is admirably clear in terminology and rhetoric: I recommend it to my brethren.

WILLIAM RENWICK RIDDELL.  
Osgoode Hall, Toronto.

BUDAPEST HATÁSA A KRIMINAL-ITÁSRÁ [The Effect of Budapest on Criminality]. By *Dr. Erwin Hacker*. 70 pp. Budapest Székesfőváros Statisztikai Hivatala, Budapest, 1931. 5 pengő.

In this small volume, published in the Hungarian language, the

author has compiled data which may interest those studying the effect of large cities on criminality. The statistical information collected by Dr. Hacker with great care over a period of some 25 years contrasts, first, the volume of crime in Budapest, the largest city in Hungary, with that in provincial cities and with that in rural districts and, second, the types of crimes committed in these three environments. The data compiled by Dr. Hacker indicate that as compared with that of the provinces, the criminality of Budapest is surprisingly low. This fact he attributes to the large number of effective social welfare organizations in the capital which the small cities and rural districts lack. The beneficial influence of these organizations apparently more than off-sets what the author conceives to be the adverse effects of city life such as the density of population, the temptation offered by large accumulations of wealth, etc. The book is issued by the Bureau of Statistics of the City of Budapest as vol. 62, No. 2, of a series of statistical publications.

FRANCIS DEÁK,  
Columbia Law School.

---

DIE GEFANGENENARBEIT IM RAHMEN  
DES ERZIEHUNGSSTRAFVOLLZUGES  
[Prison Labor Within the  
Framework of an Educational  
System of Penal Treatment].  
By *Helmut Rahne*. 98 pp. Carl  
Winter, Heidelberg, 1931. [Blät-  
ter für Gefängniskunde, vol. 62.  
Supplement.]

Printed as a special issue of the 62nd volume of the *Blätter für Gefängniskunde*, this little study of prison labor consists of six chap-

ters in which the author discusses the following subjects: the importance of prison labor to the prisoners, its value to the state, the organization of prison labor, that is, whether conducted by the state or by private interests, the competition of prison labor with free labor, the employment of prisoners outside of prison walls, and lastly, wages for the prisoners.

In discussing the state-use system, Mr. Rahne points out the difficulties with which it is beset but believes that on account of the unity of prison management which it permits, it is the best way of employing prisoners. He thinks it is necessary to use machines in the work and believes that neither very large nor very small scale industries are suitable for introduction in the prisons. Naturally enough, he advocates industrial training for the young prisoners.

Everyone who studies prison management is led irresistibly to the conclusion that without employment no prison can be properly conducted. This standpoint is consistently maintained throughout this study. Competition with free labor exists but does not amount to as much as is currently supposed. By organizing in 1928 a central office to deal with the subject of prison labor, Prussia has succeeded in reducing complaints and in developing greater good will among business men. The objections to the employment of prisoners can be minimized by thoughtful management.

The author is inclined to think that the value of outdoor work in developing character has been over-emphasized and is inclined to take with a grain of salt Mettray's saying, *Améliorer la terre par l'homme et l'homme par terre*. He points out that educational and spiritual

work is usually neglected when men are employed in field and forest. Moreover he does not think that city people are going to go back to the land by way of the prison. The truth is that, once released from prison, even the farm laborers tend to drift into the cities. But such work does have a value from the point of view of national economy although it yields small profit.

The old notion that the prisoner was from the economic point of view a slave to the state is passing away, and some of the pronouncements of the older authorities on this subject seem hard to understand. In spite of many difficulties a wage system will come into being when the employment of prisoners is recognized for what it is, namely, the most important educational factor in prison discipline.

This study ought to be helpful to the general reader who wishes to obtain a clear but brief account of the many problems presented by the employment of prisoners. But until these problems are better known and solutions earnestly sought for them, the reviewer feels that prison life will remain for the most part a kind of unintelligent existence, a sad commentary on group intelligence.

LOUIS N. ROBINSON.  
Swarthmore, Pa.

---

TRAITÉ DE CRIMINALISTIQUE; Les Empreintes et les Traces dans l'Enquete Criminelle [Treatise on Criminalistics, Prints and Traces in Crime Investigation]. By *Dr. Edmond Locard*. 2 Vol., 999 pp. Joannès Desvigne et ses fils, Lyon, 1931. Fr./200.

