

1917

Notes and Abstracts

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NOTES AND ABSTRACTS

ANTHROPOLOGY—PSYCHOLOGY—LEGAL MEDICINE

Report of the New York Psychiatric Society Re Clinical Psychologists.

At a meeting of the New York Psychiatric Society, held December 6, 1916, a committee was appointed to inquire into the activities of psychologists and more particularly of those who have termed themselves "clinical psychologists" in relation to the diagnosis and treatment of abnormal conditions. This committee desires to make the following report:

"We have been greatly impressed by the earnestness and success with which psychologists are endeavoring to make their science serviceable in dealing with the practical affairs of every-day life. We wish to record our belief in the wide usefulness of the application of psychological knowledge and of the findings of certain psychological tests in such fields as the modification of educational methods with reference to individual differences, the vocational problems presented in various special industrial operations, the development of scientific methods in advertising, salesmanship and other means of business appeal and in the investigation of such special problems as the relation of environmental factors to the quality and quantity of the output of the individual. We feel that the results to be attained in these fields justify the belief that the widening of the scope and application of psychological knowledge will make psychology one of the most useful of the social sciences instead of a narrow field for study and research with but little actual contact with the practical problems of life.

"We have observed with much distrust, however, the growing tendency of some psychologists, most often, unfortunately, those with the least amount of scientific training, to deal with the problem of diagnosis, social management and institutional disposal of persons suffering from abnormal mental conditions. We recognize the great value of mental tests in determining many questions which arise in dealing with such patients, but we have observed that most of such work which is being done by psychologists and particularly by persons whose training in psychology is confined entirely to learning how to apply a few sets of these tests, is carried on in schools, courts, correctional institutions and so-called 'psychological clinics,' quite independently of medically trained workers who are competent to deal with questions involving the whole mental and physical life of the individual.

"We believe that the scientific value of work done under such conditions is much less than when carried on in close co-operation with that of physicians and that serious disadvantages to patients suffering from mental disorders and to the community are likely to result and, in many instances which have come to our attention, have resulted. This is especially true when the mental condition of the patients examined involves questions of diagnosis, loss of liberty or educational issues more serious than redistribution of pupils or rearrangement of courses of study. In spite of these facts two states have enacted laws permitting judges to commit mentally defective persons to institutions upon the so-called expert testimony of 'clinical psychologists' regarding the abnormal mental conditions from which patients are alleged to suffer. We believe that the examination upon which a sick person is involuntarily committed to permanent institutional custody is one of the most serious responsibilities assumed by physicians and that in no cases whatever should it be entrusted to persons without training enabling them to take into consideration all the medical factors

involved. The same is true of mental examinations of juvenile delinquents, and criminals whose whole careers depend, in many cases, upon the determination of their condition.

"We desire to make the following specific recommendations:

"1. We recommend that the New York Psychiatric Society affirm the general principle that the sick, whether in mind or body, should be cared for only by those with medical training who are authorized by the state to assume the responsibility of diagnosis and treatment.

"2. We recommend that the Society express its disapproval and urge upon thoughtful psychologists and the medical profession in general an expression of disapproval of the application of psychology to responsible clinical work except when made by or under the direct supervision of physicians qualified to deal with abnormal mental conditions.

"3. We recommend that the Society disapprove of psychologists (or of those who claim to be psychologists as a result of their ability to apply any set of psychological tests) undertaking to pass judgment upon the mental condition of sick, defective or otherwise abnormal persons when such findings involve questions of diagnosis, or affect the future care and career of such persons.

"CHARLES L. DANA, Chairman,
"ADOLF MEYER,
"THOMAS W. SALMON."

Logical Analysis of Subscribed Signatures.—Every signature, which is subscribed, must be either of the true name, or not of the true name of the writer.

If the signature is of the true name of the writer it must have been written either with, or not with the intent to thereby identify the writer.

If the signature is of the true name, written with the intent to identify the writer, it will have no conscious or voluntary variation from the usual and customary manner or style of signature, automatically natural to the writer under the conditions under which the signature is written. To make it otherwise would be but to surely defeat the very intent of the signer.

If the signature is that of the true name, but is not written with the intent that it shall identify the writer, it may be written in one of the three following ways: Firstly, if there be simply an absence of any active intent that it shall identify the writer, the signature will be automatically written in the usual and customary style natural under the circumstances under which the writing is made. Secondly, if there be but a moderately active intent that the signature shall not identify the writer, he will seek to modify his conscious habits, which he recognizes as affecting the general pictorial appearances of his signature, in so far as he can control them, and deems it necessary to accomplish his object. Thirdly, if there is a strong, positive intent that the written signature shall not identify the writer, he will, to the best of his ability and understanding, not only endeavor to write the signature so dissimilar to that of his own usual and customary automatic hand, that it shall not only be not taken to be his signature, but will even, from its marked similarity to the usual style of signature of another particular person, be taken to have been written by that person.

If the signature is however not that of the true name of the writer, it

must have been written either without, or with the intent to appear to identify itself with some other particular person than the writer.

If the signature is not that of the true name of the writer and has not been written with the intent to be made to appear to be the true signature of some other particular person, the writer will usually deem it to be quite unnecessary to attempt to conceal his own conscious automatic habits, as he must do when he seeks to disguise his own true name signature. He very naturally deems the altered name will be of itself, a sufficiently good disguise for his self-concealment.

If the signature is not that of the true name of the writer, and has been written with the intent that it shall appear to be the true name signature of some other particular person, then there are involved in this endeavor all the cumulative difficulties, not only of the concealment of all of the conscious and unconscious automatic habits of the true writer, but of the assumption of those of the same classes of habits which exist in the genuine signatures of the person simulated. This is a task well-nigh never quite wholly possible of successful accomplishment when subjected to the careful analytical examination of an experienced expert, who has been provided with the proper amount of standard writings whereby to determine the various writing habits of the purported signer.

A competent expert learns through experience to know what variations of any writer's conscious voluntary, or automatic unconscious habits he may reasonably expect to meet with under any one of the above mentioned possible varying conditions of signature writing. What are the habits exhibited by any writer may be learned only through a careful analytical examination of a number of authentic genuine samples, sufficiently large and varied to furnish examples of them all, and to establish the fact that they are truly habits, as distinct from merely accidental occurrences. Any writing consciously made for the purpose of comparison is of but inferior value, except to refute some claim of the writer. The only standards of full value are such as were not made at all for that special purpose, but were made under as similar conditions as possible as to time, manner and purpose as is presumed to have been that of the questioned writing.

As the proper and legitimate purpose of a signature subscribed to a document is to authenticate it, and to identify the writer, it is not to be expected that any one other than a person signing his own true name will willfully venture to materially alter the usual and customary general pictorial appearance of that signature, for that one alone would be competent to successfully establish the fact that the signature was indeed genuine. For any one else to thus willfully raise the doubt would be but to surely defeat the very purpose of making the signature.

A well grounded valid opinion of the genuineness of any questioned signature may be based upon the following axioms. Every one who has practiced writing long enough to do so automatically, having the mind intent upon the subject matter, and not at all upon the writing itself, has inevitably acquired certain writing habits. Many of these will be common to other writers. A few will be uncommon, and perchance some special habit may even be peculiar to the individual alone. Many of the habits being voluntary and conscious ones, are subject to more or less immediate control of the will. There will how-

ever, be many other habits, which do not materially affect the general pictorial appearance of the writing, and are quite involuntary and unconscious. They cannot therefore be modified immediately at will. They can be changed only gradually, through the formation of new habits which displace the former ones.

No two samples of genuine free-hand writing are ever exactly facsimile of each other in all respects. They may appear as much alike on casual inspection, as any two peas grown in the same pod, but, like the peas, they can always be differentiated from each other on careful examination. The relative value of points of similarity or dissimilarity differ very greatly. All writing in order to be readable, must conform in many respects to the commonly accepted conventional type.

If in a questioned writing there is a persistent reappearance of very many of the habits of the standards, especially if they are of the involuntary automatic variety, which do not materially affect the general pictorial appearance, or is a singular habit of this standard, if such there be, and if also these are supplemented by a like persistent absence of other habits, very common to writers in general, or which are incongruous with those of the standards, then the culminative evidence of such a series of coincidences will fully warrant the opinion that they, taken together, cannot be due to any accidental chance, but, beyond any reasonable doubt, must be due only to the one cause of having had the same origin, that is of having been written by one and the same hand.

DR. BENNETT F. DAVENPORT, *Medico-legal Expert, Boston, Mass.*

Study of Delinquent Boys Released from Institutions.—The Seattle Juvenile Court Report for the year 1916 contains a study of the after-career of 408 delinquent boys who were committed from the King County Juvenile Court to the Boys' Parental School and the State Training School during the five-year period 1911-1915. The study was made under the direction of Professor Walter G. Beach, Professor of Sociology at the University of Washington. The following table and paragraphs are quoted from the report:

"Passing immediately to the statistical facts we find that 408 boys were committed by the King County Juvenile Court during the five-year period from January 1, 1911, to December 31, 1915, to correctional schools, as follows: Three hundred forty-six, or 84.8 per cent, were sent to the Parental School and sixty-two, or 15.2 per cent, to the State Training School.

"The present whereabouts and occupations of these boys will be noted first without reference to the segregation by institutions.

144, or 35.3%, are now at work.

56, or 13.7%, are now attending public school.

67, or 16.5%, are known to have moved to other towns, states or counties.

64, or 15.7%, have escaped from schools, or disappeared following parole, and there is no official knowledge of their whereabouts.

19, or 4.7%, are known to be at liberty and in frequent trouble.

11, or 2.7%, are free and simply loafing.

4, or 0.9%, are in the army or navy.

4, or 0.9%, are dead.

- 24, or 05.9%, are now in the Parental School.
- 6, or 01.5%, are now in the State Reformatory.
- 9, or 02.2%, are now in the State Institution for Feeble-Minded."

* * * * *

"A great and obvious need of these institutions is a far more complete and definite parole system. For the boys who have left an earlier for a later house of correction, and for the large number who have disappeared, much of their trouble, statistics from another study show, could have been prevented had the boys been properly paroled; that is, had they been placed in carefully searched out private homes. But for this great need there is practically no provision made.

"The Parental School should, perhaps, not serve in the capacity of a placing agency, since it has jurisdiction only during the school age, and passing that age its wards may, if desirable, be remanded to the court for further disposition. The State Training School, on the other hand, has jurisdiction until the child is twenty-one years of age. For the entire number of boys at the State Training School (140-200) only one parole officer is provided, and to his ordinary duties he has to add that of bringing in to the school all the boys committed to it by the different county courts. On the face of it his work becomes impossible. Even for the State Reformatory, with its 300 to 400 men, only one field officer is maintained in the parole department.

"Surely the state sins when it turns a homeless and jobless boy out of an institution with no place to go often but to a broken home, and nothing to do often but to loaf. A safe conclusion is that the problem of juvenile delinquency will never be solved but by means of an institution. Protective social agencies must extend themselves into the field, and must give help to the boy before delinquency ever comes, or after delinquency has received correction. That the institutions of this country and of this state seem eager and willing to do. That service they should be empowered by the state to render."

ALAN A. PHILLIPS, *Seattle*.

A Study of the After-Career of 408 Delinquent Boys Who Were Committed from the King County (Washington) Juvenile Court to the Boys' Parental School and the State Training School During the Five-Year Period 1911-1915.—Under the direction of Prof. Walter G. Beach, Professor of Sociology at the University of Washington, and at the request of Dr. Lilburn Merrill, of the juvenile court, a study was carried on over several months of last year, of all delinquent boys committed from the King County Juvenile Court to the Seattle Parental School and the State Training School through the five-year period of time opening January 1, 1911, and closing December 31, 1915.

