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Book Reviews

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BOOK REVIEWS

THORSTEN SELLIN [Ed.]

THE EARLIEST NORWEGIAN LAWS, BEING THE GULATHING LAW AND THE FROSTATHING LAW. Translated from the old Norwegian by Laurence M. Larson. (Records of Civilization, No. XX.) 456 pp. Columbia University Press, New York, 1935. \$5.00.

These two provincial codes embody in large part law of the 1000s (vii), but both (particularly the Frosta code) contain more or less later law, down into the 1200s. The two confederations whose legal systems they express considerably antedate the codes, and long before the confederations existed the law was being developed in the fylki. For the most part it is (even more than is indicated on p. 26) old Germanic custom.

The codes were made by the freemen. They are statements of the old Northmen's fundamental ideals, and present a complete plan of all that they deemed basically important in their social life. They are therefore most fascinating material. There are dozens of highlights—"Fire belongs to the one who has it in his hand and gives it fuel afterward"; "all men have equal rights in a wayside shelter"; "every man shall use and enjoy his ship in perfect peace, let him sail whither he pleases" (*Gul.*, cc. 99, 100, 148); "wicked men have run away with the wives of other men, and many have atoned very little for that and some not at all"; "our land shall be built up by law, and let it not be

laid waste by lawless behavior"; "it is the king's right to command and to forbid, but he must rule according to law"; "if kinsmen neglect the affairs of the women who are in their care . . . they shall be allowed to manage their own affairs as they like"; "every man who has land within our law shall have an agent in the fylki"; "if a man lies down under another man's cow to suck her, he shall lose his right to atonement" (i. e., presumably, if roughly punished by her owner; and so if one intentionally tears or cuts another's herring net, or enters his onion patch); but—"if a man travels the highway with a horse and there is grass near the road, he may . . . take as much as his horse requires to eat"; and the herring fishers "may throw and leave the fish wherever they like, on cornland or on meadow" (*Frost.*, *Introd.* c. 10; I, c. 6; VII, c. 1; XI, c. 17; XIV, cc. 1, 13, 14, 15; XV, c. 5).

Scores of passages present fascinating analogies to rules and concepts of our present law. It is humiliating to reflect that we are only now trying finally to rid ourselves of the principle of primitive societies that execution of a judgment was no business of the court (*passim*), and that the same double meaning of "accidental" that appears in the law of 1000 (*Gul.*, cc. 169, 177) still befuddles our law of 1900. The Gula law-thing, too, presents one of our problems where in one sentence it makes the bailee of a cow liable for "negligence"

and requires that he care for her as he would for his own cattle (c. 41). Creditors were not defeated when a chattel became a fixture (*ibid.* 162); a killer could not inherit from his victim (*ibid.* 164, and *Frost.*, VIII, c. 14); the relaxation of livery of seisin "in deed" was far greater than in England (*Gul.*, c. 292); inheritance from and among persons meeting death in a common battle or disaster was simply regulated (*Frost.*, IX, c. 2); the original connection between wills and conveyances in our law is paralleled (*ibid.*, 331, c. 4);—there is no end to interesting similarities or contrasts.

There is little system in the arrangement of the codes. Material on delicts occurs in at least ten of the sixteen books of the Frosta law. Of course there is no distinction between what we call respectively crimes and torts; conversion and trespass are seen in the general delictual subsoil. Of course, too, these codes embody the good old principle, urged in our softer days in Jhering's *Kampf ums Recht*, that every injury must be satisfied in blood or in money; and there are both resolute definitions and all kinds of rough and ready rules designed to make it sure that *somebody* should pay. However, mere revenge by killing was losing ground before mutilation and wergelds; and even the principle *de minimis non curat lex* is discernible, with surprising examples (*Gul.*, cc. 211-212). As a picture of society no other part of the book exceeds in interest the material on crimes—the types of crime illustrated; the distinction between open and secret and (for the distinctions were not identical) between infamous and non-infamous crimes, especially in homicide, and—when there was

mere manslaughter—between honorable and dishonorable killings; the emphasis upon the place and time and mode of their commission; the treatment of women and minors; the concessions made to the wrongdoer's friends in permitting limited succor; the forms of punishment and their relation to distinctions of social rank.

