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Book Reviews

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BOOK REVIEWS

A. R. LINDESMITH [Ed.]

CRIME AND PUNISHMENT IN EARLY MARYLAND. By Raphael Semmes. Baltimore: The Johns Hopkins Press, 1938. Pp. 333. \$3.00.

The early Maryland of which Mr. Semmes writes was a lively place. Its people lived, loved, fought and went to law violently, with gusto, and—if the truth be told—promiscuously.

Mr. Semmes' technique of writing about the misadventures with the law of this frontier group comes as a pleasant surprise. From the chapter titles, as shown in the table of contents, one might expect an abstract discussion of the Calverts' attempt to operate the common law of England in a scattered outpost on Chesapeake Bay. But Mr. Semmes analyzes crime and punishment in early Maryland by describing the people who lived there and how they acted. He tells how some of them came to be accused of misconduct, and how the community dealt with them, in terms of their personalities, not of the juridic principles involved. These are accounted for as the processes are unfolded.

For example, when Mr. Semmes discusses "Trial, Punishment and Imprisonment," he cites the case of one Pope Alvey, a cooper of Newtown in St. Mary's County who was accused of stealing "a certain cow of black colour to the value of two pounds, ten shillings

sterling, of the goods and chattels of Col. William Evans." He tells how the grand jury was chosen, who was on it, who testified and how the trial court was conducted. Alvey was convicted and sentenced. He appealed to the Governor and his sentence was suspended. Later he was pardoned. This case therefore enabled Mr. Semmes to trace the whole process of criminal justice as well as furnishing an anecdote fascinating in its own right.

No scholastic virtues are lost by this device and the literary effectiveness of the book is greatly enhanced by it. As another instance, Mr. Semmes in discussing perjury tells how, when one, John Goneere, a witness, admitted having perjured himself, the judge stopped the trial and ordered the sheriff forthwith to take the rogue outside, nail both ears to the pillory with three nails in each ear and slit out the nails. This same episode, by the way was described in Alice Morse Earle's "Curious Punishments of Bygone Days," published in 1896.

Equally hair raising episodes are narrated in the chapters dealing with servant discipline, homicide and assault. By contrast, the chapter called "Houses, Clothing and Theft" is almost a pastorate. There were few thefts of personal property in early Maryland because there was little to steal. Theft of live-stock, however, were severely

punished, and hog-stealing was a particularly atrocious offense.

The picaresque quality of social relationships in early Maryland is revealed in the chapters having to do with drunkenness, sex offenses and defamation. The founders of Maryland, as Mr. Semmes portrays them, were a hard-drinking, lusty group. Abnormal sex practices seem to have been almost unknown, contrasting with the experience of some of the other colonies where sodomy and bestiality form frequent entries on early court calendars.

These early Marylanders were also a foul-mouthed crew. Along with their brandings and their burnings, their stocks, bilboes and pillories, their ducking stools and their gallows, they could have made good use of grandmother's resource in such cases, soap and water liberally applied to the interior of the mouth.

The book is thoroughly readable and it is carefully documented. Obviously, however, it consists of a series of excerpts from a comprehensive survey of life in proprietary Maryland. It begins in space and it ends in space. The last sentence, in particular, "The request was granted, but soon afterwards, it appears this case was settled, or, as the record reads (sic—the attractive typography of the book is marred by several such slips) 'Pope compounded the business.'" terminates nothing but an anecdote over a bill for catering at a funeral which the the executor's of the deceased's estate contested. The reader is left hanging, as he is at the conclusion of an installment of a continued story in a magazine.

Mr. Semmes seemed to be unnecessarily puzzled about why the

letter "R" was used to brand offenders convicted of crimes in which the letter "R" does not appear. The "R" probably stood for rogue, as it did in England and in other colonies.

These comments should not be construed as reflecting on the competency of Mr. Semmes' work. He has made the proprietary days in Maryland come to life without sacrificing any of the objectivity which scholarship demands.

DOUGLAS H. MACNEIL.

State of New Jersey,
Juvenile Delinquency Commission

INQUIRY INTO MEASURES OF REHABILITATION FOR PROSTITUTES, PART I, PROSTITUTES: THEIR EARLY LIVES. League of Nations—Advisory Committee on Social Questions. New York: Columbia University Press, 1938. Pp. 140. \$0.75.