The records of the boys in every instance have been followed up from the time they first came into court, through their commitment and subsequent parole or release, if either of those events had yet transpired to the end of the year 1916. This work has been accomplished through consultation of the records of the Juvenile Court, School Attendance Department, Parental School, State Training School and State Reformatory, all of which institutions were visited by the writer and the officials interviewed regarding their knowledge of the individual boys.

Passing immediately to the statistical facts we find that 408 boys were com-

mitted by the King County Juvenile Court during the five-year period from January 1, 1911, to December 31, 1915, to correctional schools, as follows: Three hundred forty-six, or 84.8 per cent., were sent to the Parental School and sixty-two, or 15.2 per cent., to the State Training School.

The present whereabouts and occupations of these boys will be noted first without reference to the segregation by institutions.

144, or 35.3%, are now at work.

56, or 13.7%, are now attending public school.

67, or 16.5%, are known to have moved to other towns, states or counties.

64, or 15.7%, have escaped from schools, or disappeared following parole, and there is no official knowledge of their whereabouts.

19, or 04.7%, are known to be at liberty and in frequent trouble.

11, or 02.7%, are free and simply loafing.

4, or 00.9%, are in the army or navy.

4, or 00.9%, are dead.

→ 24, or 05.9%, are now in the Parental School.

6, or 01.5%, are now in the State Reformatory.

9, or 02.2%, are now in the State Institution for Feeble-Minded.

Of the boys at work it was found that they were engaged in everything from making a precarious living by selling papers to clerking, serving on the messenger force, working on a farm, or at other like unskilled occupations.

Those lads committed to the State Institution for Feeble-Minded were pronounced types of defectives. Several morons of varying degree of intelligence who should have been at an institution for feeble-minded were found both at the Parental School and the State Training School. The boys at liberty and reported to be in trouble simply were as yet within the law in their difficulties, with the exception of two who had been jailed in other states.

The boys indicated as loafing were known to have no jobs, although the reason for their being out of work may have been through no fault of theirs. Of the four boys dead, three had been killed in accidents; and among the sixty-four noted as "disappeared" were included runaways both from institutions and homes or lads who, as so often happens in a city, had simply dropped out of sight.

Of the 346 boys committed to the Parental School, excepting the twenty-four still at that institution, but twenty-nine were ever known subsequently to have been in like schools of correction. These twenty-nine were placed as follows: One at the Tacoma Parental School, four at Washington State Reformatory, twenty-two at Washington State Training School, and two in correctional institutions in other states. That is, a total of only twenty-nine boys, or but 8.3 per cent., of the boys sent to the Parental School are known to have matriculated subsequently in the State Training School or similar institutions. It should be said, however, in justice to a goodly number of the boys committed to the Parental School that they never have been delinquents, but are merely dependents. The normal expectation would be that such boys should lead useful, balanced lives, after their release from any protective institution. That expectation, consultation of the table of percentages will show, is definitely realized.

Of the whole number committed to the school within the 1911-1915 period, only 8.3 per cent. have ever been recommitted to other state and reformatory institutions. If we were to add to this number the 4.7 per cent. at liberty, but known to be in frequent trouble, we would have the low percentage of 13.0

per cent. of boys who can directly be said, within the five-year period, to have proved themselves unsatisfactory in their citizenship following their release.

Of the sixty-two sent to the State Training School, six later were committed to the Washington State Reformatory, and one was in an Oregon jail. That is, about 11 per cent. of the State Training School graduates are known to have served or to be serving terms in a prison. Of the six who had been sent to the State Reformatory, three are paroled, of whom two are doing well and one has violated his parole and disappeared; the other three are still in the Reformatory.

These figures do not include seven boys from the Parental School and two from the State Training School who have been sent to the State Institution for Feeble-Minded for custodial care on account of imbecile or feeble minds. Unhappily, not nearly all the defectives are committed in an institution for feeble-minded. This statement is proved by the records of the State Training School and Parental School. They show three defectives now at the State Training School, five at the Parental School, twenty-one released from these institutions either through coming of age, on parole, or as runaways, and one jailed in another state. Of the twenty-one released a few are at work, three are in school, and the others are largely included among the loafers or the boys disappeared, in the above-named groups. The reason for this is the lack of room in the Institution for Feeble-Minded at Medical Lake.

A great and obvious need of these institutions is a far more complete and definite parole system. For the boys who have left an earlier for a later house of correction, and for the large number who have disappeared, much of their trouble, statistics from another study show, could have been prevented had the boys been properly paroled; that is, had they been placed in carefully searched out private homes. But for this great need there is practically no provision made.

The Parental School should, perhaps, not serve in the capacity of a placing agency, since it has jurisdiction only during school age, and passing that age its wards may, if desirable, be remanded to the court for further disposition. The State Training School, on the other hand, has jurisdiction until the child is twenty-one years of age. For the entire number of boys at the State Training School (140-200) only one parole officer is provided, and to his ordinary duties he has to add that of bringing into the school all the boys committed to it by the different county courts. On the face of it his work becomes impossible. Even for the State Reformatory, with its 300 to 400 men, only one field officer is maintained in the parole department.

Surely that state sins when it turns a homeless and jobless boy out of an institution with no place to go, often, but to a broken home, and nothing to do, often, but to loaf. A safe conclusion is that the problem of juvenile delinquency will never be solved only through and by the means of an institution. Protective social agencies must extend themselves into the field, and must give help to the boy before delinquency ever comes, or after delinquency has received correction. That the institutions of this country and of this state seem eager and willing to do. That service they should be empowered by the state to render.—Alan A. Phillips in the Report of the Seattle Juvenile Court for the year 1916.

COURTS—LAWS.

Developing Standards in the Work of Domestic Relations Courts.—At the call of a committee appointed at the last annual meeting of the National Probation Association in Indianapolis, a group of men and women engaged or especially interested in the work of Domestic Relations Courts met in conference in the United Charities Building, New York City, on February 16th. The object of the meeting was the formulation of standards as to the work of domestic relations courts preparatory to the preparation of a thorough-going report which the committee plans to present at the next annual conference of the association. The meeting was called to order by the chairman of the special committee, Judge Charles W. Hoffman of the Domestic Relations Court of Cincinnati. Other members of the committee who were present were Judge Edward J. Dooley of the Domestic Relations Court of Brooklyn; Mrs. Jane D. Rippin, Chief Probation Officer, Municipal Court, Philadelphia; and Mr. Monroe M. Goldstein, Secretary of the National Desertion Bureau of New York. Among others present were Mr. William H. Baldwin of Washington, D. C., Mr. Arthur W. Towne, Superintendent of the Brooklyn Society for the Prevention of Cruelty to Children; Edwin J. Cooley, Chief Probation Officer of the Magistrates' Courts, Charles L. Chute, Secretary of the State Probation Commission, probation officers and representatives of the Domestic Relations Courts of New York City, and also representatives of the Charity Organization Society, Association for improving the Condition of the Poor, and others.

The meeting came to general agreement upon the following principles: The Domestic Relations Court, better termed "The Family Court," in any community should have exclusive jurisdiction of the following cases: Non-support, desertion, all children's cases, including contributory delinquency; adoption and guardianship; bastardy; divorce, and alimony. The court should have ample provision for probation officers, a maximum of fifty cases for each officer should not be exceeded. It was the general consensus of opinion that special investigating officers should be provided. Every court should be equipped with psychopathic-psychological laboratories for proper diagnosis. Power to make mental and physical examinations should be given to the court. Informal or summary procedure should be the rule. Proceedings in these courts should be conducted in as private a manner as possible. All publicity should be discouraged.

After the general conference, the committee met in executive session and made plans for the drafting of its joint report, which was presented at the Annual Conference of the National Probation Association to be held in Pittsburgh, June 5 and 6, 1917.

CHARLES L. CHUTE, *Sec'y National Probation Association,*
Albany, N. Y.

The Need For a Public Defender.—In an article written by Judge Nott, of the Court of General Sessions, published recently, the learned judge sets forth certain arguments in opposition to the Public Defender idea, and favoring the plan of the "Voluntary Defenders' Committee," about to be undertaken by private citizens. (See page 278 below.)

Judge Nott's opposition is based on the following grounds:

1. That it would be "illogical" to establish the office of Public Defender, because the State would be in a position of asserting its belief in the defendant's guilt and also asserting its belief as to the defendant's innocence.

2. That a "new great political office" would be created, and that "certain grave dangers might occur" through the clashing ambitions of a political District Attorney and political Public Defender belonging to opposite political parties, as well as by a combination between them, if members of the same party.

3. That the District Attorney would then endeavor to "secure the largest number of convictions possible against the Public Defender, while the Public Defender would endeavor at all costs to reduce the number of convictions secured against his office and to show the largest number of acquittals possible."

Not one of these objections is sound in theory, nor based upon experience gained from the operation of the Public Defender's office in various American communities.

It is as much the function of the state to shield the innocent as to convict the guilty. The "presumption of innocence" requires the state to defend as well as to prosecute accused persons. A trial should be an impartial judicial inquiry. The accused and the accuser should have the same opportunity and resources to present their respective contentions. The greatest triumph of the judicial system would be to secure equal justice to all persons. What we are accustomed to regard in the present day as "crimes" or "public wrongs" and bear the stamp of public prosecution, are often in reality but "private wrongs" seeking a remedy through public sources.

The office of public defender should not be a "political office" any more than that of the district attorney. The fact that the latter office may have been used for political purposes, is unfortunate. The advocates of the public defender plan do not urge the establishment of another great "political" office. They do urge an efficient and economical administration of justice through the medium of an office, intended primarily for the securing of an actual "equality before the law" to all classes of accused persons.

It is difficult to understand how the establishment of a public defender would make the district attorney more ambitious to "secure convictions." The proper function of a district attorney is not to secure convictions, but to secure convictions of *guilty* persons, after a fair trial. Neither is it the province of a public defender to obtain the acquittal of guilty persons. The whole idea of combat in the trial of a case is fundamentally unsound. The ascertainment of the truth should be the principal consideration. The aim of both officials should be to harmonize their respective functions as much as possible in order to bring about a fair administration of the law, so that no innocent man may suffer or a guilty man escape. This is being actually demonstrated to be sound in Los Angeles and other cities and has the sanction of historical precedent in foreign countries.

Judge Nott's objection, that the public defender would endeavor to secure the largest number of acquittals possible, is somewhat inconsistent with his opinion contained in a letter to the Criminal Courts Committee of the New York County Lawyers' Association, several years ago, in which he said:

"If the public defender's office were well and honestly conducted, I think on the whole its clients would be better defended than indigent defendants

are now, and that a large number of perjured defenses would be eliminated and honest defenses or pleas of 'guilty' substituted, which would not only be conducive to good public morals, but would save much time and labor in the Courts, and would reduce the calendar."

While the "Voluntary Defenders' Committee" will doubtless minimize certain abuses with respect to assigned counsel, and may be regarded as a forward step, it will not solve the real problem. Accused persons, presumed to be innocent, are entitled to be properly defended. Philanthropy—though well-intentioned—is not a substitute for a fundamental right.

The state should shield those who need its protection. That duty should not devolve upon private citizens or be dependent upon voluntary subscriptions. Justice, not charity, is the urgent need.

