Current Notes

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The National Conference of Social Work—The National Conference of Social Work and associate groups met in Philadelphia May 15 to May 21, 1932. It is impossible even to summarize the events of the Conference in the space usually allotted in "Current Notes" to national conventions. The Conference has grown to such an extent that during each day of the session literally dozens of meetings were held which are worthy of notice in this section. More than four thousand persons were registered, coming from all parts of the country. Thousands more from the Philadelphia region attended the general sessions. It is an inspiration to attend such a conference, to meet others engaged in social service, to compare accomplishments, to formulate new plans, and to receive encouragement for one's own work. The Conference is a vast meeting ground for the interchange of ideas and for the development of new and better lines of approach in social service.

The first General Session was opened by Governor Gifford Pinchot of Pennsylvania who urged the adoption of the old Progressive Party's platform for the prevention of involuntary unemployment and protection by the Government of workers against the distress that comes with the loss of jobs. He urged a social insurance program to protect workers, a minimum wage, and a six-hour day and a five-day week. The President of the Conference, Mr. C. M. Bookman, who is director of the Community Chest in Cincinnati, importuned the Government to reinforce the states without delay if serious want and additional difficulties are to be avoided. Mr. Bookman called upon President Hoover and Congress to frame a program that will relieve social service of some of the burdens cast upon it by widespread unemployment. He declared that the Federal Government must be ready to reinforce the States. "This crisis will require the combined resources of public and private funds on a local, state, and national basis without delay. Private relief agencies are not fitted to meet an emergency of the present proportions. Mobilization of social agencies and social workers on a national scale is of pressing importance."

After the Conference was thus formally opened, more than forty affiliated social work organizations of nation-wide membership began to hold meetings in various parts of the city, the Conference itself being divided into groups which met in the spacious Philadelphia Convention Hall.

Perhaps the most interesting division was the one on "Delinquents and Correction" under the chairmanship of Miss Jessie F. Binford, Executive Director of the Juvenile
Protective Association of Chicago. The program was rich with stimulating discussion. Among others the following topics were presented:

**Monday, May 16th:** Crime in the United States—Reports of the National Commission of Law Observance and Enforcement by George W. Wickersham, Chairman, National Commission of Law Observance and Enforcement, New York City—George W. Kirchway, Professor of Criminology, New York School of Social Work, New York City, presiding.


**Wednesday, May 18th:** (Joint Session with the International Association of Policewomen and the National Probation Association) Harrison A. Dobbs, Assistant Professor of Social Economy, Graduate School of Social Service Administration, University of Chicago, presiding—Juvenile Court on Trial.


**Friday, May 20th:** Our Lawless Police by Ernest J. Hopkins, Field Worker for the Wickersham Commission.

**Saturday, May 21st:** (Joint Session with the International Association of Policewomen) Sanford Bates, Federal Commissioner of Prisons, Department of Justice, Washington, D.C., presiding—Scientific Treatment versus Effectively Administered Punishment by James M. Hepbron, Director of the Baltimore Criminal Justice Commission and of the Baltimore Community Chest Fund—Scientific Treatment by George W. Kirchway, Professor of Criminology, New York School of Social Work, New York City.

Others who had parts in the various programs, to name only a few, were Dean Edith Abbott of the Graduate School of Social Service Administration, University of Chicago; Dr. Herman Adler, Professor of Psychiatry, University of California; Frank Bane, Director of the American Association of Public Welfare Officials; Emil Frankel, Director of Research, New Jersey Department of Institutions and Agencies; Mrs. Blanch L. La Du, Chairman of State Board of Control of Minnesota; Richard C. Conant, State Commissioner of Public Welfare, Boston, Massachusetts; and Charles H. Johnson of New York; Mrs. Liveright of
Pennsylvania, Miss Breckinridge of Chicago, Mrs. Dummer of Chicago, Katherine Lenroot of Washington, Thomas A. Meryweather and Thorsten Sellin of Philadelphia. So many persons participated in the Conference that it is futile to attempt even to mention names. Nearly three hundred persons were listed on the official Program which was a booklet of more than sixty pages.

However, several of the most interesting meetings should be listed. On Tuesday night, May 17, Rabbi Abba Hillel Silver of The Temple, Cleveland, Ohio, made a forceful address and the following night there was held the Conference Dinner which celebrated the Twentieth Anniversary of the United States Children's Bureau. Among other noted speakers at general sessions were C. A. Dykstra, City Manager of Cleveland, Ohio, and Owen A. Lovejoy, Executive Secretary, Children's Aid Society, New York City.

The outstanding address of all was delivered on Monday, May 16, by Dr. Ray Lyman Wilbur, Secretary of the Interior, who declared that the children of this country are apt to profit rather than suffer from the present economic depression. He said that as a whole the children are better fed and better cared for than ever before. “Parents do not go out so much and have more time to devote to the care and training of children... Depressions are by no means wholly evil. They bring the Nation around to a true perspective that is lost during prolonged periods of prosperity and they bring out the best in many through the need to help others.”

The Secretary's address was sharply criticized by members of the Conference after the meeting and it awakened a storm of protest from those who “actually were witnessing starvation.”

All the delegates attending the Conference have a fine sense of social responsibility and their motives and work do credit to their humanity. The spirit of the Conference seemed, however, to express a tendency away from the Jeffersonian ideal that “that Government is best which governs the least.” The Conference seems to have fallen in line with hundreds of other groups who would like to see the Government extend its activities into fields not originally contemplated—fields which logically are local and “within the care of the people.”

Comparative Judicial Criminal Statistics—The Institute of Law of The Johns Hopkins University has undertaken for the Judicial Council of the State of Ohio the formulation of a system of judicial statistics. The task has been essayed “in the spirit that any system utilized in Ohio should be constructed so as to facilitate—certainly not hinder—comparisons with other states.” The Institute has already issued “Uniform Classifications for Judicial Criminal Statistics” in which the problems of classification were examined and the way prepared for further experimental work. “Maryland Trial Court Criminal Statistics” tested the classification for that state. Now appears “Comparative Judicial Criminal Statistics: Ohio and Maryland” by Professors L. C. Marshall and H. E. Yntema which tests the classification for Ohio and in addition contains a comparison of a full year's trial court criminal statistics for both States. Later studies will cover Iowa, New Jersey, Dela-
ware and Rhode Island. In addition, the Institute is studying various aspects of the administration of criminal justice at "all levels of the court system." The work by Professors Marshall and Yntema is published in order to make available to students the data and methods used in the comparison of state-wide judicial criminal statistics. The unit of counting and the form used for tallying in trial courts and the classification of offenses is set out and a comparison is made between the States in the following fields: (a) procedural outcome; (b) the trial and plea in establishment of guilt; (c) court trials and jury trials; and (d) sentences and treatment. This very usefull study may be secured from The Johns Hopkins Press, Baltimore, Maryland.

