

1945

## Book Reviews

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## BOOK REVIEWS

**PIONEERING IN PENOLOGY.** By *Thorsten Sellin*. The University of Pennsylvania Press, Philadelphia, 1944. Pp. 125. \$2.50.

This book is a history of the Dutch houses of correction which evoked the admiration of John Howard and, so far as the writer of this review knows, is the only full account, other than that of Howard, written in the English language. It is, therefore, a welcome addition to our literature on penology.

The first Dutch house of correction was opened in Amsterdam in the year 1596, some forty years after the London Bridewell had been inaugurated. Other Dutch cities followed the example of Amsterdam and the movement spread to Germany and to Sweden. Although these Dutch houses of correction made their appearance after those in England had been established, there is no absolute proof that they owe their origin to the English example. It is clear, however, that the same causes operated in the two countries to bring about their establishment. There was the need to deal with the idle and able-bodied vagrants, to train and correct young people who had escaped from the control of parents, and to keep down the number of homeless drunken women and prostitutes.

It is interesting to note that the work done in the two Amsterdam houses of correction gave them their local names—the Rasphuis and the Spinhuis. Spinning, Professor Sellin says, was the dominant industry in the women's house of correction and the rasping of dyewoods in the men's house. Rasping, it seems, meant reducing logs by means of hand-power multiple saws to sawdust or shavings from which the dye could be extracted. Both industries were carried on under the contract system with set tasks which the prisoners must perform each day.

Some attempts at classification were made in these Dutch houses of correction. In the Rasphuis, there was, for example, a private section for the children of the well-to-do who paid for their keep. In the Spinhuis, there was a class of women who had been sent there by their elders or friends, not committed on sentence.

As in England, these houses of correction mark the first definite break with the old theory that punishment for crime should consist of physical pain and the defilement of the person of the criminal. Training, re-education, and useful work here made their appearance, and have remained ever since as goals for the penologist. Houses of correction were the reformatories of their day, as were penitentiaries in the United States. Strange that we have to invent a new term every so often to keep the idea of reformation alive!

The book is a scholarly piece of work. In reminding us of the good work which public spirited men and women did three hundred and fifty years ago, Professor Sellin has given us an incentive to renew our efforts to abolish persistent evils in our dealing with those who commit crimes.

Philadelphia

LOUIS N. ROBINSON.

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**QUESTIONED DOCUMENT PROBLEMS.** By *Albert S. Osborn and Albert D. Osborn*. The Boyd Printing Co., Albany, N. Y., 1944. Pp. xxii, 486. \$6.00.

The senior author of this book is indeed no stranger to the readers of the *Journal of Criminal Law and Criminology*. He has been a frequent contributor of articles and many of them reappear as chapters in the present book on *Questioned Document Problems*. In acknowledging credit to the *Journal* for the original publication of such material, Mr. Osborn graciously refers to it as a "cyclopedia of information on all phases of

crimes," the many volumes of which "contain a great amount of valuable matter that would make many useful books for study and reference."

For over half a century Albert S. Osborn has practiced the profession of examiner of questioned documents. He has testified as an expert in practically every state in this country, and in several foreign countries as well; and it is perhaps no exaggeration to say that the time he has spent in court rooms as a witness and as an observer far exceeds that of most lawyers. He certainly warrants the praise given in the book's introduction by Dean Roscoe Pound, who stated that Mr. Osborn is "an exceptionally intelligent and observant layman of long experience as a witness in courts in all parts of the country"—a man whose observations "should be pondered by bar-association committees, judicial councils, and legislators." Mr. Osborn's contributions in the field of document examination are many, and by his work and writings he has also done much to elevate and dignify other phases of expert testimony as well. His son, the junior author of *Questioned Document Problems*, has had considerable experience as a document examiner and enjoys in his own right a fine reputation as a specialist in this field.

The present publication is more or less a supplement to two of Albert S. Osborn's three previous books, *Questioned Documents* (1910, 1929) and *The Problem of Proof* (1922, 1926) and in many respects it constitutes an introductory study of the subject as treated in these two previous publications.

The student of document examination, and the lawyer interested in the technical aspects of the subject, will find Mr. Osborn's first book, *Questioned Documents*, of much greater value than the present publication. Likewise, *The Problem of Proof* surpasses this latest contribution in its value to the legal profession for suggestions and constructive criticisms regarding law, lawyers, and the machinery of the law. But apparently it was not the intention of the authors to do more than supplement and introduce the subject matter in the two previous books.

The principal value of *Questioned Documents* to the legal profession is not in any ready reference attributes, but in its quality as interesting and instructive fireside reading by a lawyer in advance of actual confrontation with the problems themselves.