MAYER C. GOLDMAN, *New York City.*

To Establish a State Bureau of Identification in California—(Assembly Bill No. 143). *An act creating a state bureau of criminal identification and investigation, providing for its organization and defining its powers and duties and making an appropriation to carry out the [provisions hereof, and repealing an act entitled "An act to create a state bureau of criminal identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office," approved March 20, 1905.]*

The people of the State of California do enact as follows:

[SECTION 1. There is hereby created a state bureau of criminal identification and investigation.

SEC. 2. Within ten days after this act goes into effect, it will be the duty of the governor to appoint a board of managers of said bureau, consisting of three members; one of whom shall be a chief of police of an incorporated city within the State of California, and one to be a duly elected, qualified and acting sheriff of a county within said state, and one to be a duly elected, qualified and acting district attorney of a county within said state; one member of said board shall be appointed to hold office for the term of two years, one member shall be appointed to hold office for the term of three years, and one member to be appointed to hold office for the term of four years, and thereafter, all appointments shall be for the full term of four years; *provided, however*, that should the term of any such member of the said board expire as such chief of police, or such sheriff, or such district attorney, he shall cease to be a member of the said board; *and provided, further*, that the governor shall fill all vacancies created in said board by the appointment of the same kind of an officer as was his predecessor.

SEC. 3. It shall be the duty of said board of managers within ten days after its appointment to take absolute control and management of said bureau, to meet and organize by choosing one of their number to be president, to make and adopt such rules as are necessary for proper conduct of their business as such board of managers, to provide for the appointment of a superintendent and such other employees as may be required; said appointments to be made by the said board of managers from an eligible list provided for such purpose

by the civil service commission; also to provide equipment for said bureau, with necessary furniture, fixtures, apparatus, appurtenances, appliances and materials as are necessary for the collection, filing and preservation of all criminal records both as to identification and investigation of criminals and stolen, lost, found, pledged or pawned property.

SEC. 4. It shall be the duty of said board of managers to procure and file for record and report in their office, as far as such can be procured, all plates, photos, outline pictures, descriptions, information and measurements of all persons who have been or shall hereafter be convicted of felony, or imprisoned for violating any of the military, naval, or criminal laws of the United States of America, and of all well-known and habitual criminals from wherever procurable.

SEC. 5. It shall be the duty of said board of managers to file or cause to be filed all plates, photographs, outline pictures, measurements, information and description which shall be received by it by virtue of its office and it shall make a complete and systematic record and index of the same, providing thereby a method of convenience, consultation and comparison. It shall be the duty of said board of managers to furnish, upon application, all information pertaining to the identification of any person, or persons, a plate, photograph, outline picture, description, measurement, or any data of which person there is a record in its office. Such information shall be furnished to the United States officers or officers of other states or territories, or possession of the United States or peace officers of other countries duly authorized to receive the same, and all peace officers of the State of California, which application shall be in writing and accompanied by a certificate signed by the officer making such application, stating that the information applied for is necessary in the interest of the due administration of the laws, and not for the purpose of assisting a private citizen in carrying on his personal interests or in maliciously, or uselessly, harassing, degrading or humiliating any person or persons.

SEC. 6. In this bureau may be used the following systems of identification: the Bertillon, the finger print system and any system of measurement that may be adopted by law in the various penal institutions of the state. It shall be the duty of said board of managers to keep on file in its office a record consisting of duplicates of all measurements, processes, operations, signalletic cards, plates, photographs, outline pictures, measurements and descriptions of all persons confined in penal institutions of this state as far as possible, in accordance with whatever system or systems may be in vogue in this state.

SEC. 7. Suitable offices for the proper conduct of the bureau shall be provided for by the superintendent of capitol buildings and grounds.

SEC. 8. It is hereby made the duty of the sheriffs of the several counties of the State of California, the chiefs of police of incorporated cities therein and marshals of incorporated cities and towns therein to furnish to the said bureau daily copies of finger prints on standardized eight by eight inch cards, and descriptions of all such persons arrested who in the best judgment of such sheriffs, chiefs of police, or city marshals are persons wanted for serious crimes, or are fugitives from justice, of all such persons in whose possession at the time of arrest are found goods or property reasonably believed by such sheriffs, chiefs of police or city marshals to have been stolen by them; or of all such persons in whose possession are found burglar outfits or burglar tools or burg-

lar keys or who have in their possession high power explosives reasonably believed to be used for unlawful purposes or who are in possession of infernal machines, bombs or other contrivances in whole or in part and reasonably believed by said sheriffs, chiefs of police and city marshals to be used for unlawful purposes, or of all persons who carry concealed firearms or other deadly weapons and reasonably believed to be carried for unlawful purposes, or who have in their possession inks, dye, paper or other articles necessary in the making of counterfeit bank notes, or in the alteration of bank notes; or dies, molds or other articles necessary in the making of counterfeit money, and reasonably believed to be used by them for such unlawful purposes. This section is by no means intended to include violators of city or county ordinances or of persons arrested for other trifling offenses. It is further made the duty of the aforesaid sheriffs, chiefs of police or city marshals to furnish said bureau daily reports of lost, stolen, found, pledged or pawned property received into their respective offices.

SEC. 9. In order to assist in the recovery of said property and in the arrest and prosecution of criminals, it is hereby made the duty of the said board of managers of said bureau to keep a complete record of all reports filed with the said bureau, of all personal property stolen, lost, found, pledged, or pawned in any city or county of this state.

SEC. 10. To provide for the installation of a proper system, and file, and cause to be filed therein cards containing an outline of the method of operation employed by criminals in the commission of crime.

SEC. 11. The board of managers of this bureau, shall serve without compensation; *provided, however*, that they shall receive their necessary traveling expenses while attending meetings of said board. The superintendent shall receive a salary of two thousand four hundred dollars per annum; the salaries of the other employees shall be fixed by the board of managers, subject to the approval of the board of control. The superintendent and the other employees shall be paid in the same manner and out of the same fund as the state officers are paid.

SEC. 12. There is hereby appropriated out of any money in the state treasury, not otherwise appropriated, the sum of thirty-six thousand dollars, or so much thereof as may be necessary, to be used by said board of managers in furnishing, equipping and maintaining the said bureau in accordance with the provisions of this act, and for the payment of the salaries herein provided for, for the fiscal year ending June thirtieth, one thousand nine hundred eighteen, and the fiscal year ending June thirtieth, one thousand nine hundred nineteen.

SEC. 13. The state controller is hereby directed to draw warrants in favor of the said board of managers at such times and such amounts as shall be approved by the state board of control, and the state treasurer is hereby directed to pay the same.

SEC. 14. All furniture, equipment and records now on file and in use in the office of the "bureau of criminal identification of the State of California," shall become a part of the furniture, equipment, and records of the "state bureau of criminal identification and investigation," immediately upon the organization of the board of managers as provided for in this act.

SEC. 15. An act entitled, "An act to create a state bureau of criminal

identification, and providing for the appointment of a director of said bureau, defining his duties and qualifications and powers; providing for the appointment of a clerk of said bureau and fixing his qualifications; fixing compensation of said director and clerk, providing for the manner of paying the same and providing for the expense of conducting the office"; approved March 20, 1905, is hereby repealed and all other acts and parts of acts in conflict herewith are hereby repealed.]

The Voluntary Defenders Committee.—To provide counsel for needy defendants in criminal cases in New York.

1. Purpose.—To employ a staff of attorneys and investigators who will offer their services to the criminal courts in cases where the law provides for the assignment of counsel to the defendant; who will undertake the voluntary defense of needy and deserving persons accused of crime; and who will assist others engaged in like efforts.

2. The Field.—In theory the law provides for the defense of every man accused of crime. If, when he comes up to plead to an indictment, he has no lawyer and desires one, the court is required to assign counsel to defend him—without pay, except in cases where the charge is murder in the first degree. If he pleads guilty, a probation officer is delegated to ascertain facts which will assist the court in determining the proper punishment. So far as the statutes are concerned, the poor man and the rich are equal in the eyes of the law.

In practice, the theory does not work out. The law can provide for the assignment of counsel, but can not provide counsel to be assigned. The probation officer may do his best; but he is an investigator, not an advocate. The prisoner, having admitted his guilt, overawed perhaps and disheartened, as often as not foreign born and speaking no English, can seldom adequately present his own cause to an officer of the law. He needs some one to urge it for him. In the daily grind of cases through the criminal courts, it is seldom that the poor man gets a thoroughgoing defense.

3. Why the Courts Find it Hard to Assign Competent Counsel.—Most lawyers in civil practice have neither the experience nor the equipment to handle properly a criminal case. There is required both knowledge of the types of human nature involved and judgment as to what the criminal courts and juries will do; as to whether, for example, it is best to defend, to plead guilty and trust to mercy, or to go to the district attorney, present the defendant's case and ask for his discharge. The essential facts, both as to the crime charged and the life and surroundings of the man accused, have to be dug out with great difficulty;—often from most unpleasant soil. This requires trained investigators who "know the town" and the "underworld." Few lawyers have such assistants at their command; few are willing or able themselves to rummage the unpleasant places for facts and witnesses. Not only because he is very loath to undertake the task, but because he cannot properly cope with it, the civil lawyer is practically exempt from such assignment.

Practitioners at the criminal bar of the type that a court likes to trust are unfortunately few in proportion to the number of cases to be assigned. In 1915, in New York County, counsel were assigned to 1,495 persons charged with felony. The defense of a criminal is a laborious and expensive task. Naturally the courts hesitate to impose too much voluntary service on the few

available men; and naturally they in turn are reluctant to accept more than a few assignments.

The average person has scant idea of the responsibility involved or of the cost, in money, time and toil, of adequately representing a defendant in a criminal proceeding. Often the very soul of a man is at stake. He may, by conscientious and painstaking effort, be saved not only from jail but from himself and for society. He may, because of his lawyer's carelessness or lack of resources, ability, vision or conscience, be turned into a criminal for life.

4. What Actually Happens.—A small group of a dozen or so lawyers make a profession of handling assigned cases. They sit each morning in a conspicuous place in Part I of the Court of General Sessions where assignments are made. Usually it is only some member of this volunteer band who is available to a perplexed judge when he must assign counsel.

For the most part, these lawyers do their work "according to their lights." Occasionally there develops among them a "shyster," who makes use of his assignment to extract cash from relatives or friends of the accused by means of dire tales of what will happen if money is not forthcoming to buy off witnesses, corrupt high personages, or what not. The judges, however, are on the alert to stop such practices and it is doubtful if the darker stories as to the evils of assigned counsel are true except in rare instances.

A real evil, nevertheless, is involved in a system which makes it necessary to assign cases to a man of this type. As a rule he has no facilities to do the work. He has no assistants or investigators, sometimes not even an office. He haunts the criminal courts by day, and at night plods around in the weary task of seeking witnesses. He has no easy time picking up enough pay cases to eke out a living. The temptation to try to get some money for his supposedly gratuitous services out of the defendant or his family or friends is enormous. A stimulus to do good work of course exists in the possibility that the news that he has been able to get a man off may spread and bring him a paying client. In a hard case, however, where the prospects of acquittal are slight, and the defendant is friendless, it is only too easy to shirk the work, to urge the defendant to plead guilty as a bargain for a light sentence or, if he will not, to give him only a perfunctory defense.

The whole situation was once graphically summarized by one of these practitioners in a frank appeal to the jury. "This man," he urged, "has no lawyer. I am only assigned counsel. I get no pay. My only reward is in heaven and how can I ever get there!"