Iowa Study—In the May issue of the Iowa Law Review appears the results of a state-wide survey of criminal administration in Iowa for 1931. Complete statistics of criminal cases from every county in the state are included in the report. The data sheets used in this survey are those of the Institute of Law of Johns Hopkins University, modified to meet local conditions. The survey is a part of a general study of Criminal Law Administration which has been carried on by Professor Rollin M. Perkins for a number of years past.

Commissioner Bane Resigns — Frank Bane, Commissioner of Public Welfare of Virginia since 1922, has resigned his office, effective May 1, to become permanent director of the American Public Welfare Association, which will be located in Chicago. Coming to the Board of Charities and Corrections in 1920, Mr. Bane directed the reorganization of that board into the Board of Public Welfare, becoming Commissioner in 1922 to succeed Dr. J. T. Mastin who had been secretary of the Board of Charities and Corrections since its establishment in 1908. In 1924, Mr. Bane became director of public welfare in the city of Knoxville where he remained until 1926 when he returned to the Department which he has headed since that time. In the fall of 1930 Mr. Bane was selected by Colonel Arthur Woods as a member of the President's Organization on Emergency Relief, later becoming director of operations. In the fall of 1931 Mr. Bane was elected director of the American Association of Public Welfare Officials whose services were put at the disposal of the President's organization.

As head of the Virginia department, Mr. Bane has made a national reputation as executive and administrator in the public welfare field. Arthur W. James, director of the bureau of county and city organization of the state department of public welfare, who has been acting commissioner since last fall, was appointed by Governor Pollard State Commissioner of Public Welfare to succeed Mr. Bane.

Council of Police Science—During the early part of the year of 1932, the Council of Police Science was organized at the University of Chicago with David G. Monroe as Executive Secretary and with the following faculty members: Ernst Puttkammer, Edwin H. Sutherland and Leonard D. White. The Council was created for a two-fold purpose: first, to continue the spirit
toward policing which Professor Vollmer had created while he was at the University; and, secondly, to establish a central bureau of police information which will be available to anyone interested in policing or any of its aspects.—E. S. J.

Hyatt Appointment—Judge Carl B. Hyatt, formerly Judge of the Juvenile Court of Asheville, North Carolina, was appointed to the staff of the U. S. Children's Bureau as the result of a request from the Attorney General that the Bureau aid in developing plans for Federal and State cooperation in dealing with juveniles who violate Federal laws. He will serve as Consultant in care of Federal Juvenile Offenders.

Judge Hyatt will spend the greater part of his time in travel, finding out whether local communities are able to assume full responsibility for such delinquency cases as can be turned over by the Federal authorities and conferring with Federal officials and local persons dealing with juvenile delinquents with a view to developing mutual understanding and cooperation. He will also visit State institutions in which juvenile offenders are cared for under Federal contracts.

Criminological Research Bulletin—The Bureau of Social Hygiene, Lawrence B. Dunham, Director, 61 Broadway, New York City, has issued its second “Research Bulletin” containing a description of studies in the general field of criminology. The Bureau invited a group of specialists to serve as an advisory council to report at regular intervals on research in progress as planned. This council consists at present of Dr. Herman M. Adler, Professor Ernest W. Burgess, Mr. Charles L. Chute, Professor C. E. Gehlke, Dr. Sheldon Glueck, Colonel Calvin H. Goddard, Dr. George W. Kirchwey, Mr. Fred A. Knoles, Mr. Austin H. MacCormick, Professor Raymond Moley, Mr. Bruce Smith, Dr. A. Warren Stearns, Dr. Edwin H. Sutherland, Dr. William I. Thomas, and Mr. August Vollmer. The projects listed follow this classification: 1. General; 2. Criminal Statistics; 3. Causation and Prevention; 4. Police; 5. Criminal Law, Procedure and the Administration of Justice—(a) Adults, (b) Juvenile; 6. Probation; 7. Penal Treatment—(a) Institutional, (b) Parole. Several hundred pieces of research are listed with discussion of the scope of the study and its progress. While not complete the Bulletin is very valuable in that it stimulates the interest and cooperation of scholars engaged in the same type of work and helps to avoid needless duplication of intellectual effort. Professor Thorsten Sellin advises that the Bulletin is not available to individuals but since it was widely distributed to libraries it should be accessible to all.

Advance News of the Prison Congress—Mr. E. R. Cass, General Secretary of the American Prison Association, has written for the Journal of Criminal Law and Criminology an account of the plans being developed for the next Annual Congress which is to be held at Indianapolis.

The Congress begins on the morning of October 3. The general session on that morning will be given over to the Medical Section
of the Congress for a discussion of practical medical problems in the administration of institutions. This will also include psychiatry and the classification of institutional populations. The evening session on October 3 will be given over to the usual addresses of welcome by the Governor and Mayor, and a keynote address by Mr. M. E. Foley of Indianapolis, a prominent member of the Bar and one who is interested in social welfare problems. Then will follow the annual address by the President of the Association, Warden Oscar Lee.

Tuesday morning, October 4, will be given over to the Women's Section of the Association for a presentation and discussion of administrative problems. The general session on Tuesday evening will be under the auspices of the Wardens' Association, and very likely there will be special emphasis on the prison labor problem. This will be treated by an institutional man, a labor man, and a manufacturer.

On Wednesday morning the indeterminate sentence and parole, as it relates to institutional administration, will be the leading subject, and this will be followed by a paper on Education in Institutions, and another on Recreation. On Wednesday evening there will be a testimonial dinner to a veteran member of the Association, and the evening program will follow immediately. The details for the evening program are yet to be worked out.

Thursday morning, October 6, will be given over to the Chaplains.

Thursday afternoon will be given over to visitation to local institutions, and special arrangements are to be made so that these visits will harmonize with the special interests of the delegates. The evening of October 6 will be given over to a discussion of juvenile problems, particularly as they relate to the administration of institutions. That will be a joint session with the National Conference of Juvenile Agencies.

On Friday morning, October 7, the last meeting of the Congress will be devoted to a discussion of the relation of boards of control to institutions.

The afternoons of the Congress will be given over, as usual, to meetings of the committees and allied groups of the Association. The committees and allied groups are listed in the Congress Bulletin.

The Annual Business Meeting will be held on October 5.

Mr. Cass states that the coming Congress will be built around the discussion of administrative problems—that is, "a minimum of discussion of theory and a maximum of discussion of practice."

These meetings always are full of stimulation and inspiration to penologists and the October meeting promises to be all of that plus the presentation of practical problems of concrete value.