The translation is very clear, a glossary gives aid on important words, and there is a bibliography of primary and secondary materials. The manner of indicating manuscript variants in the text of the Gula law (37, 39, 49, 52, 53, 54, 57, 65, etc.) often leaves the extent of the variants uncertain. Some technical terms of English law are used which could certainly have been avoided, and therefore should have been—*e. g.*, *conversion*, *distrain*, *negligence*, *attachment*; others such as *mortgage*, it would have been harder to avoid; and probably others could not have been avoided—for example, robbery. On the other hand the index to any volume interesting to students of comparative law should be *full* of our technical terms for concepts whose roots or analogies (of course, indexed as such) appear in the foreign law presented. But the index of this volume totally lacks various terms (bailee, fixtures, movables, etc.) whose analogies are very abundantly illustrated; and others (contributory negligence, *Gul.*, cc. 174-175; specific performance, *ibid.*, c. 79; detinue, *ibid.*, c. 144) all the more interesting because of the rare passages suggesting them. Moreover, the index is often incomplete in its collection of passages, and some vastly important words, such as *Procedure*, are totally lacking.

FRANCIS S. PHILBRICK.
University of Pennsylvania.

ANLAGE UND UMWELT BEI 500 RÜCKFALLSVERBRECHERN. [Hereditary and Environment of 500 Recidivists.] By *Karl Schnell*. 119 pp. Ernst Wiegandt, Leipzig, 1935. Rm. 4.80.

ZUR AETIOLOGIE DES RÜCKFALLS. [Concerning the Etiology of Recidivism.] By *Fritz Schulze*. 94 pp. Risse-Verlag, Dresden, 1934. Rm. 3.50.

EINFÜHRUNG IN DIE KRIMINALSOZIOLOGIE UND VERBRECHENSHÜTUNG. [Introduction to Criminal Sociology and Crime Prevention.] By *Hans Schneickert*. vi, 115 pp. Gustav Fischer, Jena, 1935.

MEINEIDIGE UND MEINEIDSSITUATIONEN. [Perjurers and the Perjury Situation.] By *Hansgeorg Teichmann*. 71 pp. Ernst Wiegandt, Leipzig, 1935. Rm. 3.60.

DIE SICHERUNGSVERWAHRUNG DES SEC. 42 ST. G. B. UND IHRE VORAUSSETZUNGEN. [The Detentive Security of sec. 42 of the Penal Code and Its Presuppositions.] By *Heinrich Gerland*. 32 pp. Frommansche Buchhandlung, Walter Biedermann, Jena, 1935.

The data for Dr. Schnell's study (the twenty-second monograph in the Exner series) come from the Bavarian Crimino-Biological Bureau. Fourteen hundred crimino-biological reports from the years 1931-1933 were examined. Five hundred and two were selected for analysis. Anthropometrical data were not considered, but the "biological" and sociological backgrounds of the recidivists (those who had committed at least six offenses) were examined.

The material was classified according to social prognosis, age, and mental make-up. Fifty per cent of the men were found to be intractable, and only in twelve and one-half per cent of the cases was improvement to be awaited. In close to thirty per cent of the cases, social adjustment appeared merely "probable" but was not "definitely" to be expected. Two hundred and forty-five of the inmates (48.8%) were in conflict with the law before their nineteenth year. Forty per cent were found to be of normal intelligence, and sixty per cent were suffering some kind of psychological abnormality. Family backgrounds are described, as well as the social and environmental influences. The general conclusion of the author is that four hundred of the recidivists (80%) are doomed to criminal careers because of their hereditary disposition. (p. 116.)