To a man who takes assignments only in the hope that by now and then being able to "beat the case" he may fall into something remunerative, the opportunity for real service to the individual and to the community is not even apparent. To that community which is perforce in the city prison, the daily dreary sight of these men, working for nothing only because they are too unsuccessful to work, except infrequently, for something, is not exactly suggestive of high ideals of justice. No wonder the first offender, looking back upon his offense through such an atmosphere, gets a distorted idea of the administration of the criminal law and sees it only as an enemy to be beaten.

What, most of all, a guilty defendant really needs is the advice of a high-minded lawyer. He may well be saved from a life of crime by clear-sighted counsel or plunged into it by sordid and selfish advice. The number of second offenders is increasing with appalling rapidity. In 1906 in New York County,

out of 2,543 convictions under indictments, 648, or 21%, were second offenders. In 1915 out of 3,728 convicted, 1,328, or 35%, were second offenders. Men who have been imprisoned in and spoken from the Tombs have asserted, and there is much to support their views, that second offenders are bred by criminal practitioners whose chief aim in defending a case is to get the defendant off at any price. Of the 3,728 persons convicted after indictment for felony in 1915, 2,737 were between 15 and 30 years of age; over a thousand being between 15 and 20. Certainly every effort should be made to make it possible in all cases of young persons charged with serious crime to assign counsel who can be counted on to strive for something better than merely to "beat the case," whatever the means employed or whatever the guilt of the defendant.

5. How the Poor Man Is Sentenced.—Fully as unsatisfactory are the available means for ascertaining what should be done when a needy defendant pleads guilty upon arraignment. The court may talk with the complaining witness and the officer and then proceed to sentence. The usual practice is to assign a probation officer to investigate. Theoretically, a probation officer is a custodian under whose care a convict may be paroled. Practically, a large part, if not most of the time of the probation officer in general sessions, is taken up in trying to find facts on the basis of which the judge can impose a proper sentence. This confusion of functions makes a real probation system very difficult to operate. About 50% of persons indicted are foreigners, many of them can speak no English. Upon pleading guilty such a man is confined in jail. In any event, he is most likely uncommunicative and fearful in the presence of a court officer. If he had a lawyer who would take up the cudgels for him it would be different. To get back into his life and surroundings, to discount the tales of his enemies, locate the causes of his downfall—this is no easy task and the probation officer, strive as he may, with the number of cases assigned to him, cannot adequately fulfill it. If a convicted youth comes of a family of means, the most skilled lawyer is hired to present all the facts which may show that to release him might save him from a life of crime. Except for what the probation officer may discover, the poor boy, as a rule, comes unbefriended and with no one to speak for him, to his day of judgment.

6. Previous Attempts to Meet the Need.—Various plans have been tried and failed. A well-organized movement a few years ago resulted in presenting to the criminal court judges a list of fine spirited young lawyers who volunteered to take assignments. Most of them took one or two; and never wanted another and were not urged! Individual judges have made brave efforts to draft well-known lawyers, only to give it up, a little later, discouraged. The Legal Aid Society takes such criminal cases as come to it, but its staff is far too busy with handling over 40,000 civil cases a year to take assignments in the criminal courts. The plan which has emerged from experience as most responsive to the need is not easily adaptable to, and runs counter to some of the necessary principles of that society's other work. There has been some agitation for a public defender, but the idea has found little favor for reasons not necessary to elaborate here. The recommendation of the investigating committees of the Lawyers and Bar Associations is to the effect that the need should be met not by the creation of one public office to contest with another, the one representing the state and the other the individual, but by volunteer effort.

7. The Plan of This Committee.—Simply stated, it is to employ, pay and

direct the efforts of counsel who will volunteer to take assignments to defend the accused and to represent before sentence those who have pleaded guilty. They will serve on a salary basis and receive no other compensation and do no other work. They will be equipped with an office, have the services of at least three trained investigators, one of them a woman, who will be selected in part for their ability to speak several of the foreign languages which are encountered. It is planned to make this staff the active center of a large association of volunteer workers. There are many lawyers, both men and women, who are ready to volunteer for work in the criminal courts under the advice and with the assistance of the committee's staff. Several physicians have offered to give their services when called upon. The governor, the district attorney and the judges have become interested in the plan and welcome its opportunities. There will be, when it is carried out, no further need for assigning incompetent lawyers or professional assignment chasers.

8. The Crucial Question—Competent Attorneys.—The success of the whole plan depends on getting the right men as the salaried attorneys. Highly paid and experienced lawyers are engaged as district attorneys to prosecute. To pit against them young, inexperienced or unsuccessful practitioners would be to defeat the undertaking at the very outset. The voluntary defender should be not only a man of the highest character and of fine insight and sympathy; he should know the whole game and be capable of going into a hard-fought trial against the best of assistant district attorneys. Any effort to go at the matter with inadequate resources and cheap or underpaid counsel would be foredoomed to failure.

9. The Answer.—The committee is fortunate in having met its most difficult problem. William Dean Embree, now assistant district attorney in New York County, has expressed his willingness to act as chief attorney. He has served with eminent success and ever-increasing ability and reputation under District Attorneys Jerome, Whitman, Perkins and Swann. No one better fitted, both in character and ability, to undertake the task could be selected. Associated with Mr. Embree will be Timothy Newell Pfeiffer, who was a deputy assistant district attorney under District Attorneys Whitman and Perkins, and who is now the attorney for the American Social Hygiene Association. Both these men are thoroughly imbued with the spirit of the undertaking and see very clearly the opportunities it offers for effective service to the community.

10. The Dangers and Problems to Be Met.—The Scylla of this enterprise is that it may be utilized by unworthy persons as a means of getting highly competent legal services for nothing. The Charybdis is that in many assigned cases the defendant will be a "crook" who wants no honest defense, but only to be kept out of jail by crooked ways. The course between these two dangers will have to be felt out in detail as the work progresses. It can only be roughly charted now.

The chief source of work will be assignments by the court. At the outset it is not planned to take up cases on the application of the person accused. The committee's services, however, will be offered, so far as possible, to other institutions and volunteer workers who are interested in defendants and will vouch for the worthiness of the case.

Of course, in assigned cases, there will be instances where it will prove that the defendant is well able to employ counsel and is not worthy of volun-

tary assistance. The remedy will be to apply to the court to revoke the assignment. This can easily be done in a way that will not prejudice the defendant.

When a voluntary defender finds that he has a guilty man on his hands, he will not set out to acquit him. He will boldly face the problem of the defendant's future career. The first essential step towards improvement is a confession of guilt. If the defendant refuses the advice, the voluntary defender may ask to be relieved from the assignment. Usually the defendant will himself be prompt to find means to accomplish such a result. If the assignment must perforce continue, then the voluntary defender has it in his power to insist on legal proof of the defendant's guilt and to keep him and his witnesses from committing perjury on the stand. The really difficult case will be where guilt is apparent but stoutly denied, even to counsel. In such event the answer will have to be sought in the good judgment of the salaried counsel and the officers of the committee as applied to the peculiar circumstances of each case as it arises.

11. How the Plan Is Being Financed.—The problems of putting this work on a successful and useful basis should not be complicated by a constant need for funds. Consequently, before starting, the committee aims to provide to meet its budget for three years. An appeal is being made now to relatively few individuals for assurances of support during that period. When the enterprise has become established it is planned to put it on a permanent basis of a broad general appeal; the work being one which ought to be supported ultimately through a wide public interest rather than by the generosity of a few. The committee will at that time probably resolve itself into some form of association with a large sustaining membership.

12. The Committee.—The committee in charge of the plan has among its members several men who have been assistant district attorneys in New York County and many others who, in one way or another, have had some practical experience with the problems involved. Its membership is as follows:

Nathan A. Smyth, Chairman	Raymond B. Fosdick
James Bronson Reynolds, Chairman	Alexander M. Hadden
Executive Board	Mrs. Learned Hand
Richard M. Hurd, Treasurer	Charles E. Hughes, Jr.
Timothy N. Pfeiffer, Secretary	Walter S. Kaufmann
Mrs. Francis McN. Bacon	Sam A. Lewisohn
George Gordon Battle	Philip J. McCook
Mrs. Francis H. Cabot	Robert McC. Marsh
John Kirkland Clark	Stephen H. Philbin
George Brokaw Compton	Eustace Seligman
Robert J. Eidlitz	Arthur Woods
William Dean Embree.	

The Minnesota Legislature and Child Welfare.—Of the forty-three measures recommended by the Child Welfare Commission thirty-five have been passed by the Legislature with but few unimportant changes.

The joint committee of the House and Senate to which was referred this proposed body of law, recommended for passage all but two bills. As numbered in the printed report these bills are numbers 10 and 37. The substance of bill number ten, relating to the making of a single act of sexual intercourse a felony, was covered by another bill which has passed the Senate, but not, as

yet, the House. Bill number 37 relates to a minimum of supervision by the State Department of Education over private and parochial schools in the matter of teaching English and as to records of truancy. This bill was vigorously opposed by many sincere people and it was deemed wise to discuss it more in detail before asking its passage.

There were then 41 bills before the Legislature recommended by the Commission and by the Joint Legislative Committee. For unavoidable reasons these measures were presented later in the session than had been anticipated and it was readily apparent that something must be sacrificed if the fundamental scheme to promote child welfare was to succeed. Consequently, six measures were temporarily withdrawn from the remainder. The bills withdrawn are, as numbered in the printed report, number 5, relating to the regulation of marriage; numbers 12 and 13, relating to the inheritance of illegitimate children; number 33, a revision of the child labor law; number 34, regulating street trades (a bill which was bitterly opposed by the newspapers and because of which the newspapers in the three large cities unitedly refused to give any substantial editorial comment on that or any other proposals of the Commission), and bill number 29, relating to the tenure of office of the board of women visitors which was met by another bill.

What has been gained by the passage of these new laws? The answer can, of course, be given with more accuracy and better grace after they have been tested in operation. But the outlines are clear. There has been created as a bureau of the Board of Control a regularly organized state agency charged with the fulfillment of the state's obligation to all children in need of care and guardianship, with special reference to the illegitimate child. The laws relating to illegitimacy have been revised and the father of a child born out of wedlock is subject to the same degree of responsibility as though the child were legitimate. Supplementary to this it has been made a felony to abscond where issue is born of fornication. Safeguards have been thrown about the adoption and placing out of children, lying-in hospitals must now be properly licensed and subjected to wise regulation. The law relating to abandonment and non-support has been revised and strengthened. The so called mothers' pension law was re-written, its provisions enlarged and standards of administration established in the light of the experience of our own and other states. The juvenile court law has likewise undergone a thorough process of recasting at the hands of persons intimately acquainted with juvenile court problems. The scope of the law, the machinery of its procedure and the spirit of its text have been put on a sound and liberal foundation.

This is but a flashlight upon the statutes enacted, there are many more and there is much more of importance that might be said about them.

In conclusion it should be noted that the State Legislature treated the whole subject with patience and friendly consideration. To Representative Sherman Childs of the House and Senator Oluf Gjerset of the Senate especial credit is due for their efforts in behalf of this legislation. They have rendered invaluable assistance. The people of the state by financial aid, active work and vital interest have made it possible for Minnesota to have as soundly progressive laws relating to children as will be found on the statute books of any state in the Union.—W. W. HOPSON, Executive Secretary of Commission.

Children in Industry and the Street Trades.—In the Juvenile Protective

Association of Chicago, there is a department dealing with occupations of children and young people. Since the last annual report, compiled October 1915, 598 complaints have come to this department. These complaints fall into two groups: first, a comparatively small number of cases which came to our notice of children and young girls employed under prohibited conditions in industry; second, a large number of cases of children found in street trades.