A Cure for the "Third Degree"—
Writing for "The Panel" which is published by the Association of Grand Jurors of New York County, Mr. John McKim Minton, Jr., Chairman of the Committee on Criminal Courts, Law and Procedure of the Association of the Bar of the City of New York, advocates the elimination of the "Third Degree" by compelling the accused to explain or stand convicted. He says:

"This privilege of silence in the face of a criminal charge, in ninety-nine cases out of a hundred, is invoked only by the guilty. The
natural impulse of the innocent man against whom a crime is charged or suspicion directed is to leap at the first opportunity to furnish information which will clear him of suspicion. But not the guilty man; his attitude is to keep his mouth shut and let the authorities find evidence against him if they can. His challenge is backed by the constitutional guarantee.

"Whatever the necessity may have been to protect the liberty of the individual in the past, such a rule today is productive only of injustice. It no longer protects the innocent, but has become the strongest shield for the guilty.

Mr. Minton argues that the United States should adopt in substance the French system of compelling the accused to undergo examination by a trained magistrate, in which examination he would either have to explain the facts leading to his arrest, or leave the jury at his trial to draw the inescapable conclusion that he remained silent because guilty.

That procedure would eliminate the use of the "third degree" to make prisoners talk, as silence would mean conviction.

"The suspect could not do as he may do now in the United States: sneer at the law and remain mute without fear of consequences."

Fellowships in Criminal Law—Mr. Frederic L. Kirgis, who was a member of the faculty of the University of Illinois Law School, 1931-1932, teaching courses in criminal law and evidence, has accepted a teaching fellowship at Yale University for 1932-1933 by Columbia University School of Law. He will work in the correlation of law and the social sciences, and will specialize in the criminal law.

Children's Bureau—The United States Children's Bureau is celebrating its 20th anniversary this year. According to an announcement issued by the Bureau, 28 countries of the world have imitated the United States Children's Bureau since its foundation in 1912. The first chief of the Bureau was Julia C. Lathrop. Miss Lathrop's death in April in the midst of the Bureau's 20th anniversary celebration came as a great shock. The present chief of the Children's Bureau is Grace L. Abbott who succeeded Miss Lathrop in 1921. At the Conference of Social Work, held recently in Philadelphia, a memorial meeting was held in tribute to the services of Miss Lathrop.

N. Y. Classification Clinic—The "News Bulletin" of the National Society of Penal Information announces that a reorganization of the classification clinic became operative at the Elmira Reformatory on January 1. It will be in charge of Dr. James L. McCartney, psychiatrist, who will have as his assistants, Dr. Rene Breguet, W. H. Dunn, psychometric examiner, and Dr. L. C. Day, physician.

According to Dr. McCartney the purpose of the clinic is to group inmates for the practical purposes of better prison administration, for the more successful resocialization of inmates prior to parole, and to secure diagnostic classification for the purposes of identification and interchange of records and other

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scientific material with prisons throughout the United States.

In order to put the new classification system into effect, Dr. Frank L. Christian, superintendent of the Reformatory, is using the old hospital building as a receiving section. During the first month the newly arrived inmates will be kept out of the Reformatory population. They will be given thorough physical, psychometric and psychiatric examinations and a social history will be compiled. They will be examined as to their proper school placement and their vocational abilities determined. Daily drills in squad work will be given so that they will be prepared to take their place in the institutional regiment. Daily lectures acquaint them with rules and routine.

At the end of the month's period the inmates will go before a board consisting of the superintendent, assistant superintendent, disciplinarian, school director, vocational director, record officer, chaplains, physician, psychometric examiner, and the psychiatrist. The board will then decide whether the inmate should be transferred to some other institution within the Department of Correction or remain at the Reformatory. Recommendations will also be made to the State Parole Board as to the final disposition of the case. Psychiatric examinations have been made at Elmira since 1912. The late Dr. Harding was the first psychiatrist and served for 19 years.

Rhode Island Report—The Criminal Law Advisory Commission of the State of Rhode Island in making its Annual Report to the General Assembly of that State recommended the use of probation officers in collecting data concerning all persons passing through the criminal courts. The report states:

“In our opinion the introduction of this system will improve the probation system itself and in a few years this State will have built up these files which will be invaluable in the proper disposition of criminal matters by all concerned.

“In late years the work of probation officers has assumed a more important place in the administration of justice. A greater interest in probationary work on the part of the Courts and others is evidence of appreciation of the importance of this bureau. There is an opportunity to extend its usefulness by transferring to this bureau supervision now performed elsewhere.”

Another recommendation of interest reads as follows:

“To make indictments and complaints easier to draw and to understand, and to remove the ever-present possibility of expensive and just convictions being upset by some archaic rule of criminal pleading we are recommending an amendment to section 3 of Chapter 407 of the General Laws, entitled “Of proceedings in criminal cases” so as to provide for simplified indictments and complaints. The substance of this amendment has been taken from the model criminal code prepared and approved after several years of study by the American Law Institute.”

N. Y. Report—The New York State Department of Correction in its official publication “Correction” states that its records show that in 1930 one out of every twelve adults in the State of New York was arrested. A considerable proportion of such arrests was for traffic and
highway violations. Of course a number of persons were arrested several times during the year. There were 26,630 adult arrests for felonies and 721,131 adult arrests for misdemeanors. Of these 4.7 per cent and 5.2 per cent respectively represent women arrested.

Arrest for intoxication is about \(\frac{1}{7}\) as frequent as for traffic violation, although many of the cases reported as disorderly conduct actually belong to this category. Larceny, frauds, vagrancy (both prostitution and begging), and drug addiction, rate rather lower than the norm established by previous years.

With respect to felonies, homicides, rape and arson bear an incidence in inverse proportion to the density of population. The rural sections have twice as great a percentage of homicides as New York City in relation to the other offenses, which is all the more striking when the proportion of population is also considered. So far as homicides are concerned, the average person is safer in cities above 40,000 in size. Rape and arson are about one per cent and burglary 12 per cent, more prevalent proportionately in rural sections than in New York City. Auto theft and robbery enjoy an incidence in complete reverse to that shown by homicide, burglary, arson and rape, i.e., the denser the population, the more frequent these offenses. Larceny is highest in cities under 40,000 but is fairly constant in percentage elsewhere. The assaults, likewise, are constant.

With respect to misdemeanors, arrests for gambling, intoxication, and drug addiction ran high proportionately in counties having large cities within them, with corresponding decrease in the rural sections.

Connecticut Probation Recommendations—At its quarterly meeting at Cheshire Reformatory on March 11, with eighty-five members present, the Connecticut Probation Officers' Association approved a report of the special committee on juvenile courts, and a resolution was passed empowering the secretary to forward the report to the State Child Welfare Commission for consideration in its study of juvenile court conditions in Connecticut.

It was recommended that the age limit of the Connecticut juvenile court law be raised to eighteen years and that the judges of the Criminal Court be privileged to remand to the Juvenile Court any minor under twenty-one years of age. Also the recommendation was made that the Child Welfare Commission of Connecticut make a study of detention and that appropriations be made to enable the courts to use private institutions and foster homes for delinquents. Moreover, it was urged that the Commission should set standards on age, education, experience and supervision of probation officers, and the proper administration of probation.

