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CRIME AND THE PRESS

[Concluded from the last number]

JOSEPH L. HOLMES

Section VI

EXAMPLES OF NEWSPAPER PRACTICES

In this section will be discussed and illustrated more in detail some of the practices of the papers which incite to crime and also some of the practices which interfere with the administration of the law. The money to be made from crime is amply illustrated in the previous sections. The papers' treatment of swindles is however deserving of special comment. Such news stories, as they are treated by the press, are illustrative of the opinion of a judge cited in a previous section that newspapers furnish "the blue print . . . for the guidance of persons with criminal tendencies but who have not the capacity to successfully plan a crime." The usual practice of the papers is to state in detail just how the swindle was planned and perpetrated. The effect of such publicity might at first be thought to be salutary in that it would put the public on guard. However the frequency and persistence with which certain stock swindles and the money-making machine and the Spanish Prisoner swindles are successfully perpetrated indicates that it is not possible victims who are instructed but that the swindlers themselves are given valuable hints as to human cupidity and gullibility.

Some examples of the newspapers' treatment of swindles during a few weeks in 1926 will suffice to illustrate the detail with which the methods of fraud are explained. For example, the Sun on November 7th under the headline "U. S. TO JOIN ON POULTRY FRAUD" tells in detail how the buyers of live poultry are defrauded. The gains from the swindle which is said to have been going on for twenty-five years are reported as "not less than $10,000,000 a year." The Mirror on November 8th tells in a joking manner of how easily a man posed as a physician. The article is headed "Doctor's Degree a Romance." The Tribune on November 11th tells of a common version of the "Glass 'Gem' Swindle" which worked. In a facetious manner the Daily Mirror of the same date tells in greater detail

1Concluded. The first portion of this work was published in our last number.
2Department of Psychology, Columbia University, New York City.
how this same fraud was committed. The Evening Post reports the same case, the sub-title of its article being "Bronx Woman Accuses Pair of Playing Old Game." The papers' frequent comment on the length of time that swindles have been repeated, even in many cases without variation, indicates the ineffectiveness of the kind of publicity given by the press as warning to victims of swindles.

On November 20th the Herald-Tribune carried a news item headed "Admits Selling $240,000 in Bogus Denver Bonds" and on the same day the Times gives the same news story in nearly a full column, explaining in detail how the scheme was worked. The Mirror and the Times on November 25th reported the swindle of the Equitable Trust Company of $148,000. The Times as usual reported the details and under a sub-title appears this significant statement: "The methods employed throughout were similar to those employed by a Detroit gang which defrauded banks there of considerable sums. Either this gang or students of their methods, obtained access to the offices of the Moredall Realty Corporation, obtaining both the blank and cancelled checks, and even using the patent identifying machine which marks them with what is called the 'detectograph maceration'."

The World on November 16th under the heading "Insurance Frauds Charged to Girl" tells in detail how the trick was done and also tells just what the error on the part of the swindlers was which led to their detection and the indictment of two of them. The news item provides sufficient warning to the other three not yet arrested.

The above are sufficient examples of the dozens of similar stories of swindles clipped during one month and which can be duplicated for any like period. Other forms of crime in which the papers give instruction are "hold-up" methods, theft in general and murder. Stories of murder are not merely objectionable because of the instruction given in methods but also because of the suggestion effect that they have on persons faced with a situation that might easily be solved by the elimination of someone else and on persons who are mentally abnormal. This is especially so in the case of persons sexually abnormal. Such a case and the effect of the newspaper publicity given it will be discussed later in this section.

A few examples of the sensational way in which the papers treated crimes including murder are as follows: in the Graphic of November 8th is an item headed "Machine Gun Gangsters Kill Illinois Mayor In Bitter Bootleg War." After telling how the crime

\[3\text{Italics are the writer's.}\]
was enacted and explaining the motive, the item states, "Those who know the facts will not talk. Even those who saw the tragedy refuse to say they know any of those involved in the slaying. . . . The slayers rode in automobiles and used machine guns and lured their victims to the place of death by decoy messages."

The Herald-Tribune on November 9th under the headline "Balk Death Leap of Bank Thief as He Confesses" tells just how a teller embezzled the funds of a bank:

"The scheme worked admirably. Morton escaped detection, but his conscience bothered him and he made a confession . . . ." reads the third paragraph of the item.

The Telegram, the Herald-Tribune, the Graphic, the Mirror and the Daily News on November 9th featured the story of the murder of a nurse by a janitor. Each paper gave the details of the dismemberment of the body, the burning of parts of it in a furnace and the attempt to dispose of the torso. No ghastly detail is neglected. The Telegram in the first sentence of its report refers to the murderer as "a mild mannered man." The Mirror refers to him as "the little weazened janitor." And the Graphic which embellishes its story with a picture showing a policeman and two other men searching in the cellar for parts of the body and two maps, one showing the location of the house in the neighborhood and the other showing the location of the neighborhood in the city, refers to the murderer as "a trembling, little gray rabbit of a man."

On the 14th of November the World under the heading "Boy, 18, Wounded, 3 Shot in Hold-Up" gives two stories of crimes committed the day before. The first explains how the robber gained access to a jewelry store at the time when the stock was being transferred from the safe to the show cases when ordinarily the store door was locked and the second article tells the novel use that was made of an elevator in the escape of the robbers. On the 24th the World under the headline "AUDITOR USED GANG TO STEAL $11,700" tells how the auditor of a hotel arranged with three men to rob him in the hotel and how by a clever ruse he secured the greater part of the proceeds of the crime. The same story is told in like detail in the Telegram on the previous day.

A story featured by the American, the Post and the Mirror on December 1st is that of two window washers who stole $25,000 worth of valuables from a home where they were employed. The details of this novel way of securing the opportunity to steal are given by the three papers in the same manner except that the Post embellishes
its tale by the statement that "hundreds of thousands of dollars' worth of jewels and clothing have been stolen during the last few months apparently by window cleaners . . . ."

On November 30th the Evening World, on December 1st the Times, the Mirror and the Daily News and on December 2nd the Daily News again reported the murder and dismemberment of a woman. The facts as reported by the papers bear a striking resemblance to those in the case reported above where a woman was murdered and an attempt made to dispose of the body. In this case the offender was a longshoreman and his explanation was the same as that given by the janitor in the other case who said that the victim died during a drinking party and fearing arrest he attempted to dispose of the body. Coming as this case did just three weeks after its counterpart and bearing resemblance to other previous cases which might be cited, it lends no little support to the theory of suggestion discussed in the previous section. Further evidence of this kind of suggestion is furnished by the papers themselves.

On December 12th, 1926, the Times printed an Associated Press dispatch under the headline “Girl With Pistol Robs Bank in Texas.” In the usual language of journalism the offender was referred to as "a mere slip of a girl, alone," etc., and "calmly the girl walked into the bank," etc. On February 5th, 1927, an Associated Press Dispatch appeared in the Telegram under the headline “College Girl Caught Robbing Bank.” In these two cases were certain significant similarities. Both girls were students at State Universities, and so were presumably of a high degree of intelligence and both were in need of funds. The dispatch telling of the second case reads in part as follows: “The District Attorney declared the girl ‘had been reading about that Texas University girl who held up a bank’ and he expressed the belief ‘this suggested the bank robbery to Miss Meyers’.” Another case that received a great amount of space from the time of the trial in the last week of the following month was the Hickman kidnapping and murder case. From time to time during the ensuing months until the execution, space was given it as is usual in such cases. This was a singularly vicious murder and the man Hickman was featured by pictures and word descriptions telling of his bravado and dubbing him the “Fox.” Following this case the papers noted similar cases occurring in various parts of the country. For example, the Post under the date of January 23rd printed a United Press Dispatch with the headline “Tennessee Youth Emulates Hickman.” The dispatch reads as follows: “Kirby Blinkley was under
arrest today charged with an attempt at kidnapping which parallels the method used by Edward Hickman. Blinkley was alleged to have gone to a grade school, said a twelve year old girl's father was ill and asked to take her home. The teacher called the police.”

