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field, and the necessity of demonstrative proof by the use of photographs, etc., is much the same as in handwriting identification. The admissability of such testimony and evidence in Michigan is established by the case of *Bartholomew v. Walsh,* 191 Mich. 252, which also admits testimony as to characteristics of punctuation and capitalization found in the questioned document, and as to the watermark of the paper on which it was written. See also 17 Cyc. 189; *People v. Risley,* 214 N. Y. 75.

There naturally will be no appeal in the present case, which is unfortunate, since it will not be in the books as a precedent tending to counteract the older critical decisions on this special subject. The history of the case in this Journal, will, however, serve to show that investigations of this sort are not of the hopeless character that they were under the old procedure in Michigan.

JOHN THOMAS DASEF.

CO-OPERATION BETWEEN THE JUDICIARY AND THE POLICE

BY JOHN BARKER WAITE*

The problem in which I have been interested is the reason for the great disproportion between the number of arrests by the police and the number of convictions resulting. I have not solved the problem, of course, but I think I have learned part of the reason. Thanks to the courtesy of various police heads I have been enabled to watch the police in their work and to observe many cases from beginning to end. In this way I have seen the same case from the point of view of both the police and the courts. I have been able also to gain some insight into the probabilities of other cases whose facts I have not actually observed.

I learned in the first place, that arrests which fail to result in conviction are much the most numerous in respect to minor crimes. Of course, many arrests for the more serious felonies do not result in conviction, but, as one would naturally expect, abortive arrests are of much higher proportion for misdemeanors and minor felonies. By far the most numerous unprosecuted or unsuccessfully prosecuted

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arrests are those made by the "vice-squads", "clean-up squads", or "special divisions" as they are called in different cities. And there is a legitimate explanation for it. Those squade have a most difficult and thankless job. They are almost sure to be damned if they do arrest, on the charge that they are exceeding their authority, and absolutely certain to be damned if they don't arrest, on the charge of failure to keep the city clean; and in either case, they are usually damned by the same people. The truth is that like the Israelites, they are expected to make bricks without straw.

For instance, I am credibly informed through sources other than the police themselves, that some very influential corporations in Detroit, located in the red-light district, are urging the police to put a stop to "window-tapping" by prostitutes. These concerns are not merely *urging* the police to stop it; they are doing all they can to *compel* the police to act. You may have noticed that every once in a while some Detroit paper comes out with a tirade against the police force, because, as it says, "window-tappers" are tap, tap, tapping all up and down the streets, to the great scandal of the city's morals. The police, therefore, are *forced* by public opinion to stop window-tapping in some way. They arrest tappers not because they like to be officious, but because the public demands that such arrests be made.

But the truth is, that nobody knows whether or not window-tapping is a *crime*.

The point first came to my notice, in the case of one Betty Harris, arrested on a charge of window-tapping. She was convicted before Judge Cotter who decided that window-tapping is a form of breach of peace and constitutes a crime.

Miss Betty had money enough to "take an appeal" and in due course, appeared before Judge Jeffries. I will read you the newspaper report of Judge Jeffries' ruling:

> " 'Do you remember when you were a little boy?', Judge Jeffries asked the policeman. 'Yes', said the witness. 'Did your mother ever tap on the window to inform you it was time for you to come in the house for supper?', Judge Jeffries pursued. 'Yes', said the witness dubiously. 'You wouldn't say she was disturbing the peace, would you?', asked the court. 'Well no, not exactly', the witness replied. 'Well,

then', said the court, 'neither was this woman disturbing the peace. The case is dismissed'."

"There was a hum of assent from the underworld audience", the report continues, "as they filed out to Judge Bartlett's court."

The effect of the whole thing is thus given in the *Free Press* of March 25th, commenting on the case before Judge Bartlett.

> " 'TAPPER' FREE, UNDERWORLD CHEERS JURORS—Riotous Scene Greets Finding in Test Case before Judge Bartlett.—Officers Summoned to eject Disturbers.
>
> "Painted, bedizened women of Detroit's underworld, led by their so-called vice 'Queen,' Hattie Miller, late Monday turned Judge Charles Bartlett's court room into bedlam with wild cheers and shouts. A jury had just found a verdict that upsets the police crusade against window-tapping to attract persons passing disorderly houses. It was the second blow dealt the crusade Monday. The first set-back was delivered by Judge Edward J. Jeffries.
>
> "Attaches of Judge Bartlett's court tried in vain to quell the uprising cheers, the while the judge pounded his desk fiercely in an attempt to be heard over the clamorous rejoicing. Finally the courtroom was cleared, the underworld characters being literally pushed out into the corridors by policemen and court attaches."