This carefully compiled study supplies information useful to those interested in material showing the importance of law enforcement against prostitution and the futility of attempt to control commercialized prostitution through such measures as registration, and medical inspection. The facts elicited by the study point to the importance of extending preventive measures such as compulsory school attendance up to a certain age; abolition of child labor; laws preventing child marriage; mental hygiene; child guidance; rehabilitation and protection for juvenile delinquents.

This volume is an excellent "follow-up" of the Reports on International Traffic in Women made by Traffic in Women and Child Welfare Committee now known as

the Committee on Social Questions. It supplements Part II (Social Services and Venereal Diseases), already published, since the women dealt with in the study are so universally carriers of infection. Part III., Rehabilitation Methods, now in the course of preparation, will be awaited with interest.

The study covers 2,659 women in twenty countries. The sources of information were chiefly police and prison files; medical records in hospitals and clinics; and records of assistance given by voluntary societies and homes. One must recognize the difficulties in securing uniform material upon which to base conclusions from countries varying widely in racial and social customs; educational opportunity; labor conditions and economic stress. In spite of the wide variations, the findings agree in many respects with similar studies of prostitutes made in the United States during past years.

In the majority of cases, extreme poverty was not given as the direct cause of prostitution but undoubtedly was an indirect factor, leading to such conditions as meagre education; poor home environment; early entrance into wage-earning; lack of vocational training; blotting out of savings and investments in certain countries during the World War. It seems significant that the majority of women come from working-class homes rather than from homes of extreme poverty. Parental attitudes were described as "too strict" as well as "cruel and neglectful." Lack of parental harmony, desertion, separation and divorce played a conspicuous part in family backgrounds given. The mother's profession of prostitution was stated

frequently in certain countries in which the profession is not illegal. One-third of the prostitutes had been married; many of them in early adolescence. Few were living with their husbands and few had been prostitutes before or during marriage. In India, marriage had frequently taken place during childhood; the husband had died and the forlorn life and social stigma placed upon widowhood had made the life of a prostitute seem far more desirable. Illegitimacy appeared in the girls' background in Turkey and Roumania more frequently than in other countries.

The majority of prostitutes were found to be infected with syphilis or gonorrhoea or both. Among 430 prostitutes examined in the United States, three-fourths had been infected at some time with a venereal disease; 32% had had syphilis and gonorrhoea; 24% had had gonorrhoea; 21% had had syphilis. In Russia, most of the prostitutes brought to the Rehabilitation Homes were found through the venereal disease clinics as it was the general medical experience that sooner or later all prostitutes become infected.

The two professions followed most frequently before entering prostitution were domestic service and public entertainment. No doubt, the drab life, drudgery, and personal isolation of the first were contributing factors while casual and undesirable acquaintances led to temptation through the latter. Most of the women had left school and had gone to work at an early age. Forty-six out of fifty women in the United States had had employment; twenty-one started to work at 15 years of age or younger; three at 12; one at 10; four never worked.

Wide variation in facilities for mental testing made psychiatric findings difficult. However, certain temperamental traits were constant, such as unhappiness and failure; excessive restlessness; lack of self-confidence; lack of affection; excessive reserve; defiance of authority; difficult or unsuccessful personal relationships; constitutionally "lazy"; love of finery, drugs, intoxication. Among the women studied in the United States, two-thirds had been convicted of prostitution within their first year of operation.

Through all countries runs indication that supply has a relation to demand and that preventive measures should go hand in hand with law enforcement if this ancient evil with its toll of misery is to yield to efforts stimulated by a "new conscience."

VALERIA HOPKINS PARKER, M.D.
New York City.

GAMBLERS DON'T GAMBLE. By Michael MacDougall as told to J. C. Furnas. New York: The Greystone Press, 1939. Pp. 167. \$2.00.

This fascinating series of anecdotes is told in the first person by Michael MacDougall, a card detective, to his collaborator, J. C. Furnas. The stories give convincing support to the thesis—"there is no gambling game that can't be fixed." The "sucker" takes all the chances. P. T. Barnum's famous remark—"There's a sucker born every minute"—was, declares MacDougall, "a gross understatement."

MacDougall's remarkable skill with cards and his knowledge of "all the new answers as well as the old ones" was gained by experi-

ence. At the age of fifteen he was "a kid card manipulator in a world touring vaudeville troupe." He had already turned down an offer of \$10,000 a year as a partner to a professional gambler. "I haven't got larceny in my heart," he writes. "Besides, gamblers are a lonesome and sour crew. They have no friends, and they know it, because they can't trust each other. The more you know about it, the less attractive gambling is as a profession."

