

CAN YOU TELL A CROOK BY LOOKING AT HIM?

You Cannot, Says Noted English Investigator, Who Shatters the Lombroso Theory—There Is No Difference, He Finds, in Measurements of Law-Abiding Heads and Those of Criminals—Oxford Graduates Are Not to Be Told at a Glance, Nor by Head Measurements, From Criminals—Photos Show Law-Breakers in Local Crime Annals Who Do Not Look Desperate Parts Played



Hazel Truitt, Murderer



L. G. M. Donald, He Is a Neighbor, Does He Look The Part



William O. Thomas, Alias 'Tommy' McPherson



Leonard Lockard, Horse Thief



Chief of Lombroso's was arrived at, not by methods of disinterested investigation, but, rather, by a leap of the imagination, the notion thus reached that the basis upon which he conducted his researches and constructed his theory—the whole fabric of the Lombrosian doctrine, judged by the standards of science, is fundamentally unsound.

"Preconceiving criminality to be a diseased or anomalous mental condition, he realized—although not, as it noted, until measurements had failed him—that this conception could only become universally acceptable by demonstration of the presence in the criminal of physical and mental abnormalities, i. e., of structures and conditions in him by which the criminal could be qualitatively differentiated from the law-abiding community.

"But, unfortunately, there are no signs peculiar to the criminal by which he can be inevitably detected. And so, to circumvent this rather formidable obstacle to the development of this plan, Lombroso availed himself of a series of subtleties, among which figured conspicuously his invention of a 'theory of anomalies.'

"The theory of anomalies, so ruthlessly rejected by Topinard and Manouvrier, presupposed that all marked deviations from the mean value of any character in man were 'anomalies,' and that a definite line of demarcation existed between characters which were and were not thus designated anomalies, and that, according to the anomalies stigmatising them, the degree of moral alienation in individuals could be



Lew Whitlock, Murderer



diagnosed. The following is a list of some of the principal characters that have been enrolled as 'human anomalies':
"The various form of cranial asymmetry:
"Size of head—Very large heads, very small indeed; low, narrow and receding foreheads.
"Facial asymmetry—Great development of lower jaw.
"Projecting cheekbones.
"Projecting ears.
"Prognathism:
"Virile, ferocious, idiotic physiognomy:
"Defective teeth:
"Shape and deflection of nose:
"Thin lips:
"Hairiness:
"Wrinkles:
"Tattoos:
"High, narrow, v-shaped, saddle-shaped palates.
In commenting on the amazing table of measurements which demonstrate that there is very little or no difference between the 'average' criminal

THE FUGITIVE

BY THEODORE ROBERTS



THE fog was driving in, topping the edge of a cliff like a herd of gray mist monsters and crawling on across the scanty pastures of Trader's Bay. The time was early evening and the season late October. The men of the bay had returned only a few days before from Labrador fishing. Two of them stood in the steaming mist, out of sight of the cluster of cabins. One was Jake McMann, a big fellow with an insolent eye and a curling brown beard. The other was young Nicholas Dever, the gentlest youth in the harbor. Like all the Devers of Trader's Bay, his hair was flaming red in color.

"What I want to tell you," said McMann, "be this: If I see you 'round Skipper Dever's girl again, I'll bat you dead. Just now I'll give you a taste of my belt to learn you not to try sailin' to win'ward o' your betters!" He drew the heavy belt from his waist and made a grab at the other's shoulder. The injustice of this was too much for even Dever's mild temper. The few calls he had made at Dever's cabin had been to see the skipper, not the girl. He drew aside from McMann's

big paw, and dodged the screaming swoop of the buckled strap. Mad with fear and righteous indignation, he sprang at his bulky enemy and planted both fists, with all the weight of his body behind them, square on the bearded jaw. With a curse of surprise and anger McMann reeled back over the edge of the cliff.

Nicholas crouched there for fully a minute, staring into the driving fog and listening to the booming of the surf below the white curtain. Then, uttering an inarticulate cry, he turned and ran inland across the scanty pastures.

And so Nicholas Dever became a fugitive, with the horror of his deed always at his heart and fear of the law always at his heels. He stunk along the coast, between the empty sea and the voiceless wilderness for days, sometimes, without sighting a human habitation. He was hard put to it for food. He hunted like a wild beast, creeping after hare or grouse, and at last leaping upon the quarry with a club. Day by day his strength dwindled; but his terror knew no diminution.