As a result of all this, the concerns that want to put a stop to window-tapping, in the interest of decency, are still wanting to do so, and are still exerting what pressure they legitimately can. Every once in a while you may read a news story about window-tapping which directly or indirectly damns the police for not putting a stop to it. And yet when the police do try to hold it in check by arrests, they cannot *convict* the tappers, before Judge Jeffries at any rate. So they make arrests of tappers in order to stop the tapping, as the public demands; and then they are forced by the judicial ruling to discharge the women, whereupon the papers and emotionalists damn the police for making unjustifiable arrests.

Hence, I say, the police get unmerited abuse, whether coming or going, from those who consider only half the facts.

I speak of this particularly, not at all because I hold a brief for the police, and not because the judicial ruling was necessarily wrong, but because pretended police oppression and illegality of action is often used as an alleged justification for judicial refusal to co-operate with the police. There are, of course, faults in the police activity, but the point is, that much of the apparent wrong-doing by the police is really honest and faithful effort to accomplish what the *public demands* of them.

The fact that very many arrests are made without successful prosecution of the persons arrested, is sometimes proof of *judicial* refusal to act, rather than of over activity by the police; and even when the inability to prosecute successfully is due altogether to unlawful police activity, it is, as I have just said, not necessarily proof of a wrongful police attitude which merits judicial rebuke. It may be activity which the judges should commend and assist.

The arrests without conviction, to which I have referred, divide themselves into three general classes.

The first and perhaps the largest class is that in which conviction cannot be had because the police have no evidence on which to convict. The arrests for window-tapping, of which I have spoken, fall within this class. There is no evidence of crime, because of the judicial decision that window-tapping is not a crime. Even Judge Cotter's ruling that it is a crime required the police to prove conclusively that the defendant actually did the tapping. Now these women sit in a darkened room, or behind a lace curtain in the day time, where they can see, but not be seen. There may be two or four women in the house. All the police can know is that some one of them tapped. Only in rare instances can they really know which one did it. Even under Judge Cotter's ruling, therefore, they can seldom convict a tapper.

The same thing is true of the arrests of street-walkers for solicitation. Even the plain-clothes officers are known to street women. I have seen a prostitute suddenly leave a "prospect" and slip into a hotel because she recognized the police flivver over a block away.

On the other hand, I have watched a clean-up squad make almost thirty arrests of prostitutes in one evening without a single mistake. I mean by "without mistake", that every one of the women sooner or later admitted that she was a prostitute, or had been "hustling" the

day before, or expected to be able to do so tomorrow, and merely insisted that she was not hustling at the particular time. But in not a single one of these cases did the officers really have evidence of actual solicitating sufficient to make out a case. They simply cannot get such evidence.

This means that the police of a big city have just two alternatives. They may let window-tapping go on unchecked, and let the prostitutes walk the streets when and where they will, except for the very rare cases when they can get the evidence. You know about what the city would be like, if the police did that. The alternative is to hold prostitution in check to some extent, by making the prostitutes at least keep under cover, through these arrests which admittedly cannot be successfully prosecuted. The point is, that as a necessary means of keeping the city clean, these arrests are really *justified* in fact, so far as the police are concerned, and the police should not be condemned by the judges.

The second class of apparently unjustified arrests comprises those in which the police really have sufficient evidence to convict, but are unable to persuade the judge or jury of its truth. I doubt if there are many cases of this type, though the papers herald the few that do come up out of all proportion to their importance.

It is a delicate matter to say that the police ever really have sufficient evidence, when the judge or a jury has said otherwise, but I am sure that it happens.

I watched one series of cases which seemed rather convincing. I had been with the police of a certain city when they made the arrests, and I heard the cases tried by the judge without a jury. These were the facts, as I observed them.

The police had received several anonymous reports that a certain house was being operated as a blind-pig. There was not enough evidence to satisfy the magistrate issuing search warrants, but enough notoriety attached to the place to bring public condemnation on the police if they did not do what they could to put an end to it. So being unable to get a warrant, they raided it without one.

It *was* a blind pig of the lowest type—incredibly dirty, not as the old saloons used to be, sociably dirty for those who liked it, but bare, ugly, and forlornly sordid. Of course, there was no use in arresting the negro proprietor, who wore diamonds and an evil grin

on top of his dirt and who knew his legal rights. There were a dozen men in the place, dirty, unshaven bums, and a few workmen. I was brought up and went to school in one of the poorest districts of the city, and I have some sense of the difference between a dirty workman and a dirty bum.