The book contains many very valuable suggestions to the lawyer engaged in any matter involving a questioned document. If the book does no more than inform the lawyer of the following pitfalls and precautions, the time spent in its reading will represent a profitable experience. The authors recommend first of all that a questioned document be submitted to a specialist without any unnecessary delay. If the document itself cannot be submitted then it should be *photographed* and *not photostated*, and upon instructions to the photographer to reproduce the document *as is*, without any attempt to improve upon its physical appearance. The reason for a photograph instead of a photostat is due to the fact that while a photostat may accurately reproduce the contents of the document, it does not offer a satisfactory reproduction of the details of letter formation and line quality which are so essential for purposes of document examination. Another suggestion calls for the lawyer's immediate efforts to secure standards of writing which may be used for comparison with the suspected writing. Oftentimes later on may be too late.

The authors urge that a lawyer who is to try a questioned document case familiarize himself with the techniques and methods used by the document examiner in effecting his examination. Moreover, there should be a thorough discussion of the expert's results and the nature of his

anticipated testimony in advance of the time when the expert makes his appearance in court. Too often a lawyer will not seek or take the advice of an experienced witness regarding the type, form, and arrangements of the questions to be asked. "It is a sad experience," say the authors, "for one qualified on a technical subject to see it mutilated by an unprepared attorney." The qualified and honest witness does not fear the cross examiner. His greatest concern is with his own lawyer on direct examination!

The following titles of several of the fifty-three chapters in *Questioned Documents Problems* are indicative of the wide range of topics of particular interest to the legal profession: "An Historical View of the Questioned Document Law, with Citations," "Photographs as Court Exhibits," "The Designing and Lighting of Court Rooms," "Psychology in Court," and "The Layman Looks at the Law in Many Courts."

The student and specialist in the field of document examination will find much valuable information of a technical nature in such chapters of the book as those on "The Development of American Handwriting," "Form Blindness and Proof," "The Investigation and Illustration of Typewriting," and "Detailed Suggestions Regarding Illustrative Photographs." The student and specialist will also find interesting and helpful material in many of the chapters which were written primarily for the legal profession.

The book is dedicated to the memory of the late Dean Wigmore, who wrote the introduction to Mr. Osborn's previous publications, *Questioned Documents* and *The Problem of Proof*, and it also contains a chapter entitled "a new Profession—a Tribute to Dean John Henry Wigmore."

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**STREET CORNER SOCIETY: THE SOCIAL STRUCTURE OF AN ITALIAN SLUM.**

By *William Foote Whyte*, University of Chicago Press, 1943. Pp. xxii + 284. \$3.00.

This three and one-half year study is a detailed description of an Italian slum in an eastern city. The author lived in it, learned to speak Italian, joined its various activities, and as a participant-observer while living with an Italian family for eighteen months, recorded and analyzed his findings. As literature on community life, the book is a significant contribution with a minimum of scientific terminology, so that it is as easily absorbed by the layman as by the professional student.

Contrary to popular opinion, the author holds that the slum is not a disorganized area but is a highly integrated association with many inter-related subdivisions, groups and gangs. The problem of the slum in this study is "the failure of its own social organization to mesh with the structure of the society around it." Two types of leaders result: those remaining within the in-group and loyal to it, and those acquiring status outside the Italian community and becoming alien to it.

The book is not an analysis of the social structure, but is more of a picture of the extent and nature of social organization in the slum area. It describes the gangs, social clubs, racketeering groups and political groups, organized within the Italian community for purposes of recreation, education, civic promotion, legal or illegal income, and political control. The careers of individuals are traced through these associations as they rise or lower in status. One of the distinctive features of the book is that it relates these slum activities to the great American struggle to get up in

the world, to rise to the middle classes, and in a measure relates this struggle to the phenomenon of social pathology.

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CASE STUDIES IN THE PSYCHOPATHOLOGY OF CRIME. By *Ben Karpman*, M. D., Medical Science Press, Station L. Washington, D. C. Pp. 738.

The present volume is the second in a series of extensive case histories presented by Ben Karpman, a very competent psychiatrist and excellent criminological psychopathologist at St. Elizabeth's Hospital. In his own particular sphere Dr. Karpman has studied more about crime than anyone else in this country and perhaps in any country. This book of over seven hundred large pages with double columns includes only four case histories. One case, the longest, is that of a man who was convicted of theft of United States mail and who was a drug addict. The second case is that of a Mann Act violator, the third, a rapist, and the fourth, a mail train robber. These are characteristic cases of psychoneurotic individuals who had got into difficulty. The interesting thing about these cases is that they contain *all* of the information that one would need to know about the particular patient being studied. In the first case, for instance, 113 pages deal only with the life history of the offender. Following that, there is a section which Dr. Karpman calls "A Survey of My Life," by the offender, giving a number of memories of the offender and his evaluation of his home life, sex life, and his emotional life. There are forty pages on dreams and about 150 pages of discussion by the offender of various aspects of crime such as gang life, the third degree, narcotics, sex life among criminals, and even some reviews of books concerning crime. One finds very little of Dr. Karpman's personality injected into the actual writing of these four cases. The place where his personality played a part was in the elucidation of the material and its organization so that the trained reader can evaluate for himself the mental mechanisms which proved to be important in the causation of the offender's criminal career. There is a wealth of information even for those who cannot see the psychodynamics in these extensive case histories. The criminologist or other expert in the study of crime can gain points of view from this book as he can from no other source.