A United Press dispatch printed in the Telegram on March 21st, 1928, is headed “Allege Youth Tried to Imitate Hickman” reads in part as follows: “Ball was arrested after his handwriting was compared to that on a note received by Mrs. Pinney threatening harm to her nine year old twin daughters, Elizabeth and Patricia, unless she left $10,000 in a tin can at a spot specified. Officers said they had learned that Ball had been intensely interested in the Hickman case.”

In these two cases are some significant coincidents: The girl whom Hickman murdered was twelve years old and a twin. He called at the school for the girl, telling her teacher that her father was ill and requested to take her home.

Four weeks after the kidnapping and murder in Los Angeles by Hickman the papers featured the murder of a five year old girl in Michigan. The headline extending across the first page of the Telegram on January 17th, 1928, reads:

Deacon Says Hickman Caused Him to Slay

One of the statements in the United Press dispatch is as follows: “The confession indicated Hotelling's mind had become unhinged by constant brooding on the Los Angeles murder of 12-year-old Marion Parker by Edward Hickman.” Some of the questions and replies in the confession of Hotelling are as follows:

Q. “Did you read about the crime in Los Angeles?”
A. “Yes, sir. I thought it was terrible. I could not sleep that night. It had been on my mind and I could not get rid of it. I think about it—think about it and think about it.”

Q. “About the little child in California?”
A. “Yes. . . .”

Q. “What do you think is the cause of that?”
A. “I think that reading about the crime in California is to blame.”
Q. “Do you think that crime had any bearing on your committing this crime?”
A. “I do; it preyed on my mind and I could not get it off my mind.”

At the top of the page on which appears the part of the item just quoted is printed a United Press dispatch from Illinois, January 17th, under the headline: “Blames Hickman Case for Kidnap Charge.” The item reads as follows:

“Accused of attempting to kidnap a 10-year-old girl, Paul Clevedence, 18, blamed the ‘Edward Hickman case’ for his troubles.
"The child was told not to accept rides offered by strangers and refused Clevendece's offer. Police said Clevendece tried to lift her into his machine and the girl reported the incident to her parents.

"The youth, who said he was 'merely playing with the girl,' was released on $1,500 bond."

The epidemic of similar cases which followed the newspaper exploitation of Hickman is too recent to require further illustration. That its influence was a cause of similar crimes in various parts of the country is indicated by the news items just quoted. The danger of such publicity was taken cognizance of by school authorities in various parts of the country. For example, the Superintendent of Schools in New York City issued instructions to the teachers which were intended to guard against repetitions of Hickman's crime.

It must not be supposed that the paper whose treatment of the Hickman case just discussed was the only one which exploited it in a sensational manner. All of the newspapers did but space does not permit more ample illustration of the initial phases of the cases. Cases such as that of Hickman's crime may be divided into three parts on the basis of their treatment by the press: the crime, the trial and the penalty. In a previous section one of the judges who replied to the writer's questionnaire, is quoted as complaining that "sentences . . . do not receive . . . publicity, except in a few exceptional cases." Hickman's case was one of those exceptions. The public was kept informed throughout the eight months following his trial of the efforts being made to have him adjudged insane or to secure a new trial or executive clemency. Apropos of such items his conduct in prison was described. The climax in the Hickman case as in other similar cases came at the time of the execution.

After the usual legal delays he was executed on October 19, 1928. On that morning the World printed, several hours before the execution an Associated Press dispatch from San Quentin dated the 18th telling the plans for the execution, the final attempt to have him adjudged insane and how he was spending the last days of his life. On the same date the Evening World featured the execution. The large headline extending across the front page read: "HICKMAN DIES IN SILENCE ON GALLOWS." Another headline reads: "SLAYER PALE BUT CALM AFTER BURST OF TEARS OVER MOTHER'S LETTER." Hickman's picture is on the front page and the first column to the right, partly in heavy type and the first column at the left of the second page and a large part of the next column is given to the case. Every detail of the execution was given in extenso; every action of the prisoner from the time of his getting
up in the morning until the trap was sprung was reported. Some idea may be gotten of the way the story was treated by a few quotations of sub-titles and parts of the text: "Likes His Burial Suit"; "The suit in which he will be hanged and later buried had been shown to Hickman and he seemed pleased with the selection"; "Alternately he played a phonograph that was brought in at his request . . . ."; "For dinner he had fried chicken with country gravy. He ate with a boyish appetite"; "The two death guards watched by turns the short, stocky figure stretched on the narrow cot and conversed in subdued tones on 'how Eddie was taking it so coolly.' These same guards had kept vigil over many other men for the two nights and a day they were tenants of the condemned cage. But never, they said, had they seen a prisoner whose thoughts were more collected or who seemingly had less fear of death"; "Going Like a Man"; "Hickman demonstrated his fortitude . . . ."

The Evening Journal in letters one inch and a half in height across the front page above the title of the paper announced the news of the execution in these words:

**Fox Bids Good-by as Noose Nears**

Below this headline is a picture of Hickman in his cell. In the caption below the picture he is again referred to as the "Fox." A little below the picture and at the left of the page is a dispatch printed in blue ink. It reads: "Hickman Goes to Gallows: Coolly Meets Fate." In another sentence the expression "coolly going to his fate" appears. The leading news story, as the headline at the top of the page indicates, is the execution. One headline reads: "Hickman Plays Jazz Dirge and Coolly Waits Death Call." The story is continued to the second page where a chronology of the case is given in a box. Below that is another box with the headline "Fox Talks of Rites." The item is a repetition of statements that appeared on the front page concerning the burial plans. The story is continued to the third page where another headline tells that "Hickman, Calm, Marches to Death on Gallows." A large picture of himself and his victim and the prison along with a strip of pen and ink sketches occupy one-half of the page. This story with such a great amount of space given it, mostly in pictures, was written before the execution took place. Other news stories written after the event do not portray the murderer as going "calmly" but in a state of collapse.

The Daily News on the 19th of October with pictures and a chronology discusses the case. The headline reads:

**Hickman Awaits Noose Playing Phonograph**

Some quotations will indicate the tenor of the story, which begins
with a verse from a sentimental song: "Here and there resounded a mad, shrill scream, like a cry from the damned," then in heavy type: "But the man playing the phonograph gave way to no such weakness." And again in heavy type: "'Never have I seen any of them take it as calmly as this boy,' the Warden said." At the end of the story in italics is the advertisement: "Follow William Edward Hickman to the Gallows in tomorrow's pink and other editions of THE NEWS." The next day with pictures of the victim, the murderer and the parents of both, the story is told again in detail. The Mirror on the 20th features one aspect of the case which is indicated by its headlines: "Hickman Lives 15 Minutes in Noose." "'Fox,' Girl Killer, Survives at Rope's End After Trap Is Sprung."

The Graphic under a front page headline: "HICKMAN DIES" published on the front page a composite picture showing him seated in his cell with an inset of his victim. The case is discussed on the second page and illustrated with eight pictures.

The Telegram began its front page discussion of the execution the day before its occurrence. On the 19th it is featured with a picture of Hickman on the first page and the story is continued on the seventh page. It was also featured on the front page on the evening of the 19th by the Post and the Sun, both papers giving the whole history of the case from the committing of the kidnapping and murder to the details of the execution.