They were lined up and quizzed by the officers. Those who had no job, no money, no address were held on a charge of vagrancy, and the others were let go.

Later on that evening the same officers picked up four bums, more or less drunk, loitering where they had no business to be, and where I should not have cared to meet them alone. The drunkest of the lot was one Eddie Murphy. Before Eddie's case came on, his record was looked up and showed, as I now remember it, 23 appearances in court in two years. More of his time seemed to have been spent in the House than on the streets. A third arrest that same evening by the same officers was made, for prostitution.

The first case of this particular batch to be called in court was one of the loafers arrested on the street corner with Eddie Murphy. The judge inquired of Officer Monahan (which was not his name) about the circumstances, quizzed the defendant and sent him to the House. The next case was one of the vagrants from the blind pig. Monahan reported where he had found the fellow, that he had no money, and that he had admitted not having worked at all for four or five weeks. The judge then questioned the defendant, who said he was a married man, living with his wife, and had not worked because he could not get a job.

Personally, I am inclined to think the fellow really was a sort of worthless ne'er-do-well, who liked liquor, rather than a real vagrant such as the law is aimed at. But on the other hand, I cannot see that the officer made a very serious mistake in picking him up, under the circumstances. However, the judge thought otherwise. As soon as the fellow told his story, the judge, with no further inquiry at all, burst out into a tirade of abuse at the officer and the police in general. It was a surprising show of temper. Although the release of the prisoner impressed me as proper, the condemnation of the officer seemed very unjust.

The next case was that of Eddie Murphy. One of Eddie's companions, you remember, had already been sentenced, and Eddie's

record had been handed to the judge, though I am not sure he had read it. The judge, however, when the case was called, turned to Monahan and asked, "is this another one of your cases?" "Yes", said Monahan. "Case dismissed", said the judge, "get out of here Murphy". There, certainly, was a case where the court ignored evidence sufficient to convict. He had already held it sufficient in the case of Eddie's companion.

In the prostitution case which came up next there was evidence enough to lead me to convict the woman, had I been the court, but the court itself thought otherwise and dismissed the case. I feel quite sure that had he not been angry at Monahan, he would have found the woman guilty.

The third class of apparently unjustified arrests, comprises the cases where the police have sufficient evidence to convict, but are forbidden by judicial ruling to use it. These are the cases chiefly where the evidence has been secured by search without a warrant.

Michigan is one of the minority of states, where evidence illegally secured must be returned or suppressed on demand of the person whose rights have been violated. Consequently evidence secured by illegal search or arrest cannot be used over such protest. This is, of course, merely an indirect method of sustaining the constitutional immunity from search, by refusing to allow even the state to profit by its violation. Mr. Wigmore expresses it as an attempt to punish the officer for his wrongdoing by refusing to punish someone else. The merit or harmfulness of this indirect method is a moot matter which I shall not now discuss.

The point here important is, that even though the rule excluding such evidence be established, there still remains a certain judicial discretion in applying the rule—a chance to co-operate with the enforcement agencies, or to obstruct and hinder their work, whichever the judge may choose.

Some trial courts seem even to ignore the rule altogether, somehow, when they conceive that the interest of society require it to be ignored. Take two similar cases as illustration.

The police got complaints that one Bill Flockton was running a blind pig. The complaints were not such, however, that they could secure a search warrant. So they went to the place without it, a couple at the front door, and one at the back. They knocked and

demanded entrance, in the name of the law. The door was opened, and Bill and his considerable quantity of booze—which he had hidden in a closet—were loaded into the wagon and taken to the station.

The next complaint on the list was of an apartment said to be occupied by a prostitute. Again there was no evidence on which to get out a warrant, but again the officers went to front and back doors and demanded entrance. Again they entered despite Letty's protest and searched and again they found the evidence hidden in a closet. The fellow admitted having had intercourse for which he had paid. So Letty and the evidence were bundled into the wagon and sent to the station.

There was not a shadow of difference in the material facts of the two cases. The unwarranted invasion of privacy was identical. Nevertheless, Bill was discharged on the ground that the evidence had been secured by illegal search, and Letty drew thirty days in the house of correction.