Factory Cases.—The number of industrial complaints is naturally small, such complaints usually going directly to the Factory Inspection Department. Those which come to us are transferred to that department and followed up to insure action. "Billy" Thompson, booker of children in "Walkin' the Dog" contests, was prosecuted at the instigation of the Juvenile Protective Association and fined \$50 and costs. The Factory Inspection Department secured the conviction of Mrs. Wilson, mother of "Babe" Wilson, a Chicago child who has been on the stage in our neighborhood theatres since her sixth year. Owing to our activity in trying to secure evidence on which to base a prosecution, Mrs. Wilson took "Babe" out of school last year and enrolled her in the Junior Follies of 1916 company, which has been traveling the country ever since. Judging by letters which we have on file, the Junior Follies of 1916 company is no place in which to bring up a child. The Juvenile Protective Association has kept on the case and is gratified at the conviction reported above. It is the result—as far as we know—of the first prosecution under that clause of the Child Labor Law which holds parents liable for work done in violation of its rules by their children. A few convictions under this clause would, we believe, go far toward putting a stop to this serious kind of exploitation of children by their parents.

In the Heineman cases, the Factory Department having invited co-operation, the Juvenile Protective Association was able to offer its own attorney for the prosecution. The Heineman cases are the first serious attempt to enforce that clause of the Child Labor Law which forbids the employment of girls under sixteen at any process which compels them to stand constantly. Our Child Labor law is now about fourteen years old. It is time we learned whether vital parts of it, hitherto apparently considered too weak to use, or their use premature, can be legally made to work.

Street Trades.—Since its last annual report, the Juvenile Protective Association has recorded 507 street trades cases. These, again, fall into two groups: a small group of begging children (85), and a large group of children who peddle. Three hundred and seventy-seven of the latter sold newspapers. Probably the begging list would be longer and the peddling list not so long, if peddling were not often made a cloak for begging.

Begging.—Most of our begging children are not money beggars—they are the bag and basket children who invade the wholesale provision markets, and who may be found at night sidling into restaurants and bakeries, looking for damaged fruit, sick chickens, and stale bread. But while there are not many children who beg for money, the success of a few does little credit to the public intelligence. Arthur B— was brought into the Juvenile Protective Association office one Friday afternoon with \$9.83 which he had begged from loop business men. Investigation showed that Arthur had been absent from school 55 half days on Friday on the plea that he "had to get bread for his family." It also showed that the father is a young and able-bodied teamster

and that the grandmother owns two good houses, in one of which the B— family lives.

Peddling vs. Begging.—Next to Arthur B—, Katie K— is the most successful beggar on our records. Her case is one of those illustrating the close connection existing between begging and peddling. One snowy day Katie was found selling gum on Michigan Avenue. She offered each package with the sad tale that her father had been unemployed for five months and that there were five younger children at home. Investigation showed that the father had been injured in a work accident, but that he had returned to work and had received his full wages for the time of his absence—about \$400—three days before Katie stood on the corner peddling gum and her sad story. Several times she has been found peddling articles bought with money previously “asked from kind ladies.” Katie is a child of exceptional intelligence and charm, and it would pay the community to take good care of her. Instead, the public humors her begging adventures. But Mary P—, a pretty girl of twelve who has accompanied Katie on some of these ventures, was found recently in a department store with a suitcase full of stolen goods. It is perhaps a shorter step than we realize from the trickery of habitual begging to stealing.

Newsboys.—As our list of 377 news vendors includes 337 boys and only 40 girls, it will be seen that the problem here is almost entirely that of the newsboy. One hundred and thirty-seven of our 337 newsboy cases were found selling papers at night. Sixty-seven of these were found in the news alleys. Some of the latter “hustled” papers regularly until 1 and 2 A. M. Besides these, we have found little boys “hustling” papers at 8:30 and 9 P. M. who also sell papers every day after school and who sometimes put in 8 or 10 hours selling papers on Saturday. These children, ranging in age from 8 to 13 years, spend more of their time selling papers than they do in school. The present street trades laws permit boys under 14 to sell papers until 8 P. M. Over half the year, in Chicago, it is dark by 6 P. M. By 7 o'clock the streets are deserted. The older newsboys and standmen—like all other workers—have gone home to their evening meal. Only the small boy is left “tending stand,” a forlorn picture of exploited childhood. These small newsboys either get a very late supper at home, or they buy a meal at a lunch counter or get a saloon free lunch. Irregular eating and ill-chosen food are two of the bad conditions incident to the life of the young newsboy which undoubtedly have a deteriorating physical effect on the boy who habitually sells papers.

The boy who eats a late evening meal away from home is so far removed from parental control that his evening occupations and bedtime are left to his own discretion. Besides, the average newsboy has the added temptation of an unknown sum of money in his hands which he may spend for various amusements. Thus the boy who sells papers up to 8 P. M. becomes to a large extent the master of his time, his nourishment, his recreation and his whereabouts. With a child's judgment, he assumes in his own case the responsibilities of an adult. The results of this dangerous degree of freedom are reflected to some extent in the school and delinquency records of these children.

Effect of Selling Papers on School Work.—In 176 cases, the Juvenile Protective Association has inquired into the effect of selling papers on the school records of the children. Placing the benefit of every doubt to the credit of the child's school work, 81 of the 176 records secured were classed as satisfactory. Forty showed clearly that the child was below grade; 48 showed poor attend-

ance, 23 of these being listed as truants. Besides the 40 children found below grade, 37 showed poor scholarship in their grade, and 31 showed bad behavior, 5 of the latter being enrolled in rooms for incorrigibles. Two had been excluded from school as impossible to manage.

Newsboys as Delinquents.—Of our 337 newsboy cases, 15 already had Juvenile Court records for delinquency. Twenty-one more were runaways from home—a form of delinquency. In addition there were the 23 truants, 7 of whom—as runaways—were also delinquent. The other 16 truants, the boy found plating pennies in newsboys alley to pass on to his customers as nickels, and the two boys found “rolling a drunk”—i. e., picking the pockets of a man in a drunken stupor—while likely candidates for the delinquent list, are not included in our count. Without them the proportion of delinquents among the newsboys on our list is 12.7 per cent.

Why Newsboys?—This question is not intended to cover the reason for the sale of papers by minors in all cases, but—in view of the conditions dangerous to child life which the newsboy inevitably encounters—the persistence of widespread violation of the street trades laws enacted to decrease the number and activities of newsboys.

One reason is that the newsboy's occupation, *per se*, is not a serious disturbance of the public peace. Therefore, it does not disturb the police, who are charged with the enforcement of the laws regulating it. But the chief bar to enforcement seems to be the conviction that most of these boys come of very poor families and must be allowed to earn money in any way they can in order to keep themselves and their people from starving. It is essential, therefore, that the Juvenile Protective Association should emphasize the fact that in the great majority of cases there was no urgent need in the families of the boys found selling papers. The economic status of the family was investigated in 203 cases. In only 49 of these was family need justifiably the motive for the child's selling papers, as against 154 cases in which there was no family need. In one of the 49 needy cases the need was only temporary; in another case the need was far better relieved by securing a paying scholarship for the child in a trade school; in two others, the mother was assisted in getting a widow's pension; in three others, the boys might have had day jobs instead of selling papers at night. Five newsboys of needy families brought home only a few pennies a day. Four cases were referred to the Charities.

Most of the children selling papers do so because they have nothing else to do outside of school hours. Parents of many nationalities, who have admitted that they had no need of the money brought in, have insisted that the father's news stand served as a hitching post to which to tether the boy who would otherwise have run wild; while others have said that the responsibility of having a few papers to “hustle” would keep their boy from fighting and other mischief. The great majority of newsboys, even those whose families have no urgent need of their earnings, come from crowded neighborhoods containing many destructive and few constructive influences. This being the case, it seems only just, in connection with a plea for better enforcement of street trades regulations, and for more adequate regulations, to consider what must be done to insure better supervision of the boys' time when they shall be prevented from selling papers.

Constructive Influences.—Strongly suggestive of the solution to the problem of what to do with the newsboy outside of regular school hours, are

the 275 school buildings, which—in spite of social centers conducted in 36 of them during two evenings a week last winter—still stand idle the greater part of the time. Last winter a woman's club kept "open house" in one school building in a congested district from which many street trading children come. These children were kept busy, happy, and developing in a normal way, through the activities carried on in this school between the close of the regular period and the supper hour, at a cost of two and one-third cents per child per day. The opening up of every public school in every congested district of the city is needed in order to give the newsboy a better alternative to working the streets than running the streets idle. Meanwhile, the public is urged to co-operate with the Juvenile Protective Association by reporting cases of apparent violation of the street trades law, in order that repeated demonstration of the needlessness and the harm of street trading for children may finally arouse the police department, the only agency really able to protect the children of the city from these evils.—Elsa Wertheim, in Fifteenth Annual Report of the Juvenile Protective Association of Chicago.

JUVENILE DELINQUENCY

The War and Juvenile Delinquency.—In this JOURNAL of March, 1917, page 925, the following paragraph appeared:

"In comparing the three months ending February 29, 1916, with the corresponding period twelve months earlier, it was found that in London the number of juveniles charged with punishable offenses had increased from 1,304 to 2,005, in Liverpool from 578 to 702 and in Birmingham from 248 to 402. This return applied to children less than 16 years old. And the preceding year, 1915, also was an abnormal year of war, whose figures were above those for 1914.—*London Times*. Nov. 8, 1916."

That a similar situation exists in Canada is shown by the following statement from the Annual Report for 1916 on Dependent and Delinquent Children of the Province of Alberta¹:

"During the year 1916, 520 boys were tried in the Juvenile Courts of this Province for various offenses, some of them apparently trifling and some very serious. Youths frequently commit crimes against persons and property with a deliberation and a coolness hardly excelled by the habitual criminal. Our statistics show an increase of 25 per cent over the preceding year. In this connection it may be noted that the abnormal times in which we live have made more acute the problem of juvenile delinquency. * * * Reports to hand indicate that there have been increases in practically every part of the world. The causes for this may be summed up as follows: First, the decrease in parental control owing to the absence of so many fathers; second, the fact that many of the male teachers for whom the boys had the greatest respect, have joined the forces, and as a consequence little individual attention can be given; third, the spirit of adventure is in the air, children hear from their friends and relatives thrilling accounts of trench warfare and other excitements, and their love for imitation leads them into many offenses."

In the Cook County (Chicago) Juvenile Court there were 196 petitions for delinquent children filed May, 1916, and 303 in May, 1917.

The only reason that can be given for this large increase is the excitement

¹A. M. McDonald, Supt., Edmonton, Alberta.

and restlessness prevalent since the beginning of the war. In Chicago industrial conditions are excellent. A job can be obtained by almost any boy. The schools are in their usual condition. The boy scouts and other boys' and girls' organizations are more active than usual. Taking these things in consideration and the fact that very few of the delinquent children come from families from which some one has left because of the war, the conclusion is inevitable that the spirit of restlessness abroad is the main—if not the only—reason for the increase. It should be added that in April, 1917, there were 232 delinquent petitions filed—showing almost as large an increase from April, 1917, to May, 1917, as from May, 1916, to May, 1917.

JOEL D. HUNTER, *Chicago.*

POLICE

The Fingerprint Method for the American Police Systems.—I visited the Bureau de l'Identité Judiciaire in Paris in order to see the workings of the Department and in order to discover if there was anything which could be used for the benefit of America.

