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Police Science Book Reviews

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POLICE SCIENCE BOOK REVIEWS

Edited by

Ralph F. Turner*

EDITOR'S NOTE: The publication of a new translation or adaptation of Hans Gross is an important event. We have consequently deviated slightly from our usual policy of book reviews by including two reviews of this new publication. We consider it fortunate in being able to present G. W. Wilton's review since he has made an extensive study of the various English and German editions of Hans Gross's *Criminal Investigation*. In addition our book review editor, Mr. Turner, has prepared a review of the book considering its suitability as a teaching text.—EDITOR.

CRIMINAL INVESTIGATION. By *Hans Gross*. Fourth Edition. Edited by Robert Howe, M.C., Barrister-at-Law. Sweet and Maxwell, Ltd., London, 1949. Pp. 356. 27/6.

This book, despite its spine, is not the Fourth Edition of the *Handbuch für Untersuchungsrichter*, first published in 1893, by Hans Adolf Gustav Gross (1847-1915) of Gratz. According to its title-page, it is the Fourth English Edition of his work as "adapted", in 1907, by J. and J. C. Adam, father and son, Barristers-at-Law, Madras.

These authors stated that their adaptation was brought up to date with the (then) last Edition of 1904—the Fourth by Gross and that, with his consent, new material from different sources had been interwoven in their text.

After 1907 Gross himself published two other Editions of his *Handbuch*, namely, the fifth in 1908 and the sixth in 1914. A seventh Edition was published in 1922 under the Editorship of Höpler of Vienna.

In 1924 J. C. Adam published a Second Edition of the adaptation by his father and himself without noting this on his title-page.

Kendal, Howe's predecessor at New Scotland Yard, published in 1934, as he described it, the Third Edition of this adaptation.

On the title-pages of all four adaptations Gross is mentioned as Professor of Criminology at the University of Prague. No Adaptor records that from 1905 until his death Gross was Professor at the University of Gratz. No research by any Adaptor into his writings after 1904 has apparently been made.

Ernst Seelig, successor to Gross as Professor and as Director of his famous Institute, is Editor of the Eighth German Edition of his *Handbuch*. He published the first volume of this in 1942, the second last year, and hopes to see the final one completed this year.

So Howe's adaptation is clearly a hash of the Adams' 1907 and 1924 and Kendal's 1934, including so much that is not Gross. With a "very grateful section" from Dr. J. B. Firth, much material is thrown in by Howe himself. In view of his own "drastic cuts and alterations" and the dearth of signposts, the Gross of 1904, without much labour in collation of all four adaptations, is hardly discernible.

Howe does not appear to have examined Gross's 1914 Edition, Höpler's 1922 Edition, or Seelig's 1942 volume. Perhaps he assumed that the 1904 Edition was Gross's last and could do as he liked, whether copyright interests existed or not. He may not be bound in law by protective provisions made by the Berne Convention for the reputations of authors (irrespective of copyright transfers) bearing on alteration, distortion, or mutilation of

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their works. Howe's adaptation does not seem a fair use of any copyright granted by Gross to the Adams.

At my request, Seelig examined the Preface by Gross to his 1914 Edition and found that Gross there announced:

"The placing of the constantly increasing material has caused much work, *practically the whole book has needed to be rewritten*, much had to be re-arranged or to be deleted and a great many things had to be expressed differently." (My italics.)

All Howe's "drastic cuts and alterations" on the 1907 adaptation cannot give a correct impression of the work of Gross. That must stand on his 1914 Edition.

The anonymous reviewer in *The Police Journal* (The Yard's official gazette) for 1950, Vol. 23, p. 157, who piped Howe's book as "The New 'Gross'" and observed that it amounted "in the main to a re-writing of the book," *i.e.*, Gross's cannot have been alive to its obsolete basis. How can Howe or his book represent Gross truly? Howe cannot possibly uphold his assertion that his re-writing "still remains the work of the great Dr. Gross".

This book cannot, in my judgment, be regarded as a standard work on criminal investigation. Howe does not treat of identification of dead bodies. Gross did. Further he has not dealt adequately with Fingerprint Identification. He confines the use of fingerprints to *two* roles: applicable to criminals known or suspected with registered fingerprints and to such criminals and their accidental fingermarks.

There is a third role concerning accidental marks of crime victims. Bertie J. Hammond, formerly Fingerprint Expert, City Police, Glasgow, effected the first identification of this kind in 1935. He searched for and found such marks in the house of Ruxton who was suspected of murdering his wife and a servant maid. Comparison with death prints of the maid disclosed absolute identity. Hammond's innovation has led to the identification of "unknown" persons whose death was due to misadventure. Nothing has issued from the Yard about it. It first notice in Britain through my communication appeared in *The Scotsman* of 5th May, 1950. Polson of Leeds University is the first writer to call attention to it in American Literature by his article in *The Journal of Criminal Law and Criminology* for January-February, 1951. But for Dr. Hoover telling me in April 1949 of Hammond's "unique" work, few in our country would have known of it.

