

Summer 1937

Current Notes

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CURRENT NOTES

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Interstate Progress—Hon. Richard Hartshorne of New Jersey, Chairman of the Interstate Commission on Crime, reports that the four model acts prepared last year have been enacted no less than 75 times, and more than a third of the States are now cooperating "as never before to control crime." He says: "Due credit for the above accomplishments must be given to the National Conference of Commissioners on Uniform State Laws and the American Legion, both of which have been of much aid in their respective lines.

"The Commission not only realizes that the above legislative work is but partially completed but that many other lines in the crime field are crying for attention. At the present moment its membership is divided into committees drafting standard forms and regulations to implement the above model acts and to study the topics so pertinent to crime control of Firearms, Motor Vehicles, and Crime Prevention."

Advisory Organizations—To further the work of the Interstate Crime Commission it is asking each of the following organizations to act in an advisory capacity: American Institute of Criminal Law and Criminology; American Judicature

Society; American Law Institute; American Parole Association; American Prison Association; International Association of Chiefs of Police; National Conference of Commissioners on Uniform State Laws; National Probation Association; and Osborne Association, Inc.

The annual summer conference of the Commission will occur in the Kansas City auditorium September 24th and 25th immediately preceding, as last year, the sessions of the American Bar Association.

Work of the Commission—The latest tabulation of the work of the Interstate Commission on Crime shows a remarkable success in its efforts to secure uniform crime laws:

1. **FRESH PURSUIT**—All organized police in your state can now freshly pursue and capture an escaping felon across the boundary lines of the following states:

- | | |
|------------------|------------------|
| 1. Arizona | 12. New Mexico |
| 2. California | 13. New York |
| 3. Delaware | 14. Oregon |
| 4. Kansas | 15. Rhode Island |
| 5. Louisiana | 16. Utah |
| 6. Maryland | 17. Vermont |
| 7. Mass. | 18. Virginia |
| 8. Montana | 19. W. Virginia |
| 9. Nebraska | 20. Ohio |
| 10. N. Hampshire | 21. Pennsylvania |
| 11. New Jersey | |

II. EXTRADITION—Extradition procedure has been unified and the process for the return of criminals has been simplified, with the additional power to obtain the waiver of extradition and to extradite the non-resident "Brains" of a local gang, by and between the following states:

- | | |
|-----------------|-----------------|
| 1. Arizona | 9. New York |
| 2. Delaware | 10. N. Carolina |
| 3. Kansas | 11. Oregon |
| 4. Maryland | 12. Utah |
| 5. Montana | 13. Vermont |
| 6. N. Hampshire | 14. Washington |
| 7. New Jersey | 15. W. Virginia |
| 8. New Mexico | 16. Ohio |

III. WITNESSES—Necessary witnesses in criminal proceedings can now be obtained from, and at the request of, any of the following states:

- | | |
|------------------|------------------|
| 1. Arizona | 12. New Mexico |
| 2. California | 13. New York |
| 3. Delaware | 14. N. Carolina |
| 4. Louisiana | 15. Oregon |
| 5. Maryland | 16. Rhode Island |
| 6. Mass. | 17. Utah |
| 7. Minnesota | 18. Vermont |
| 8. Montana | 19. W. Virginia |
| 9. Nebraska | 20. Ohio |
| 10. N. Hampshire | 21. Pennsylvania |
| 11. New Jersey | |

IV. PAROLEE—Instead of neighboring states letting loose their parolees to wander about the country unsupervised, the following states have agreed to arrange with each other for their Interstate supervision:

- | | |
|---------------|------------------|
| 1. Arizona | 7. N. Hampshire |
| 2. California | 8. New Jersey |
| 3. Delaware | 9. New Mexico |
| 4. Maryland | 10. New York |
| 5. Montana | 11. Oregon |
| 6. Nebraska | 12. Rhode Island |

- | | |
|-----------------|------------------|
| 13. Utah | 16. Ohio |
| 14. Vermont | 17. Pennsylvania |
| 15. W. Virginia | |

ADDENDUM

Fresh Pursuit

South Dakota has a statute, reciprocal in character, permitting foreign police to pursue criminals within her borders. This act was a forerunner to the uniform act sponsored by the Interstate Commission on Crime.