In this Note I shall not describe the Anthropometric System as it is in operation in Paris. That system has been often described and Americans are pretty well theoretically acquainted with it. But as a matter of practice, Americans are not so well acquainted with it as they ought to be. If the whole truth were known and impressed, a great many mistakes now being made where the Anthropometric System is being installed, would be obviated.

I do not agree with all the criticisms that have been directed against the system. The first objection is a valid objection. It is that the Anthropometric System cannot be applied to women and children. A second objection is that the instruments can get out of order. This is perfectly true, and the charge would be a serious one against the system if there were no checking up. This method of checking up has not been given enough attention, especially in some of the writings which I have seen in America. The implication has been that only one individual took the measurements so that, if the instruments happened to be out of order at the time, the measurements would be incorrect. But in Paris there is a checking-up system which makes it less possible for errors to creep in. Each measurement is taken by two individuals independently of each other. These measurements are compared, and if there is any discrepancy, the measuring is done again. In the Bureau in Paris there are four individuals who are taking measurements, and four individuals who are writing down the results. The real charge concerning the getting out of order of the instruments is this: that two instruments brought into use at the same time may, for similar causes, get out of order at about the same time, and then the checking-up system will be a farce. The instruments will tally. When the measurements are taken of the same individual after an interval of time, with different instruments, those instruments may be entirely different ones, may be in good order, and may give entirely different results.

The Anthropometric System, it is said, can be used only by trained and skilled men. This is, to a certain extent, true. But I was surprised, during my visit to the Bureau, to see how easily accurate measurements can be taken even by persons who have had a very short experience. I was assured by persons in the Department that the individuals who were then taking measurements were individuals who had replaced the skilled persons who were in the

Bureau at the beginning of the war, and that these individuals had become perfect in the art at the end of three weeks. This seems to me to be an exaggeration, and even if it chimed with the truth it would be an objection against the system which, for America, is something to be considered. We have a large number of Bureaus in our country and the number of men who could do that is very small. Mistakes are so easily made and they are so important when they are made, that there is no reason why, if we can use another system, we should use a system which is subject to such grave results.

Another objection which can be brought against the system—and this I believe to be an even graver objection for America than the objections which I have already indicated—is the difficulty of classification. If the work of measuring requires skill and training, the work of classification requires mastery of a very difficult art. We have very few people in America, just as they have very few people in France or elsewhere, who could do the work of the numerous Bureaus which we have scattered all over the United States, and this would make the introduction of the system almost an impossible task.

So far as the identifying of an individual is concerned, after the classification has been made and when he has been measured a second time—this is comparatively easy. At the Paris Bureau the work is done in a very rapid fashion. In several instances I selected cards and asked that the cards be located. The individuals were identified almost immediately. It is wrong to say that it takes a much longer time than the identifying of an individual by means of the fingerprint system. It all depends upon who does the work and how well done the classification is. A classification that is perfected on the principles of the classification in Paris, which restricts the individual you are trying to identify within very narrow limits, is a work which is childish in its simplicity, and which can be very rapidly done. As I say, it is the working out of the classification which makes the possibility of quick search.

It is thought in America that the Anthropometric System is the only system in operation in Paris. This is not so. Of course, the anthropometric measurements are taken, but these measurements have to be taken, inasmuch as, if the fingerprint system were adopted as the only system, there would be no possibility of identifying criminals who have already appeared in the Bureau. As a matter of absolute necessity, in order to identify criminals whose record the Bureau has, the Bureau keeps on taking anthropometric measurements. The taking of measurements would be a waste of time and a waste of money for us, but we must recognize the historic circumstances and understand that a new system—the fingerprint system—side by side with this old system, is now in operation and will be continued, which will probably supplant the anthropometric system entirely. I discussed the advantages and the disadvantages of the two systems with officers in the Bureau, and I finally got the admission that the Bureau would probably in the end adopt simply the fingerprint system. In about twenty years the criminals whose records are in the anthropometric bureau will be dead, and then the whole measurement system may be dropped. Fingerprints are being taken of criminals and placed upon the same card with the anthropometric measurements.

The fingerprint system should be the only system adopted in America. It has a great many advantages which are not at all shared by the other system, which American Bureaus seem to be very fond of. In the hurry to be in the

fashion and in the rage of extravagance which is so natural to us, we have been installing Bureaus based on the Anthropometric System without knowing how to manage them at all, and without knowing the consequences of the installation. We have been losing opportunities. It is time that the extravagance were halted, and that a better system were put into operation, which would save time and money and would ensure accuracy. The fingerprint system is simple. It takes a very short time to take prints; anybody can take them; it does not require trained individuals; there is no possibility of error; the prints speak for themselves; human fallibility does not play any part in the work of taking the prints; the classification is simpler than the classification under the Anthropometric System and facilitates the search for the identity of the individuals. In addition to all these advantages, it has the almost inestimable advantage of making it possible to identify a criminal before he has been caught, if that criminal has a record. Criminals are very often caught in Europe, and have been caught in the City of New York through the fact that the fingerprint system was in operation, and that the perpetrator of a crime had a criminal record and left his traces at the scene of the crime.

I visited the Photographic Department also, and was treated to a view of the most elaborate tattooing that I have even seen. The case was so interesting that the Photographic Department took the picture of the individual concerned stripped. He was tattooed all over with the most elaborate and most beautiful designs, which would have made Lombroso leap with joy and which Havelock Ellis would have added to his collection, as gems. I am seeking to get a collection of photographs of tattooed criminals for America.

ROBERT FERRARI.

PROBATION

Report of Massachusetts Commission on Probation.¹—The Eighth Annual Report of the Massachusetts Commission on Probation is filled with excellent material. It should be in the hands of all who have the responsibility of directing probation work. The report calls attention to the following:

- (1) That probation rests in the first place upon the idea that it has to deal with normal persons who have committed offenses but who have not become hardened offenders or impervious to appeals to their better selves.
- (2) That the increase in the number placed in probation each year from 1909 to 1916 is not due to a lax administration of criminal law but rather to
 - (a) The multiplication of laws establishing new offenses,
 - (b) Better enforcement of law by police authorities—hence more arrests,
 - (c) The fact that probation has by experience been shown to be the proper treatment for many individuals.
- (3) In 1916, 26.2 per cent of all offenders, or 28,953, were placed on probation. Of these 73 per cent were released with improvement.
- (4) In 1916, \$38,452.19 was collected by probation officers as restitution and reparation and \$303,009.01 from deserting husbands and fathers.
- (5) The problem of the delinquent defective will not be solved by probation and probationary methods.

¹Commission on Probation—Robert O. Harris, Chairman; John D. McLaughlin, William Sullivan, John Perrins, Jr., Charles M. Davenport; Herbert C. Parsons, Deputy Commissioner and Secretary.

(6) Probation officers should be appointed by judges and not by any commission.

JOEL D. HUNTER, *Chicago*.

Meeting of the National Probation Association.—The Family Court to take over the work of children's courts and so-called domestic relations courts, co-ordinating all investigations and probationary treatment of children and cases arising out of family difficulties, including non-support and divorce, was advocated in resolutions adopted by the National Probation Association at its ninth annual conference at Pittsburgh, June 5th to 7th. A report urging such a family court was presented by a special committee of the Association, which has been investigating the matter during the past year. Judge Charles W. Hoffman of the Court of Domestic Relations of Cincinnati is chairman of the Committee, which was continued to do active work during the coming year.

Judge Hoffman said in his report to the Association: "The unit of society is not the individual, but the family. The causes of juvenile delinquency, dependency of children, desertion and non-support, pauperism, alcoholism, divorce and marital dissensions are inter-related. All these in a measure can be traced to some defect in the family, and that defect in many instances is so obscure that current methods of dealing with domestic relations fail to reveal them. It is apparent that to deal with the family effectively, to relieve present distress and to ascertain causes of disruption of the family and the causes of anti-social conduct in general it is necessary that some court have power to deal with the family as a unit."

It was urged that the family court be under the direction of a single judge, who may in the large circuits assign the entire charge of certain classes of cases to specially qualified judges. The report recommends ample probation departments, with medical and psychological clinics attached.

The work of the Philadelphia Municipal Court was discussed in this connection by Mrs. Jane D. Rippin, Chief Probation Officer. This court is in many respects a family court. The evils of treating the parents and children in different courts with no interchange of records have been obviated to a large degree by the co-ordination of the court's work, especially of the probation department.

The Committee on Juvenile Courts reported through its chairman, Mr. Roger N. Baldwin, that the co-operation of the Federal Children's Bureau had been obtained for the making of a nation-wide study of the Juvenile Court in this country. This will comprise a field study and the findings will be published.

Departments of diagnosis in the courts employing physicians and psychologists to work in close co-operation with the probation officers were advocated by Dr. William Healy and Dr. Victor Anderson, both of Boston.

The need for detention homes for children removed from their surroundings or where children may be held for observation and investigation, established on the county plan, so that they may be available to rural districts, was emphasized, and the Association appointed a committee to deal with this matter during the coming year.

Adult responsibility in children's cases was discussed. Juvenile courts have not dealt adequately with parents and others responsible for delinquent or

neglected children. More power should be given to deal with adults through the children's court, and this power should be exercised.

A notable address was delivered by Judge Charles Brown of the Municipal Court of Philadelphia and by Hon. Edwin Mulready, Commissioner of Labor of Massachusetts, one of the pioneers in the development of adult probation work in this country.

The following officers were elected for the ensuing year: President, Mrs. Benjamin J. West, Chief of Probation Officer, Juvenile Court, Memphis; First Vice-President, John W. Houston, Chief Adult Probation Officer, Chicago; Second Vice-President, Judge Charles H. Hoffman of Cincinnati, Ohio; Third Vice-President, Herbert C. Parsons, Secretary of the Commission on Probation of Massachusetts; Secretary and Treasurer, Charles L. Chute of the State Probation Commission, Albany, New York.—CHARLES L. CHUTE, Secretary National Probation Association, Albany, N. Y.

MISCELLANEOUS.

Supplementary Announcement of Courses in Criminology.—Four courses in criminology will be offered by the School of Jurisprudence of the University of California during the coming summer session. The courses may all be taken together, or one or more may be elected. While all these courses may be carried on simultaneously a general university regulation limits to six units the credit that will be allowed for work done in any one summer session. Courses S113a and S113c are intended to cover a portion of an elementary course in criminology offering to lawyers, physicians, nurses, teachers, probation officers, civil service workers, police officers, officials in public institutions, and others interested in the serious study of crime and its prevention, an opportunity to become acquainted with the work of modern criminology. The subject will be covered for the most part by lectures and demonstrations. The prescribed reading will not be large in amount.

Courses S113b and S113d are primarily intended for those who are or expect to be engaged in work which involves the care of criminals and other delinquents.

S113a. MEDICAL AND PSYCHOLOGICAL PROBLEMS.

DR. HOAG.

An introduction to the study of the medical and psychological side of criminology, including mental disorders, feeble-mindedness, disease, heredity, juvenile crime, organization of departments for the study of criminals, lectures and assigned reading.

2 units. M., T., W., Th., F., 9:00. 106 B. H. L.

This course will include (outline as given in 1916 announcement).

S113b. PRACTICE WORK IN CRIMINOLOGY.

DR. HOAG.

Use of Binet and other intelligence tests, field investigation and reports in the study of selected delinquents.

2 units. M., T., W., Th., F., 10:00. 106 B. H. L.

In S113a and S113b Dr. Hoag will be assisted by special lecturers, including Orbison, Wood, Ball, Von Kleinschmidt.

