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PLEADING, PRACTICE, PROCEDURE, AND FORMS IN MISSOURI, VOLUME II. By Rush H. Limbaugh, St. Louis: Thomas Law Book Co., 1939. Pp. xxxii, 965.

This volume completes the author's treatment of practice in probate courts, which was commenced in the latter part of Volume I.[1] Included in Volume II are the matters of family allowances, homestead, dower, allowance and classification of claims, payment of debts and legacies, inheritance taxes, settlements, distributions, advancements, change of personal representatives, partnership estates, public administrators, non-resident and absentee estates. Then follows a discussion of testamentary capacity and the execution, revocation, revival, construction, and operation of wills. The materials on decedents' estates are completed with the topic of appeals to circuit court and the volume is then concluded with a chapter upon guardians, curators and wards. It has been announced that a temporary index will be prepared for the first two volumes.

As in Volume I, Mr. Limbaugh precedes his discussion of the various topics by short historical introductions. The relevant matters of substantive law are generally skillfully interwoven into the procedural picture. Besides giving the statement of the statutory and case law the author at times gives advice regarding certain practical details in the preparation of wills and the administration of estates. While all readers may not agree with everything which the author says along these lines, there is nothing which would mislead a user to the detriment of his client. Such suggestions give confidence to the inexperienced practitioner and stimulate the expert to further development of his technique. This feature of books of practice has never been overdone. Without it and the inclusion of usable forms, of which the present volume contains upwards of 225, a practice book has no excuse for existence.

As a whole the author's arrangement is based upon the chronological order of events in the typical estate with special topics inserted at appropriate points. It is a matter of considerable embarrassment as to where the questions of testamentary capacity and the execution, revocation, and construction of wills should be discussed. The author's choice is to treat all of these matters near the close of the administration materials. Except for questions of construction these issues are almost always litigated in will contests conducted in circuit court. Yet they are problems which determine whether a will is entitled to probate and in the reviewer's opinion should be treated in connection with that topic. Questions of will construction may be raised in many types of circuit court litigation or at

1. Reviewed in (1937) 2 MO. L. REV. 121.

various stages of the administration process—chiefly in connection with distribution. The latter seems to be the logical point to plunge into these substantive law matters. While the order of topics is not of vital consequence in a book of this character, there are certainly advantages in the development of substantive law questions in the appropriate procedural setting, as the author has demonstrated elsewhere in his work.

The treatment of family allowances, allowance and classification of demands, demands for services and partnership estates deserve particular favorable mention. In these topics, the author goes beyond ordinary exposition and makes a distinct contribution of the jurisprudence of the state. Some omissions are inevitable but there are few of a pointed nature.[2] It is remarkable also that so little of misstatement of legal principles has crept into the book.[3] In a number of cases there are isolated statements which seem somewhat dubious but the matters are usually set aright in succeeding pages. A more frequent use of cross-references would have cleared up these trifling ambiguities. Occasionally a sentence commencing with "but" or "although" supports, instead of dissents from, the related passage.[4] Aside from these infrequent instances there is nothing to mar an unusually lucid and pleasing style. The forms given are readily adapted to use and, with one or two exceptions,[5] can well be followed in *haec verba.*

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2. There is nothing in § 732 or elsewhere to indicate the procedure to be followed when the homestead consisting of a physically indivisible tract exceeds in value the amount of the exemption. See MO. REV. STAT. (1929) § 618; Daniels v. Peck, 221 Mo. App. 877, 288 S. W. 84 (1926); 29 C. J. 826.

The author expresses no opinion in § 756 or elsewhere as to whether a widower whose wife leaves children has a right corresponding to the widow's right under REV. STAT. (1929) § 328.

The enumeration in § 1185 of probate court orders from which appeal cannot be taken should have included orders admitting or rejecting wills. See § 1144.

3. The statement (§ 758) that probate courts have exclusive original jurisdiction to allow claims for services in the administration of the estate, while apparently sustained by the cited case, is certainly not governed by the cited section of the statute and is contrary to the common law rule. Furthermore, later cases indicate that the expressed rule should not be followed. State *ex rel.* v. Garesche, 198 Mo. App. 457, 200 S. W. 735 (1918); Hewitt v. Duncan, 226 Mo. App. 254, 42 S. W. (2d) 87 (1930).