Extradition

Originally the Commissioners on Uniform State Laws drafted an Extradition Act, which was adopted in some of the states. Subsequently the Commissioners agreed to amendments proposed by the Interstate Commission on Crime, which included the important provision for waiver of extradition. The original act without this provision has been enacted in the following states:

- | | |
|----------|--------------|
| Alabama | Nebraska |
| Arkansas | Pennsylvania |
| Idaho | South Dakota |
| Indiana | Wisconsin |
| Maine | Wyoming |

Witnesses

An original Witnesses act, drafted also by the Commissioners on Uniform State Laws, but lacking the provision for witnesses in Grand Jury proceedings and limited to a thousand miles radius, has been passed by certain jurisdictions. As in the case of the Extradition act, the Commissioners have agreed to the act as now drafted by the Interstate Commission on Crime. The states having the old act are:

- | | |
|----------|-----------|
| Arkansas | Maine |
| Idaho | Minnesota |
| Indiana | Nevada |

Michigan	Tennessee
North Dakota	Wisconsin
Pennsylvania	Wyoming
South Dakota	

Parolee Supervision

The following states have passed some legislation on the subject of parolee supervision:

South Dakota	Iowa
Minnesota	Wisconsin

In addition compacts on one or more of the above subjects have been drafted by and are now in process of ratification in the following states:

Colorado	Maryland
Kansas	Michigan
Illinois	New Mexico
Indiana	Wyoming

The states of Indiana and Michigan signed a compact for the supervision of their parolees in December of 1935.

Vermont Report—The Report of the Vermont State Police Commission advocating the establishing of a state police for Vermont was the result of a thorough study of state police systems now in operation. The report reads, in part:

"Fourteen states have a state police system. Of these, ten are organized as departments of state police:

Connecticut	New Jersey
Delaware	New York
Indiana	Oregon
Maine	Pennsylvania
Maryland	Rhode Island

and four as units of a department of public safety:

Massachusetts	Texas
Michigan	West Virginia

"Although in Delaware the system is a part of the highway department and in Maine is still entitled Maine State Highway Police, each is essentially a state police organization. The West Virginia Department of Public Safety actually has only state police duties. Pennsylvania and Texas have both state police and a highway patrol. In Pennsylvania, they are separately organized and administered. In Texas, they are separately organized but administered as a part of a department of public safety created in August, 1935.

"In Massachusetts and Michigan, the state police constitutes a division in a department which combines the different activities of the state concerned with the safety and welfare of its citizens such as health, fire, fish and game, the sale and possession of firearms, although equally as many activities exist in Connecticut which has a typical state police. While some of the duties are handled by special divisions in the department, the patrol division shares responsibility for their enforcement. In these two states (Massachusetts and Michigan) the state police have supervision of the transfer of prisoners and in Michigan they supervise paroled prisoners also.

"It is to be noted that all states from West Virginia to Maine, inclusive, except Vermont and New Hampshire, have a state police system.

". . . As it is Vermont and New Hampshire offer to criminals the only state sanctuary to be found in Northeastern United States.

Honolulu Notes—Jack Finlinson, former Assistant Chief of Police of Los Angeles, arrived in May to

serve as Instructor of Police for a year. He succeeds Captain of Detectives, Don Hays of Wichita, Kansas, who has been with the Department for the past year. Captain Hays is remaining for several months to continue his work with the Detective Division.

Lieutenant F. M. Kreml, of the Evanston Police Department, will teach in the School of Police Administration at the University of Hawaii during the 1937 summer session.

D. Ransom Sherretz, Personnel Officer of the Department and Lecturer at the University is adding a new course, Crime Prevention, for the fall semester. This course will also be open to students of the Teachers College and Social Work School.

Judicial Reforms in China—Ever since the close of the 19th century, judicial reform has been an established policy of the Chinese government. The reform has been along two directions: the codification of new laws and the establishment of modern courts. The National government, established 1928 in Nanking has spared no effort in modernizing Chinese laws. The principal work has been entrusted to the Legislative Yuan, composed at present of some 90 members and 5 standing committees. For the more important legislations 6 special committees have been organized: the Civil Law Committee, the Penal Law Committee, the Commercial Law Committee, the Labor Law Committee, the Self-government Law Committee, and the Land Law Committee. The whole legislation procedure has sought to carry out the will of the Kuomintang, which under the

present system of government is acting for the people, keeping pace with the actual condition of the country and paying due regard for the age-old customs and Western methods and systems. For example the Civil Code bases its chapters on debts and property upon continental laws, while those on domestic relations and successions embody many old customs and practices. Its provision on the protection of illegitimate children, limitations of the freedom of contracts, liabilities of the farm lands, etc., all conform to the Three-People Principles, of the Kuomintang. The same applies in general to the Criminal Code, the major part of which follows Occidental law, while family affairs largely follow Chinese tradition. The abolition of the offence of strike incorporated in the former code reveals the policy of the Kuomintang in regard to the protection of laborers. The present body of Chinese laws compares very favorably with those of other nations.