The point of view of the author is expressed in his criticism of the position of Birkmeyer. "The declaration of Birkmeyer," Dr. Schnell writes, "that the criminal is a person like all others, with the same mental and physical nature, is absolutely unmaintainable."

This study is the only German work which approaches the work of the Gluecks. In critical analysis and general methodological approach, however, it is not to be compared with the American study. Yet it is to be recommended to any serious student as one of the important studies in recent criminological research in Germany.

The purpose of the author of the "Etiology of Recidivism" was to determine the relative importance of heredity and environment in the etiology of crime. In Part I he briefly traces the historical development and present status of crime

etiology. Crime research in Germany has taken two major directions, that of criminal sociology, or mass studies; and criminology, or the study of the individual's personality and background.

The sources for the thirty cases presented in Part II are the institutional records of juvenile recidivists who had committed property crimes. In addition, the impressions of prison officials and a two or three-hour talk with each delinquent were utilized by Dr. Schulze in reaching his conclusions. In Part III the author concludes that endogenous factors accounted for the criminality of fourteen of the recidivists, heredity and environment led to criminal careers in seven cases, and nine of the delinquents were products of the environment.

The concepts employed in this study are general and unclear. The author, for example, speaks of a "high grade weakness of will" (*hochgradige Willenschwäche*, p. 76) and of the "lack of ethical and moral ideas," of "egocentricity" as factors leading to crime. No attempt at any control group is made. There is little of scientific value in this study.

Dr. Schneickert's volume represents a more detailed development of a series of lectures delivered at the University of Berlin under the title "An Introduction to Criminal Sociology." The first part, "Principles of Sociology," is a description of concepts borrowed from Alfred Vierkandt and Karl Dunkmann's "systems" of sociology. The second part (*Die Verbrechensverhütung*) deals with various techniques and measures for crime prevention ranging from the forms of penal administration to crime statistics and criminology. The book is a pot-pourri. The sociological de-

scriptions bear little relation to the crime prevention discussion.

In Section III of Part II, entitled "Further Legal and Private Preventive Measures," we learn that one should know how to box and learn jiu-jitsu in case of personal danger. Modern electric clocks should be used. The amount of a check should be stamped on its face. On the other hand, Section III, Part III, contains a brief although clear account of the legislation directed against the dangerous habitual criminals which went into effect on January 1, 1934.

Dr. Teichmann's volume is the twenty-first monograph in the Exner series. It is a study of the perjury of witnesses, parties, and state experts (*Sachverständige*). The sources of the study are primarily the Reich criminal statistics, 1882-1930. Chapter II describes the actual amount of perjury (which is less severely but much more often punished in Germany than in the United States) in proportion to the number of convictions. Chapter III classifies perjury according to the German provinces during the years 1925-1928, and Chapter IV according to sex (for the period 1925-1930), age (1911-1913 and 1928-1930), occupation (1928-1930), and religion (1882-1891 and 1928-1930). The greater portion of the book is devoted to a brief description of one hundred cases, each indicating the character of the perjured testimony and the circumstances giving rise to it.

Professor Gerland makes a detailed study of the new and extremely bold legislation introduced by the German Reich on January 1, 1934. The laws are aimed especially at dangerous habitual criminals. The author shows how poorly drawn they are. He examines their pre-

suppositions, namely, (1) the offender must be judged not only an habitual offender (three previous felonies), but also a *dangerous* habitual offender; (2) the court must establish the fact that public security requires the preventive detention of the offender. The author states that a dangerous habitual offender is one who, as a result of a rooted tendency in his character toward a specific or general criminal activity, may be expected to commit further offenses. (P. 21.) The pitfalls facing the court in interpreting this section are examined in detail.

NATHANIEL CANTOR.

University of Buffalo.

WAYWARD YOUTH. By *August Aichhorn*; with a foreword by *Sigmund Freud*. xiii+236 pp. The Viking Press, New York. 1935. \$2.75.