For a long time he used his gambling knowledge only as "special feature stuff" in his vaudeville act. He also gave talks at private clubs and at bridge parties. Fifteen pages of photographs in this exposé of gambling techniques illustrate specific tricks by which members of "the quick-fingered fraternity" win money. Then during the depression he was called in by a committee from an exclusive club to show up a young blue-blood who had lost his money in the stock market crash and was making his living by his winnings at poker. The "big kick" he got out of this job and the "easy money" paid him by the committee for his services started him at "crook-spotting."

Of special interest to criminologists is a photograph of a page from a catalogue of gambling devices published by a "flourishing industry which manufactures and supplies all the tools of the gambler's trade—phoney dice, marked cards, stick-ace fluid, 'begs' (little clips to stick into the bottom of a card-table to hold cards that may be wanted later), crooked roulette wheels, shiners, daubing-equipment, thumb-pricks (for marking cards as you play), crooked faro boxes and all the rest of it. . . . Every single town of any size, has

a little store somewhere, ostensibly dealing in chess-sets and gadgets, where, if you're known, you can buy standard equipment right off the shelves" (p. 60).

Readers who have consistently avoided being inveigled into playing bridge will be happy to know that "of all gambling situations bridge has probably been responsible for the most crookedness. The game offers countless opportunities for dirty work." It is in this game that "the woman card-cheat has come into her own." "And do you realize," asks MacDougall, "that many an otherwise respectable card-player, with a well-established position and irrefragable social connections can nevertheless develop such a yen for winning that he will pull fast ones to bring victory about?"

Although the book contains no table of contents, no chapter headings and no index, nevertheless MacDougall's vivid stories about his "crazy racket" of ferreting out "dirty work in all kinds of gambling, whether a chuckaluck game in a lowdown honky-tonk or a gentlemen's bridge session in a swanky club," are not only written with verve, but also make up a valuable sociological document.

NORMAN S. HAYNER.

University of Washington.

MARY McDOWELL AND MUNICIPAL HOUSE-KEEPING: A symposium, compiled and published by Mrs. Caroline M. Hill; 5802 S. Blackstone Ave., Chicago. 1938. Pp. 132. \$1.00.

A character in cameo would fittingly characterize this little volume of 132 pages. The dynamic personality of Mary McDowell is

subjectively portrayed in five chapters written by herself on such subjects as: "City Waste," "The Foreigner," "Prejudice," and "The Struggle for an American Standard of Living."

Known by most people as the "Angle of the Stock Yards," the subject of this sketch was also given the sobriquet of "She-devil back of the Yards" by those who resisted her persistent efforts to secure decent sanitation and civic righteousness. Following an introductory chapter by Dr. Graham Taylor, other chapters by leading fellow workers in the City's growth, eloquently describe this outstanding life service for human welfare.

As Head-Resident and builder of the University Settlement, Miss McDowell's forceful influence was shown, not only in the different Community problems of a mixed foreign-born population, but was extended far beyond. She was a militant crusader for better working conditions in the Stock Yards and a pioneer in securing minimum wages for women, and in advocating more equal justice in the Courts.

The readers of this Journal will be especially interested in the chapter: "Mary McDowell and the Courts Operating in Chicago." Within the span of this woman's active life from 1894 to 1936, an almost unbelievable transformation took place in the primary court procedure in Chicago. The primitive Police Courts were abolished by the founding of the Municipal Court, with its specialized branches and partial provision for social service. As the writer of this chapter states: "Mary McDowell contributed richly within the Settlement, where, for most of four decades, she focused the attention of

all her fellow citizens upon the plight of her own neighbors, whom only an effective conscience could aid. It was out of that enriched social conscience that there sprang quite naturally, the better Court services which our day can boast."

And so it was against the primary causes of crime that the crusading spirit of Mary McDowell made its impact. To her, "City Waste" and human waste were all one problem. "Garbage Disposal" and the elimination of graft and exploitation of the poor were all in the direction of crime prevention.

The race riot of 1919, to this crusader, was the natural sequence of race prejudice harbored by the populace through the years. Likewise the Gang is but an outward expression of an inward sentiment fostered by real or fancied injustice. If the foreign-born runs riot when cut loose from old restraints, it is a function of democracy to help him establish new ideals and standards of self-control. It is up to the good citizen to understand this and other problems of the common life, and the odds against which it is called upon to live.