It is a basic principle in criminal investigation that active movements of persons, animals and things al-

ways result in disturbances to locale which are recorded or evidenced by scattering of dust and minute debris, by scars, scratches, imprints, odors, color phenomena sound phenomena, etc., in greatest variety. These traces are physical. They are concrete. They are facts. They may be great and easy to see, such as a hole made by the passage of a cannon ball. They may require a microscope, or a chemical test, or strange methods of illumination to reveal them, such as an incriminating fibre under a finger nail. Yet they are always indicative of their source and the kind of action that produced them. Singly or in combination these traces reveal the drama of action.

These physical facts are the foundation of circumstantial evidence. Their interpretation with the aid of the established laws of the natural sciences is the most direct route to truth. To discover and so to use them in criminal investigation is the most impressive work of the acute investigator.

French penal laws and the administration of criminal justice under them encourage the fullest utilization of physical facts. For this reason, in the finding and interpretation of minute traces of action the French crime investigators are exceedingly expert. And particularly expert among these is Locard.

With the qualifications of a magnificent experience, a scholarly perspective, a keen sense of factual values and a settled ability to write informatively and well Locard now makes available to us in this encyclopaedic work the best of French police laboratory procedure and thought on the subtle art of detecting criminals and reconstructing criminal acts by their traces.

The work is in two volumes. Volume I is devoted exhaustively to traces left by the hands. If there is anything germane to fingerprints, palm-prints, pore-prints known up to the time Locard wrote this volume, yet not discussed in it, this reviewer has failed to find it. American contributions to the science, such as Larson's Single Finger-print System of Classification might well have received a balanced treatment with more widely used European systems, but this is a matter for which the uncorrelated condition of American publications is more to be censured than is Locard for a seeming unacquaintance with our best works.

In Volume II there is sounded a new note in the literature of crime detection. Here in masterly array there is compiled and brought to attention the kaleidoscopic variety of the clue in its microscopic aspects. The fine art of characterization and identification by means of the traces of rest and movement of persons and objects including foot-prints, teeth marks, finger-nail scratches, clothing fibres, animal hairs and other animal traces, vehicle traces, dust, debris and the by-products of the usage of tools, materials, chemicals, weapons, etc. is instructively set forth. The author has welded into an orderly scheme the scattered literature on this subject and has illuminated it with the light of his own superior experience.

Throughout the work ample and detailed reference is made to original sources of case material. Well chosen illustrations—all too few in number, even though there are two hundred forty-one of them—supplement the text. The work is well indexed.

Locard's treatise long will stand as an authoritative French refer-

ence on scientific aids in police science. The present state of lag in American police science will delay publication of anything equally original and similar for a generation.

EDWARD OSCAR HEINRICH.  
Berkeley, California.

---

BEITRÄGE ZUR KRIMINALISTISCHEN SYMPTOMATOLOGIE UND TECHNIK [Contributions to Criminalistic Symptomatology and Technique]. Edited by *Dr. Siegfried Türkel*. iv+173 pp.+69 plates. Ullr. Moser's Verlag, Graz, 1931. RM 16.00.

To choose an informative title for a group of scintillating scientific papers on forensic micro-chemistry and its allies is a poser. Here we have some thought provoking gems from collaborators whose names are all on the roster of Who's Who in scientific crime detection blanketed with a gray verbalism that hides completely all hint of their fascinating character.

The research contributed by Mezger, Heess and Rall into the establishment of the age of inks through micro-chemical tracing of the migration of the soluble salts from the ink into the paper at the edges of the ink strokes is the best piece of work on this problem published in any language in two decades. The reproduction of the contents of a sealed letter by means of photography in the infra-red and other "stunts" in decipherment by these means contributed and described by Danckwortt established new outposts in the battle of science against crime. The story to be read from smokers' debris whether burnt matches, ashes, tobacco dust, bits of cigar or bits of cigarette papers as thoughtfully explored

by Türkkel with his microscope and here fully set forth should be a warning to every criminal to quit smoking if he would hide his identity. The ten additional researches are each of similar aim and quality, the whole forming something in the nature of a symposium on the examination of inks, visible or invisible dust, grease, stains, tool marks and wire cuttings in connection with their use as legal evidence.

One seemingly unrelated paper by Türkkel is included dealing with changes in personal identity signs induced by accident or disease. Yet it has a place since the reasoning is along lines similar to the study of clothing changes through accident and wear; also to the study of tool marks and dust traces.