The manner in which the newspapers made a spectacle of the Snyder-Gray murder trial has been discussed in another place. During the ten months that elapsed between the crime and the execution the case was front page news. The climax was reached at the time of the execution. The execution took place at 11:10 o'clock on the night of the 11th of January, 1928. The next morning the Times featured it in large headlines on the front page. In the headlines and in the text of the story the words of the condemned are quoted. Their attitudes are described and each and every move of both as well as the actions of the officials are recorded. More than a column of the first page and all but one column of page 14 are given to the case. One of the items on page 14 is a recital of all of the executions of women in New York State from 1817 to the present. On the previous day the Times had featured the case on the first page and in the first two columns of the second page. That story dealt with the stay granted the woman in connection with a civil suit. The World like the Times featured the case on days previous when attempts were being made to secure stays and clemency. On the morning after the execution the World's leading article dealt with the
case and pictures of both prisoners were given on the front page. The leading article on the front page is continued on the second page which except for some advertisements is given to the case. On this page are also pictures. One is that of the Warden of the prison, another of the Principal Keeper, another is that of one of the matrons who guarded the woman in the death house and the fourth is that of the executioner. Two other front page items about the case and the execution are continued on the sixth page which except for four brief items at the bottom of the last column is given over entirely to the case. Old cases are recalled, the crime, the trial and all the legal steps taken are retold and every detail of the execution is dwelt upon. The American in headlines two inches high announced: “RUTH AND JUDD DIE” and in another headline extending across the page: “WOMAN GOES TO CHAIR FIRST: BOTH CALM.” Both the man and woman are pictured on the front page. The second, third and fourth pages are given to various aspects of the case, the history of the crime, the legal moves and the execution. Each of the four pages has pictures of the principals and others connected with the case. With a picture of the woman and headlines two inches high, the Journal featured the case on the front page and on four other pages which are given entirely except for advertisements, to stories and pictures about the crime, the trial and the execution. The story by “one of the witnesses to the execution” begins:

"Sing Sing Prison, Ossining, N. Y., Jan. 13.—Tomb-like silence. Ruth Snyder in the electric chair. The crunching sound of the executioner cramming down a lever. A sinister whine and a crackling, sputtering sound like a Fourth of July sparkler. Silence. Another sputter. Silence—terrible silence that strained the eardrums and bore down like a terrific weight on the nerves of the eyewitnesses. Then the prison physician breaking the silence with these words: ‘I declare this woman dead.’ Thus the woman who in gayer days was beautiful ‘Tommy’ Snyder died. And gamely, too, with a prayer on her lips.”

Among the pictures are five of the woman, the prison, the crowd outside the prison, the hearse with the woman’s body being loaded into it and the funeral home to which the man’s body was taken.

The Evening Graphic which on Wednesday had featured the case with a composite picture showing the prisoners on either side of a door through which is seen the electric chair, a headline two and a quarter inches high reading: “RUTH, JUDD DOOMED,” and about five pages of printed matter and pictures, went of course to a greater extreme on the morning following the execution. The headline above the composite picture showing the woman going to
the chair read: "RUTH DIES IN AGONY" and "LOVERS GO TO LONELY GRAVE." On the second page is a picture of two men digging the grave for the woman. Another picture is that of the crowd outside the prison. Part of the caption reads: "Hours these persons waited, some hoping for reprieve, others with fiendish depravity, watching for word that death had danced its rigadoon upon the two seared bodies." An article beginning on the second page is by a prison physician and is entitled "Analysis of Last Hour Emotions Bares Source of Pair's Courage." Over nine pages are given to the execution. Pictures on page 16 show the executioner at the switch board, the chair and the autopsy room. The back page with a sensational editorial is illustrated with a sketch showing the woman in the chair surrounded by Indians, one of whom is labeled New York State, another Modern Society, and a third Civilization.

The afternoon or "home edition" of the Post on the 12th features the case with a front page story about the legal attempt to stay the execution of the woman. This story which is accompanied on the first page by a picture of the judge who granted a stay which was later voided, is continued to the second page where nearly five columns are given to it. One item on this page is a description of the preparation for an execution and another is a calendar of the case "from murder to execution date." The case is again featured in the evening edition with a picture of the woman and the story occupies the second page and the first column of the third. The leading editorial in the Post of that day is as follows:

"Lawes' Impropriety"

"We question the propriety of the 'release' of an anti-capital punishment plea by Warden Lawes of Sing Sing prison immediately after the Governor of the State had upheld the capital punishment of Ruth Snyder and Judd Gray. It seems to us that if a man is to take the official job of 'killing a designated human being,' as Lawes puts it, he either ought to do his work and keep his mouth closed or quit his job. It certainly does not conduce to respect for law to have the man who executes it to be all wrong. Lawes ought at least to have declined to air his sentimental and decidedly paradoxical views until after he had done his duty as official arranger and witness of the executions."

The next day, the Post like the other papers, described the execution in great detail in the first page right hand column and on the second page and in over a column on the third page. Pictures of the two executed persons and the executioner are shown.

On the day before the execution and on the day after the execution the Sun featured the case in a manner similar to that employed
by the Post. About the same amount of space was used as well as pictures of persons connected with the crime and execution. The Sun’s story of the actual execution lacks nothing in detail and dramatic effect.

The Evening World in its headline on the day following the execution introduced a new note. One part of the headline read: “DEEP RELIGIOUS FERVOR IS NOTABLE FEATURE OF DOUBLE EXECUTION.” Two columns of the first page, most of the second and part of the third are given to the story. An editorial in the same issue heartily approves of the execution. The Telegram featured the case for days before the execution in front page headlines and pictures. On the 10th an editorial approved of the execution; on the 11th the Warden of Sing Sing, in a feature story, is quoted as opposed to it; on the 7th various women of more or less prominence are quoted as approving of the execution of the woman. Their pictures were of course shown on the front page. On the day following the execution the leading editorial questions the advisability of capital punishment on the grounds of sentimentality, expediency and its effect on the public.

On the 13th the Mirror gave five pages to the execution and three full pages of pictures in addition to those used with the story. These three pages of pictures were given to a history of the crime, the imprisonment and the execution. The Daily News told the story as did the other tabloids in many pages of verbal description and pictures. In an extra edition of that date the News revealed its “scoop.” This was a picture of the woman seated in the chair at the time when the current was passing through her body. The picture was reproduced on the front page of the paper on the following day and again on the next day on the second page of the rotogravure section. This picture which was a reproduction of an actual photograph was secured by a News reporter who had smuggled in a small camera attached to his leg.

The arguments for or against capital punishment will not be discussed here. Nothing that is said, however, should be construed as indicating that the writer approves of it. The topic under discussion here is the effect of newspaper methods. During the past several years it has been defended mostly on the grounds that it was a deterrent. Yet one of the first changes to take place with regard to it was the change from public to private executions. The reason for this change was the demoralizing effect on the public. It was noted that public executions were times of public disorder and often
were followed by epidemics of violent crimes. Along with this change went changes in method from the most prolonged and brutal to the quickest and least painful methods. But do we now have private executions? Under former conditions a few thousand people at most were able to witness an execution. At present, due to the methods of the press, every detail of an execution is made public to millions. And not only is the actual killing portrayed in word and picture but all the details of the preparations, the conduct of the accused, the relatives and the officials concerned. On March 7th, 1928, the leading article on the first page of the Post which was one of a series discussing capital punishment, was headlined: "Executions Hurt the Public Most, Bar’s Consensus—All Agree That ‘Yellow’ Press Degrades Not Only the Criminal But Society as Well . . . ." Nowhere in the article is it mentioned to which yellow press the headline and some of the statements refer.

On Wednesday, January 11th, the World had as its leading editorial the following:

"The Death Penalty"

"Tomorrow night the squalid horror of the Snyder case will end, except for the inevitable aftermath of gruesome detail. The case has illustrated in spectacular fashion the awful weakness of our criminal system in capital cases. A more brutal and premeditated crime than the murder of Albert Snyder it would be hard to conceive. The guilt of the two murderers was established beyond the possibility of doubt. They had a fair trial before as learned and as humane a judge as our criminal courts possess. They had an unhurried review on all the evidence and on the law before one of the most distinguished appellate tribunals in the country. Their appeal for clemency was heard by a Governor who is singularly gentle in the exercise of such discretion as he can properly exercise. To have commuted the woman’s sentence without commuting the man’s would have been a declaration that women are morally less responsible than men. To have commuted the sentence of the man and the woman would have been tantamount to the Governor’s single-handedly abolishing capital punishment in this State. Nothing can be said against the death penalty for these two which would not also have to be said for every other criminal who ever died in the electric chair.

"Nevertheless, thousands of people who do not profess to favor the abolition of capital punishment have found themselves shrinking with horror at tomorrow’s execution. What is the explanation? It is argued that the American public is rapidly becoming too soft-hearted to exact the death penalty with steady nerves and a clear conscience. There may be some basis for that belief. But one fact is worth noting. If these two murderers had been taken out of Judge Scudder’s court room and executed within a very short time, the qualms of the public, which have made themselves felt in eleventh hour pressure on the Governor, would have been comparatively insignificant."
"But months have passed. The memory of Albert Snyder's murder has become vague. The grim agony of the approaching execution has become very vivid. Albert Snyder is a mere name now. But his murderers have become personalities in the public mind. They are Ruth and Judd, and the horror of their position is imaginatively felt by millions. The publicity which attends our celebrated trials is responsible for this destruction of perspective. We are probably not much more humane than our forefathers, but we have invented methods of advertising the criminal which are so poignant that they unnerve us.