One morning in November he was picked up by a schooner bound for St. John's. Privation, fear, and loneliness had reduced him to a state verging upon insanity. He was found wading along the edge of the tide, laughing to himself. Six hours between warm blankets, and some liquid food, did wonders for him.

"Where d'ye had from, lad?" asked the skipper.

Dever was on his guard in an instant. "Dunk's Cove, skipper," said he. "Then your name is Pike, or Tobin, or Kelly, for sure," said the master of the schooner. "Ay, my name be Pat Tobin, sir," lied Nicholas with furtive eyes on the skipper. "However did you happen to be wanderin' round that-a-way?" "I don't rightly remember, sir." "I'll take you safe to St. John's, boy," the old fisherman assured him. "Good grub an' lots o' company will soon clear your memory."

In St. John's Nicholas signed on for a voyage to Brazil under the name of Pat Tobin. He went aboard the barkentine Nellie G, at night, and never

left her once during the eight days she lay against the charter party's wharf and snatched in her cargo between squalls of rain. She carried dried codfish in wooden "drums"—the only freight from Newfoundland to the Brazils.

Safe on the high seas, the tragedy of Trader's Bay continued to haunt him. Fear of detection—fear of the long arm of the law—dogged his feet, aloft and aloof, when sleep was bittered by dismal dreams. His messmates found him an uncongenial comrade. They hinted to one another that the condition of his upper lip was not what it should be. For all that, he was a capable and willing seaman. Despite the light in his pale eyes he was the best hand aboard the Nellie G, the barkentine and the smartest man aloft. Now, the boatswain of the Nellie G, knew Dunk's Cove by heart. He whispered the word that never a Tobin since the voyage of the ark, had been guilty of foxy hair.

"That poor devil," said he, "don't even know his name. I'm not sayin' don't hail him, but I'm sayin' you, for maybe he do. Like enough he be a Kelly. But he ain't no Tobin, that's sure, wid them rorrry-borrryalls w'inkers."

IS the man sitting at your elbow in the trolley-car or train an habitual criminal of the most depraved kind or a university graduate of the best type, the highest product of modern civilization?

Is there any way of telling the difference between the two by face, form or feature?

Lombroso claimed that there was and established what has come to be known as the science of criminal anthropology. His theories have eminent adherents all over the world, and in no country more so than in the United States, where the teachings of the Italian have had an enormous effect on criminal legislation during the past decade.

Now along comes Dr. Charles Goring, an English medico, who apparently knocks Lombroso's theories as high as the Woolrich building; who does not mince words and who declares that Professor Cesare Lombroso, founder of the now world-famous positive school of criminology, was an enthusiastic but hopelessly unscientific investigator.

And lest any one should pause to gasp and wonder at this shattering of idols and challenging of theories that have had almost general acceptance, Dr. Goring has backed up his statement by a huge tome of more than 400 pages and an almost endless series of most convincing looking tables and drawings.

To put the Englishman's epoch-making conclusions into the fewest possible words, there is no difference, except in degree, between the criminal and the law-abiding citizen; who never commit any of the various acts that land a man behind the bars.

length of the ears, the thickness of the lips or the projection of the chin—and crime.

Writing on this point Dr. Goring says early in his book:
"In the present investigation we have exhaustively compared, with regard to many physical characters, different kinds of criminals with each other, and criminals, as a class, with the law-abiding public. From these comparisons no evidence has emerged confirming the existence of a physical criminal type, such as Lombroso and his disciples have described. Our data do show that physical difference exists between different kinds of criminals, precisely as they exist between different kinds of law-abiding people. But, when allowance is made for a certain range of probable variation, and when they are reduced to a common standard of age, stature, intelligence and class, etc., these differences tend entirely to disappear. Our results nowhere confirm the evidence nor justify the allegations of criminal anthropologists. They challenge their evidence at almost every point.

"In fact, both with regard to measurements and the presence of physical anomalies in criminals, our statistics present a startling conformity with similar statistics of the law-abiding classes. The final conclusion we are bound to accept until further evidence in the train of long series of statistics may compel us to reject or to modify an apparent certainty—our inevitable conclusion must be that there is no such thing as a physical criminal type, despite all this, we maintain he is not an abnormal man.

"This, then, is our contention: admitting the criminal does possess all the characteristics that have been attributed to him; admitting, even that he is marked by a 'dome-shaped' head and by a face like a 'bird of prey'; admitting that he is drunken, impulsive, obstinate, dirty and without control—despite all this, we maintain he is not an abnormal man.