Probation Study—The New York Commission to Investigate Prison Administration and Construction, whose activities terminated April 1, has been continued until March 1, 1933, by an act of the Legislature signed March 30 by the Governor. In addition to the former duties of the Commission, the new law directs it to make an intensive study and investigation of the probation system in the state and to formulate a plan "for the better and more effective administration" of the
system. The sum of fifteen thousand dollars was appropriated for the Commission’s expenses.

Changing Criminal Types—In the official publication of the New York Department of Correction there was printed an interesting comment by Police Commissioner Edward P. Mulrooney of New York City who has served on the police force of New York City for thirty-six years. Commissioner Mulrooney finds criminals changing in type. He says:

“In my young days a criminal was an older man, cunning, resourceful, and, above all, patient. He devoted weeks and weeks, possibly months, to blowing a safe, robbing a bank, putting over a green goods game or something of that kind. He rarely resorted to violence. In fact, he was rarely armed. Those that were armed were a distinct class; they would possibly have a little club or soft sack filled with sand, that he would tap you on the head with, if you resisted. You might receive a contusion. They seemed not to want to kill. We did have homicides, many of them, but they were committed while under the influence of liquor, or something of that kind.

“Today we find it entirely different. Seventy-five per cent of all people arraigned in felony cases today are youths from seventeen to twenty-two years of age. That is an appalling state of affairs in our midst.

“We no longer have poison mysteries like the Buchanan case, the Carlisle Harris case, or the Molineux case. That is not being done any more. It takes too long. They shoot now and do it ruthlessly. The thief steps right in with the revolver, and it takes him about fifteen minutes to get more money than the old-timer would get after six months’ work.

“The criminal is young, ruthless, and the automobile has been his great getaway. He has been able to add speed to his other attributes in committing crime. From time to time they even use the airplane. They are using planes pretty much. A plane is a means of setting up an alibi, and with the great speed of the plane you can readily see how they do it.”

Changes in New York Pistol Law Vetoeed—On March 28, Governor Roosevelt of New York vetoed two bills which would have amended the so-called pistol law, enacted at the extraordinary session of the Legislature last year at the request of New York City authorities to aid their fight on gangsters. One amendment would have eliminated the necessity of applicants for pistol permits being photographed and fingerprinted, and the other would have permitted the keeping of a pistol in a home or place of business without a license.

In an explanatory memorandum the Governor stressed the fact that fingerprinting implied no disgrace to the honest person who submitted to the process in a spirit of helpfulness to protecting society against its enemies.

The principal ground on which the sponsors urged the passage of the two bills was the general aversion among people, especially those up-State, to photographing and finger-printing as a necessary condition to being permitted to carry a pistol.—N. Y. T.

Federal Legislation—Several worthwhile bills are now in the hopper of the Federal Congress.
Among these bills is House Bill 10243, introduced by Mr. Sumners of Texas, which gives the consent of Congress "to any two or more States to enter into agreements or compacts for cooperative effort and mutual assistance in the prevention of crime and in the enforcement of their respective criminal laws and policies, and to establish such agencies, joint or otherwise, as they may deem desirable for making effective such agreements and compacts."

Of course when dealing with crime and criminals the States are exercising a governmental function and permission of Congress to enter into agreements or compacts in relation to this matter is necessary. The difficulties which arise in police administration on account of the easy getaway which our paved roads make possible and the protection to the criminal which the separate jurisdictions of our States afford are well known to everyone. It is also clear that in dealing with the narcotic and liquor problems, such contracts or agreements would be of great value.

House Bill 10922, introduced by Mr. Maas, seems to announce both a just and wise policy and, though legislative permission is perhaps necessary, there can be no doubt that the practice has been common in many of our States even without such legislative sanction. It provides that under certain specified conditions "when any recognizance in a criminal cause, taken for, or in, or returnable to, any court of the United States, is forfeited by a breach of the condition thereof, such court may, in its discretion, remit the whole or a part of the penalty, whenever it appears to the court that there has been no willful default of the principal to said recognizance, and that a trial can, notwithstanding, be had in the cause, and that public justice does not otherwise require the same penalty to be enforced." It also provides that, even in the case of willful default, the sureties may be released if the principal is produced to the marshall within a year and a trial may be had. It is quite clear that though criminals should be brought to justice, the right to bail should be protected and sureties should not be unduly harassed or discouraged. Although many abuses have arisen in the matter of bail, and in some jurisdictions not enough attention has been given to the adequacy of the security, of late years there has been a tendency to make the requirements too strict.

Senate Bill 4156 and House Bill 10587, which were introduced by Senator Norris and Representative Sumners in their respective Houses, provide for alternate jurors in criminal cases, which, in the opinion of the judge, are liable to be protracted. Two additional jurors are provided for, who shall sit in the court room though not mingle with the regular panel during the trial of the case and who may be called upon in case of the sickness, death, or other disqualification of a regular juror. In reporting favorably on this bill, the Committee on the Judiciary of the House stated that many cases in the Federal Courts, particularly those involving use of the mails to defraud, and national-bank cases involving intricate facts and elaborate accountings, take weeks to try. Cases frequently arise where a juror is disabled after days or weeks of trial, and a mistrial results unless the defendant is willing to proceed with less than 12 jurors. The resulting waste of time and money
is considerable. The bill is in the interest of economy and the prevention of waste, and tends to relieve congestion in the courts and expedite the disposition of criminal cases. This bill is approved by the Attorney General.

*Senate Bill 4157*, introduced by Senator Norris, fixes the date when a sentence of imprisonment shall begin to run, from the time the person is received at the penitentiary, or, if committed to jail, or other place of detention, to await transportation, from the time received at such other jail or place of detention. So far, so good. The bill, however, is to be criticized in that it also contains provisions in regard to parole which might well have been the subject of a separate Act. It provides that “any prisoner hereafter sentenced, who may be paroled under the authority of the parole laws, shall continue on parole until the expiration of the maximum term or terms specified in his sentence, with a reduction of such allowance for good conduct as is or may hereafter be provided for by law.” It also provides that “any prisoner who shall have served the term or terms for which he shall hereafter be sentenced, less deductions allowed therefrom for good conduct, shall upon release be treated as if released on parole and shall be subject to all provisions of law relating to the parole of United States prisoners until the expiration of the maximum term or terms specified in his sentence.” Though, perhaps, these provisions are wise, there may be some discussion concerning them and we regret that the matter of parole and good term allowances are unnecessarily injected into the present bill.

*Senate Bill 4158*, also introduced by Senator Norris, seeks to deal with prison officials, or outside persons, who aid or assist prison outbreaks and acts of vandalism, and makes the offenses punishable by imprisonment for life or for any number of years, at the discretion of the court. We have no doubt that the discretion will be wisely used and there is, therefore, no objection to the bill.