"If capital punishment is to be maintained—and the arguments in favor of it still seem to us preponderant—we have simply got to restore some sort of dignity, simplicity and majesty to the whole procedure or it will break down in spasms of morbid excitement. If we cannot find a way to cleanse the whole procedure, and if the present tendency to increasing morbidity continues, the death penalty will have lost its meaning."

One might ask who, in the opinion of the Editor of the World, made "vivid" "the grim agony of the approaching execution?" Who made the murders "personalities in the public mind?" Who created the "publicity which attends our celebrated trials?" Who "invented methods of advertising the criminal?" And who is responsible for "the present tendency to increasing morbidity?" Note the subtlety of suggestion by which the Editor has been brought to write of the murderers as Ruth and Judd. Likewise Hickman in the course of the weeks following his trial, became "Eddie" who "was taking it so coolly." These cases are not isolated ones. In cases which receive but scant notice from the papers the condemned is praised for his coolness, his fortitude or defiance, his last words are quoted, his parting with his relatives is described and other details are given which arouse admiration or pity for him. For example, the Herald-Tribune on December 1, 1926, describing the execution of one Lynch uses such expressions as: "seated himself stoically in the electric chair": "His only display of emotion in his last days was when his wife and four-year-old child visited him yesterday. His last words were of them." The Times detailed the last acts of this same man and quoted his words. The Daily News on December 3, 1926, used these expressions in describing the execution of one Brennan: "Exhaling the smoke of his last cigar John J. Brennan . . . walked composedly to death in the electric chair. . . ." "Impending doom failed to destroy Brennan's appetite. His last meal included . . . ." The main item is headed: "Brennan maintained a superb poise to the moment of his death." "Brennan Walks to Death Chair Smoking Cigar." The Herald-Tribune on December 10th in the first column of page 8 telling of the execution of three murderers says: "All three went into the death chamber defiantly. Until the end they amused
themselves by reading fiction, comic strips and playing 'death house checkers' . . . ." The World on the same date said of the murderers, "Unmoved by their plight the three condemned young men had passed their last few hours reading fiction . . . ."

Another method of making a notorious criminal into a popular hero is that of publishing a purported autobiography. On January 17, 1927, the Graphic gave the first installment of the story of Red Moran. The first chapter begins: "They call me 'Red of the Crimson Hand.' . . . To hell with the 'hot seat.' Yes, I killed two policemen. What of it? It was all in my racket," and so on for many columns in that and successive issues. Another biography printed by the Graphic was that of Gerald Chapman.

This creation of an attitude toward the condemned has its counterpart in the establishment of bias toward persons accused of crime and awaiting trial. On the morning of the 5th of April, 1927, on page 3, the World in the first column heads an item: "To Press Charge for Burnt Child," "Children's Society Gets Summons to Compel Mrs. Pratt's Appearance in Court, Heard She Would Sail." Among those quoted by the paper is the general manager of the Children's Society: "There is no doubt of criminal prosecution in this case," he said. The fact that the foster parents of the child did not appear in court in response to the summons is emphasized. Beside the item are pictures of the parents and the child. The caption is: "Child Burned, She Says, With Iron." The Telegram on the same day displayed a picture of the child with the caption above it: "Child Taken From Foster Parents." The news item deals with the appearance of the child and the mother in court. The child is portrayed in a charming manner and the awkwardness of the foster mother under the circumstances is dwelt upon. On the 19th the Herald-Tribune in a headline emphasizes that the foster mother was not in court when the case was called for trial and adjourned. It is also noted that "the child played happily at the Children's Society." On the 6th, while the case was pending, a headline in the Graphic read: "FIGHT SECRECY IN TORTURE PROBE." Below are four pictures of the child, two showing her partially disrobed with arrows pointing to marks on her ankles. The other two pictures show close-ups of the child's limbs with the marks indicated by circles. The caption over the pictures is: "Photographic Proof That Roberta Pratt Was Bruised and Burned." The news item below is headed: "Burned Child Improves Away From Foster Mother." The first sentence of the item reads: "Since being taken from the home of her foster parents at the
Hotel Plaza to the Children's Society Headquarters, following her recital of alleged tortures inflicted upon her, little Roberta Jane Pratt has gained four and a quarter pounds in weight. Mrs. Pratt was tried in Special Sessions Court, fortunately without a jury, and found not guilty.

On the morning of February 22, 1928, the morning papers related the murder by fire of a woman. The case came to be known as the "Torch Murder." The next morning the World reported that the police knew the name of the murderer and were keeping it a secret and refused to divulge the means they were employing to bring about his arrest. One part of the item reads: "In connection with their search it was reported on apparently reliable authority that the police were seeking one Arthur Schwartzkopf, said to have a police record, for questioning." On the 24th the headline above the title of the Evening World read: "POLICE WATCH TORCH SUSPECT." The headline of the story reads: "Slayer of Governess Said to Be Prominent, Facing Arrest Today." The item reports that the suspect is "of social and financial standing, is middle aged and connected with a downtown Manhattan business." On the 27th one police official is quoted by the Telegram to the effect that he knows the slayer and another is quoted as knowing nothing of his identity. The World on March 3rd again identifies him. And so the stories ran for days, the papers keeping the public accurately informed as to the activities of the police and who was suspected. The murderer was never apprehended.

Following the bombing of the subway on the night of August 5th, 1927, the Times, World and Herald-Tribune printed on August 6th and 7th the description of the Hudson or Franklin sedan car which was seen leaving the locality after the explosion. All the activities of the police were made public as usual. The perpetrators of the crime were not caught.

Another similar practice of the papers is that of detailing methods of escape from prison. One such case is that of three convicts whose escape from Naponach Prison was told in all the papers under discussion, on November 8th and 9th, 1926. In nearly every paper the exact method of escape is explained. Another case is that told of in an Associated Press dispatch in the Evening World of May 12, 1927, where a clergyman's dress was used as a ruse in assisting a prisoner in his attempted escape. Another is that of an Associated Press dispatch in the World of March 19, 1927, telling how a convict was shipped out of prison in a box. This escape was accomplished.
During the year 1926 many prison condition exposees were started by various papers. One series of articles was printed in the Evening World in November and was offered as an ex-prisoner's story of his experiences. "Dope Peddled In Jail" and "Gun Smuggling Is Easy" were two of the headlines. The Herald-Tribune in December printed articles on the conditions in the prisons. And little of actual reform came from these exposees. As usual after they had served their purpose as sensational copy the charges made by the papers were not followed up.

During the Autumn of 1926 and for months after, there appeared in the New York papers many articles on the so-called Baumes Laws. The particular one under discussion in most instances was that which provided a life term for those four times convicted of felonies. Numerous news items showed in general the results of the law's application. As in the case of the question of capital punishment, various editors set themselves up as authorities and gave hearty approval to the fourth-offender-law. See for examples editorials in the Sun of December 3rd, in the News of November 29 and December 1st. In none of these editorial can be found any constructive statement to support the editors' opinion. Where other than mere unsupported statements are given, judicial opinions which are only legalistic interpretations of the statute are cited. The public has a right to expect that he who with the prestige of an editor writes on a matter of such importance, at least be acquainted in some degree with the history of the problem and the findings of criminologists. The unfamiliarity of editorial writers with the commonplaces of criminology is well illustrated by an editorial in the World of August 24, 1927, where the question is asked: "Does weather affect delinquency to any appreciable extent?" And "It might be illuminating if some scholar would dig into this subject and see what it holds. A series of graphs showing the variation of general delinquency together with the amount of rainfall might teach us more than many surveys."