It seems clear that under REV. STAT. (1929) § 14079, an adopted child may now inherit from the ancestors and collaterals of his adoptive parent. *Cf.* § 898n 19 with Limbaugh, *The Adoption of Children in Missouri* (1937) 2 MO. L. REV. 300, 312, n. 95.

The statement § 910 n. 2 indicating that the doctrine of advancements applies in most cases of partial intestacy is not sustained by the opinion in the cited case. See also Gibson v. Johnson, 331 Mo. 1198, 56 S. W. (2d) 783 (1932); 18 C. J. 918, 83.

The decision in the Greening case cited § 1025 n. 62 does not sustain the proposition that, when two Missouri probate courts grant administration upon findings that the deceased was domiciled in their respective counties, neither can be made to yield jurisdiction in a collateral attack in the other court. The case proceeds upon the basis that the decision of the first court to assume jurisdiction must prevail upon either direct or collateral attack. However, *cf.* Cox v. Boyce, 152 Mo. 576, 54 S. W. 467 (1899).

4. E. g. p. 445, 5th line from bottom; p. 733, 7th line from top.

5. See p. 762, Form of Precatory Trust. This title seems to be a misnomer, as either a binding trust is created by the language used or the words are deemed merely advisory and hence no trust is created. See *In re* Williams [1897] 2 Ch.

These trifling criticisms should not indicate an adverse opinion regarding the general accuracy and usefulness of the book, but rather the belief that it will be of genuine service to the legal profession and therefore deserves the reviewer's careful consideration. Together with the relevant parts of Volume I, it constitutes not only the most recent but also undoubtedly the best treatment of Missouri probate practice. The character of work necessitates that it deal with the existing, rather than the ideal, system of administering estates. However, it may be that the author—perhaps not entirely unconsciously—has paved the way for a general overhauling of the statutes in this important field of law administration. After all, is not the exposition of the complicated property rights of the surviving spouse, of the red-tape of demand, notice, presentation, filing, exhibition, classification, allowance and what-not of claims, of such curious anachronisms as the *devastavit*, a most effective brief in support of a simpler and more modern system? By virtue of his close attention to the details of these and many other matters connected with the formation of the present volume, the author is intellectually prepared to express an opinion. Furthermore, the self-restraint necessary for the patient elaboration of these details must have fitted him temperamentally to cry out in protest against some of the things about which he was forced to consider. A critical discussion of this nature by Mr. Limbaugh in the pages of this Review would be most appropriate and valuable.

University of Missouri School of Law. THOMAS E. ATKINSON.

JURISDICTION AND PRACTICE OF THE COURTS OF THE UNITED STATES. Fourth Edition. By Charles Bunn. St. Paul: West Publishing Co., 1939. Pp. vi, 257.

This is the third revision of the excellent little handbook prepared for students as an introduction to the structure and jurisdiction of the several courts of the United States by Charles W. Bunn and based on his lectures on the subject at the University of Minnesota Law School. The present revision is by Charles Bunn, Professor of Law at the University of Wisconsin, and brings the treatise down to the date by means of revision of so much of the subject matter as has been affected by legislation and decision since 1927 and includes reference to the new rules of federal procedure where they are pertinent to the discussion.

The style of the text is clear, direct, and the principles of jurisdiction of federal courts are clearly and accurately stated in language understandable to

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12, 27. The form given probably falls in the former category, but might provoke litigation.

In view of the suggestion (§ 716) that the property set off to the widow as her absolute property be included in the inventory, should not the semi-annual settlement show the delivery thereof to the widow? See Rules of Probate Court of the City of St. Louis (1936) pp. 26-28.

Should not Form of Order Overruling Exceptions to Final Settlement, pp. 340-341, provide for discharge of the personal representative only upon filing of receipts from the heirs and distributees? *Cf.* p. 334.

the student or beginner in practice with sufficient citation of leading cases to guide the reader in pursuing the refinements and distinctions of the subject, which the author does not attempt to pursue and discuss.

The actual scope of the text is more limited than the title might indicate, since the only matters of practice discussed are removal procedure and procedure for review by *certiorari* and appeal. The author makes no pretense at discussion of technical rules of practice and procedure in the course of prosecution of an action through the courts. The purpose of the author, as stated in the preface to the first edition, "to present a brief view of essentials, ignoring refinements and, to an extent, exceptions," has been preserved in this revision. Where the prevailing rule is established through a course of judicial decisions, the author discusses the leading cases with sufficient detail to give the student the background of development of the rule. An outstanding example is the discussion of the recent decision in *Erie Railroad Company v. Tompkins* in relation to the binding effect of state decisions on principles of substantive law, as well as state statutes in actions prosecuted in the federal courts.