*House Bill 10591*, introduced by Mr. Sumners, will, of course, arouse a great deal of discussion and a good deal of controversy, but no doubt is in the right direction. It provides that “capital or otherwise infamous offenses may be prosecuted by information filed by the United States attorney with leave of the court, if the accused shall, in writing filed with the court, waive his right to be prosecuted only by indictment.” Of course, a constitutional question will be raised. There can be no doubt that a jury may be waived in civil cases. See Cooley on Constitutional Limitations (8th Ed.) 866, note, and Cooley on Constitutional Law (4th Ed.) (Bruce) 313, 365; in the case of *Patton et al. v. U. S.* (1930), 281 U. S. 276, it was held that a trial jury may be waived with the consent of both the Government and the defendant, in other words, that the trial by jury is a privilege and not a necessary element to our Federal criminal procedure. If this be the case, there can be no question that the right to be indicted by the grand jury should be considered in the same light.

*Senate Bill 4159*, introduced by Senator Norris, provides that “no plea to abate nor motion to quash any indictment upon the ground of irregularity in the drawing or impaneling of the grand jury or upon the ground of disqualification of a grand juror shall be sustained or
granted unless such plea or motion shall have been filed before, or within ten days after, the defendant filing such plea or motion is presented for arraignment. It also provides that no plea to abate nor motion to quash any indictment, upon the ground that an unqualified juror sat upon the jury, shall be sustained if it appears that 12 or more jurors, not shown to be disqualified, concurred in the finding. These provisions seem wise.

House Bill 10593, introduced by Mr. Sumners of Texas, provides that no indictment shall be deemed insufficient by reason of any defect or imperfection in matter of form only, which shall not tend to the prejudice of the defendant, or by reason of the attendance before the grand jury during the taking of the testimony of one or more clerks or stenographers employed in a clerical capacity to assist the district attorney. Since this Act merely uses the term "during the taking of testimony," it still may be presumed that no such person shall be present during the deliberations of the jury and that the act leaves the law unchanged, that the presence of the district attorney himself before the jury is a matter of grace and not of right. See Edwards, The Grand Jury, 129.

House Bill 10596, introduced by Mr. Sumners of Texas, provides that in the trial of all indictments, informations, and complaints, both in the United States courts, the territorial courts and courts-martial and courts of inquiry, the person charged shall, at his own request but not otherwise, be a competent witness and his failure to make such request shall not create any presumption against him. It will be noticed that this bill seems to prohibit any comment on the failure of the defendant to so testify. If this be the case, there may be some criticism to the act, the growing opinion being that comments should be allowed.

House Bill 10597 makes penal the acting as agent or attorney or assisting in the prosecution of any claim against the United States by officers of the United States. There are a number of exceptions to this bill which perhaps should be the subject of scrutiny.

House Bill 10598 authorizes the Department of Justice to turn over to the State of his domicile any juvenile who has been arrested and charged with the commission of a crime punishable in a court of the United States or of the District of Columbia if it appears that the juvenile has committed a criminal offense or is a delinquent under the laws of such State and that such State will assume jurisdiction. This bill is recommended by the Attorney General and is designed to provide for co-operation with the States in the more rational handling of immature offenders who, it is believed, should be cared for by the communities from which they come and in which they are known. The bill is meritorious. The records show that annually nearly 2,000 juvenile offenders who are charged with vio-
lation of the Federal laws fall into the hands of Federal officers and that the Federal Government is not equipped to deal properly with them.—A. A. B.

Homicide Record for 1931—The Spectator has issued the yearly study of Dr. Frederick Hoffman, consulting Statistician, on the homicide record in the United States. He says:

“Our homicide death rate in 1921, as determined by the experience of 164 American cities, was precisely the same as for the preceding year, or 10.9 per 100,000 of population. The rate is a lamentable index of our national indifference to the greatest of all problems, that of security of human life, confronting the American people. Making allowances for non-recorded deaths from homicide which are classified as suicides or accidents, it is safe to assume that we lose twelve thousand lives a year at the average age of thirty-one years as the result of wilful actions representing various degrees of responsibility from involuntary manslaughter to deliberate murder.

Ten Cities with the Highest Homicide Death Rates in 1931—Rate per 100,000:

<table>
<thead>
<tr>
<th>City</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Birmingham, Ala</td>
<td>54.9</td>
</tr>
<tr>
<td>Memphis, Tenn</td>
<td>52.2</td>
</tr>
<tr>
<td>Atlanta, Ga.</td>
<td>49.5</td>
</tr>
<tr>
<td>Jacksonville, Fla</td>
<td>48.5</td>
</tr>
<tr>
<td>Macon, Ga.</td>
<td>44.5</td>
</tr>
<tr>
<td>Montgomery, Ala</td>
<td>42.8</td>
</tr>
<tr>
<td>Little Rock, Ark</td>
<td>40.4</td>
</tr>
<tr>
<td>Lexington, Ky.</td>
<td>36.8</td>
</tr>
<tr>
<td>Nashville, Tenn</td>
<td>36.7</td>
</tr>
<tr>
<td>Mobile, Ala.</td>
<td>34.7</td>
</tr>
</tbody>
</table>

Of special interest also is the homicide rate for Chicago, which has declined very slightly from 14.4 in 1930 to 14.1 in 1931, while the number of deaths for both years was precisely the same. There was a marked decline in the homicide deaths in the city of Cleveland from 153 in 1930 to 121 in 1931, and also a decided decline in Detroit from 209 in 1930 to 177 in 1931. There was a decline in the homicide deaths in Memphis from 150 in 1930 to 138 in 1931, and a marked increase in New York City from 494 in 1930 to 586 in 1931.

New York City Police Report—The Annual Report of Edward P. Mulrooney, Police Commissioner of New York City, is a substantial volume of nearly three hundred pages giving a complete picture of a great metropolitan police system in operation for the year 1931. Incorporated into the Report is an account of the departmental activities and the operations of the various branches of service with statistical tables. Much information is presented which will prove to be of great value to students of police administration. Speaking of the work of only one Division, that of Detection, Commissioner Mulrooney says:

“The record made by the Homicide Squads for 1931, not only in the apprehension of criminals, but in the gathering and presentation of evidence was favorably commented upon by the Courts and is outstanding in the annals of the Department. Despite an increase of 16.1 per cent in the number of murder and manslaughter cases in 1931 over 1930, arrests show an increase of 14.8 per cent and convictions an increase of 77 per cent over the preceding year. Domestic troubles were responsible for 23 per cent of these cases. In 1930, seven persons, and in 1931...
thirty persons were convicted of first degree murder. This indicates intelligent and efficient investigation by the Police, excellent cooperation on the part of District Attorneys and the Judiciary and a full realization by juries of the potential possibilities of organized crime.

"Of the 489 cases of murder and manslaughter reported 272 were committed by the use of firearms. Arrests were made in 433 cases.