This work well might be called: "The scientific examination of dust, inks and tool marks in criminal investigation." Its contributors are Bischoff, Daimer, Danckwortt, Dangel, Haschamova Haslacher, Heess, Lochte, Mezger, Rall and Türkkel. It is superbly illustrated with one hundred thirty-one figures. It is an outstanding collection of papers on scientific crime investigation with the aid of chemistry, photography and the microscope.

EDWARD OSCAR HEINRICH.  
Berkeley, California.

---

AMERICAN FAMILY LAWS. Vol. I. Introductory Survey and Marriage. By *Chester G. Vernier*. xxi+311 pp. Stanford University Press, Stanford University, California, 1931. \$5.00.

The author of this work, who is well known to JOURNAL readers through many years of service as editor of its judicial decisions presents here the first volume of an

ambitious treatise on family laws. It contains comparative material from the laws of forty-eight states, Alaska, the District of Columbia, and Hawaii, and deals with contract to marry—breach of promise; and contract of marriage—ceremony and relation. Wherever possible, the author has in each of the sixty-one sections made a brief summary of the common law, stated the statutory law in detail, and added comments and criticisms, as well as a list of references. Comparative tables are copiously used, making the book a valuable reference source. A subsequent volume will be devoted to divorce and separation and the hope is expressed that later volumes will be added on other phases of family law. To the student of criminal law a section in the volume here considered on the effect of marriage on criminal prosecution is perhaps of special interest. While the greatest variation exists among the states concerned, twenty-five American jurisdictions have made marriage, or in some states, a bona-fide offer of marriage, a bar to the prosecution of a charge of seduction. In nine states the intermarriage of the parties concerned prevents or suspends a prosecution for adultery, fornication, statutory rape, abduction, or bastardy. A number of states have, furthermore, provided that marriage shall be no defense to prosecution for pandering.

THORSTEN SELLIN.  
Bureau of Social Hygiene, Inc.,  
New York City.

---

BYGONE PUNISHMENTS. By *William Andrews*. 2nd ed. ix+292 pp. Philip Allan and Company, Ltd., London, 1931. 10/6.

This richly illustrated work, originally published more than a quar-

ter of a century ago, remains one of the most interesting contributions to the history of English punishments which have had their day. Painstaking searches in old documents and narratives form the basis for Mr. Andrews' book, and in many instances he has apparently succeeded in establishing the date of disappearance if not the origin of many of these penalties, which seem to have survived in English legal usage long after their disappearance in the American colonies. His description of the Halifax gibbet (early 16th century) and the Scottish maiden (1566-1710) show that the guillotine was used in Great Britain, as it was in Italy and Germany, long before the French Revolution popularized it. The penologist should be grateful to the publishers and the author's son, Mr. William Linton Andrews, for having made this work more easily available to him.

THORSTEN SELLIN.

MUSEO CRIMINALE. By *Roberto Vozzi*. 52 pp. Ministry of Justice, Rome, 1931.

This pamphlet, with photographic illustrations, describes the recently established criminological museum in the Carceri Nuove in Rome. While only in its formative stage, this institution will be of great value to students of the various branches of criminology. The collections are divided into three sections, one illustrating the execution of the crime, one the state's activity in dealing with criminals, and one with penal and preventive treatment.

Tools of professional criminals, plans and photographs of prisons in Italy and elsewhere, important historical documents and penal instruments fill the rooms of the museum.

THORSTEN SELLIN.

ACTES DU CONGRÈS PÉNAL ET PÉNITENTIAIRE INTERNATIONALE DE PRAGUE, AOÛT 1930 [Proceedings of the International Penal and Prison Congress in Prague, August, 1930]. Published by the Secretary-General, *Dr. J. Simon van der Aa*. 4 vol. Staempfli and Co., Berne, 1931.

These proceedings should find a place in the library of every criminologist, for they contain a section of world opinion on problems of law and punishment, which, as each successive congress passes, furnish a measure of progress which no other single publication can yield. The committee reports, the public addresses and the resolutions are given in full. Those who prefer an English rendition may obtain a summary volume in this language from the publishers.

THORSTEN SELLIN.

THE ART OF CRIME. By *Arthur R. L. Gardner*. ix+254 pp. Philip Allan and Company, Ltd., London, 1931. 10/6.

A popular presentation of the *modus operandi* of the professional criminal, ranging from the confidence man to the robber and the burglar.

THORSTEN SELLIN.