It is much to be desired that some British or American scholar, well equipped linguistically and otherwise, should undertake the translation and editing of Seelig's Eighth Edition of "Gross". Gross was a man of "mighty personality."

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G. W. WILTON

CRIMINAL INVESTIGATION. By *Hans Gross*. 4th Edition. Edited by R. M. Howe. Sweet and Maxwell Limited, London; The Carswell Company, Ltd., Toronto, Canada, 1949. Pp. 356. 27/6.

At the risk of presenting a biased and somewhat impetuous viewpoint, this reviewer is taking the liberty of expressing his personal and nostalgic views about the recent edition of Gross. Dr. Hans Gross was born over 100 years ago and published his classic work, *Criminal Investigation*, about the end of the 19th Century. Considering the value of the original publication from the standpoint of the theoretical and philosophical approach to a criminal investigation and bearing in mind the state of affairs of police

science late in the 19th Century, the reviewer feels that a better book on criminal investigation is still in the embryonic stage. Bibliophiles are sure to be grateful for the efforts of Mr. John Adam, Mr. Norman Kendal, Mr. J. Collyer Adam, and Mr. R. M. Howe who have provided four editions for English translations of Dr. Gross's original work. Without their efforts, the wisdom, foresight, and genius of Dr. Gross would probably be lost to present-day police investigators.

This reviewer has made it a practice of using the third, and now the fourth, editions of Gross as a required text in one of his courses in the principles of criminal investigation. He is well aware of the fact that many of the problems discussed in the earlier editions of the book are no longer experienced in modern law enforcement procedures. However, it is felt that a student of police science would have a definite void in his concept of the development of investigative techniques if he were not familiar with the work of Gross.

The fourth edition has been reduced to 356 pages in contrast to 586 pages in the third edition. The current edition contains new up-to-date photographs relative to equipment and methods of operation. We suspect that the editors of recent editions feel that the work of Dr. Gross should be brought up to date. It is our feeling that the basic philosophy of Dr. Gross was years ahead of his time, and many of our law enforcement operatives would do well to try and overtake the challenge presented by Gross. It appears that each new edition suffers through editing, condensation, and "being brought up to date."

We feel that a critical review of *Criminal Investigation* is unnecessary but that it is important to express our gratitude to the publishers for continuing to preserve the spirit and the challenges of Dr. Gross, and we are looking forward to the time when we can use a complete literal translation of the original work.

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POLICE AND CHILDREN. By *Alfred J. Kahn*. Citizens Committee on Children of New York City, Inc., 1407 Broadway, New York City, New York. 1951. Pp. 83. \$1.00.

Dr. Alfred J. Kahn, Research Consultant to the Citizens Committee on Children and a member of the faculty of the New York School of Social Work, has written a provocative and valuable study of the Juvenile Aid Bureau of the New York City Police Department—a study which should prove of interest not only to police administrators and criminologists but to all public spirited citizens concerned with the problems of juvenile delinquency.

After a short introduction outlining his approach and defining the police function in the juvenile field (with emphasis on "screening and referral"), Dr. Kahn surveys the history of the Bureau from the organizing of the Junior Police in 1914, thru the setting up of the Crime Prevention Bureau in 1930, culminating in the reorganization of 1934 which brought the JAB into existence. Then in three excellent chapters, reflecting numerous thoughtful observations of actual operations and much study of bureau reports and statistics, the author analyzes the working organization and administrative structure of the JAB, its field units, and its treatment methods. Since Dr. Kahn had the complete cooperation of the Bureau in this phase of his work, the material is accurate and current.

The Juvenile Aid Bureau's relations with other child care agencies are explored; more than fifteen case studies selected at random from the JAB files are presented to show typical practice; and a series of recommendations for strengthening the juvenile police are set forth with the Department's reaction to these suggestions. These recommendations are extremely controversial in some instances and are not always logically related to the observations which precede them. This reviewer would object strenuously to making the Juvenile Bureau "a career service"; and he sees no reason why the precinct youth patrolman cannot function effectively under the staff supervision of the JAB commander but under the administrative and operational direction of the precinct captain (the Macmahon-Millett concept of dual supervision in public administration).

Dr. Kahn's study comes at a most propitious time. Police agencies throughout the country are setting up units to deal with the juvenile delinquent. There is a real question as to the extent of the police role especially in the treatment field. There are many professional workers who feel that the police agency is unsuited for this responsibility, and the Youth Authority concept is widely supported. Alfred Kahn is to be congratulated for a difficult and necessary job well-done and the *Police and Children* commended to the earnest attention of all professional workers whose responsibilities and interests include any phase of the juvenile problem.

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