S113c. THE INVESTIGATION OF CRIME.

EDWARD OSCAR HEINRICH.

Modes and procedure in use in the best criminal and legal practice for the detection, preservation, and ultimate presentation in court of facts essential to the solution of a criminal problem, and the identification and apprehension of criminals. Forgeries and other ques-

tioned documents, crime agencies, police systems, criminals, methods of operation. Lectures, exhibits, photographs, stereopticon views.
2 units. M., T., W., Th., F., 11:00. 106 B. H. L.

This course will include:

- A. Criminal Injuries, Diagnosis and Photographic Registration.
 - 1. Poisons and habit-forming drugs.
 - a. Sources and means of poisoning.
 - b. Symptoms and treatment.
 - c. The work of the municipal toxicologist.
 - 2. Spots and stains.
 - 3. Concealment of crime by chemical disintegration.
 - 4. The microscope, its uses and possibilities.
- B. Crime Agencies and Criminal Weapons.
 - 1. Chemical agencies.
 - 2. Mechanical agencies.
- C. Police Systems.
 - 1. European.
 - 2. American.
 - 3. Police records.
- D. Criminal Methods.
 - 1. Crimes and criminals.
 - 2. Attacks upon the individual.
 - 3. Attacks upon property.
- E. Systems of Identification.
 - 1. Bertillon.
 - 2. Finger prints.
- F. Criminal Investigation.
 - 1. Physical clues and evidence.
 - 2. Documentary clues and evidence.
- G. Questioned Documents.
 - 1. Handwriting.
 - 2. Typewriting.
 - 3. Writing material.
 - 4. Lectures.
 - "Stalking the Forger," a lecture on signature forgeries.
 - "Down the Ink-well," a lecture on the development of writing and writing materials with special application to problems in disputed handwriting.
 - "Beating the Protectograph," a lecture on check-raising, alterations, interlineations, etc.
 - "Wielders of the Poisoned Pen," a lecture on anonymous letters.
 - "Character Studies from the Psychology of Handwriting."
 - "Typewriter Identification and Examination of Seals, and Other Printed Matter."
- H. The Physical Interpretation of Character.
 - Three lectures:
 - Lecture 1.—The normal man, physically, mentally and morally. Racial types. Occupational types. Influence of climate and food on the development of mind and body. Competition and struggle for existence.

Lecture 2.—The abnormal man. Disturbed development. The physical, mental and moral stigmata of degeneration. Faulty nutrition. Unbalanced functional activities of the endocrine bodies.

Lecture 3.—Character reading. Possibilities and limitations.

S113d. FIELD AND LABORATORY METHODS IN CRIMINAL INVESTIGATION.
(Tentative Outline—Laboratory.)

- A. Criminal Injuries, Diagnosis and Photographic Registration.
 - 1. Outdoor work with the camera.
- B. Criminal Agencies and Criminal Weapons.
 - 1. Indoor work with the camera.
 - 2. Ballistics.
- C. Criminal Methods.
 - 1. Fire and explosions.
 - 2. Photography of colored objects.
- D. Systems of Identification.
 - 1. Finger print practice.
- E. Criminal Investigation.
 - 1. Elementary use of the microscope.
 - 2. Writing materials.
- F. Disputed Handwriting.
 - 1. Identification of handwriting.
 - 2. Identification of typewriting.

COURSE IN JUDICIAL PHOTOGRAPHY.

SCHOOL FOR POLICE OFFICERS BY THE POLICE DEPARTMENT OF THE
CITY OF BERKELEY.

EDWARD OSCAR HEINRICH, B. S., Instructor.
Tentative Outline for 1917.

I.—GENERAL PRINCIPLES OF PHOTOGRAPHY.

- A. The Camera, Its Use and Accessories.
 - a. Mechanical features of cameras.
 - b. Identity of all cameras irrespective of decorations or size.
 - c. Dark room.
 - d. Lenses.
 - 1. Optical properties.
 - 2. Manipulation and choice of.
- B. Chemical Processes of Photography.
 - a. Plates and films.
 - 1. Exposure.
 - 2. Development.
 - b. Prints.
 - 1. Exposure.
 - 2. Development.
 - c. Laboratory practice on subjects including metals, woods, glass, fabrics, copies, paintings, tracings, rough prints and color objects.
- C. Photography of Colored Objects.
 - a. Use of special plates.
 - b. Use of filters.
 - 1. For daylight.
 - 2. For artificial light.

- c. Laboratory practice.
 - 1. Photography of persons and localities by daylight.
- II.—JUDICIAL PHOTOGRAPHY IN THE FIELD.
- A. General Principles of Photography as a Recording Agent. Applicability to Problems of the Police.
- B. Photography of Place of a Crime and Its Surroundings.
 - a. The photography of corpses with particular reference to explanatory circumstances.
 - 1. General principles.
 - 2. Reconstructed situations.
 - 3. Photographic apparatus required.
 - 4. Special uses for wide angle lenses.
 - 5. Special uses for anastigmatic lenses.
 - 6. Optical considerations in photography of wounds, blood stains, etc.
 - 7. Photography in exact size.
 - 8. Arrangement of the camera.
 - 9. Conditions governing exposures.
 - 10. Use of small cameras in limited spaces.
 - 11. The tripod.
 - 12. Unusual positions for the camera.
 - 13. Examples from photography of corpses.
 - 14. Extension tripods.
 - 15. Photography without a tripod.
 - 16. Plates.
 - 17. Artificial light.
 - 18. Position of light.
 - 19. Preparation of corpses for photographing.
 - 20. Special methods for giving life-like appearance to eyes.
 - 21. The technic of the exposure.
 - 22. The technic of the apparatus.
 - 23. Choice of plates.
 - 24. Reduction.
 - 25. Supports and backgrounds.
 - b. Photography of blood stains.
 - 1. General principles.
 - 2. Technic of exposure.
 - 3. Filters.
 - 4. Plates.
 - 5. Arrangement of apparatus.
 - 6. Explorative possibilities of blood stain negatives.
 - 7. Blood stains showing movement of bleeding object.
 - 8. Blood stains showing no movement of bleeding object.
 - 9. Bloody finger prints.
 - 10. Invisible blood stains.
 - c. The photography of foot marks.
 - 1. General principles.
 - 2. Foot impressions.
 - 3. Foot prints.
 - 4. Invisible foot marks.
 - 5. The apparatus.

6. The importance of parallelism between photographic plate and plane of the foot print.
7. Optical considerations.
8. Illumination.
9. Artificial light.
10. Plates.
- d. The photography of finger marks.
 1. General principles.
 2. Finger impressions.
 3. Finger prints.
 4. Invisible finger marks.
 5. Making invisible finger marks visible.
 6. Apparatus and plates.
 7. Illumination.
 8. Finger marks on glass.
 9. Use of artificial light.
 10. Special apparatus.
 11. Untreated finger prints.
 12. Impressions and "lifting" materials in special cases.
- e. Photography of miscellaneous traces.
 1. General principles.
 2. Tool marks.
 3. The apparatus.
 4. Entrance and traces via ceiling.
 5. Around corners with mirrors.
 6. Damage associated with burglaries, etc.
 - (1) Burglaries.
 - (2) Fires.
 - (3) Riots.
 - (4) Storms, etc.
 - (5) Malicious mischief.
- f. Metric perspective photography of Bertillon with special applications to places of crimes.
 1. General principles.
 2. Metric photographs.
 3. Scientific principles involved.
 4. Metric apparatus.
 5. Tripod.
 6. Camera.
 7. Lens.
 8. Application of the metric optical apparatus.
 9. Metric photography of corpses.
 10. Metric photography of interiors.
 11. Computation of reproductions and maps from negatives.
 12. Signalitic photography.
 13. Reading and interpretation of prints.
- g. Signalitic Photography.
 - a. Bertillon system.
 - b. Rules governing signalitic photography.
 - c. Reduction and head poses.

- d. Arrangement of pictures on prints.
- e. Marking of negatives.
- f. Camera.
- g. Focusing arrangements.
- h. Posing chair.
- i. Mirrors and reflectors.
- j. Adjustment of camera distances.
- k. Mounting for the camera.
- l. Procedure for taking a picture.
- m. Tests for accuracy of adjustments.
- n. Head position on ground glass.

III.—JUDICIAL PHOTOGRAPHY IN THE LABORATORY.

- A. General Principles of Photography as an Explorative Agent.
 - a. Microscopy and photography as related arts.
 - b. The differentiating power of photography.
 - c. Descriptive and explorative applicability to problems of the police and specialist.
- B. Photographic Methods of Discovery and Proof of Altered or Counterfeited Documents, Etc.
 - a. Types of problems arising.
 - b. Possibilities and limitations of methods.
 - c. Restoration of obliterated or obscured handwriting and the demonstration of erasures.
 - 1. The photographic problems involved.
 - 2. The technic of the camera and accessories.
 - 3. "Lifting" of blots.
 - 4. Typical examples.
 - 5. Alteration of numbers.
 - 6. Exposures by reflected and transmitted light.
 - 7. Special methods of preparation of subject for transmitted light exposures.
 - (1) Volatile hydrocarbons.
 - (2) Fixed hydrocarbons.
 - (3) After-treatment.
 - 8. Mechanical and chemical erasures.
 - 9. Rubbing materials.
 - 10. Bleaching materials.
 - 11. Typical disturbances of the surface of the paper.
 - 12. Scratches.
 - 13. Soiling.
 - 14. Photographic technic for the usual case.
 - 15. Special methods.
 - 16. Camera and accessories.
 - 17. Camera stand.
 - 18. Object holder.
 - 19. Lenses.
 - 20. Flexibility required of outfit.
 - d. Discovery and demonstration of additions and interlineations in written documents.
 - 1. General principles.

2. Differentiation of similar inks.
 3. Microscopic aids to ink differentiation.
 4. Properties of line crossings.
 5. Shades and shadows in an oblique writing.
 6. Typical examples.
 7. Relation of lines of writing to folds in paper.
 8. Age of inks.
 9. Pencil writing.
- C. Demonstrative Methods Applicable to Forgeries.
- a. General principles.
 - b. Photographic comparison of handwriting.
 - c. Demonstration of traced handwriting.
 - d. Marks associated with traced handwriting on obverse of document.
 - e. Marks associated with traced handwriting on reverse of document.
 - f. Invisible traces of writing in intaglio.
 - g. Trick photography and photographic forgeries.
- D. The Exposition of Writing With Invisible Inks.
- a. The nature of secret writing.
 - b. Direct exposure by photographic methods.
 - c. Special photographic methods.
 - d. Physical methods for making writing visible.
 - e. Contact methods with plates.
 - f. Special applications of contact methods for differentiating inks.
- E. Discovery and Demonstration of Post Office Problems.
- a. Usual problems arising.
 1. Opened letters.
 2. Stamp counterfeiting.
 3. Postmark forgeries.
 - b. Typical examples.
 - c. Photographic exploration of a re-sealed envelope.
 - d. Differentiation of sealing material by transmitted light.
 - e. Differentiation of sealing material by reflected light.
 - f. Technic of illumination.
 - g. Tests for accuracy of photographic method.
- F. Geometric Photographic Comparisons in Problems of Identification.
- a. General principles.
 - b. Hand and foot prints.
 - c. Comparative identification of finger prints.
 - d. Boot and shoe marks.
 - e. Hair.
 - f. Microscopic aids and geometric photomicrographs.
 - g. Photomicrographs of dust and secretions.
 - h. Blood stains.
 - i. Abrasions.
 - j. Special methods.
 - k. Particular cases.
- G. Judicial Radiography.
- a. General principles.
 - b. Applications of radiography to problems of evidence.
 - c. Radiography as an aid to signaletic proof.