One of the by-products of the activities of the press not only in relation to criminal cases but also at times in connection with civil cases, is that of influencing prospective jurymen. This results in great delay in securing a jury or in an application for change of venue. When actual bias is not created the public from whom the jury is to be drawn is made so familiar with the details of the case that it is unable to avoid forming some opinion in regard to it. The usual practice of the papers is to so color the news as to prejudice the public in one way or another. Striking cases of this are the
Hall-Mills case in which the accused were brought to trial about four years after the crime was committed largely through the efforts of the Mirror. The activities of the Mirror continued and at one time the State Prosecutor threatened to move for a mistrial because of the Mirror's activities. (Graphic, December 1, 1926, page 2.) The usual practice of the papers is not only to print lurid accounts of the crime immediately after its commission but to interview all concerned and to give a detailed account of the defense and the prosecution. At this point as at many others in the foregoing pages the reader might think that criticism should be directed at the officials who give out the statements rather than at the papers which print them. The shrewd lawyer whether he be a prosecutor or acting for the defense knows that the case is to be tried in so far as its real outcome is concerned in the newspapers rather than in the court.

Applications for change of venue are frequent and "it is a significant fact that nearly all applications in New York City for such change in the place of trial have been for many years based mainly upon complaints against the inflammatory zeal of the sensational press."4

In connection with the question of the influence of the newspapers on the jury system the following item from the Telegram of December 7, 1927, is of interest. It is headlined: "Radio Affects Jury Selection." It is a United Press dispatch and reads in part as follows: "Radio has entered the field with newspapers as a means of disqualifying jurors in the trial of . . . ." "One venireman told the court he had formed an opinion in the case from listening to radio accounts."

A form of anti-social conduct which in many jurisdictions is taken cognizance of by the criminal law is suicide. In his monograph, *Suicide Problems*, Frederick L. Hoffman writes: "The effect of suggestion in suicide is one of its most clearly established aspects indicative of the urgency of more restraint in publicity efforts to visualize suicidal occurrences. There is not the slightest doubt that many unstable minds are carried over the borderland of mental irresponsibility into the realm of actuality under the momentary impression of a definite suggestion as to methods and means by which life can be ended."

A few of the many items telling of suicides that were printed in the papers during the winter months of 1926-1927 will suffice to illustrate the suggestive manner in which suicide is treated by the Press. On November 11th the Times reports from White Plains the

suicide of a physician by lysol; the next day the Mirror reports from
the same suburb an attempt by a woman to end her life by veronal;
on the same day the same paper reports a suicide by iodine; on the
14th the News and the Herald-Tribune report the death by drowning
of a girl; on the same day the Times reports the death of an aged
man by chloroform; the next day the Times reports the death of
a man by jumping from a bridge into a river; on the 17th the Herald-
Tribune reports the suicide of a man by taking iodine; on the 19th
the Herald-Tribune, the American, the World and the Evening World
tell of a suicide by jumping from a tenth floor. The last three of the
papers feature the fact that he had studied philosophy and first state
that he was a student at Columbia University although they describe
him as a restaurant employee who had attended various universities.
On the 23rd the Journal with pictures depicts the suicide in Boston
of a New York girl who jumped from a high window. The Mirror
on the 25th tells of a wife-murder and suicide by a jeweler due to
financial difficulties. On the 27th the American and the World tell of
wife-murder and suicide, stating in the headline that the man was a
graduate of Harvard University. On July 26, 1927, the World printed
an article headlined: "READS OF SUICIDES, TAKES POISON,
DIES." The article reads in part: "The woman is believed to have
taken . . . cyanide of potassium." "A number of newspaper
clippings relating to suicides by poison were scattered on the floor." Then follows for some months the same daily grist of suicide stories
with the method of self destruction explained and usually a motive real
or imagined attributed to the deceased. Months later developed the
"suicidal wave." Whether there was any great increase in suicides
at that time may be seriously questioned; nevertheless there was one
aspect of the suicides which the papers featured which enhanced their
values as sensational news, namely, the fact that those featured were
students. It came to be the practice to attribute the cause of the suicide
to the study of philosophy or one of the sciences which for some
strange reason seems to be associated in the minds of news writers
with philosophy.

This featuring of suicides in such a manner as to create the im-
pression of a "wave" is also a characteristic of the papers' methods
of treating crime news. Another characteristic of suicide stories is
the association of persons committing suicide with an institution so
as to insinuate some relationship. Likewise in dealing with news of
crime and scandal, veiled attacks are made on various institutions.
A few examples of this latter practice are the following: On Novem-
ber 16, 1927, the Journal printed an item headlined: "Ex-Grid Star Gets 5 Years in Forgery." One sentence of the item reads: "Schellenberger is a graduate of Princeton University." The same story in the Sun which is only 14 lines in length tells three times that the accused had been a student at Princeton and twice that he had been a student at the University of Missouri. The Journal of November 9th tells of "another Methodist Evangelist . . . gone to Mississippi State Prison." The World on November 23rd headlines an article "ROMANCE HALTED BY KIN OF BISHOP." In the article it is told that the woman in the case is the wife of a grandson of a former Protestant Episcopal bishop. The Journal in its issue of December 6th features a murder in Wisconsin. The man sought in connection with it is described as a "wealthy Gale College Senior." The Post on the same date announces in its headlines: "N. J. CHURCHMAN HELD AS BANDIT." The item reveals that "the churchman" taught Sunday school. The headline in the American read: "BANDIT TAUGHT SUNDAY SCHOOL." The News with a picture of the accused headlines its item with: "BIBLE TEACHER FACES BAR AS ACE OF THUGS." The World in its headlines calls him "The Ace." The Telegram on the 20th in telling of a notorious separation case heads its item: "Vassar Town to See Browning-'Peaches'." It was proposed to transfer the hearings to the town in which Vassar College is located. The significance of the headline would be rather mysterious to one unacquainted with journalistic methods. Again the Telegram on the 28th heads an item: "Student in Jail as Thief, Stole Automobiles to Pay Way Through Columbia." The item tells of the allegation on which the headline is based. Nowhere is it shown that the accused was at the time a student at Columbia but the impression is made that he had been. An item in the Telegram on January 3rd tells of a hold-up in Philadelphia. Some expressions in the item are: "The identity of the 'bandits' had not been established today, although inquiry was made at several colleges. Neither was there anything on which to base the belief that they were students except the manner in which they worked."

When in January, 1928, the papers were printing sensational conjectures about the disappearance of a woman student from a New England College, the Graphic printed a series of articles purporting to be by a graduate of a woman's college which made thinly veiled insinuations that in such institutions abnormal practices were indulged in.
What is the purpose of the newswriters in producing such copy as is illustrated in the foregoing pages? The answer is that they are producing what in their opinion is news. Mr. Karl A. Bickel, president of the United Press Association is reported by the Telegram of January 30, 1928, as having defined "news" in a radio talk as follows:

"Anything that strikes a responsive chord in human emotions is news—hope, fear, curiosity, love, hate, perplexity, greed or desire. . . . After all this is the final test of news—merely whether it arouses deep emotional reactions."

Among the kinds of copy that Mr. Bickel thought constituted news was crime.

It was stated in an earlier section that due to the lack of cooperation of the New York Commissioner of Police that it was made impossible to check the amount of crime news against the actual amount of crime being committed at the time. An investigation made in connection with the Cleveland Crime Survey has shown the way in which the newspapers create crime waves. The following table taken from the report of the survey shows the number of crimes (felonies) per week for one month compared to crime news space in three daily and two Sunday papers in Cleveland, Ohio. The space includes not only reports of actual crimes but all space devoted to crime news such as that of the administration of the law, etc.

<table>
<thead>
<tr>
<th>Week Beginning</th>
<th>News Space Inches of News Space</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Jan. 1</td>
<td>153</td>
</tr>
<tr>
<td>Jan. 8</td>
<td>192</td>
</tr>
<tr>
<td>Jan. 15</td>
<td>203</td>
</tr>
<tr>
<td>Jan. 22</td>
<td>160</td>
</tr>
</tbody>
</table>

The news space of actual crime in one of the dailies showed the following weekly rate: Week of January 1st, 49 inches; week of January 8th, 144 inches; of January 15, 246 inches and of January 22nd, 196 inches. It will be seen from the above table that the increase of crime news is out of all proportion to the increase of actual crime while the actual number of crimes reported by the papers is more nearly related to the number of crimes as shown by the records. The investigators in Cleveland noted certain practices of the papers such as feature stories, criticisms of the police and demands for prompt official action, with the attendant increase of news space, to
be characteristic of the papers when they were telling their readers in a sensational manner that there was a crime wave.