"In 1931 the Department made an extensive drive against persons carrying firearms illegally. The results justified the effort. Arrests totalled 1,540 for 1931 against 1,291 for 1930. Convictions increased 45 per cent.

"The promiscuous use of firearms in this City can be attributed only to the ease with which criminals obtain weapons to commit crime. This Department successfully advocated an amendment to the Sullivan Law (Section 1897 of the Penal Law) requiring every holder of a pistol permit to be fingerprinted and photographed. This was done to prevent criminals from going from one county to another to obtain pistol permits. However, this Department has no control over the sale of firearms in other states where the restrictions are not so stringent. Only proper Federal legislation can adequately cope with this situation.

"Felonly assault cases decreased 4.1 per cent. The number of arrests was the same as in the previous year but the number of convictions increased 8.3 per cent.

"Assault and Robbery cases increased 23 per cent over the previous year, but arrests increased 18 per cent and convictions increased 39.6 per cent.

"Burglary decreased 5 per cent in 1931 and arrests increased 7 per cent and convictions 3.6 per cent.

"In 1931, 12,030 persons passed through the "Line-up" at Police Headquarters, charged with various major crimes ranging from Larceny to Homicide.

"A most disturbing fact to the Police is the immaturity of the great majority of these criminals. In past years the criminal at the "Line-up" was middle aged, intemperate, experienced in crime and limited in his activities to a special type of offense. Today the opposite. The "Line-up" presents a parade of youths ranging in ages from 17 to 21, versatile in crime, who cold-bloodedly and calmly recite voluntarily, in the presence of the spectators and press, the most intimate details of the planning and execution of ruthless crimes.

"There were 246,261 fingerprints received at the Bureau of Criminal Identification for examination and comparison. Of this number 84,632 were fingerprints of persons charged with various crimes, resulting in 34,632 identifications.

"The Bureau of Ballistics investigated 823 cases in connection with which 1,238 firearms were examined, 404 being traced to owners. The scientific examination of weapons and bullets by this Bureau has been of great assistance to the prosecuting officers.

"Grand Larceny automobile thefts numbered 12,153 in 1931 as compared with 12,731 for 1930. This records a decrease of 4.5 per cent in 1931. Sixty per cent of these cars were stolen by minors between 16 and 20 years of age."

New Course in Scientific Methods of Crime Detection—In the March, 1932, bulletin of the Philadelphia College of Pharmacy and Science, a new course is announced for the
calendar year 1932-33. The general subject of this course will be "Scientific Methods of Crime Detection" and it is to be offered chiefly as a major course for the degree of M. Sc. in Chemistry, but it will also be offered as a special course, in whole or in part, to properly qualified applicants. It will consist of two lecture hours, four conference hours, four library hours, and sixteen laboratory hours per week. The instruction will be given by Professors and Assistant Professors of the College, with the assistance of qualified experts in medico-legal and identification work. The lecture course will include consideration of the subjects of expert evidence, technical advisers, and scientific referees, discussions of the differences between medical and other scientific evidence, the collection, custody and care of samples, methods of recording scientific data and the rendering of reports, and a general survey of the various sciences called upon to assist in the detection of crime. Finally, there will be a number of lectures on the general subject of toxicology.

The laboratory courses, devoted to a thorough training in observation and methods, will include advanced work in microscopic and chemical examinations of various materials and substances. It will be particularly concerned with micro-chemistry, micro-photography, crystallography and measurements whereby food, fibers, drugs, textiles and miscellaneous unknown materials may be identified. Special stress will be laid on the making and interpretation of drawings, plans and maps. Each student must prepare at least 100 permanent and typical microscopic slides which will become his own personal property. The chemical work will include the practical application of methods for the detection of all the important classes of poisons. There will be abundant laboratory practice in the separation and identification of many individual poisons from food, blood, and cadaveric material. The laboratory instruction will involve the use of the microscope, the spectroscope, the ultra-violet lamp, the refractometer, the polariscope, and many other instruments used for scientific purposes. Special attention will also be devoted to the intelligent employment of facts obtained by scientific methods and the following up of clues.

T. S.

International Conference — The Second International Conference of Social Work will be held in Frankfurt-am-Main, Germany, opening Sunday evening, July 10, 1932, and closing Thursday evening, July 14, 1932. Headquarters will be maintained at the Municipal Exposition Hall in Frankfurt, where the meetings will be held.

"Social Work and the Family" will be the general theme of the program. The Conference will be organized into six Commissions, each taking a main sub-division of the general theme. These Commissions will meet daily for the discussion of their special theme. At least two plenary sessions will be held.

A number of travel seminaries are now being arranged for the convenience of delegates. In addition to the Conference, points of interest in Europe will be included in the itineraries.

Exchange of Criminal Records— The criminal identification bureaus
of England, France, Italy, Belgium and Cuba have expressed their willingness to join with the Bureau of Investigation of the Department of Justice in an international exchange of information on law breakers. J. Edgar Hoover, Director of the Bureau of Investigation, announced in a memorandum made public March 28.

Instead of trading information only in specific cases each of the six governments now will exchange all information on all nationals of the other countries who fall into the hands of its law-enforcing officers. Many American officials have called the new interchange an important development which they favor strongly, the memorandum says.

Institute Appointments—The Executive Board of the American Institute of Criminal Law and Criminology met April 1, 1932, at Northwestern University School of Law. Two new members were unanimously elected to the Board. One was Professor J. J. Robinson of Indiana University Law School who has taught criminal law in that Institution for the past eight years. Professor Robinson has served on the Committee on Prisons of the American Bar Association and is widely known for his publications in the field of criminal law. The other new member is Mr. E. R. Cass, General Secretary of the American Prison Association. Mr. Cass will also serve as an associate editor of this Journal. His wide acquaintance and his thorough knowledge of the whole field of penology makes Mr. Cass a welcome addition to the Institute.

At the same meeting the Institute's Board voted to prepare plans for a nation-wide study of the prosecutor's office and its administration. Mr. Earl De Long will begin the direction of this study on September 1, 1932. Mr. De Long has had considerable experience in the field of government administration and the Institute is pleased to secure his services. Progress in the study will be reported from time to time in this section.

Crime Detection Laboratory News—At the meeting of the Board of Directors of the Scientific Crime Detection Laboratory held April 25, 1932, it was voted unanimously to transfer the Laboratory to Northwestern University. Heretofore, the Laboratory was organized as a separate corporation although affiliated with the University. Now it is an integral part of the University. The activities of the Laboratory will be in no way reduced but should be broadened. Colonel Calvin Goddard and Mr. Leonarde Keeler are expecting to be able to devote much more time to research and publication in their respective fields—identification of firearms and detection of deception—by being relieved from administrative detail. The University thus becomes the first in this country to maintain such a laboratory.