Prior to July 1, 1935, the judicial system consisted of four grades of courts and three trials. On the above date the present system of courts was inaugurated. It is termed the "Three Grades and Three Trials" System, the three grades of courts being the district courts, high courts and the supreme courts. The high court, in each province or special territory consists of from 3 to 5 judges, and exercises both original and appellate jurisdiction. The Supreme Court is located in Nanking and is composed of 5 judges. To each of the above courts there is attached a procurator's office with five specific functions. This new judicial system has caused the establishment of many new courts,

bringing the total number of courts in September, 1936, up to 408, which number is, however, still inadequate to meet present day needs.

The work of judicial administration is entrusted to the Ministry of Judicial Administration, having separate bureaus for general, civil, criminal and prison affairs.

Generally speaking the present judiciary of China is the result of 25 years of strenuous efforts to combine what is best in the Oriental and Occidental systems.

Cf. *Information Bulletin of the Council of International Affairs*, Nanking, China. Vol. 3, no. 1, 1937.—S. W. D.

Palestine Criminal Code—The Palestine Criminal Code, which replaces the Ottoman Penal Code that had remained in force, with many modifications, under the British Civil Administration, was enacted at the end of the year 1936 and is now part of the Law of Palestine.

The law of murder in the revised code still follows English principles; but there are interesting adaptations of the main features of the old law in Palestine which restrict the scope of the capital offence. The offence of murder is committed by a person who—

- “(a) by any unlawful act or omission wilfully causes the death of his father or mother or grandfather or grandmother, or
- (b) with premeditation causes the death of any person, or
- (c) wilfully causes the death of any person in preparing for or to facilitate the commission of an offence or in

the commission of an offence, or

- (d) where an offence has been committed causes the death of any person in order to secure the escape or avoidance of punishment in connection with such offence, of himself or of any other person associated with him as a principal or as an accessory in the commission of such offence.”

That is to say, homicide is murder only if there are aggravating circumstances. Other wilful killing is manslaughter. The definition of premeditation is also substantially different from the idea of malice aforethought in the English law, and is an original contribution which may serve as a precedent for the Criminal Law in other countries under British Administration. A person is deemed to have killed another with premeditation when—

- “(a) he has resolved to kill such person or to kill any member of the family or of the race to which such person belongs, provided that it shall not be necessary to show that he resolved to kill any particular member of such family or race, and
- (b) he has killed such person in cold blood without immediate provocation, in circumstances in which he was able to think and realize the result of his action, and
- (c) he has killed such person after having prepared himself to kill such person or any member of the family or race to which such per-

son belongs, or after having prepared the instrument, if any, with which such person was killed.

In order to prove premeditation, it shall not be necessary to show that an accused person was in any state of mind for any particular period or within any particular period before the actual commission of the crime, or that the instrument, if any, with which the crime was committed was prepared at any particular time before the actual commission of the crime.

This definition preserves certain essential notions of the French system, and at the same time covers expressly the intention to commit a murder in course of a racial conflict, which is one of the graver causes of crime in Palestine. The rider at the end gets rid of anomalous provisions in the Ottoman practice, *e. g.*, that the accused person must be proved to have intended a murder for a period of at least 24 hours. It will be interesting to see how the new clauses are applied by the courts. But they should not be open to the objection, which was felt to the original draft, of multiplying the cases in which the court would be bound to pass sentence of death.—(From "The Penal Reformer," April, 1937).

Blood Tests Statutes—In an article by William Louis Flacks, of the Chicago Bar, which appeared in the American Bar Association Journal for June, 1937, the author reviews the forensic value of blood tests in Evidence. Wisconsin and New York have statutes allowing or requiring blood tests in certain cases. Legislation is now pending in Texas, Massachusetts, Michigan, Maryland,

and Illinois. Model statutes, based upon the New York and Wisconsin laws are appended to his article.