Section VII

DO THE MOVING PICTURES INCITE TO CRIME?

Another fruitful source of suggestions which may influence the conduct of large numbers of people is the moving picture. From time to time the accusation, unsupported by citation of cases has been made that they incite people to anti-social conduct. Such statements usually refer to delinquency among children and are for the most part broad generalizations about the lure that the pictures have for children and the great number of children who attend the picture theaters. In nearly all theaters the price of admission for adults and children varies and so the owners have available figures showing the total number of children who attend their theaters. Whenever the question as to the number of children who attend the pictures arises the theater owners offer such figures in rebuttal of the statements made by their critics. The writer wishing to get an accurate estimate based neither on the casual observation of the critic nor on the yet more interested statements of the theater proprietors themselves undertook a census of the moving picture audiences in New York City by the method of sampling. The procedure was as follows: Twelve theaters were selected with regard only to their location as follows: one in the Borough of the Bronx; one on the upper West Side of Manhattan; one on upper Broadway, below 96th Street; two in the theater district; one in the Fifties near Fifth Avenue; one on the upper East Side; one in Harlem; two in Brooklyn; one in Newark, N. J., and one in a village in Westchester County. From the time that the box offices opened until they closed young women were seated near the entrance to the theaters and checked all who entered indicating sex and age estimated to within four years in the case of those not adults. The age groups used in the tabulation were as follows: up to and including three years, four to seven years inclusive, eight to twelve years inclusive, thirteen to sixteen years inclusive, seventeen to twenty years inclusive and above twenty years. The young women employed had had college training and nearly all had had experience in teaching. As just indicated they were required to estimate the ages of the children only, and that to merely within four years. At the close of each day the totals tabulated were compared with the total number of admissions recorded in the box offices and such comparisons indicated a high degree of accuracy
in checking the total attendance. Due to the expected variation in the size and makeup of the audiences from day to day within the week and also because of variations due to weather conditions, the counting was done at each theater on three days, Monday, Wednesday and Saturday. During the week of the count the weather varied from extremely hot and humid to extremely cool and some of the days were fair and some rainy. The period was in the middle of August when the schools, both public and private, were closed.

The striking thing about the results is the small percentage of children below seventeen years of age who attended the pictures even during the vacation period regardless of the type of theater, whether the small neighborhood theater or the great theater of the theater district. The law of New York State prohibits the admission of children of 16 years and under to theaters unaccompanied by an adult. To what extent this law is violated no one knows. The fact under discussion here is the actual number who do attend. On the three days over 150,000 children and adults were counted at the twelve theaters. The per cent of children at each theater varied considerably, but from day to day the variation was small. The per cent of children of sixteen and under and the total attendance for each day for each of the twelve theaters was as follows:

<table>
<thead>
<tr>
<th>Theater</th>
<th>Monday</th>
<th>Wednesday</th>
<th>Saturday</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2,590</td>
<td>3,637</td>
<td>5,151</td>
</tr>
<tr>
<td></td>
<td>14.6%</td>
<td>10.4%</td>
<td>12.4%</td>
</tr>
<tr>
<td>2</td>
<td>1,170</td>
<td>826</td>
<td>1,689</td>
</tr>
<tr>
<td></td>
<td>14 %</td>
<td>12.8%</td>
<td>15.7%</td>
</tr>
<tr>
<td>3</td>
<td>2,765</td>
<td>3,855</td>
<td>4,853</td>
</tr>
<tr>
<td></td>
<td>3.7%</td>
<td>2.9%</td>
<td>3 %</td>
</tr>
<tr>
<td>4</td>
<td>10,757</td>
<td>11,210</td>
<td>14,035</td>
</tr>
<tr>
<td></td>
<td>4.6%</td>
<td>3.9%</td>
<td>2.5%</td>
</tr>
<tr>
<td>5</td>
<td>5,645</td>
<td>5,976</td>
<td>7,883</td>
</tr>
<tr>
<td></td>
<td>3.5%</td>
<td>2.9%</td>
<td>2.9%</td>
</tr>
<tr>
<td>6</td>
<td>1,306</td>
<td>875</td>
<td>1,067</td>
</tr>
<tr>
<td></td>
<td>3.4%</td>
<td>2.2%</td>
<td>3.3%</td>
</tr>
<tr>
<td>7</td>
<td>1,552</td>
<td>1,418</td>
<td>2,492</td>
</tr>
<tr>
<td></td>
<td>10.5%</td>
<td>10%</td>
<td>10.3%</td>
</tr>
<tr>
<td>8</td>
<td>2,679</td>
<td>3,150</td>
<td>1,795</td>
</tr>
<tr>
<td></td>
<td>5.4%</td>
<td>4.2%</td>
<td>5.3%</td>
</tr>
<tr>
<td>9</td>
<td>4,013</td>
<td>6,470</td>
<td>5,746</td>
</tr>
<tr>
<td></td>
<td>5 %</td>
<td>3.3%</td>
<td>3.4%</td>
</tr>
<tr>
<td>10</td>
<td>6,832</td>
<td>7,386</td>
<td>8,651</td>
</tr>
<tr>
<td></td>
<td>6.4%</td>
<td>16.6%</td>
<td>5.2%</td>
</tr>
<tr>
<td>11</td>
<td>4,644</td>
<td>5,339</td>
<td>5,064</td>
</tr>
<tr>
<td></td>
<td>8.3%</td>
<td>10.2%</td>
<td>8.2%</td>
</tr>
<tr>
<td>12</td>
<td>604</td>
<td>1,198</td>
<td>1,026</td>
</tr>
<tr>
<td></td>
<td>26.5%</td>
<td>41.5%</td>
<td>21 %</td>
</tr>
</tbody>
</table>

The average per cent (median) for the first thirty-three tabulations was 5.2%. It would not be accurate to include the counts at
the last theater in determining the average, for at this theater, one in a suburban town, pictures were exhibited but three days a week.

As a check on these figures the writer sought the opinions of public school teachers. Among those questioned was one who was sufficiently sincere in her criticism to undertake with the cooperation of the principal of her school and the other teachers an independent investigation in a public school located in a very poor district in the Borough of Brooklyn. Previous to the investigation the teachers were almost unanimous in stating that all the children attended every day or nearly every day, the district being well supplied with the cheapest sort of picture theaters.

A total of 1,753 children were questioned by their teachers in regard to whether they liked moving pictures and as to the number of times they had attended during a two weeks period in the latter part of November and the first part of December. It was found that of these 1,753 children 94.6% liked the moving pictures. This is rather remarkable when one considers the entertainment provided, the themes of moving pictures being in most cases those that appeal to adults or at least intended to appeal to adults more than to children. The results showed that the children did not attend the moving pictures nearly every day. During this two weeks period the average number of times these 1,753 children had attended the pictures was 1.1 times per week. There were, of course, many who had not attended at all and some few were chronic in their attendance. The results were presented to the writer with apologies and he hopes that any others who challenge his figures will likewise present objective data rather than their opinions based on casual observation.

The problem in regard to the moving pictures as a cause of crime is not merely related to juvenile delinquencies any more than is the same problem in regard to the newspapers. The question is whether they incite any people regardless of age, to commit crimes. The officials who replied to the questionnaire on the newspapers seemed to have had in mind their effect on the young and in a sense they were not entirely wrong, for no small proportion of offenders start their careers in early youth. The criticisms that are directed at the moving pictures are for the most part in regard to their influence on children. To get some first hand knowledge, the writer, in connection with the questionnaire on the newspapers previously described, asked the officials, judges, public prosecutors and police to give their opinions on the moving pictures as a cause of crime and to cite cases in support of their contentions. These officials are the same 616 mentioned in section IV.
Of the 111 replies, 57 were negative and 25 were evasive or irrelevant or refusals to answer because of lack of information on the subject. Only 29 were affirmative and of these only 7 attempted to cite cases in support of their opinions. Those officials of superior intelligence, the Supreme Court Justices and those also of great mental alertness and occupying positions which give them opportunity to know, the District Attorneys, gave on the whole decidedly negative replies. Excepting the County Judges, the other groups gave replies that were in the majority negative.