The theme of this book, according to the announcement on the jacket, is "Psychoanalysis applied to the study of delinquent children." The author is a Viennese lay analyst, who had already worked for many years with delinquent children before he became acquainted with psychoanalysis.

On the theoretical side, he appears to be an orthodox Freudian. Because the basic tenets of psychoanalysis are of such a nature that baldly stated they tend to give offense to the uninitiated, it is customary for popular writers on this subject to present them in delicately veiled language. Aichhorn is no exception to this rule. The sophisticated reader may infer, from what is here somewhat overtly presented, that like every other true psychoanalyst, he believes the mental ills with which

he has to deal are due essentially to suppressed desires which have their origin in the infantile sexuality and that cures can be effected only by the laying bare of these desires.

When we come to look at the author's method of treatment, however, as exemplified by his case histories, we do not find it to be based upon this psychoanalytic principle. On the contrary, it seems to be in no way essentially different from what might be expected of some shrewd, kindly, old-fashioned pedagogue who had never heard of infantile sexuality. True, the reader is led to believe that somewhere and somehow in the course of the treatment the child's underlying sex difficulties are resolved by re-education but just how and where this re-education takes place, the author does not explain.

Freud, in his foreword to the book, says that "psychoanalysis could teach the author little that is new to him in a practical way, but it offered him a clear theoretical insight into the justification of his treatment." To believe this, however, we must also believe, although we can find no evidence in the book for doing so, that Aichhorn's method of dealing with his patients is one that lays bare the unconscious motives to which, according to his theory, the "latent delinquency" is due; and we must also believe that Aichhorn had learned to cure his patients by the laying bare of these motives long before, through his acquaintance with psychoanalysis, he had come to believe that such motives existed. To the reviewer, it seems that this demands altogether too much of our credulity. This book, as he sees it, represents an attempt on the part of the author to make his empirical methods and

common-sense conclusions fit into the general theoretical framework of psychoanalysis; but this attempt, although the book has in other ways much to recommend it, does not appear to be altogether a success.

MILTON HARRINGTON.

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CELL 202—SING SING. By *Lewis E. Lawes*. 693 pp. Farrar & Rinehart, New York 1935. \$3.00.

The warden of a penitentiary in this country blossoming out as a literary man is a new thing under the sun. In this book Warden Lawes adds one more to the series of very interesting books he has written on the basis of his experience as a warden.

The present book consists of four case studies based upon records of four different prisoners in Sing Sing, but embellished with imaginative conversations and descriptions intended to fill out the picture of the events which led up to the commitment to Sing Sing.

These stories are introduced by picturing the sons of the four former prisoners called to Mr. Lawes' office in Sing Sing Prison for a conference many years after their fathers were discharged. These men in his office do not know why they have been called to Sing Sing. Mr. Lawes explains to them that the only thing they have in common is a common heritage. "That heritage came into being in cell 202 in one of the cell blocks in old Sing Sing. A mean place. Small, badly ventilated, cold, damp and lonely. Life was barely possible in that dank interior. Yet four men managed to live there during the course of a century. Each of you

is heir to one of those prisoners." He then passes on to each of them the record of his own father and asks them to let him have their judgments on the record. At the end of the book is an epilogue in which one of these men called to his office writes Warden Lawes, after he has read the story of his own father, and gives his reaction to this information concerning his father. The epilogue also contains Warden Lawes' reply to this judge.

The stories afford the Warden an excellent opportunity to trace the development of Sing Sing both in its physical aspects and in the improved spirit of the place. It also allows him to develop his own theories as to the treatment of prisoners.

If the information conveyed in each of these case histories may be relied upon as essentially true, they give a good picture of the social circumstances in the midst of which each of these four men developed anti-social attitudes. They also provide an insight into what Warden Lawes believes were their reactions to the kind of prison discipline they underwent. The only criticism I can think of to make on the book is that the Warden could have developed his theories as to the making of the criminal and of his proper treatment in a space no larger than is now occupied by the prologue and the epilogue. The history of the social conditions in the midst of which the development of penal treatment in Sing Sing took place, could likewise have been set forth in very much less space. The remainder of the book of 693 pages is pure literature and is well done. If one were to judge the author from this book he would be compelled to conclude that the writer is incidentally a

penologist and criminologist, and primarily a *litterateur*.