The very simplicity and brevity of the discussion makes this little book an excellent guide for the student and beginner in practice, and its usefulness is limited to those purposes.

St. Joseph, Mo. RICHARD DOUGLAS

THE SPIRIT OF THE LEGAL PROFESSION. By Robert N. Wilkin. New Haven: Yale University Press, 1938. Pp. viii, 178.

A discussion of the legal profession may be pitched on any one of a number of levels. If unsympathetic, it may harp on the failings of some of its scamps and the successes of some of its conspicuous shysters; or it may point to the difficulty inherent in the work of lawyers,—"officers of the court" whose immediate goal is the service of private clients rather than justice; or it may emphasize the failings of the organized bar which seems to devote so much of its time merely to policing its disreputable fringe and to excluding its competitors from all the debatable ground. If sympathetic, it may stress the fidelity of nearly all lawyers to their individual trusts, or the work of public-spirited lawyers in community development, or the responsibility of the profession as agents for the administration of justice and the spirit actuating its members in the accomplishments they like to remember.

No one of these aspects or of still others gives by itself a complete picture of the group, and no one of them can be ignored by him who wishes to understand the bar as a whole. Since it is impossible to deal with all of them in a single volume, an author must select the phase he will emphasize. In this book Judge Wilkin has chosen the last of these aspects. He has done it to remind the students and the profession of its more glorious past and of its social purpose today. In part the book is an eloquent glorification of the spirit of the legal profession, but principally it is an effort to stir that spirit among lawyers by recalling some of

its major gifts to Rome, England and the United States. Of the United States the author retells the extraordinary deeds of that group of young lawyers who did so much to declare our independence and to make it good, to create the Confederation and then to establish in its place the more perfect Union whose one hundred and fiftieth anniversary we celebrate this year. In the concluding chapter he outlines the part lawyers are called on to play today.

The professional spirit, so the author urges, must not be confined to the bar or to the old learned professions. In all vocations it is needed and can be developed. For in our society where organized economic groups are increasingly important, the professional spirit does not stem from class origin or aristocratic function, but from a sense of obligation appropriate to the responsibilities entrusted to a group.

In these days when many lawyers share the acute distress of the great depression, the author's sustained emphasis on solely the lofty aspects of the profession's work and situation may seem to some ill-timed. It is no less true of a profession, however, than of an individual that though it can not live without bread, it cannot live by bread alone. Of the inculcation of the professional spirit the author concludes: "The best way to gain it is to admire it, for what we admire we unconsciously emulate."

Columbia University Law School. ELLIOTT E. CHEATHAM.

SOME MAKERS OF ENGLISH LAW. By Sir William Holdsworth. Cambridge: University Press, 1938. Pp. xi, 308.

Not a little of the interest in this convenient volume attaches to the fact that it was delivered as a course of lectures in Calcutta University. Consequently, in addition to fulfilling the avowed purposes of giving some account of those men entitled to be classified as makers of English Law and of connecting their biographies in such a way as to provide "a short biographical history of English law," the book gains value through its frequent if incidental reference to Indian legal conditions. It is after all a matter of moment that men gathered at Westminster in the time of Bracton "were penning writs which would run also in the name of the King-Emperor on the shores of the Indian Ocean." The continuity and extension of English law has a better claim than most candidates to that much assigned distinction, "the eighth wonder of the world."

So far as the systematic contents of this book are concerned, Sir William makes no claim of originality; indeed he expressly declares that the information is to be found at greater length in his own *History of English Law*. At the same time there can be no denial that he has performed a real service in supplying succinct accounts of the "makers of English law." Few qualified readers will object seriously to the choices, though every one probably has his own "must" entries. The author begins with Glanvil and Bracton, carries on with Edward I, Littleton, and Fortescue, intersperses a lecture on the Renaissance and Reformation, renews his biographical approach with St. Germain, More, Ellesmere, and

Bacon, lingers a time with Coke, moves on steadily with Hale, Nottingham, Holt, Mansfield, Hardwicke, Eldon, Jenkins, Stowell, the Civilians, Blackstone, Bentham, and Austin, and concludes with Maine, Maitland, and Pollock. In general chronological, the order is partly determined by a topical grouping. A little is given of the life but most space goes to the particular contribution of the "maker." The judgments are conventional, perhaps too conventional at times, for they are not always abreast of newer hypotheses and conclusions. They are not likely to cause readers to say: "I had never thought of that." In a sense this is a real weakness, for such a book would have lent itself to a few suggestive asides. This complaint, however, is only another way of lamenting that all historians of law are not Maitlands.