National Probation Association—The National Probation Association has just celebrated its twenty-fifth birthday. The Journal of Criminal Law and Criminology has been vitally interested in the work of this splendid organization and takes this opportunity to extend its congratulations to the National Probation Association. Founded at Minneapolis in June, 1907, by fourteen members it remained for several years
a loose confederation of individual members who met once a year at an annual conference to discuss problems of probation. In 1921 it established headquarters in New York City and secured Charles L. Chute as General Secretary, which position he still holds. The program set by the pioneers who launched the Association has been largely carried out. The Association has formulated standards, published a directory, created a clearing house of probation information, secured better legislation, promoted field service and carried on research projects—twenty-five years of service and a record of achievement.

Crime in Philadelphia—Mr. T. A. Meryweather, Special Agent of the Philadelphia Criminal Justice Association, has sent to us the Second Annual Report entitled "Crime in Philadelphia, 1931." A few interesting figures are set out below:

"Major crimes reported to police in 1931 showed a decrease in total of almost 8 per cent under 1930, and the value of property reported lost through burglary, robbery and larceny was less by one-fifth.

"There was a commendable decrease in the number of cases dismissed by the Magistrates and the Coroner during the year. Police and courts again succeeded in reducing the elapsed time between the arrest of alleged offenders against law and their final dispositions after trial.

"These are the bright spots. But the report also has its darker aspects.

"A challenging fact is that burglaries, larcenies over $50, robberies and similar crimes evidently committed for material gain, made up three-fourths of all the major crimes reported, and in 1931 only about 35 out of every 100 crimes of this sort were followed by arrests.

"In 1930 police activity led to the recovery of 21 per cent of the value of goods reported stolen. In 1931 such recoveries amounted only to 15 per cent. These two figures compare, in turn, with a recovery of almost 45 per cent in 1927—and an average recovery of 24 per cent over the five years considered. These five years directly cost Philadelphians approximately $4,200,000 in stolen goods.

"Our investigations indicate a growing tendency among youth to engage in crime—the middle-aged criminal is fast disappearing from the police docket and being replaced by offenders who are little more than boys. The average age of the 1931 'hold-up' man in Philadelphia was 21."

Landesco Address—At the May meeting of the Chicago Academy of Criminology the speaker was John Landesco, formerly research director of the American Institute of Criminal Law and Criminology. His address was entitled, "Studies in Organized Crime." Mr. Landesco has just completed two studies in the field of organized crime: one on "Eddie Jackson, the Immune"; and the other a study of "The Forty-Two Gang." These are in press and will be available to the public at an early date.

Moreno Appointment—In a letter to the Journal of Criminal Law and Criminology, Mr. George Gordon Battle, President of the National Committee on Prisons and Prison Labor, announced that the Board of Directors at the meeting of April
4, 1932, appointed Dr. Jacob L. Moreno Consultant in Psychiatry and Criminology.

The National Committee has issued a preliminary report on a plan to develop a prison into a socialized community. The report has been prepared by Dr. Moreno in collaboration with E. Stagg Whitin, chairman of the executive council.

The objective of the plan, the report says, "is to suggest how it would be possible to transform the promiscuous, unorganized prison system into a socialized community through a method of assignment of prisoners to social groups," and "thereby continuing within prison walls the process of social organization which from the earliest beginnings of primitive society, even though in varied forms, has done more to keep men from harming their fellow-men than all penal laws, punishments and charity combined."

The classification of prisoners today, according to the introduction, does not consider the inter-relationship of prisoners, the crucial point in any attempt to transform the prison into a socialized community.


Miscellaneous—Warden Lewis E. Lawes of Sing Sing Prison has announced that the state spends 23-2/5 cents daily for food for each of the 2,475 inmates. The problem of proper food for prisoners is one of the most important faced by the heads of penal institutions, and in almost every case where serious riots and disorders have occurred they have been preceded by dissatisfaction with the food. Men in
prison, the authorities have found, are inclined to give more thought to their stomachs than free men.

Crimes of murder, manslaughter by negligence, robbery, aggravated assault, larceny and auto theft all increased during the first quarter of 1932 in comparison with the last quarter of 1931, according to statistics made public May 4 by the Department of Justice. Burglary and rape were the only two classes of crime for which a decrease was recorded in about three-quarters of the country's urban centers during January, February and March, 1932, as against October, November and December, 1931, according to the statistics.

A. C. Lindholm, Chairman of the Board of Parole, State of Minnesota, discussed the methods applied in Minnesota in suspending sentences of convicts in the U. S. Daily, April 6, 1932.

It is said that Massachusetts has not built an additional prison cell for over twenty-five years, in spite of increased population and new penal statutes. Five persons are on probation for every one in prison, and Massachusetts has one of the lowest crime rates in the country.

Dr. Joseph W. Moore, Chairman of the Board of Parole of the State of New York says: "There is a large group of persons interested in criminology who believe in an entirely indeterminate sentence, the length of time in prison being decided by the Parole Board or some similar body after a thorough individual study of the prisoner, his antecedents, his environment and the crime itself. Perhaps several years will elapse before such a radical change in the treatment of the criminal becomes an accomplished fact, but there is little doubt that it will be adopted eventually.

Against all moves of this kind is a reactionary group, who favor excessively long sentences and would abolish parole entirely. To these it must appear that the criminal procedure of a century ago left nothing to be desired. I feel certain that such myopic vision would be cured by a personal experience with prisoners. The more one comes in contact with these unfortunates, the more one sees the futility of uniform treatment and the need of individual consideration."

Dr. Frederic J. Farnell, Chairman of the Public Welfare Commission, State of Rhode Island, says: "No state-use law can be effective without a clause forbidding public institutions, departments, and agencies to purchase from another source any articles manufactured in the prisons, unless the prison industries are unable to fill orders. The New York law on this point has been evaded notoriously; Massachusetts, on the other hand, owes much of its relative success to vigilant application of the compulsory purchase paragraph of the law. (U. S. Daily, May 11.)

Statistics on juvenile crime and delinquency in the United States are so inadequate and inaccessible that for the Nation as a whole there is no certainty of its extent or cost or whether it is increasing or decreasing, the report on "The Delinquent Child," issued May 13 by the White House Conference on Child Health and Protection, points out. It is roughly estimated that 200,000 children of juvenile court age appear annually in a juvenile court, but the data does not cover all cities, nor all types of courts.

The State of New York is putting itself on record in requiring a better training and "a greater efficiency on the part of its probation officers."
In a recent report by counsel for the Legislative Committee which is investigating conditions in New York City the statement was made that on account of the inefficiency of the service in the magistrate's courts a large proportion of the public money was wasted and "will continue to be wasted until the present staff, or a large proportion of it, is replaced by capable, well-trained probation officers," and it was therefore recommended that a central probation bureau should be created and that the Chief Probation Officer and its executive assistants should be appointed by the Appellate Divisions of the Supreme Court from the civil service list and should be responsible to the Chief Magistrate.