Thus, as interpreter of the common life, the "Angel of the Stock Yards," brings us her rich experience out of close contact with her neighbors back of the Yards, as well as from wide observations abroad, and fellowship with noted visitors from all cultures that we may comprehend the Golden Rule of Democracy.

As the compiler of the book states: "It is the purpose of this symposium to leave a brief, readable record of one of Chicago's great citizens, in the hope that others may be inspired to carry on where she has blazed the trail." Chicago. F. EMORY LYON.

A SURVEY OF THE BUREAU OF POLICE, DEPARTMENT OF PUBLIC SAFETY, Pittsburgh, Pa. Institute of Public Administration. New York: Institute of Public Administration, 1937. Pp. 143.

This is a very tactful report. The statement is made that "extensive field investigations have provided unusually complete factual data upon which recommendations are based," but very little of this factual data is presented in the report. Had maps, charts, graphs, and tables been inserted containing the factual data, it would have been much more comprehensive, informative, instructive, and of considerable value to students, police administrators, and others interested in the field of public administration.

All of the recommendations for bettering conditions seem sound and had the mechanics employed, and measuring mediums used in arriving at conclusions, been included, it would have been much more valuable to students of police problems and lay persons who would be interested in aiding in a better police administration.

The statement is made that "The persistence of political pressure is a menace and every effort must be made to restrain it. The public must participate, etc.," yet the report does not indicate how and to what extent political pressure is being applied. Nor does it contain any suggestion as to how the public could participate to the best advantage to restrain this political pressure.

A more complete picture of the crime situation would have been possible, had a chapter been added on the very important subject of vice conditions. Vice is only mentioned three times in the report—

once a statement is made that "there is a noticeable lack of control over street walkers who solicit promiscuously, etc.,"—in another chapter reference is made to one area where "vice and gambling abound"—and in another chapter recommendations are made for the removal of the morals court to make way for another police authority.

Since vice and crime are closely related, and each has an influence upon the other, and many crimes are the result of vice conditions, and since vice situations cannot exist to any extent without the support of politicians, it would appear that such a chapter would have added considerable value to the report, and to local citizen groups interested in combating the political pressure mentioned.

Knowing the sterling abilities of the gentlemen who made the survey, and the thorough manner in which they have made other surveys and developed similar reports, I have every confidence in their recommendations. However, the survey seems to indicate that insufficient time and money were available to develop it according to previous standards.

J. A. GREENING.

Chief of Police.
Berkeley, California.

THE ABOLITION OF POVERTY. By James Ford and Katherine Morrow Ford. New York: The Macmillan Company, 1937. Pp. viii, 300. \$2.50.

In the next century when the historians of social science attempt an appraisal of the works by social scientists of the present period, they will be puzzled at the date of

this book, for this book might easily have appeared in America during the latter part of the nineteenth century considering the amount of space which is given to heredity, drinking, physical handicaps, personal habits and "unemployment" as "causes" of poverty. In view of the attempted comprehensiveness in dealing with the subject, it is interesting to note that the authors make no mention of a factor often mentioned in the literature, namely, the birth rate in families of low income.

This book, possibly because of the attempt to encompass all factors involved in poverty, becomes a strange mixture of social work, biometrics, economics, sociology, and high minded idealism. There is an inadequate discussion of relevant economic factors which are extremely important in our present industrial society. The chapter, "Economic Factors and Their Control," is mainly a pro and con argument, mostly the latter, concerning state socialism as a solution for poverty. Here, thirteen economic policies for abolishing poverty, several of them in line with the present administration's social security program, are offered. The sole bibliography is found in the footnotes which follow each chapter. There is also an inclusive index.

H. WARREN DUNHAM.

University of Chicago.

SYSTEMATIC SOURCE BOOK IN JUVENILE DELINQUENCY. By Walter A. Lundeen. Pittsburgh: University of Pittsburgh, 1939. Pp. 390. \$3.75.

The purpose of this revised edition as of the first edition, *Juven-*

ile Delinquency: Manual and Source Book, (1936), is to present a body of information on juvenile delinquency which will help students in thinking through some of the problems in this field. This goal is not adequately attained, however, because of the limited range of materials included. The material which is presented consists almost entirely of a great number of unnumbered statistical tables, six maps and four charts. The tables have been mainly selected from statistical material on juvenile delinquency in Pennsylvania and from reports of the United States Children's Bureau.