The only possible explanation I can see, is that the trial courts are willing to co-operate with the police in overcoming practical difficulties in the prevention of prostitution, but do not so co-operate in respect to prohibition. If the objection to the use of the evidence had been raised by counsel in Letty's case, it is probable the court would have heeded it. The difference seems to be that in the prohibition cases the objection is raised by the judge himself, although he does not raise it himself in the prostitution cases.

(Not all trial judges so co-operate, even in prostitution matters, however. I am told,—though I cannot verify it—that one judge has said that evidence of prostitution secured without a warrant cannot be used, unless the act itself took place in the presence of the officer making the arrest. And I believe such is really the law.)

But even assuming that evidence secured by illegal search can never properly be used in any such cases, a search does not always need to be on a warrant, to be perfectly legal. Thus, if it is *reasonable* without a warrant, a warrant is not necessary. While the Supreme Court was holding that search of a barn for *liquor*, on a warrant authorizing search of a house, was not legal, the circuit court was holding, on the same day, that search of a barn for diseased cattle was reasonable and therefore legal, without any warrant at all.

What is reasonable and legal seems to be a matter of judicial reaction to the facts.

Similarly, it is perfectly well settled that after a legal arrest, search of the person arrested may be made without a warrant. Furthermore, an arrest for felony is quite lawful, even without a warrant, if made upon reasonable ground for believing the arestee guilty.

What constitutes reasonable ground to believe the arrestee guilty is a matter for the judge to decide in each case, when the facts are clear. Therefore, if the judge feels that the arrest is legal, the subsequent search is legal, even without a warrant, and the evidence may be used. If he thinks the arrest itself was unreasonable, the evidence cannot be used. It is up to the judge. As a matter of law, it is within his judgment in such cases, whether the evidence may be used or not. One judge, therefore, may co-operate with the police by readily believing that reasonable ground for belief existed, while another may oppose the policy by inability ever to see reasonable grounds.

Judges do not always decide alike upon this matter. For instance, two officers patrolling in a dangerous part of town noticed a negro and a Mexican wandering about suspiciously. As the pair saw the officers they started to turn around, thought better of it and came on. An officer stopped the negro, took him by the shoulder, and felt his hip pocket. In it was a steel jimmy about two feet long. As this officer turned to speak to his companion, he saw the Mexican drawing a thirty-two calibre automatic. They took it away from him and sent both men to the station. Both were indicted for carrying concealed weapons. The negro, with the steel bar, came up for trial first and drew ninety days in the house of correction. The Mexican, with the automatic, came up later before a different judge, who dismissed the case and discharged the Mexican on the ground that the arrest and search were illegal.

It is obvious that *both* judges could not have been right, since the facts of the two cases were identical. Yet, it is hard to show which was wrong. One had faith in the police, the other was hostile. The grounds of suspicion are almost impossible to demonstrate to a hostile judge in such cases. If an officer cannot arrest for carrying concealed weapons unless he actually *sees* the weapon, he cannot

arrest at all, for in such cases the weapon is not concealed. It would mean that the law against carrying concealed weapons might as well be repealed. If an officer *may* arrest on reasonable suspicion, then he ought not, as a practical matter, be required to paint for the judge a picture of all the little events, the furtiveness of the suspect, the quick motion for his hip when he is startled, and all the other details, so clearly that the judge himself can visualize it and himself realize the suspicion. Did you ever hear of a policeman clever enough to paint a word picture like that? If he were, he would be a councilman at least, not a flat-foot.

I cannot see the possible justice in denying the reasonableness of the officer's suspicions, when they do, in fact, lead him to arrest the guilty man. Guilt tends to reveal itself. The fact that the person arrested is in fact guilty of the crime for which he was arrested is to me the strongest evidence that the arresting officer had reasonable ground to believe him guilty.

I want to read to you the verbatim report of one case as turned in to head-quarters.

"Detroit Police Department.

"June 4, 1924.

"To Lieut. in Charge,

"Sir, at about 11:40 P. M. on the night of April 21, 1923, while Patr. Clyde Rittenhouse, and myself were walking north on Orleans St., near Maple St., we noticed a colored man walking towards us, and upon noticing us, he stopped, and seemed to us, that he was undecided whether to keep on coming toward us or run the other way. Upon coming closer to him his actions prompted me to say, 'just a moment, Mac.' At the same moment he drew a gun from his right overcoat pocket, and started to shoot at me. He fired four shots, one of the bullets hitting me in the left leg breaking the shin bone. We returned the fire, hitting him five times. I was transferred to Receiving Hospital in Auto No. 3. On Sept. 5, 1923, Patr. Rittenhouse and myself, with Det. Carscadden and Jankow, went to court, where we found out that the case against Oliver Phelps, the man who shot me, had been dismissed the previous day by Judge Edward Jeffries. The

Judge declaring that it had been an unlawful search, as we had molested a peaceful citizen on his way home, and under the circumstances, he had a perfect right to shoot me.