Associate Professor of History
University of Missouri. CHARLES F. MULLETT.

CASES AND MATERIALS ON ADMINISTRATIVE LAW. By Kenneth C. Sears. St. Paul: West Publishing Co., 1938. Pp. xvi, 800.

This casebook is the outgrowth of a project to revise Freund's Cases on Administrative Law. The idea of revision was abandoned, however, because, "so much had happened in that indefinite field of law known as Administrative Law that a very different selection of cases and materials" was "necessary in order to present adequately the subject-matter." Yet the editor acknowledges his indebtedness to Professor Freund for many of the ideas presented, particularly the view (1) that Administrative Law should be treated as law controlling the administration and not as law produced by the administration, and (2) that an effort should be made "to relieve the course as far as possible of constitutional problems, which are taken care of in other courses."

The casebook is divided into the following chapters: (1) The Development of Administrative Law Through the Use of Remedies (205 pp.; (2) The General Nature of Administrative Tribunals and Agencies—The Methods by Which They Function and are Subjected to Judicial Limitation (107 pp.); (3) Examples of Administrative Tribunals and Agencies in Operation (252 pp.); (4) Officers (100 pp.); (5) Governments (75 pp.). The appendices (61 pp.) contain an article entitled "Working Papers on Administrative Adjudication" (32 pp.) which was prepared by F. F. Blachly for the use of the Judiciary Committee of the Senate; Forms—charts of the Independent Regulatory Commissions (7 pp.); brief Excerpts from the Report of the Committee on Ministers' Powers (1 p.); and the Revised Rules and Regulations of the Secretary of Agriculture for Carrying out the Provisions of the Perishable Agricultural Commodities Act, 1930 (21 pp.).

In arrangement and treatment this casebook differs from Freund's. Only a small number of cases found in the older work (approximately thirty-five) appear in this collection. For the most part the compiler has selected recent cases and materials—this is particularly true of Chapters II and III.

In the preface the editor discusses briefly the reasons for his arrangement and selection of cases. He justifies the extensive treatment of remedies in the first chapter on the ground that "the first thing that causes trouble for the students is the lack of familiarity with the extraordinary remedies which are commonly used in certain aspects of litigation concerning administrative agencies and tribunals." He asserts that—"As a result . . . . the best way to present Administrative Law is first to study the cases that will make the students familiar with these remedies." He suggests, however, that Chapter I may be omitted or postponed until the material in Chapter II has been presented.

Chapter II deals with the general nature of administrative law. It introduces the student to such fundamental doctrines and concepts as the separation and delegation of powers, and the statutory basis of administrative powers, as well as to some of the judicial logomachy enveloping the concepts "legislative," "judicial," and "executive" or "administrative." The chapter serves as an excellent introduction to the study of Administrative Law.

In Chapter III there is an attempt to treat Administrative Law by the "functional process." It is the compiler's theory "that one cannot very accurately present Administrative Law as a whole; that to a considerable extent the administrative law in the taxation field is different from the administrative law one finds in the field of immigration, for example." Several types of administrative tribunals and agencies (Taxation—82 pp.; Immigration—28 pp.; Health and Morals—22 pp.; Workmen's Compensation—21 pp.; Business—Federal Trade Commission—16 pp., National Labor Relations Board—8 pp., Security Exchange Commission—1 p., Agriculture—½ p., Communications Commission—1 p., Postal Service—4 pp., Miscellaneous Licenses—1 p.; Utilities—27 pp.; Perishable Commodities—18 pp.; Civil Service—22 pp.) are dealt with separately with the intention of giving to the student "an adequate acquaintance with a fair sample of administrative agencies and tribunals as they are functioning today." It is doubtful whether the compiler fully obtained his objective, for with the exception of the Taxation section there appears to be only a scanty amount of space devoted to the separate agencies into which the chapter is divided—some of these agencies receive little more than a digest treatment. Yet despite this the reviewer has found this chapter a definite contribution.