"MODEL STATUTES

I.

"Blood Tests in Civil Cases. Wherever it shall be relevant to the prosecution or defense of an action, the court, by order, shall direct any party to the action, and the child of any such party, and any person involved in the controversy, to submit to one or more blood grouping tests, the specimens for the purpose to be collected, and the tests to be made by duly qualified physicians and under such restrictions and directions as the court shall deem proper. Whenever such test is proper and made, the results thereof shall be receivable in evidence, but only where definite exclusion is established. The order for such blood grouping tests may also direct that the testimony of such experts and the persons so examined may be taken by deposition.

II.

"Blood Tests in Illegitimacy Cases. The court on motion of defendant shall order the mother, the child and the defendant to submit to one or more blood grouping tests by duly qualified physician to determine whether or not the defendant can be excluded as being the father of the child, and the results of such tests may be received in evidence, but only in such cases where definite exclusion is established.

III.

"Blood Tests in Criminal Cases. In any criminal case involving the possibility of identification on the basis of human blood, the court on

motion of the prosecution or defense shall order the making of one or more blood grouping tests of the defendant's blood by duly qualified physician, and the results thereof shall be receivable in evidence, but only where definite exclusion is established. Whenever the court orders such blood tests to be taken, and the defendant shall refuse to submit to such test, such fact shall be disclosed upon trial unless good cause is shown to the contrary."

P.I.R.A. Service—Recently the Prison Industries Reorganization Administration made a progress report submitted by the present chairman Dr. Louis N. Robinson. The progress report is very interesting in that it gives in detail the history of the organization from the time of its formation. Dr. Robinson discusses the origin of the Prison Industries Reorganization Administration, and the work of the Ulman Committee which began its hearings in November, 1934. The report reprints the Executive Order of September 26, 1935, which created the present administration and defined its functions. The Board appointed by the President began its meetings in October, 1935, and it determined to survey the problems of the individual States and to make recommendations to fit the needs of those particular States. It was forced to consider the inter-relation of various elements within a prison system. As a result it made general examinations of the penal systems of the States which invited cooperation of the P.I.R.A. These surveys were not exhaustive in character, but were quite sufficient to form the basis of definite recommendations to solve the prison labor problem.

To date surveys and disinterested advice to local authorities have been given to Arkansas, California, Delaware, District of Columbia, Georgia, Indiana, Kentucky, Maryland, New Mexico, Oklahoma, Oregon, Pennsylvania, Tennessee, Texas, Utah, Vermont, West Virginia, and Wyoming. In addition a number of special legal research studies have been accomplished. The National Probation Association cooperated by furnishing for the Board the assistance of an experienced field representative, Mr. Francis H. Hiller.

All of this is reported briefly and pointedly in the progress report of Mr. Robinson. It should be of interest to scholars in the Governmental and Criminological fields.

California Institute—The Institute of Government, sponsored by the School of Government of the University of Southern California, held its ninth annual session in June, 1937. Along with conferences on administrative, financial, and legislative problems of government were sections devoted to delinquency—prevention and treatment. Prominent speakers were Sanford Bates, Executive Director, Boys Clubs of America, Inc.; K. J. Scudder, Probation Officer, County of Los Angeles; Karl Holten, Chief Deputy Probation Officer, County of Los Angeles; Dr. Herman W. Covey, Medical Director, Juvenile Hall, County of Los Angeles; Charles L. Chute, National Probation Association; and Kenneth S. Beam, Special Field Agent, National Probation Association.

It is gratifying to find governmental officials interested in discussing delinquency, its prevention

and treatment, as a pressing governmental problem.

Census Report—The U. S. Department of Commerce, Bureau of the Census, has issued an eighty-seven page booklet of statistical information concerning prisoners in State and Federal prisons and reformatories for the year 1935. A variety of valuable information is contained therein. While the figures are incomplete in some States and no reports were received from Georgia, Alabama, and Mississippi, the figures are of considerable value in indicating trends in population; overcrowding, and the length of sentence. The statistics cannot be taken as a complete index of the extent of crime or of the punishment of crime, and the statistics do not cover the entire field of imprisonment, since the prisoners considered do not include those confined in county and municipal jails and workhouses, nor prisoners confined in institutions for juvenile delinquents. Moreover the variety in the laws and judicial practices of the various States makes comparisons between the States difficult and often unsatisfactory. Nevertheless, the Bureau of the Census is performing a most important task in its publication of yearly tables.