J. L. GILLIN.
University of Wisconsin.

NERVOUS AND MENTAL DISEASES.

By *Bernard S. Maloy, M.D.*
xiv+551 pp. Bobbs-Merrill, Indianapolis. 1935.

The title of this book is not a key to its contents. It sounds like a treatise for the medical profession, but it is really directed to the lawyers; the medical man, and especially the psychiatrist and the neurologist, will find in it many statements which he cannot accept. One feels that the author is a man of strong beliefs and decided opinions, an attitude which is perhaps natural in a man who can look back upon so many years of life. His emphasis on "phallicism" and "secret practices" is interesting though not convincing.

Crime is discussed incidentally in the chapter on dementia praecox. The importance of mental abnormalities in the cause of crime is brought out, but the author has left out entirely that large criminal group which falls into the category of psychopathic personality; one is left with the impression that this is all included under dementia praecox. It would seem that even a lawyer ought to have a more balanced and modern view of some of the problems touched upon in this book, than is given by its perusal. To the discriminating reader, it is an interesting document. The printing and binding are excellent, a credit to the publisher.

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White Plains, N. Y.

TEN THOUSAND PUBLIC ENEMIES.
By *Courtney Ryley Cooper*. ix+

356 pp. Little-Brown and Co., Boston. 1935. \$3.00.

Mr. Cooper's work is a popular presentation of a dramatic subject—the role which the Federal Bureau of Investigation is playing in the present-day effort to "get criminals in a position where they may be caught." The larger portion of the book is devoted to kaleidoscopic reviews of police cases in which the Federal agency has participated. The better part, by far, is to be found in the last 150 pages where Cooper describes, with revealing detail, the careers of the criminal gangs fostered by such characters as Frank Nash, "Machine Gun" Ed Kelly, Verne Miller, Alvin Karpis, *et al.* Noting their crimes and the impunity with which they committed them, the author compiles a chapter of contemporary history which is the shame and humiliation of a civilized people.

Surveying the crime situation in its broadest aspects, Mr. Cooper rightly and effectively passes the challenge to public opinion. In this connection, he might have been more emphatic and explicit in condemning the indifference of the average official and the average citizen in the average locality. If it were not so, no such chronicles as these could be chiseled, as they are, into our social and political cornerstones.

CHARLES DE LACY.
Chicago, Ill.

KRIMINALNA TEKHNIKA [Criminal Technique]. By *Serge N. Tre-gouboff* and *Alexander J. Andonovic*. 480 pp. Belgrade, 1935. 120 din.

This valuable treatise written in Serbian by two men of great practical experience is a welcome addi-

tion to the three latest brilliant works on police technique by Robert Heindl (*System und Praxis der Daktyloskopie*, Berlin, 1927), Edmond Locard (*Traité de Criminalistique*, four volumes, Lyon, 1932), and Harry Söderman and John J. O'Connell (*Modern Criminal Investigation*, New York, 1935).

Serge Tregouboff, formerly an official of high rank in the Russian Imperial Ministry of Justice and Professor of Criminal Law in the Imperial Law School at St. Petersburg, is at present teaching criminology at the Royal University of Belgrade. He is preeminently a highly trained practitioner, who has studied the methods of criminal investigation under such master minds as the late Dr. Bertillon and Professor Reiss. Owing to Tregouboff's enlightened efforts, on June 28, 1912, a law was enacted in Russia by virtue of which criminalistic laboratories were established in conjunction with the St. Petersburg, Moscow, Kiev and Odessa Courts of Appeal. He should be justly conceived as the initiator of the *police scientifique* movement in Russia and one of the honored successors to that school of thought of which Hans Gross was the founder.