The systematic procedure which is followed in each of the five divisions of the book include, (1) a brief introductory statement of one page, (2) a limited selected bibliography, (3) questions and topics for discussion, and (4) the materials with attached summaries and interpretations. In the five brief introductory statements, where the author speaks, there is some trace of moralization which is out of place. For example, in Part V the author tells of "a method which is so ancient that it seems modern" for solving the crime problem. "Let every man set his own life in order. Next let him reform his own family and household. After this let the family reform the neighborhood. After all neighborhoods are changed, then remake the province. Thus, finally, the nation will be remade and crime will disappear."

H. WARREN DUNHAM.
University of Chicago.

PSYCHOPATHIC STATES. By D. K. Henderson, M.D., University of Edinburgh. The 1938 Thomas

William Salmon Memorial Lecture of the New York Academy of Medicine. New York: W. W. Norton & Co. 170 pp. 1939. \$2.00.

Professor Henderson, Superintendent of the Royal Edinburgh Hospital was this year's Salmon Lecturer before the New York Academy of Medicine. He is co-author of *Textbook of Psychiatry*, 4th edition, Oxford University Press, 1936. He received his early training in psychiatry in America. He has maintained contact with American social problems and with American psychiatry and medico-social implications.

For orientation, the law follows psychiatric medicine in its classifications of those who appear in court, viz.: the psychotic or insane (particularly the dementia praecoxes or schizophrenics, the manic-depressive or cyclothymics, the paretics and other cases of organic brain disease, and the cerebral arterio-sclerotics), the neurotics and psychoneurotics (the hysterics and psychaesthenics), the epileptics, the mental defectives, the non-demented senile dependents, and those who are the subject of this book, the non-normal but non-insane psychopaths. This book review is for lawyers, although the lecture was given before physicians, especially psychiatrists: it will be a difficult book for lawyers.

The psychopaths constitute one of the greatest of our social problems, harder to recognize and to dispose of than any of the above mentioned groups. Their numbers are vast, many are delinquent, they show every degree of social maladjustment recurrently or periodically, are perpetually imma-

ture, and should be called neither "bad nor mad."

The author traces the gradual differentiation of psychopathic states from other mental conditions, *cf. supra*. He largely rejects Freudianism as unclear here and unhelpful. The deepest cause remains undisclosed, but unfortunate experiences super-imposed on that basis do contribute to psychopathic development and perhaps are preventable: restated, bad environment does not *per se* cause psychopathy nor periodic delinquency.

"Let us, however, realize that we have people in our midst, semi-insane and semi-responsible, if you like to use such terms, who, in every walk of life from the highest social and political offices to the ranks of the unemployed and delinquent, not only are unable to conform adequately in their personal lives but may even be responsible for some of the greatest social crimes in history."

The psychopaths do not get into state hospitals, hence even the psychiatrists and the medical school professors are not well acquainted with this condition; more get into prisons and maladapt there.

Dr. Henderson classifies psychopathic states into three large categories, 1. the predominantly aggressive (includes the periodic injurers of self or others, the alcoholics and drug addicts, the epileptoid, and the sex variants); 2. the predominantly passive or inadequate (includes petty personalities "flowers without perfume," never deeply remorseful for the burden and nuisance they are, are more consist-

ently abnormal or immoral than the periodically deviated aggressives, *cf. supra*; and, 3. the predominantly creative (including the genius and the talented ones who fail to adjust to ordinary situations). He dwells considerably on impulsive suicide on those who run amok.

"The psychopath, an unefficient, unsatisfactory member of society lacks the real push of the manic, the melancholy of the depressive, or the idealism, introspection and dissociation of the schizophrenic. . . . Unable to adapt to life at home, lacking sufficient stability or perseverance to be employable, incapable of living by oneself as judgment and sense of responsibility cannot be trusted; to be understood they must be regarded as basically psychopathic."

The last third of the book is as disappointing to the practical mind as the first two-thirds are enlightening but discouraging. For treatment and prevention the author sees a rosy future *via* State Medicine where by enactment and administration life will be so regulated that every person will grow up without committing mistakes and without being wronged by family, friends, acquaintance, or society, because the State will not allow its (human) assets to be hurt. All marriages being happy, even persisting immaturities will mature into well rounded, adaptable, non-psychopathic personalities.

HAROLD S. HULBERT, M.D.
Chicago.