The last two chapters deal respectively with Officers—Selection and Removal and Responsibility and The Responsibility of Local, State and National Governments—subject-matter that ought to be covered in a course in Administrative Law, but for which this reviewer has not found available time in the two semester hours allotted to the subject in his law school.

Reviewers of this casebook have lauded its large content of purely administrative material, and the compiler's "knowledge of the most recent material," which "gives the collection a fresh touch."[1] This reviewer agrees that Professor Sears' selection of cases and materials is a marked improvement over some of the other

1. Davidson, Book Review (1939) 6 U. of Chi. L. Rev. 531. See Hart, Book Review (1939) 25 Va. L. Rev. 870.

casebooks on this subject. He is to be especially commended for the scholarly selections made in Chapters II and III.

An objectionable feature of this casebook, however, is the footnoting system. A good footnoting system can greatly enchance the value of a scholarly work; this is particularly true of a casebook. The footnotes in this book are neither uniform nor precise—defects which, with some effort, could have been remedied. Titles or authors of law review articles are seldom given although there are numerous citations to this valuable field of legal literature. In some notes one finds no indication whether the citation refers to a leading article, a comment, or an annotation of a recent decision. For example, in footnote 61, page 523, there appears, along with other citations, the following: "10 Ill. L. Rev. 147; 24 Ill. L. Rev. 423, 428; 31 Ill. L. Rev. 757." The first is to a recent case discussion, the second to a leading article, and the third to a lengthy comment.

Furthermore, the adoption of a complete footnoting system would alleviate the dangers arising from mistakes in printing as well as in the transmissal of notes by the editor. Thus Professor Sears could have lessened the possibility of such faulty references as occur, for example, in footnote 22, page 381, where, with several other citations to law review articles pertaining to the Board of Tax Appeals, there appears authorless, titleless, and dateless, the following citation: "23 A. B. A. Jour. 147." In checking this, one will find on page 147 a portion of the reports made in the "Proceedings of the Fifth Session of the House of Delegates" of the American Bar Association. After some search through the indices of the Journal one finds the article the editor probably had in mind, that is, A. H. Kent, Some Current Problems of Tax Administration (1937) 23 A. B. A. Jour. 947. Mistakes made in page numbers may not be the fault of the compiler, yet a more efficient system will serve as a check upon such mistakes. The reviewer finds it desirable to know the author's name as well as the title before looking up a citation. In some of the footnotes dates of publication are omitted whereas they appear in others. As for style it is believed that the orthodox practice of enclosing dates in parentheses is preferable since it is then much easier to "spot" the date of the case. Unfortunately this casebook does not follow the orthodox practice. These defects in footnoting have marred for the reviewer the usefulness of Professor Sears' book. A good casebook should be both a text and a search book.

In addition to a good noting system it is believed that a Wigmorean critical evaluation of the articles and treatises cited would further enhance the value of casebooks. The editor should at least classify the many articles which he cites, indicating which would be most advantageous to read. It is believed that casebook editors and publishers sometimes sacrifice scholarship for hurried preparation in the competitive field of casebook marketing. The reviewer wonders if the present casebook was not hurried, so that its usefulness has been impaired in the manner he has mentioned.

Stetson University College of Law. JAMES J. LENOIR.

HANDBOOK OF INTERNATIONAL LAW. Third Edition. By George Grafton Wilson, St. Paul: West Publishing Company, 1939. Pp. xxiv, 623.

The third edition of Wilson's *International Law* differs little from the second edition[1] in size and organization. It has twenty-two more pages of text and adds a table of cases, but the documents printed in the appendix are the same except that a revision of the Geneva Convention adopted in 1929 is substituted for the 1906 revision.

The contents of the pages, however, have been carefully revised to take cognizance of recent developments in international law such as the reluctance of states to acknowledge a legal state of war though large scale hostilities are in progress, the non-recognition doctrine, and the new Pan-Americanism.