As to Dr. Andonovic, his eventful and colorful career has been almost entirely confined to Yugoslavia where he is the Director of the so-called *Tekhnicheski Odsek*, or Identification Bureau, of the Serbian Ministry of the Interior in Belgrade. In this capacity he has laid the foundation of scientific forensic research in the Balkan countries, while his police laboratory is one of the best equipped and managed on the Continent of Europe.

These two men, then, are unusually well qualified to write a text-book on the practical methods of criminal detection bringing to the student the fruits of their vast experiences in the field of recidivist techniques, i. e., the sum total of those practices, habits, and devices which are pursued by the "professionals" in their anti-social work. For Tregouboff and Andonovic, on innumerable occasions, have come in intimate contact with that peculiar world which on these shores is generally called "gangland."

This first part of *Kriminalna Tehnika* is dedicated to the *modus operandi* for dealing with the registration of the delinquent strata, such as signalistics; anthropometry; *portrait parlé* and the whole system of *bertillonage*; the registration of bodily marks, and, finally, finger print, including the monodactyloscopic classifications used by the Munich and Dresden police departments. In this connection the authors have given detailed accounts of the Giraud-Henquel formulae, the Vucetich system and the distant identification principles of Hakon Joergensen, under whose direction a special registration bureau is functioning in Copenhagen.

There is also a brief survey of those international measures which on the initiative of the Vienna *Polizeidirektion* have been put in operation by the various Governments in Europe and elsewhere for the purpose of curbing the dangerous activities of the world wide gangs of counterfeiters, drug peddlers, women traffickers, and the like.

The usefulness of the discussion of these subjects is greatly increased by a large number of important illustrations which graphically reveal the registration tech-

niques employed in the respective identification departments.

Particularly complete is that division of Part I which relates to dactyloscopy and finger and palm print records in general.

Perhaps the most excellent chapters in *Kriminalna Tekhnika* are those which treat of the scene of the crime (pp. 190-253), its significance from the standpoint of the detection of the criminal, the manner of its inspection and the task of discovering those traces and material residues of a criminal act which, in the subsequent investigation, are likely to constitute valuable, and at times irreplaceable, judicial evidence.

Here the authors have given an account which is designed to guide, not so much the accomplished technician, but rather the rank and file examining magistrate, or *Untersuchungsrichter*, the police officer and detective who, usually, are the first to appear at the *mis-en-scene* of the crime. It is at this early stage of the investigation that most valuable data may be obtained; but it is also in the course of this preliminary intervention of the law that the most irreparable and, in fact, fatal, errors are being daily committed by those in whom the administration of justice is vested.

While, indeed, there is much in the manual that will prove of immediate interest to the expert, for instance, the *exposé* of the photogrammetric preservation of the scene of the crime, the innumeration of the different biochemical and microscopic tests, particularly relating to the spectral analysis of blood stains, and so forth, nevertheless, the instruction of the less experienced police agents and their practical training is obviously the

main concern of the whole discourse.

The same is true of another portion of the book in which the highly technical investigation of railroad accidents is explained: naturally, the average detective should not be expected to conduct independently such immensely complicated inquiries as these. At the same time, however, he must be familiar with the fundamentals of the railroad mechanism, the traffic rules, the principal parts of the locomotive and the essentials of the build of the railroad bed, in order that at the scene of the accident, he be in a position to direct the attention of the engineers to such elements as may be indicative of its possible causes. Unless the officer knows the ABC of railway engineering, he will be a helpless tool in the hands of the more experienced road agents who, deliberately sometimes, will seek to mislead him and divert his inspection from its really important phases.

Very wisely have the two authors interlaced their narrative with references to numerable specific crimes, for after all, there is no better tutor than life itself, while the history of such famous cases as the Guilevich murder in St. Petersburg or the recent assassination of King Alexander of Yugoslavia, are fraught with countless instructive details which must stimulate and develop the investigative instinct.