Respectfully submitted,

(Signed) WALTER STELT, *Patr.*

First Endorsement

From the Commanding Officer, Third Precinct, to the Superintendent of Police, June 5th, 1924. For your information.

(Signed) LOUIS L. BERG, *Inspt.*
Third Precinct Station.

The official records show the dismissal, but do not show the reason. If the judge really held as stated, his conclusions were absolutely incorrect as a matter of law. Even granting that the arrest was illegal, Phelps had no legal right to shoot the officer.

Moreover, whatever the judge may think, the facts show that Phelps was *not* a peaceful citizen. He was *in fact* a law-breaker, a criminal. He was in fact committing the very offense for which he was arrested. Remember that these officers were in uniform. Phelps had no pretense of believing that it was a hold up, or anything of the sort. To say, under the circumstances, that the officers had no reason to suspect the facts, seems obviously—let us say a marked failure to co-operate with the police.

Other cases of the same type occur so often that I expect some day to see the *legislature* step in and declare that the actual guilt of a person arrested shall be sufficient proof that the arrest itself is reasonable, if otherwise legally effected.

Since the courts possess this discretion to say that the arrest is justified and the search legal, they have power to co-operate or not to co-operate as they see fit. The cases I have just cited show the extent to which they choose the latter alternative.

In another aspect of non co-operation, I know of one police court judge, who so persistently refused to punish gun-toters arrested by the police that, after several murders of policemen, the press began to condemn him. He then took action not, however, by co-operating with the police, but by organizing an "anti-gun-toting league" among the negroes and roughs of the city. Each member pledged himself

not to carry concealed weapons in violation of the law. It was a lovely ideal, this altruistic plan of putting crooks on their honor. But I have a suspicion that it did more to keep that judge on the bench than it helped the police to repress robbery and assault.

The result of all this non-co-operation seems to me to be bad. It makes for inevitable increase of crime. In the first place it derogates that *certainty* of punishment which is admittedly the strongest factor in deterring crime. It leads to an exaggerated belief in the facility with which one may escape punishment. It creates a feeling that "influence" can assure escape. Moreover, it diminishes seriously the under-world's natural fear of the police, and affects the whole country's respect for law and law enforcement.

On the other hand, instead of lessening illegal and unwarranted police activity, it necessarily increases such activity. The police cannot arrest without a warrant; they cannot get a warrant without evidence; they are too well known to get such evidence as is necessary for a warrant without search; and they cannot search for the evidence without a warrant—which brings us back to the beginning. It seems to be impracticable to get evidence against the smaller and most dangerous of the blind pigs and gambling joints, and more particularly against the gun-toters and their ilk, by so-called legitimate means.

The result is that for a time the police obey the law, as it is interpreted by the courts (which is not the way it is literally written) and they leave alone the secretive and furtive offenders. But when complaints become chronic, and the papers howl about police inefficiency, there comes a point when they must act. Then they must disregard judicial rulings and are forced to harass the prostitutes and bootleggers, gun-toters and gamblers, in whatever way possible. Under our judicial rulings they cannot practically, actually convict these gentry and put them into safe seclusion. If they could, our cities would be cleaner of vice.

Likewise our police officers would be somewhat safer in the performance of duty, and our own selves less liable to armed robbery, if thugs and criminals actually armed and ready to use their guns, were not called peaceful citizens, and if officers were not required to prove in detail the reasonableness of their undeniably correct suspicions.

Let me emphasize at this point that I am not ignorant of the other side of the matter. I know that law enforcement officers do abuse their authority. I have seen it myself. Every man who has been arrested for anything thinks he has seen it, but I have seen abuse when I was not the one abused, but only an unprejudiced observer.

I know there is much truth in the statement of Judge Anderson of the first federal circuit. He said (294 Fed. 776, 790) "Lawlessness by law enforcing agents, cuts up to the roots of government ————. For years, if not permanently, we shall inevitably have a larger number of policemen or prohibition officers, however they be named, unfit for their jobs—either out and out blackmailers, or ready to yield to the temptation of bribery."

