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BOOK REVIEWS

NACCA LAW JOURNAL — WORKMEN'S COMPENSATION, RAILROAD ADMIRALTY AND PERSONAL INJURY LAW - Vol. 15 - by National Association of Claimants' Compensation Attorneys, Boston, 1955.

This volume, edited by Roscoe Pound, former Dean of Harvard Law School, is an excellent working text for any attorney who may practice in any of the indicated fields. For those attorneys specializing in the indicated fields, it should prove invaluable.

The Table of Contents presents an excellent outline of the entire volume which, by the way, is divided into five parts. Each of the four fields of the law involved is logically arranged and clearly set forth in the Contents. The Contents, when used in conjunction with the Index, makes it easy to locate any desired topic. A spot check of the Index revealed its workability and accuracy.

The lead article in the volume is an interesting, amusing and yet provocative editorial by Dean Pound in answer to "The Personal Injury Racket" which appeared in the January 1955 issue of Readers' Digest. This editorial should be required reading for all lawyers.

In each of the fields of the law covered by this text, recent important cases are discussed. Each case discussion is preceded by a brief, well written headnote in italics, followed in turn by a statement of the facts, the holding or holdings of the case, the complete citation and the comments of the editor. The latter, in many instances, makes reference to and discusses briefly the leading cases. The whole is well written, brief but complete.

Part V contains matters of general interest, including an article by a former Governor of Kansas; a listing of verdicts or awards exceeding \$50,000.00, including those to be found in both reported and unreported cases; a legislative section relating to Workmen's Compensation and Personal Injury law; reports and notes of interest from the various states; current articles of special interest reviewing a variety of Law Review articles; and a series of reviews of recent texts in the fields covered.

The only jarring note is the fact that advertisements are contained at the end of the Index.

The Editorial Board responsible for this volume justifiably may be proud of the result. It can only be hoped that other fields of the law will be covered in as fine a fashion by this or some other publisher.

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TRIAL BY ORDEAL, by Caryl Chessman; Prentice - Hall, Inc., 1955.

Having already attained literary prominence with his best-selling autobiography, *Cell 2455, Death Row*, Caryl Chessman has now come forward with his second book, *Trial by Ordeal*. The author, condemned to die in the gas chamber at California's San Quentin prison for a crime he maintains he never committed, gives an account of life — and death — on "Death Row". Since 1948, Caryl Chessman has lived the nightmare of a doomed man, caged and waiting for an ugly end. By innumerable stays of execution, appeals and writ of habeas corpus, through both state and federal courts, Chessman has escaped oblivion — but he is still waiting. The thoughts, fears, frustration and desperation of those whom society has purged and ordered exterminated are well-portrayed by one who has first-hand knowledge of the awful imminence of death.

But *Trial by Ordeal* is more than merely a description of death for the morbidly curious. It is a condemnation of society in its attitude toward the criminal problem. It is a strong appeal for the abolition of capital punishment and the substitution of rehabilitation for retribution. It is an attempt to show that the criminal problem of today can only be solved by positive and constructive methods, not by negative and destructive coercion. It is a strong reminder that incarceration and even death has not brought an end to crime and that to rid society of this dread disease, a new approach to the problem must be undertaken. Unfortunately, however, Chessman advances no "new approach" to the problem.

In *Trial by Ordeal*, Chessman attempts to graphically display the wrong in mere condemnation. He sharply criticizes the self-righteous, the traditionalist, the moralist. He attacks the press for their portrayal of the criminal as a "monster" and "fiend". He raps the law enforcement agencies, the prosecutor and the court for their unbending effort to punish. What alternative does he suggest? A change of attitude. Instead of the constant demand for punishment, which so far has availed nothing, he suggests the problem should be handled in the light of these questions: What made this man sin against society? What can be done to convert him into a useful member of society? What can we do to prevent others from turning against us? These are the demands of Caryl Chessman in *Trial by Ordeal*. This appeal for the principles of prevention and rehabilitation are not new. Such has been the attitude of leading psychologists, psychiatrists, sociologists, criminologists and penologists for many years. But the appeal of Chessman is not to these experts of criminology alone. It is an appeal to society as a whole to put an end to ugly reprisals and to progress realistically on a more humane course of reasoning and help to the diseased criminal mind.

Caryl Chessman claims a reformation of his mind and soul through the long night of living death. Has he paid his debt to society? There are many who answer in the affirmative. But one thing is certain. He has had every opportunity to plead his case from the lowest to the highest court of the land. If death comes, it will be

the result of seven years of litigation and the sober and deliberate reflection of many a judge and justice. And he will leave behind a lasting attempt to make this free society a better one for all.

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