Some of the replies, both affirmative and negative are as follows: One Supreme Court Justice cited the case of two boys who in response to his questions stated that they got the idea of carrying guns while attending moving picture shows. None of the other Justices who answered in the affirmative were able to give cases in support of their replies which were for the most part rather broad statements, such as:

"I think undoubtedly, that a certain type of movies puts wrong notions into the heads of a certain type of youngster."

and

"So far as my observation goes movies have little or no influence upon the crime situation. There may be a class of pictures that exert an evil influence upon minds of the immature and those of naturally criminal tendencies but I have no knowledge of such."

As was to be expected, those who replied in the negative did so for the most part without qualifying their answers. One, however, wrote as follows:

"I think the movies furnish a much more innocent form of pastime and amusement, as well as more economical than many others and has a tendency to prevent young persons from going to places much more likely to breed crime and lawlessness. In my experience the audiences at the movies are much more orderly and well balanced than at many other public gatherings."

Of the County Judges who answered in the affirmative some supported their opinions by citing cases of young boys who attributed their petty thieving to the portrayal of such acts in the pictures. Some typical replies are as follows:

"I do not consider that movies have much to do with crimes committed by older criminals. They may have some influence on children, perhaps in a small degree. . . ."

"My observation is, that under the present censorship, things are greatly improving and with the enforcement of existing statutes, in regard to attendance, that not much definite harm comes from the situation. . . ."
"I can cite no specific instances, but I assume that in some cases the movies do contribute to crime and delinquency. But the same may be said about many other things in our modern life which are not inherently bad."

The negative replies were nearly all unqualified. One Judge of the Court of General Sessions of New York City wrote as follows:

"While it is impossible to determine the various causes which, operating on the youthful mind, produce young criminals, I have always been very skeptical on the proposition that the movies are a substantial or direct cause of crime. For years there has been published cheap literature depicting criminal exploits and there have also been presented cheap melodramas to the same effect but it is usually done in such a way that the villain is hissed and the virtuous applauded, and I do not think the movies have any greater influence along that line than that class of literature or play."

Only one of the District Attorneys gave an affirmative reply supported by a case. He wrote as follows:

"I don't condemn the movies; but . . . a young lad was inspired to burglarize a store by what he saw in the moving picture show. In any event, that is what he said immediately after the crime."

Others wrote as follows:

"I do not consider that the movies are to blame in any considerable amount for the present crime situation. When I was a boy there was just as much of a howl concerning crimes, and it was then laid to the dreadful dime novels. . . ."

"In my opinion, in small communities, the movies are in no way responsible for the present crime situation. . . ."

"I do not believe that moving pictures constitute any serious menace in so far as the crime situation is concerned, providing they are properly censored; in fact, I believe that when proper pictures are exhibited they can have a beneficial rather than a detrimental effect. . . ."

"The movies as far as I can observe furnish a clean, moderate priced amusement and people generally are benefitted by the movies. I believe generally speaking the movie is a crime preventive because they furnish people clean amusement and a place to go."

Of the Chiefs of Police who stated that in their opinion the pictures were not a cause of crime, none qualified his answer. Of the others, none supported their vague statements by references to cases.

None of the Captains of State Troopers were of the opinion that the pictures incited to crime. Typical replies are as follows:

"I do not consider that the movies have anything to do with the crime situation at the present time. I cannot recall any specific case that would
connect the movies with crime. As we have a Commission for inspecting motion pictures, I believe that all pictures on the market today are in no way connected with the present day crime situation. . . ."

"From my experience as a police officer I cannot consistently state that moving pictures have a bad influence upon youth. I cannot cite any particular crime that I could trace directly to the influence of moving pictures. In questioning minors I have never been told that the instinct was ever promoted by the things they saw in moving pictures. While some pictures may show methods used in holdups and display of firearms, generally speaking, I feel that the pictures as shown today have no bearing on our crime situation. . . ."

"I cannot say that I have ever attributed any of the crimes which have taken place in the State to the fact that juveniles have seen motion pictures which were detrimental to their minds and which created an imaginary instinct within their minds that would lead to that of a criminal life, or the commission of crime. In so far as I have observed motion pictures, I have found them to be clean, with no tendency toward immorality or toward anything which would tend to make a criminal mind of the juvenile or of the adult."

One of the New York Police Officials (Inspectors and Captains) supported his affirmative contention by citing cases of which he had no first hand information, one in Chicago and one in Texas. Some replies are as follows:

"I do consider that a certain type of pictures, demonstrating shootings and holdups, have a tendency to work on the minds of youths and weak-minded persons, and is one of the contributory causes to the present crime situation. I am unable to cite a specific case that has come to my notice. . . ."

"While I cannot cite a specific case in which a criminal has admitted that he was in any way influenced by the movies, I have in several instances been impressed by what was undoubtedly, whether consciously or not, a similarity in action, gesture, and attitude of a prisoner and the movie character frequently shown. . . ."

"I do not believe that movies are directly or indirectly the cause of any crime situation. Men and women, boys and girls might view the same picture, some would enjoy the same also, to some educational, and to the morbid mind a misconstruction may be formed. . . ."

"The movies in their present state of development, I feel convinced, are far away better than the old time dime novels that were held responsible for the depredations of previous generations. Literature in general, and available to all, presents more harmful and suggestive themes than do our present-day movies."

In an attempt to determine experimentally to what extent the anti-social suggestions of the worst sort of a crime depicting film are comprehended by children, the writer re-edited a seven reel picture, which in its entirety was a farce, so as to make it a portrayal of
assassination, false accusation and suicide. Among the leading characters were a soldier who was accused of betraying his country, his brother, a weakling who, though not guilty, confessed the crime, two spies, one of them the forsaken mistress of the soldier and the other, a man who committed suicide when accused of the murder. The leading character was, after successfully eluding the police for a time put in prison. This picture was shown to about 500 school children in the fourth to eighth grades inclusive. This was done with the consent and fullest cooperation of all the officials and teachers of the schools. The children were then examined on the content of the picture in two ways. They were asked to answer 40 questions, 10 of them leading questions and 10 of them very leading questions. Then they were required to write an essay on the picture telling the story. Those below the fifth grade were unable to do so having at that time not received sufficient training. Of all the children none indicated the least sympathy for the various evil characters portrayed. None showed by either response to questions nor anything in their narratives the least hint that they understood the true relations that had existed between the murdered man and his cast-off mistress. Of course there were great individual differences between the amount of material remembered by the children of the same ages and especially those of different ages. Only the older children were able to give any accurate and extended accounts. The one fact reported most frequently was that “He was put in prison” or “He was put in a dungeon” or as one sixth grade boy expressed it in the vernacular, “He ended up in jail.”

Now this picture, distorted as it was from a farce to a tragedy had in it an element common to all such pictures, the villain was in the end put in a dungeon. In this we have the cue to the difference between the suggestions furnished by the papers and those furnished by the pictures. Due in part, of course, to the defect in the criminal procedure that allows so much time to elapse between the committing of a crime and the trial and the trial and the punishment, especially if the latter is capital punishment, whatever effect such punishment may have on others is lost, for in most cases it is given but passing notice by the papers. Of course the fault is due mostly to the failure of the journalists to be constructive and give due space to the fact of sentence in a manner other than to excite admiration or sympathy for the criminal. In fiction whether written or portrayed in the pictures, the hero must be rewarded and the villain punished, else the story is not popular. Most people go to the pictures or read stories
that they may experience life as they would like it to be, not as it is. At this point the journalist might interpose that he is portraying the world as it is and not writing fiction. And yet he must grant that even under the present system of American law the offender is frequently apprehended and locked up and it has been shown that the newspapers do not treat such news constructively. Moreover the papers have shown their abiding faith in the present system, including the theory that punishment deters and the more severe the punishment the greater the deterrent effect and yet they who are in the position to be the media for such deterrent effect are doing the opposite in most cases.