But after all, the real remedy is *direct* action against these uniformed bruisers and blackmailers; the same remedy that would be used were they not in uniform. We cannot discard our police because its units are not perfect. We have not prohibited the manufacture of cards and dice because some men use them to cheat and deceive. Neither do we condemn the use of automobiles because some men use them for the purpose of facilitating crime. Instead, we punish the criminal users directly, so far as we practically can. Thus also we should deal with faulty units of the police forces.

I feel sure that the misuse of enforcement power, the asserted danger to private rights, the alleged impracticability of checking it by direct action, are very greatly exaggerated. All that sort of thing is first rate press stuff. We like to hear government abused, rather than praised; so the press gives it to us. Last year a Detroit policeman got drunk and beat up his wife. Immediately a reporter was at headquarters demanding details and a picture. The head of the department offered instead the inside story of a policeman who had just, single-handed, made a very courageous arrest of two stick-up men. The reporter, however, refused to consider the latter story of bravery and efficiency; he insisted on the drunkenness case because it made so much more interesting news. Of course it was in truth the more unusual occurrence. It is just that natural public attitude, however, which makes enforcement misdeeds seem worse than they really are.

Mr. Edmund Pearson (Studies in Murder, p. 206) has expressed

this well, though in a different connection. He was speaking of difficulties which the prosecution of crime encounters and said,

> "One of the reasons why murder is not an extra-hazardous crime in the United States.....is that by the time the accused person is brought before a jury the horror felt at the crime has faded and disappeared. The prisoner has become the center of a pity often quite misplaced. It is then easy for newspapers which are edited for semi-intelligent persons with maudlin sympathies to represent the accused man as the victim of persecution by the police, who during the trial are aided by one or two remorseless attorneys for the government."

He goes on to say, "It is rare, in any conspicuous murder trial, if the attorney for the people does not find himself assailed as a public enemy, merely because he is faithful to his trust."

I think this emotional sentiment for the criminal and this instinctive opposition to any governmental limitations upon free action, are behind most of the belief that law enforcement agencies are a potential menace to society.

Now, as I said at the beginning, if I seem to place undue emphasis upon the hole in the doughnut, it is not because I cannot see the doughnut as a whole. I do see the dough, and I appreciate its quality. I have not spoken of the high character of our American judiciary and the wholly admirable way in which our judges are performing their functions, only because I was not asked to talk of that. Every one appreciates our judges, and comment on their abilities would be superfluous.

I was asked to comment only on the minor detail of their non-co-operation with the police, that is, with the law enforcement agencies. Assuming that in the main they do co-operate, I have merely pointed out the occasional failure. But while that refusal to co-operate is occasional only, it is none the less important in the success or failure of our social organization. Society would be better served in the long run if co-operation were closer.

Let me repeat that I am not here to praise the police. They make just as many mistakes and commit as many faults as other men. I insist that we should go after them hard and should punish their misdeeds as we punish all wrongdoing. But whatever the enforce-

ment agencies may do, I believe the courts will not well serve the public if they merely say to the police, "We don't like you, we are distrustful of you, you make many mistakes, therefore we will refuse to believe that you had reasonable cause to arrest even though your man was guilty, we will abuse you in open court before the public, we will tell the world that you are incompetent and officious; in short, we don't approve of you and therefore we will make your work of protecting society as difficult as possible."

That is the attitude of some of our judges, and I believe it is wrong.

Viewing the facts of both sides so far as I have been able to learn them and judging without personal prejudice, I feel sure that a greater public good would result if our courts would give up the idea that two wrongs make it right for both wrongdoers to go unpunished. It hurts the police perhaps, but it does not punish them so much as it injures the public. The better course for the courts would be to facilitate direct punishment of anyone, be he policeman or civilian, who trespasses upon the legal rights of others, and to punish every criminal as his crime deserves.

1925 BAR ASSOCIATION MEETING

While all final arrangements for the 1925 meeting of the Michigan State Bar Association have not been completed, because of the desirability of making the State Association program fit in with that of the American Bar Association, most of the necessary information concerning the meeting can now be given.

The conference of Bar delegates will meet September first. The first general meeting of the American Bar Association will be on Wednesday morning, September 2, at which time President Hughes will deliver his presidential address. On the afternoon of September 2 there will be a joint meeting of the Michigan State Bar Association and the American Bar Association at which President Walter S. Foster, of the Michigan State Bar Association will preside. The program for this meeting will be announced later. The business meeting of the State Bar Association will be held on September 3,