H. Judicial Kinematograms.

- a. General principles.
- b. Applications of kinematograms.
 1. Laboratory demonstration material.
 2. Demonstration of theories built on circumstantial evidence.

IV.—DESIGN OF PHOTOGRAPHIC LABORATORY.

A. Points to be considered:

- a. The studio.
- b. The dark room.
- c. The printing room.
- d. The enlarging room.
- e. The laboratory.
- f. Location with respect to other offices.
- g. Arrangements for exposures.
- h. Printing machines.
- i. Developing machines.

V.—INSTRUCTION FOR THE HANDLING AND PRESERVATION OF OBJECTS INTENDED FOR PHOTOGRAPHIC INVESTIGATION.

A. General Rules, with particular applications to:

- a. Finger prints.
- b. Abrasions.
- c. Foods and liquids.
- d. Weapons and instruments.
- e. Documents.

Sixth Annual Meeting of Illinois Branch of the Institute of Criminal law and Criminology.—The sixth annual meeting of the Illinois State Branch of the Institute was held in Danville on May 31 and June 1. The program follows:

FIRST SESSION

3:00 P. M. Thursday, May 31

ANNUAL ADDRESS OF THE PRESIDENT

Hon. Jesse L. Deck, State's Attorney, Decatur

Discussion - - - - - Judge W. D. Spurgin, Urbana

DINNER

6:30 P. M. Thursday, May 31

Members of the Bar Association and of the State's Attorney's Association, their wives and friends, are invited to join the members of the Illinois State Society in this dinner.

SECOND SESSION

8:00 P. M. Thursday, May 31

1. "A Brief Review of the Criminal Cases in the Supreme Court for the Past Year." - - - - - Henry Winthrop Ballantine
Dean of the College of Law, University of Illinois.

Discussion - - - - - L. A. Busch, State's Attorney, Urbana
Otis Glenn, State's Attorney, Murphysboro

2. "The Housing of Prisoners." - - - - - Dr. F. Emory Lyon
Superintendent Central Howard Association, Chicago

Discussion - A. L. Bowen, Secretary State Board of Charities, Springfield
 Henry W. Tomlinson, Chicago
 Charles A. Perdunn, Marshall

THIRD SESSION

Joint Session of the Illinois State Society and the
 Illinois State Bar Association

8:00 P. M. Friday, June 1

1. "The Reform of Criminal Procedure" - - - Robert W. Millar
 Professor of Law, Northwestern University, Chicago

Discussion - - - - - Oliver A. Harker
 Professor of Law and formerly Dean of College of Law,
 University of Illinois

F. H. Boggs, Judge of Circuit Court, Urbana

Harry Olson, Judge of Municipal Court, Chicago

2. "Organization of Psychopathic Work in the Criminal Courts"

Dr. Herman Adler, Director Juvenile Psychopathic Institute, Chicago

Discussion - William C. Graves, Supt. Illinois State Reformatory, Pontiac

OFFICERS

President - - - - - Jesse L. Deck
 State's Attorney, Decatur

Vice-President - - - - - F. Emory Lyon
 Superintendent Central Howard Association, Chicago

Secretary - - - - - William G. Hale
 Professor of Law, University of Illinois

Treasurer - - - - - Robert W. Millar
 Professor of Law, Northwestern University, Chicago

EXECUTIVE COUNCIL

The Officers above named ex-officio.

O. A. Harker, Chairman, Professor of Law, University of Illinois, Urbana

William N. Gemmill, Judge of Municipal Court, Chicago.

Thomas M. Kilbride, Clerk State Board of Pardons, Springfield

Jacob M. Loeb, of the Chicago Bar.

William C. Graves, Superintendent of State Reformatory, Pontiac.

Municipal Civil Service Examination for Promotion to Warden in the New York Department of Correction.—PART I—1. (a) The rules of the Department of Correction provide that institutional barbers shall comply with the provisions of the Sanitary Code of the Department of Health in the performance of their duties. Enumerate the principal regulations of the Department of Health on this subject and give the reason for each.

(b) The rules of the Department of Correction provide that the provisions of the State Prison Law governing the duties of physicians in state prisons are made applicable to resident physicians in the Department of Correction. Enumerate the principal duties of physicians in state prisons under the state prison law.

(c) The rules of the Department of Correction provide that the regulations of the Fire Department shall be complied with in the management of the stables of the Department. Enumerate the principal regulations of the Fire Department on this subject and give the reasons for each.

2. The rules of the Department provide that the Warden shall assign all penitentiary and workhouse prisoners to work. Indicate clearly the kinds of work to which you would assign each of the following classes of prisoners and give your reasons in each case.

- (a) The most hardened and degenerate prisoners.
- (b) Prisoners who are crippled but able to work.
- (c) Prisoners suffering from contagious diseases.
- (d) Young first offenders.
- (e) Weak men who have never learned any trade.

3. Give the essential provisions of the rules of the Department of Correction with reference to each of the following: Give the purpose of each of these regulations and suggest any modification or improvement of these regulations which would in your judgment be desirable, giving your reason for each recommendation.

- (a) Punishment.
- (b) Telephone calls.
- (c) Passes.
- (d) Mail.

4. Outline the educational facilities which you would provide for the prisoners in each of the following institutions of the Department of Correction:

- (a) Clearing House.
- (b) Workhouse.
- (c) City Prison.

5. Prepare a set of recommendations for submission to the Commissioner of Correction outlining the most efficient methods of co-operation between the wardens of institutions of the Department and the Parole Commission, giving your reasons for each recommendation.

DUTIES—PART II

To be finished by 4:30 P. M.

6. Give your opinion regarding each of the following statements and give your reasons in support of your opinion in each case:

- (a) Prisoners should be assigned in prison to industries in which they have worked before admission.
- (b) Prisoners should not be permitted to talk to one another while working in prison.
- (c) Only officers should be permitted to supervise the work of prisoners; employes should never be so assigned.

7. If given authority to classify the prisoners in your institution, on which of the following bases would you establish your classification. Discuss fully the advantages and the disadvantages of each system of classification:

- (a) Offence; (b) Age; (c) Mental condition; (d) Number of convictions;
- (e) Race; (f) Physical condition.

8. Give a description of the construction and the equipment of the rooms which you would establish in an institution of the Department of Correction for use in punishing prisoners and give your reasons in support of each point enumerated in your description.

9. You have been directed by the Commissioner of Correction to plan and

maintain a large cemetery on the same island on which your penal institution is located, for the burial of the pauper dead of the city.

(a) How would you plan such a cemetery to obtain the most economical use of the ground consistent with sanitary requirements?

(b) What arrangements would you make for confining the bodies before burial?

(c) What precautions would you take to guard against typhoid fever?

10. Prepare a report to the Commissioner of Correction outlining a system of self-government for one of the institutions of the Department. Include in this report an outline of the system which you consider best suited to the requirements of the institution selected by you; give all details necessary for the installation of the system, and give your reasons for each recommendation.—May 22, 1917.

Crime in Ireland.—According to the *Irish Weekly Independent* the country is on the whole comparatively free from crime. At a time when political agitation runs high and so many causes conspire to keep Irishmen in a state of unrest, the fair record established by the country is singularly gratifying. The *Independent* says that the references made by the judges at the Spring Assizes to the general state of the country can be summarized in a few words. The cases before them are few, and the condition of the particular county or city satisfactory. In some few areas, says the *Independent*, agrarian troubles are not yet extinct, but they persist in a very much subdued form. The decline in ordinary crime is continuous as is conclusively proven by the Report of the Irish Prisons Board for 1915-1916. A decrease in the daily average of prisoners in custody has been recorded each year since 1909. At the same time, continues the Dublin journal, genuine alarm is felt in Great Britain at the serious increase in juvenile crime. The Irish Prisons Board reports that the number of young offenders committed to the Borstal Institution in 1915 was 30 as against 49 in 1914. The Prison Board regrets, adds the *Independent*, that more advantage is not taken by Courts of Summary Jurisdiction of the faculties for sending youths repeatedly convicted of petty offenses to the Borstal Institution, where they would have a decided chance of reformation. As the proportion of those discharged from the institution who are known to be doing well is eighty per cent, the "success of the Borstal treatment with the limited number of those who have undergone it in Ireland is well established." Happily, concludes the *Independent*, there does not seem to be much need for extending its benefits.

Criminal statistics in Great Britain are more or less unreliable owing to the war; the war has withdrawn large numbers of the populace from civil life to the military; courts-martial have supplanted the civil tribunals; military prisons, penal servitude, and the great increase in industrial life has diminished the volume of crime, thus proving that crime is, to a large extent, an economic problem, not, as some would have us believe, a medical proposition. The statistics as to crime in the Army and Navy should be placed side by side with civil data in order that we may draw intelligent and reliable conclusions therefrom.

JOSEPH MATTHEW SULLIVAN, Boston, Massachusetts.

The Lynching Record for 1916.—In view of the widespread discussion of the causes back of the migration of negroes to the North, it is timely to consider the lynchings for the year just closed. I find, according to the records

kept by Monroe N. Work, head of Division of Records and Research of the Tuskegee Institute, that in 1916 there have been 54 lynchings. Of those lynched, 50 were negroes and 4 were whites. This is 4 less negroes and 9 less whites than were put to death in 1915, when the record was 54 negroes and 13 whites. Included in the record are 3 women.

Fourteen (14), or more than one-fourth of the total lynchings, occurred in the state of Georgia. Of those put to death 42, or 77 per cent of the total, were charged with offenses other than rape. The charges for which whites were lynched were: murder, 3; suspected of cutting a woman, 1 (this a Mexican).

The charges for which negroes were put to death were: attempted rape, 9; killing officer of the law, 10; murder, 7; hog stealing and assisting another person to escape, 6; wounding officers of the law, 4; rape, 3; insult, 2; for each of the following offenses one person was put to death: slapping boy; robbing store; brushing against girl on street; assisting his son, accused of rape, to escape; entering a house for robbery or some other purpose; defending her son, who in defense of mother, killed man; fatally wounding a man with whom he had quarreled; speaking against mob in act of putting a man to death; attacking a man and wife with club.

Lynchings occurred in the following states: Alabama, 1; Arkansas, 4; Florida, 8; Georgia, 14; Kansas, 1; Kentucky, 2; Louisiana, 2; Mississippi, 1; Missouri, 1; North Carolina, 2; Oklahoma, 4; South Carolina, 2; Tennessee, 3; Texas, 9.

JOSEPH MATTHEW SULLIVAN, Boston, Massachusetts.

International Court of Justice.—Hostilities concluded, for truth's sake now and hereafter establish in some neutral country, as Holland or Switzerland, an international court for redressing military wrongs and a hundred sub-tribunals thereof presided over respectively by three or five judges, each from another neutral country, such banc to pass upon both law and fact. A hundred different cases, heard simultaneously, would not congest the docket.

Such a court of original jurisdiction would constitute its own appeal forum by remanding appealed cases to three appellate jurists chosen from those not having originally passed thereon.

All cases wherein the claimant suffers grievance are within its jurisdiction, whether his people be victor or vanquished. Let each specific case be governed by strict rules of evidence with possibly slight modifications.

Today's press overflows with German atrocities in evacuated districts, forcible deportation of Belgians, young French women driven into immorality. The great German people cannot afford to pass unjustly into history as mere Huns.—E. H. SANFORD in *Chicago Herald*, May 1, 1917.