In addition, certainly, the book is interesting reading. There are three levels of readers which this book can serve. Those who like to read criminal material with a liberal lacing of sex will find the book interesting. However, it is not pornographic and not written from the standpoint of the casual reader in crime, but the style makes it unnecessary for the student of crime to be highly trained or skilled in psychiatry. There is a second level of those who wish to gain a technical knowledge of criminology on a somewhat higher scientific level who can read the book and get numerous ideas from its contents and last, the student of criminological psychopathology can detect a great amount of revealing pathological data which he can evaluate according to his own background and training.

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**MENTAL ABNORMALITY AND CRIME.** *L. Radzinowicz and J. W. C. Turner, Editors.* Macmillan & Company, Ltd., London, England. 1944. \$3.75. Pp. 316. Cloth.

In spite of the fact that this book is written by a number of English authors, it exhibits a great deal of basic understanding of the problem of crime and delinquency. It is the first book in the past fifteen years which has been written by psychiatrists for the use of lawyers. A similar book is badly needed in the United States because there are a number of features in the interpretation of mental disease which are discussed with reference particularly to British law. This is one volume in a series edited in the University of Cambridge, intended to bring an understanding of legal matters down to date. The other volumes have nothing to do with medicine.

The present volume is written by a list of distinguished contributors; in fact, anyone who is familiar with British psychiatry recognizes the names of General J. R. Rees, who has recently been in this country to discuss psychiatry and war; Drs. Henderson and Gillespie, who are authors of a remarkably good textbook on psychiatry; two chapters each by Dr. East, who is known as the leader in the field of forensic psychiatry, and Dr. Emanuel Miller, a psychiatric writer of no mean standing. There are several other chapters which are excellent.

Each phase of mental disorder is taken up separately and by different authors. Mental variations, the psychoses, psychoneuroses, mental deficiency, psychopathic constitution, functional nervous disorders, physical factors, alcoholism, sex offenders, and reaction to military life constitute the majority of the chapters. There is one long chapter on physical factors, social factors and the problem of birth order with respect to delinquency.

One can, of course, take issue with the opinions of some of these authors. Some of the chapters are written in a most elementary style; some are full of controversial matter which is not fully accepted by psychiatrists on this side of the water. Most of the chapters have excellent bibliographies which, on the whole, refer to material published in the United States.

The preeminence of American psychiatrists in the field of criminology is accentuated by this book, but the old dictum that the British physician can write better than the American is nowhere better illustrated than here. Anyone who is interested in the relationship of psychiatry to crime had best become fully acquainted with the material in this book. Even the expert, who knows the literature already, will find many of the chapters stimulating and they will have a tendency to aid him in crystallizing his thinking a little better.

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**DELINQUENCY AND THE COMMUNITY IN WARTIME.** Yearbook, National Probation Association. Edited by *Marjorie Bell.* New York: National Probation Association, 1943. Pp. 307. \$2.00.

This volume consists of twenty-four papers given at the thirty-seventh annual conference of the National Probation Association, meeting in St. Louis, as well as papers prepared for other regional conferences during the year.

The wartime complications, plus the shift of public attention to national

and international problems have temporarily thrown the problem of delinquency and crime out of focus, but these wartime factors have by no means stayed social disorganization from resulting in violations of the law. The types of offenses and the kinds of offenders may have changed somewhat, but juvenile delinquency has increased in many communities, and the work of juvenile courts, probation and parole offices, has been complicated by the war. If crimes committed by men in the armed forces were to be considered, adult offenders might also show an increase in number. Since many of the offenders in military service have previous records, probation and parole authorities have an added responsibility of working out a cooperative relationship with the Army and Navy for a careful selection of those under supervision for release into military forces.

The war manpower demands have facilitated the finding of employment for released offenders, but at the same time have increased the difficulties in placing offenders in war plants, and have imposed greater duties of selection upon supervising officers. In prisons the war effort has spurred training for war work and helped reduce idle time. The war has also made a direct impact on the personnel of probation and parole offices, through the loss of staff to both the war and war industries.

There are a series of papers on Federal Wartime Protection Program discussing the young camp followers, and the care of the prostitute and promiscuous girl, which seems to have increased because of the war. The impact of the war on family life and the resulting increase of juvenile delinquency are covered in three papers.

Underlying these wartime complexities are still the same untouched needs which produce delinquent behavior. A number of papers on American culture, delinquency prevention, educational and recreational programs, and psychiatric studies set forth some of the attempts being made to solve the basic problem. For example, Donald R. Taft, Professor of Sociology, University of Illinois, says that we may look to three sources for explanation of crime; abnormal personality, abnormal experience, and the cultural pattern. He emphasizes the last, and presents some splendid ideas on "American culture and the treatment of the offender."

A very informative section is the one on Legal Digest giving a resumé of legislation and decision during 1943 affecting probation, parole, and the juvenile court.

Each paper has something of value for every person interested in wartime delinquency problems. The book is timely, well edited, and informative on latest developments which affect the future of our society. The book is good reading for everyone engaged in social and correctional work.

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