It is interesting to note that there are wide variations between the States in the extent of overcrowding. The figures show that overcrowding is particularly serious in West Virginia, California, Kentucky, and South Carolina. There seems to be least crowding of prisoners in Nevada, Wyoming, and Washington. It is pointed out that there are considerable differences in the meanings attached by the

prison executives to the words "excess population" and "normal capacity." For example, some wardens may regard a cell as overcrowded when it contains two prisoners, while other wardens may consider such a situation as normal.

University Inquiry—In February, 1937, the University of Wisconsin published an attractive bulletin entitled "The University and the Fight Against Crime." It was one of a series of studies on the research work of the University in its relation to the political, social, and economic problems of the time. The inquiry discloses a large amount of study on the general subject of crime. The work of Professor Gauzewitz in the Law School was commented upon. The contributions of the Wisconsin Psychiatric Institute received attention, and the general studies of the feeble-minded and their mentally abnormal types by the medical school. The work of the medical school in the field of toxicology, and the research of Professor J. H. Mathews of the Department of Chemistry, indicate a large amount of research in the field of scientific crime detection.

In the Department of Sociology and Anthropology, Professor J. A. Gillin and Professor Kimball Young have made numerous contributions. It was pointed out that a slight supplementation to the present University staff would enable the University to develop a four-year course for criminal investigators, and a four-year course for parole and probation officers.

In spite of the fact that no university to date has developed professional courses for the instruction of police or practicing criminolo-

gists, most universities have almost all of the facilities that would be needed. The addition of two or three instructors in practical subjects and the coordination of existing facilities would enable most of the leading universities to offer complete professional training in these fields.

Social Work Conference—The 64th Conference on Social Work ended its session on May 29th at Indianapolis. The next Conference will be in Seattle under the presidency of Solomon Lowenstein, executive vice-president of the Federation for the Support of Jewish Philanthropic Societies of New York City.

In summarizing the work of the Indianapolis Conference Dean Edith Abbott of the School of Social Service Administration, University of Chicago, the outgoing President, said that the following objectives stood out in clear relief:

"1. An emphasis on the necessity for a greater public welfare program.

2. A determination to make the new public services under the social security act do what they are intended to do. This can only be done by snatching politics out of them.

3. A more frank and emphatic approach to the unemployment problem centering in a drive for a thorough census which will give more specific and scientific knowledge as a basis for reforms."

Toledo School—During the past year a group of Police Conference Leadership Classes were conducted by the Vocational Department of the University of Toledo in cooperation with the State Board for

Vocational Education. The classes are made up of members of the Command Group of the Toledo Police Department.

During the second semester the following units have been presented by members of the Command Group of the Toledo Police Department: Duties Pertaining to Public Gatherings, Homicide, Burglary, Arrests, Police Reports and Record Making, Driving While Under the Influence of Liquor, First Aid, Physical Condition, and Public Relations. Social Backgrounds of Crime was presented by Dr. C. J. Bushnell, Professor of Sociology and Chairman of Department of Sociology, University of Toledo.

H. W. Paine, Associate Professor of Vocational Education, has directed the teacher training part of the program, and is the general director of the school. Frank M. Boolsen aids in the editing and writing of the instructional material, and assists Professor Paine.

Juvenile Courts—The Children's Bureau of the United States Department of Labor has issued Publication No. 235 entitled Juvenile Court statistics for the year ending December 31, 1934, and Federal Juvenile Offenders for the year ending June 30, 1935. While the 106-page booklet is filled with interesting tables a note of warning is sounded concerning the reliability of juvenile court statistics.

Juvenile-delinquency rates are a direct expression of the amount of delinquency dealt with by the courts among children of juvenile-court age. They are not an expression of the total amount of delinquency in the community because many agencies work with children who present problems of delin-

quency, and the number of children brought to court depends on the work of the organizations assisting with the problems and on the attitude of the community toward both the organizations and the court. The rates also depend unquestionably on the service the court gives to the children who are brought to its attention.