Kriminalna Tekhnika should not be conceived as an all-embracing encyclopaedia of criminal detection: insofar as its treatment goes, it is a first-class manual extremely useful and authoritative in every respect. Yet, some aspects of criminalistic science have been either merely touched upon, like in the case of ballistic tests (pp. 376-395),

or else deliberately omitted as, for example, the intricate investigative work relating to handwriting research and the examination of questioned documents.

It must be observed, that even today, notwithstanding the splendid achievements of such experts as Eugene Burinsky, Albert Osborn and Dr. Locard, the graphological problem *in toto* is far from having been solved. Even graphometry which is based upon the symptom of the proportional values, or the quantitative variations in the magnitudes of handwriting, though very helpful, is by no means axiomatically conclusive. On this ground, and bearing in mind the general purpose of the treatise, it was perhaps best not to have introduced that phase of *police technique* which still requires much patient and constructive laboratory experimentation. Besides, whether it be graphometry, or "graphonomy" (a term suggested by Dr. Solange Pelat), or psychography, as conceived by Morgenstern, or any other method of forensic graphology, police officers, even of higher ranks, will never be called to take an active part in the analysis of questioned documents and the identification of disputed handwriting.

With all this, it is to be regretted that *Kriminalna Tekhnika* does not treat at all of such topics as the preservation and reconstruction of burned, or otherwise destroyed, documents; the principles of typewritten forgeries; the fundamentals of the photo-mechanical methods now universally used in the detection of erasures and corrosions; the developing of latent finger print marks on paper surfaces; the handling of incriminated documents on the scene of the crime, and so forth. A chapter devoted to these

fascinating subjects would have given an added importance to this otherwise splendid treatise.

BORIS BRASOL.

New York City.

SCIENCE VERSUS CRIME. By *Henry Morton Robinson*. 303 pp. Bobbs - Merrill, Indianapolis, 1935. \$2.50.

Physicians long have practiced the art of administering unpalatable doses pleasingly disguised. Writers do the same and this work is a clever specimen of the art. The author has a bit of propaganda to cast abroad. He urges universal finger print registration, bigger budgets for police, medical coroners and a federal centralization and control of the criminal police. He has concocted for the purpose from too few interviews and too many news cuttings his dramatized version of the scientist as a police aid. The many cases he has utilized are real enough but much of what he has to say about them and his chosen scientists isn't quite so. The vivid, integrated narratives have the same relation to what might be expected from the title of the book as do the entertaining efforts of a person playing by ear have to music. As a contribution to scientific criminology it is of no importance. As a chaptered collection of feature stories about science and scientists hooked up with crime detection it is above the average.

The book closes with a chapter strongly bringing to attention the need for a better trained police personnel. In this respect the author may be excused some over emphasis. He has endeavored to visualize to the reader some aspects of what is being done and what more can be done when thinkers turn

peace officers and the public approves.

E. O. HEINRICH.

Berkeley, Calif.

CRIME AND THE STATE POLICE. By *August Vollmer* and *Alfred E. Parker*. viii+226 pp. The University of California Press, Berkeley. 1935. \$2.50.

Those conversant with the record no longer need to be convinced of the value of centrally-controlled state police systems as means of policing rural areas and meeting an organized and mechanized criminal class on something like equal terms. From the points of view of adequacy of equipment, receptiveness to new ideas in criminal investigation, and flexibility of operation, the state police have proved themselves. What is most needed now is to present that record to the general public without whose understanding and cooperation further extension of the system will be slow.

