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FROM EVIDENCE TO PROOF BY
MARSHALL HOUTS. Springfield, Ill.: Charles C.
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Property burdened by such long term leases results in a purely nominal distribution of the corpus. The better rule would seem to be to limit such a lease to the known or probable duration of the trust unless a lease extending beyond its termination is absolutely necessary for the preservation of the corpus itself. In the instant case, no facts showed that the increased revenue was necessary to sustain the property, yet the court authorized a lease which may extend to the year 2105.

LEONARD E. MUDD

JOHN B. HAUSNER

BOOK REVIEW

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The past few years have brought an intense interest in "demonstrative evidence." Its psychologically strong effect in the courtroom has been so greatly publicized by a few outstanding personal injury attorneys who get enormous verdicts through its skillful use that its misuse by less skillful lawyers has created some serious problems of judicial administration. Scientific evidence, too (apart from traditional medical evidence) has come to play a prominent role in modern trial work, perhaps preponderantly in the criminal law field; yet lawyers and judges are much less aware of the many limitations on the extent, utility and reliability of existing scientific knowledge in many fields than of the almost routine, though sometimes erroneous or unwarranted, applications being made of it in our courtrooms. And better-informed teachers of Evidence have not been content to impart only the technical rules of admissibility and their development, but have been striving to convey to their students the insights which the behavioral sciences give into the reliability of various sorts of evidence, so that as lawyers they may help to achieve better evaluations by fact triers of the probative force of evidence, and thus sounder and juster results in trials.

All these matters are the subject of this provocative and important book. The author is a lawyer, former FBI and OSS man, and General Counsel of Erle Stanley Gardner's "Court of Last Resort," which has through painstaking investigation succeeded in clearing and freeing numbers of persons wrongly convicted of crime, and thus remedying some of our miscarriages of justice. He has also taught, with Mr. Gardner, special courses in California for law students, lawyers and judges in Proof and Investigation. He thus speaks from a rich background of training, study and experience, and of association with numerous qualified specialists, in the fields of which he treats. He writes in an animated, emphatic, almost shockingly unconventional style, which matches his unconventional arrangement of these diverse materials into brief, telling chapters around the central objective of bringing the truth to light more effectively in the courtroom. Much of what he has to teach us is unorthodox indeed and generally unknown, and should occasion re-thinking of many accustomed notions and new approaches to many problems of proof.

Houts' chapters bear sprightly titles and, for all their informational content, are almost as exciting to read as a collection of detective stories. They relate to identification of persons, infirmities in eyewitness evidence, confessions, alibis, flight from scene, sexual crimes, insanity, lie detectors and truth drugs, investigations and investigators' reports, criminal interrogation and examination of witnesses, experts, statistical probability, physical evidence, photographs, wire tapping and sound recording, bookkeeping and financial data, handwriting and documents, tracks, intoxication and tests for it, automobile speeds and stopping distances, fingerprints, firearms identification, spectrographic analysis, hair, textile fibers, glass, soil, blood and blood tests, semen, murder versus suicide, time of death, identification of corpses, and poisons. The book is full of strikingly effective photographs, which, like the many actual experiments, experiences and cases the author reports, make vivid and drive home his considered, though sometimes startling, statements and opinions. It contains some excellent and useful charts and tables as well.

There is not enough space in a short review to begin to summarize Houts' ideas, and the wealth of the book's challenging informational content, on the host of important subjects which he treats. Marking only exceptionally interesting passages for possible quotation, I soon collected several dozen. You will certainly want to know what Houts has to say; go directly to his book for it. You will enjoy the experience.

The volume is effectively indexed. It is also a fine example of the book-maker's art. I cannot help wishing that there had been included at least a selected bibliography, to assist the reader in further study of its numerous topics, and citations to published or other specific sources for some of its often surprising data, to provide the wanted reassurances which would give the book still greater authority and usefulness.

The author does say in his Foreword: "I have attempted to convert to printed form a number of experiences familiar to all, but difficult to locate in citable form for appellate or jury argument." His assumption that he is detailing "experiences familiar to all" I gravely doubt. That his book could be read with profit by every lawyer, judge and law student, and that its critical study may help us all toward improving the soundness of the fact-finding process in our courts, I have no doubt at all.

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