"He may represent a selected class of normal man; many of his qualities may present extreme degrees from the normal average; yet the fact remains that, in the pattern of his mind and body, in his feelings, thoughts, desires, recognition of right and wrong, and in his behavior, however outrageous it may be, he exists by the same nature, and is moved by the same springs of action that affect the conduct and constitute the quality of normal human beings."

In speaking of Lombroso and his methods, Dr. Goring says:
"The preconceived, and, in our opinion, totally unfounded, Lombrosian notion was that criminality is a specific condition of mind or soul; is a definite state of physical instability. And this physical state, with its outward and physical signs of an inward and spiritual darkness, this mental and moral instability, underlay, according to the above supposition, and every form of lawlessness and potentiality for crime, and was its own explanation and its sole promoter.

and 562.6, respectively in Scottish undergraduates, are all remarkably close to, and three out of five are almost identical with, lengths and head-breadths of university students and of convicts, duly corrected for age and stature.

"Clearly, in cephalic characters, criminals are not conspicuously differentiated from the well nourished, well developed, university section of the upper middle class, a similarity of degree, in other respects—in education, in intelligence and in physique, as measured by stature—are the most distant removed from the criminal class.

"In mean head-length, there is no difference between criminals and Cambridge students; in mean head-breadth, there is only 1 mm. difference, and in head height, there is no difference, between convicts and the university college staff; in mean head-index, Oxford students, as well as the university staff, are almost identical with criminals; and in mean circumference of head, criminals and Scottish students correspond in a similarly close degree. In fact, from knowledge only of an undergraduate's cephalic measurements, a better judgment could be given as to whether he were studying at an English or Scottish university than a prediction could be made as to whether he would eventually become a university professor or a convicted felon.

Dr. Goring has something intensely interesting to say about the enormous discrepancy in stature between the criminal class and the law-abiding citizen.

"We have concluded," he says, "that the inferior stature and weight of criminals is a result of selection, and is not an inherent criminal trait. A possibility, however, not to be lost sight of is that this physical inferiority, although originating in and fostered by selection, may tend to become an inbred characteristic of the criminal classes, just as, with the passage of generations, the upper classes of the non-criminal community have become differentiated in physique from those lower down on the social scale."

We shall show in a later section that imprisonment for crime is a tendency that runs in families in the same way as, and with much the same intensities that, dominant traits in that, be restricted to certain stocks. Convicted parents, selected from the general community, as already explained, by inferior status, in other ways, while tending to be similarly convicted, inherit the diminutive stature of their fathers. Here we have the conditions which, in the past, and progressively, would lead to an inbred physical differentiation of the criminal classes.

"In the report already referred to of the British Association Anthropometrical Committee, measurements of stature and weight of various grades of school children are presented; and a fact of singular suggestiveness revealed by these measurements is that, in that, industrial and reformatory school children are consistently on the average one inch shorter in stature, and several pounds heavier, than the average of other classes of school children of the same age in the United Kingdom.

"Unfortunately, the data in question consists of a very short series only, and are unsatisfactory in other ways, and we would be loth to emphasize an argument based upon them until they have been amplified and supported by the analysis of results of larger series. But if it be a statistical fact that industrial school children are differentiated in stature and weight from other children, this is a very strong argument for the supposition that inferior stature and weight are tending to become inbred criminal characteristics.

"To sum up: All English criminals, taken as a whole, are markedly differentiated from the general population in stature and body weight; in addition, offenders convicted of violence to the person are characterized by an average degree of strength and of constitutional soundness considerably above the average of other criminals, and of the law-abiding community; finally, thieves and burglars, who constitute, it must be borne in mind, 90 per cent of all criminals, and also incendiaries, as well as being inferior in stature and weight, are also, relatively to other criminals and the population at large, puny in their general bodily habit.

These are the facts; and, according to the results of our statistical inquiry, they are the sole facts at the basis of criminal anthropology; they are the only elements of truth out of which a rational and scientific criminology can be constructed. The elaborate, extravagant and ludicrously uncritical criminological doctrines of the great protagonist of the 'criminal type' theory.

Almost without exception Dr. Goring's remarkably complete figures knock the underpinnings from beneath the theories of Lombroso and his numerous school. Taking each of the features in turn he shows that there is no relation between the vast majority of them—such as, for instance, the shape of the head, the distance between the eyes, the shape of the nose, the projection of the back of the head, the