Professor Wilson was for years connected with the United States Naval War College and has devoted especial attention to the law of maritime war and neutrality. His mature statement of the law on these subjects will be examined with interest during the present war. While he does not deal directly with the embargo controversy now in Congress, he does state clearly the principles of law applicable to the situation. After noting the duty of a neutral government to refrain from supplying belligerents with war materials, he writes: "This does not imply any obligation of a neutral to interfere with the ordinary traffic of its nationals in war supplies, though such traffic may be prohibited or regulated by special treaty agreements, or by domestic action."[2] Furthermore, after discussing certain neutral regulations of belligerent conduct in its territory required by international law, he writes: "A neutral may make such further regulations of an impartial nature that may be deemed expedient."[3] Thus he recognizes the wide freedom enjoyed by a neutral to change its regulations during the course of war.

Professor Wilson treats new institutions of international law, such as the League of Nations, the Permanent Court of International Justice, and the mandates system, sympathetically, and notes the tendency of international law in recent years "to give more weight than formerly to social and economic factors in the life of nations." His attitude is, however, on the whole conservative. In spite of new developments he thinks "the principles of the law have remained." He recognizes, however, that while it is preferable to follow "established phraseology," the content of international law "must gradually change and real progress will be through evolution rather than revolution." He therefore attempts to make clear "the changing significance" of words long in use.

The footnote references are mainly to cases, treaties, and other source materials. A well selected bibliography is included.

Because of the clear statements of the law in black lettered text at the head of sections and the brief but adequate explanations by the citation of historical

1. Published in 1927.
2. P. 467.
3. P. 481.

material and authoritative texts with little of a speculative nature, the book will be especially appreciated by lawyers.

University of Chicago QUINCY WRIGHT

PUNISHMENT AND SOCIAL STRUCTURE. By George Rusche and Otto Kirchheimer. New York: Columbia University Press, 1939. Pp. xii, 268.

This book undertakes to study criminal punishment as an historical fact, or a long succession of facts, rather than as a theory or an application of theories. It undertakes to discover what punishments have actually been imposed and enforced, upon what persons or classes of persons and for what crimes or supposed crimes, in what have been called the civilized countries of the world, during the several centuries just past. It also undertakes to correlate the rates of criminality, or the occurrence and subsidence of "crime waves" and the accompanying public outcries against the criminal element in society, with the somewhat varying modes of punishment currently popular. Further, it undertakes a correlation of economic conditions of the time and place with local conditions as to crime and punishment. All this is attempted with the somewhat meager statistics for earlier centuries to which the authors were necessarily restricted. One reading the book has the feeling, however, that the bodies of factual information presented are at least relevant to each other, even though the court and prison clerks of other days too often left us without complete record of the events of their times.

Despite their constant concern with facts, the authors of the book have a point to make, and from the beginning of the work to its end they are busy making their point. Every time a fact is presented it helps to establish the authors' thesis. This does not mean that the facts are incompletely presented nor that they are toyed with to serve the writers' ends. That is pretty clearly not the case. The authors have simply seized upon an interpretation of penal law and practice which is substantially proved by the available statistics, such as they are, and they have arrayed the statistics in increasingly convincing fashion throughout their little volume.

The point which the authors have to make is that the criminal law, and the punishments imposed under it, are dictated primarily by the economic needs of the economically dominant class in society for the time being. The state of the labor market determines not only how much crime occurs but also what punishments shall be imposed upon persons deemed guilty of crime. Punishments are always fixed so that the lot of the prisoner will be perceptibly worse than that of the law-abiding dweller on the borderland of economic security, else the latter will be tempted to improve his hard circumstances by reaching after the forbidden fruits of crime. During periods of labor shortage, prisoners will be put at hard but useful labor and perhaps even paid a pittance for their product; during periods when the labor market is oversupplied, useful labor will go out of fashion, rewards for effort will dwindle, and prison life will be increasingly hard. Thus

a wide gulf in living standards will always be maintained between the proved enemies of society and the economically marginal class of hard-pressed laboring men from whose ranks the more venturesome and the more desperate tend to pass over to criminality.

It must not be inferred that this volume is merely a Marxist tract or a pamphlet for prison reform. It is a thoughtful study, realistically factual, of a decidedly material and materialistic problem which is too often dealt with in terms of philosophic theory or Pollyanna sentimentality far removed from the hard facts of life as they exist in penitentiaries and the more or less happy homes of unconvicted criminals.

As Professor Thorsten Sellin says in his foreword to the work, "Even those who may find in (the authors') interpretation too strict a confinement to one point of view will find in this book a stimulant of thought which all too few publications in this field of research provide."

University of Arkansas School of Law. ROBERT A. LEFLAR