As a means of popularizing the idea of the state police this book is of the highest value. If this review were being written for any but a staid professional journal our judgment of the study could best be expressed by calling it "swell." Except in so far as it is more up-to-date than earlier works it presents little that is new to the specialist. In this respect, however, it gives every evidence of having been written on the basis of complete familiarity with the printed sources and extensive contact with those engaged in police work. The first five chapters are devoted to a discussion of the state's relation to modern crime and the development of various special attempts by state and local authorities to deal with it—such as highway patrols, county

police, state sheriffs, etc. Almost half the book, however, is devoted to a clear and thoughtful discussion of the recruitment, organization, equipment, methods and accomplishments of true state police systems. The characteristic which gives the study its very high value is that these matters are discussed in terms of actual problems met by state police authorities. Neither Sherlock Holmes nor Lord Peter Wimsey nor Doctor Thorndyke figures in these pages, their parts being taken by such unromantic individuals as Officer Jack Waldron, Private Daniels, Corporal Brady Paul and Captain Fox; yet these true detective stories are more convincing than the most touted thriller in the current vogue. The book is good enough to tip the scales in favor of modern policing if it could be read by those who, out of deference to ancient dogmas, still think in terms of the ancient categories of political science and public administration.

The book is attractively printed, has a discriminating bibliography of eleven pages, and a satisfactory index.

LANE W. LANCASTER.

University of Nebraska.

JOHN BELLERS. 1654-1725. Quaker, Economist, and Social Reformer. His writings reprinted with a memoir by *A. Ruth Fry*. Cassell and Co., Ltd. 1935. Pp. 174. 6s.

Though the name of John Bellers is unknown to all except a small number of specialists, he was in fact something of a pioneer in social reform. His particular interest lay in the establishment of Colleges of Industry to provide work for the unemployed, but he was besides an enthusiastic advocate of prison re-

form and appears to have been the first person to propose the abolition of the death penalty and to urge that the first aim of punishment should be the reformation of the criminal. He also conceived the idea of a Senate to Europe to keep the peace with all the nations "joyned as one State, with a renouncing of all Claims upon each other, with such other Articles of Agreement as may be needful for a standing *European Law*."

His views on prison reform sound as modern and prophetic as his vision of a League of Nations. In his essay on "Some Reasons against putting of Fellons to Death," he writes: "The Idle and Profane Education of some, and the Necessities of others, brings Habits almost invincible; for such to conquer of themselves, without the State to take them into their prudent management: But to put them into Bridewell or Newgate for a Month or two, and then turn them loose at their own Discessions (who have none) no more reclaims them, than baiting a Horse well with Provender makes his less able to Travel; they learn but more skill in their Trade, under the Tutors they meet there."

We are grateful to Miss Fry for rescuing these writings from an ill-deserved obscurity, and bringing to the light of day the belief in humanity that shines through them.—Courtesy of *The Penal Reformer*, London.

HANGED BY THE NECK. By *Frank G. Layton*. Ivor Nicholson and Watson. Pp. 287. 7s. 6d.

To the now large number of novels presenting an argument against

Capital Punishment, this book is a useful addition. Mr. Layton makes no pretence of fine writing, but the stark bluntness of his prose style enhances the effect of his story. In developing his theme and showing how the legal net may entangle a perfectly innocent man and finally hang him, the writer has contrived to combine the excitement of "a thriller" with an effective presentation of the case against the death penalty. His picture of the Police Court proceedings presided over by a peppery retired General, who was almost completely deaf, is particularly effective.—Courtesy of *The Penal Reformer*, London.

WHEN JUSTICE FALTERED. By *Richard S. Lambert*. Messrs. Methuen. Pp. 283. 10s. 6d.

This book is a study of nine trials for murder in England, Ireland, France and America. Their common feature is that in them "the machinery of the law either broke down or failed to function with credit." With one exception the cases dealt with fall between 1850 and 1875, but the lessons to be drawn from them are entirely applicable to the administration of justice in our present-day Courts. In one, the famous case of the Rev. John Selby Watson in 1871, the difficulties attending the application of "the McNaghten Rules"—the legal definition of insanity—which then as now baffled justice, are clearly brought out. Apart from the intrinsic interest of the cases themselves, the author has presented them with great skill and absorbing interest.—Courtesy of *The Penal Reformer*, London.