The downward trend in delinquency rates for boys shown from 1929 or 1930 onward continued in 1934 in the groups of 18, 30, and 42 courts reporting throughout varying periods, but the decrease in 1934 was due essentially to the marked reduction in the number of boys dealt with by courts in New York City. In these reporting areas, exclusive of New York City, delinquency rates for boys showed a definite increase in 1934 as compared with 1933. In the groups of 14, 19, and 24 courts (exclusive of New York City) in which the racial composition of the population was an important factor, the delinquency rates for white boys were approximately identical for the years 1933 and 1934, but the delinquency rates for Negro boys in 1934 were significantly higher than in 1933. The New York City rate for white boys showed a marked decrease in 1934, but there was little change in the number of Negro boys dealt with by the court.

Delinquency rates for girls showed neither definite upward nor downward tendency. The slight increases that prevailed in 1934 as compared with 1933 were sufficient only to bring the figures to the 1932 level. They suggest primarily that the downward trend which has prevailed in the past few years has been checked.

Chicago Crimes—Major crimes in Chicago decreased 26 per cent in 1936, according to Police Commissioner James P. Allman. Automobile thefts decreased 39 per cent. Commissioner Allman's annual report, covering the year 1936 and made to Mayor Kelly, summarized the police department's showing as follows:

"It is again very gratifying to be able to report still further reductions in the entire list of major offenses, except rape, which showed an increase of 13 per cent. Felonious homicides show a decrease of 6½ per cent. Robberies and burglaries have decreased 42 per cent and 26 per cent respectively; larcenies 21½ per cent and auto thefts 39 per cent. The general reduction of all major offenses from 1935 is 26 per cent."

The report continues: "The central complaint room handled 8 per cent fewer calls than during the previous year. Of the total number of calls received, amounting to more than 645,000, 42 per cent required radio broadcasts which resulted in over 17,000 arrests."

The report revealed that 4,001 automobiles were stolen in Chicago in 1936, compared with 6,440 in 1935. 3,832 cars were recovered in 1936; in 1935 the number was 6,089. Murder and non-negligent manslaughter cases to the number of 240 were handled by the police during 1936, arrests being made in 138 of these. Sex offense arrests totaled 5,334, compared with 8,064 in 1935. There was a grand total of 211,437 arrests in 1936. In 1935 the grand total was 198,428.

There were 461 suicides in Chicago in 1936 as against 471 in 1935. Seven hundred and ninety-seven persons were killed and 20,033 injured as the outcome of motor ve-

hicle accidents in 1936. The figures for 1935 were: Fatalities, 791; injured, 17,885.

Illinois Parole—For several months the Illinois Parole system has been under fire. The metropolitan newspapers of Chicago have united in drawing attention to the failures of the parole system. Crime news has featured the failures of parolees to make good. The Parole Board has been criticized openly. As a cure for the so-called parole evils the newspapers of Chicago have sponsored a large number of bills of the usual patchwork type in the Legislature, but the opponents of parole in Illinois have failed to devote much attention to the administrative defects of the present system. Chief among the Illinois parole bills was the Ward-Schnackenberg Bill, hailed by parole opponents as a "reform" measure. This bill authorized the trial judge to pronounce a sentence with a minimum term and a maximum term within the present minimum and maximum terms. The sponsors of the bill claim that this will enable the trial judge to fix minimum terms for desperate criminals which the Parole Board cannot reduce.

The opponents of the Ward-Schnackenberg Bill, headed by Professor Ernest W. Burgess of the University of Chicago Sociology Department, Professor Ernst W. Puttkammer of the University of Chicago Law School, and Howard VanS. Tracy, of the Citizens' Committee on Parole, point out that the Ward-Schnackenberg plan will enable the trial judge to set a minimum term of say ten years and a maximum term of ten years and one month, and in effect defeat parole entirely. They point out that the parole system has never been given a fair trial in Illinois, that its shortcomings come from the way it is administered, and that the Ward-Schnackenberg Bill will be a step backward.

The Bill was defeated upon the first vote in the House at Springfield, but later passed by both branches of the Legislature.

Fortunately, Governor Henry Horner courageously vetoed the Bill and thus prevented it from becoming a law in Illinois. He saved the principle of parole from dying a slow death in the State. His wise act in vetoing caused the press of Chicago to roundly abuse him as being influenced by "theorists and sentimentalists."