As the result of a recent report of the Commission to Investigate Prison Administration and Construction of the State of New York a new position in the State Department of Correction has been created to be known as "Director of Personnel." This officer is to have charge of guard school courses, train the personnel in military tactics so as to secure mental alertness and fitness, see that they are properly uniformed and neat on all occasions, and, in general, keep up the esprit de corps of the guards and officers throughout the institutions.

The New York County Criminal Courts Bar Association has appointed a committee to investigate conditions with respect to involuntary confessions in criminal cases. Howard A. Spellman, President of the Association, said, "Our first step will be to determine the facts. We will not be stampeded into any action by hysteria. If, however, the presentation of evidence demonstrates that the third degree methods are being used, the Association will fight to a finish for the abolition of tyranny of this type." In a recent report the Brooklyn Bar Association also vigorously condemned the practice of the third degree methods. In this connection, Major Lynn G. Adams, Superintendent of the State Police of Pennsylvania, admitted that the practice largely prevailed but was of the opinion that complaints were often made without just cause. He advocated the presence in every district of a certain number of trained men who could interrogate witnesses in every case where complaint was made. Others have proposed, and perhaps more wisely, that the prisoner when first arrested shall be brought immediately before the judge and that the judge shall supervise his interrogation.

The New York Legislature has recently provided that prisoners either under a definite or an indeterminate sentence may obtain a good-time allowance of 7½ days a month. It was stated by the Legislative Commission which advocated the change "that the absence of a reasonable opportunity to earn a reward for good behavior and the satisfactory performance of work is a serious psychological error. Prisoners, after all, are human beings and react best under a system which includes some form of incentive." This action will be of interest to states such as Illinois, where the statutes which originally provided for a good-time allowance have been repealed and though the Board of Parole has recognized them to some extent it has been coming to doubt the wisdom of the practice. The recent session of the New York Legislature refused to pass a bill which substituted life imprisonment for capital punishment in the case of murder. It provided, however,
The Hawes-Cooper Act — The recently enacted Federal Hawes-Cooper Act aims at the restriction of inter-state commerce in prison-made goods. The following is the record (to May 1, 1932) of the various state legislatures respecting legislation for conformity to the Federal law:

Alabama: An enabling act for the Hawes-Cooper Act was introduced in the House but failed in Committee.

Arizona: No legislation to conform with the requirements of the Hawes-Cooper Act.

Arkansas: No legislation

California: No legislation passed to conform with the requirements of the Hawes-Cooper Act. Considerable newspaper publicity at present opposing use of prison labor on highways. Bills were presented to the legislature restricting the use of prison labor on highways, but these bills did not pass.

Connecticut: The legislature has not passed any bills to conform with the Hawes-Cooper Act.

Delaware: No legislative action to conform with the Hawes-Cooper Act. In 1931 a bill was passed prohibiting the employment of prisoners at refinishing and repairing automobiles.

District of Columbia: No legislation.

Florida: No legislation introduced or passed to conform with Hawes-Cooper Act.

Georgia: No legislation was attempted to conform with the requirements of the Hawes-Cooper Act or further to restrict prison labor.

Idaho: No legislation was attempted to conform with the requirements of the Hawes-Cooper Act or further to restrict prison labor.

Illinois: In 1931 passed legislation restoring the State Use system, to be effective July 1st, of that year. The same bill contains a provision, becoming operative January 19th, 1934, to conform with the Hawes-Cooper Act.

Indiana: No legislation passed pertaining to requirements of Hawes-Cooper Act. In 1931 two bills were introduced, but were defeated by a close vote.

Iowa: No legislation introduced or passed to conform with Hawes-Cooper Act.

Kansas: No legislation introduced or passed to conform with Hawes-Cooper Act. Successful opposition to the use of brick manufactured at the State Penitentiary in the construction of governmental hospital at Fort Leavenworth and the Soldiers' Home.

Louisiana: No legislation to conform with the requirements of the Hawes-Cooper Act.

Maine: Legislation passed to conform with Hawes-Cooper Act.

Maryland: A bill was introduced to conform with the Hawes-Cooper Act, but failed of passage. It is likely that the proponents of this bill will push for its passage at the next session. A bill was introduced to prevent the use of prison labor on construction work at the new State Penal Farm, but this also met with defeat.

Massachusetts: A number of bills have been introduced since the enactment of the Hawes-Cooper bill relating to the further control and restriction of prison labor. At the time of this writing a number of bills are under consideration and
it is likely that legislation will be adopted conforming with the provisions of the Hawes-Cooper Act. There has been considerable opposition to the use of inmate labor in the construction of the buildings at the Norfolk Penal Colony.

Michigan: No bill has been introduced to conform with the requirements of the Hawes-Cooper Act.

Minnesota: No legislation has been introduced. Legislation intended to permit the manufacture of auto tags and road signs was defeated during the last two sessions.

Mississippi: No legislation has been introduced.

Missouri: No legislation passed.

Montana: No law has been passed. "Nearly every proposal presented whereby inmate labor would be used in manufacturing has met with defeat. Prison labor now confined mainly to State use."

Nebraska: No legislation has been passed.

New Jersey: Legislation passed to conform with the provisions of the Hawes-Cooper Act. Highway commissioners, not the legislature, have discontinued the use of prisoners in road buildings. This is likely to be a temporary restriction.

New Mexico: No legislation.

North Carolina: No legislation.

North Dakota: No legislation.

Ohio: No legislation.

New Hampshire: No legislation.

A Prison Industry Commission created by the legislature and given an appropriation of $200,000 to meet any emergency which might arise prior to January 1st, 1934.

New York: In 1930 legislation was passed prohibiting the shipment into the state for sale on the open market, or for sale to or exchange with any institution of the state, or any of its political subdivisions, of goods, wares or merchandise, manufactured or mined by convicts or prisoners of other states. This does not apply to prisoners on parole or probation. Since the above enactment attempts have been made to further restrict the use of prison labor or to prevent its expansion. More recently an attempt has been made to prohibit the use of prison labor in the construction of highways.

Oklahoma: No legislation has been enacted.

Oregon: No legislation has been enacted.

Pennsylvania: Legislation has been enacted.

Rhode Island: The legislature is considering an act to permit the State Use system of industries. However, the act in its present form does not prevent the manufacture of goods for private sale.

South Carolina: No legislation.

South Dakota: No bill has been introduced.

Tennessee: No bill has been introduced.

Texas: No legislation.

Utah: No legislation introduced.

Vermont: No legislation introduced.

Virginia: No legislation introduced. One or two bills of minor consequence affecting prison labor were introduced but met with defeat.

Washington: No legislation introduced.

West Virginia: No legislation introduced.

Wisconsin: An attempt was made to enact legislation to conform with the Hawes-Cooper Act and to further restrict prison labor, but met with defeat.

Wyoming: No legislation introduced.

E. R. C.