The pictures are, of course, a means of disseminating suggestion and do so with greater facility than the papers, pictures being a more easily comprehended means of communication than the written word. The question is, what kind of suggestions do they furnish? They do not of course portray crime to the extent that the papers do and as noted above the most powerful suggestion given by a moving picture portrayal of crime is that crime is punished. By saying that that is the most powerful suggestion is meant that the rewarding of the hero and the punishment of the villain have great memory and attention value, being the denouement toward which the story leads and having the advantage of recency. Recency refers to the fact that those things which are most recently or last experienced tend to be remembered longest and most completely. All the facts related in regard to the laws of suggestion as they apply to the newspapers apply equally to the pictures and if the suggestions furnished by the pictures are constructive, then so much is credit due to them.

In the case of the pictures there are factors operating that do not have any counterpart in the newspaper situation. First, as regards the pictures themselves. As just indicated, the story, whether or not it does happen to deal with crime, and crime pictures are a small minority of the productions of the picture studio, is complete in itself. There is a continuity from the crime itself to the detection of the offender and his punishment. For the most part the last two elements when they are not quite secondary to the main theme, the trials and tribulations of the victim and his friends are the elements on which attention is centered. Such treatment of a crime story is in decided contrast to that of the newspaper which centers attention on the crime, the criminal and his trial and does not provide the continuity, the immediate sequence of crime and punishment. Another contrasting aspect of the pictures and the papers is this. A picture once seen
loses its interest. A news story is repeated time and again, at first on successive days following the crime, then over a period of perhaps weeks during the trial and then months or even a year may elapse before the application of the penalty, if it is the most severe one and that is only news for a day or at most a few days in the most notorious cases. If the punishment is imprisonment the sentence of the court is news for but a day and not particularly exploited either. In brief, the pictures lack that potent factor of suggestion, volume, that was explained in a previous chapter. They also fail to provide another equally important factor in suggestion, namely, prestige. Fictitious characters do not have the prestige that living people have. What prestige the criminal is given in the pictures is taken from him at the climax and the climax comes after an hour or two, not months after the crime. The pictures treat crime as does all fiction. One can't imagine the American public enjoying a book or picture which does not have "a happy ending." What is true of the moving picture treatment of crime is equally true of its treatment of scandal and vice in so far as it does portray such themes.

There is another factor in the moving picture situation that has no counterpart in journalism. They are censored. This censorship is twofold and in states that have legally constituted boards of censors it is threefold. First, they are censored by the picture producers' organization which in turn accepts suggestions from the National Board of Review, formerly called the National Board of Censorship and then by the State Boards of Censors. The first of course is in the nature of self-criticism and the second is criticism by unpaid reviewers. The last is official censorship by a government agency empowered to force changes and deletions on the producers. Whether the latter censorship is desirable or is even at all justifiable is questionable.

There is one aspect of the moving pictures that is almost exactly analogous with the newspapers, namely, the "news pictures." Released twice weekly they portray persons and events that are topics of current interest. In general they are not censored. In so far as the writer has been able to learn they have only twice within the past three years portrayed persons involved in scandal or crime. At a time when there were four news reel companies in the field one of them showed the female who was involved in the Heenan-Browning annulment case and recently when there were six companies producing news topics reels one of them showed Hickman, the man
accused of murdering a girl, in his prison cell. Compare this record with that of the newspapers in these and similar cases.

Another means of communication of ideas, used mostly at present as a form of entertainment is the radio. A practice which is becoming more prevalent is that of interrupting the broadcasting of entertainment features to give excerpts from the news appearing or about to appear in the newspapers. Among the items of news so furnished the public are the latest developments in the current criminal cases. Such news of course only supplements the methods of the papers and is presumably broadcast to whet the appetite for the material to be treated more at length in print. One radio station in New York City, WHAP provides programs which consist of attacks on racial and religious groups. The owner and operator of this station are a woman, a leader of a psuedo-healing cult and a man whose disqualification for jury duty because of his acknowledged bigotry has been the subject of legal adjudication by the highest court of the state. An organization of avowed bigots has recently asked for a broadcasting license for another station.

To incite to bigotry is as reprehensible as to incite to crime itself. The bigot's conduct may prove to be more anti-social than the acts taken cognizance of in the criminal codes for it may incite to many crimes of violence and even murders. Society will do well if it watches closely the use to which the radio is put under the guise of entertainment and religion.

Section VIII

News of Scandal and Its Effect

All the previous discussion has dealt with crime as legally defined. Between crime and vice there is no sharp distinction that can be made. There are some acts that are regarded as crimes by all civilized people but in general, crimes vary from place to place and from time to time. Likewise in regard to vice, but the concept of crime is more definite than is that of vice. There are some crimes that were formerly vices and some vices that were formerly crimes. In general it may be said that crimes are acts which affect society as a whole and vices are acts that affect the individual who commits such acts and others only indirectly, if at all. Individuals who lack the inhibitions necessary to keep them from vicious acts may and often do commit crimes. Society in its system of criminal law takes cognizance of the anti-social nature of vice and especially the incitement to vice in children. This raises the question for the criminologist as to whether or not the publication of news of vice and scandal may tend to incite to vice
in the same manner as the publication of crime news incites to crime.

In the tables in Section II, showing the amount of crime news in the twelve New York papers of November 8 to December 8, 1926, the space indicated does not include the space given to scandal such as divorce cases and separation suits and their details. That there is an enormous amount of space given to such material is obvious. That much of this is portrayed in such a manner as to make it socially undesirable may require a few examples to demonstrate. Passing over the Rhinelander-Jones annulment case and its exploitation by the New York papers, the next case that comes to mind because of its news value for the press was the action for annulment of marriage of one Browning from a young female to whom he had been wed some time previously. Turn, for example, to the issue of the New York Graphic for November 15, 1926. The headline above the title of the paper is:

**My Love Life with Peaches**
The article purports to be the personal story of the defendant in the case. The female is pictured on the front page. On the next day the female complainant is again pictured on the front page and the large headline above the title is:

**Women Caused Sorrow Says Browning**
More of the personal story of the defendant is given and news of the court hearing. The issue the next day is similar. On December 16 the Graphic again featured the defendant Browning in connection with a suit brought against him by another young female and detailed the charges. On the next day the same case is featured in headline and picture. On January 22, 1927, on page 3 of the Graphic are pictured the principals in the case in attitudes that to say the least are unconventional. The climax is reached on January 26, 1927, when the pair are pictured in a bedroom scene, the female scantily clothed. Even the vaguest description of the reading matter in connection with this case which appears on page 3 is impossible here. In some of the issues of the Graphic referred to, there are reports of another scandal to which the reader is referred for further examples of the way in which the Graphic treats scandal news.

Turn to the New York News of December 18, 1926, for a discussion of the abnormalities involved in the case above discussed. On December 17, 1926, one of the actions against the defendant is discussed again in detail. On December 16 the case is featured with headlines, pictures and many columns of space.

The New York Mirror on December 16, 1926, features one of the cases involving the same defendant and a female alleged to be a minor. A great part of the complaint is quoted, giving the details
of the charges. On the following day the case is again featured. On the 3rd of January, 1927, the Mirror carries the heading:

Browning's Cult
and gives details of the man's sexual habits. See also the Mirror for January 12, 1927. There is much other material in these three papers of the same dates and of other dates that is illustrative of their practices.

The New York Journal of December 16, 1926, features the same case in large headlines and pictures on the first page. One item beginning on the first page is a statement of the charges "in full" and details of the alleged attack are given. Much space is given to the story in the first section of the paper. Extending across the first page of the second section are pictures of females in tights. Below is the news story of a new version of the "badger game." The female in the case is pictured and an illustration with a label shows just how the victims were mulcted. On the following day the Browning case is again featured in headlines and with front page picture. In one corner of the front page is an announcement in heavy type that reads as follows:

"WATCH EVENING JOURNAL FOR BROWNING ROMANCE"

"Complete details of all angles of the Edward W. Browning-Mary Louise Spas litigation will be found each day in The Evening Journal. Both sides of the romantic tangle will be portrayed. The daily stories will include general news developments, Miss Spas' own version of the collapse of her Cinderella dream, and the replies of Mr. Browning to her accusations."

And the Evening Journal kept its promise. On the following day the man's affairs with another female is again featured and on the front page is a composite picture of him. Some of the pictures referred to above are of this kind. That is, they are pictures in which people are shown in various attitudes, made by placing the picture of the head of a subject on the body of some one else who has posed for the picture. This method of course makes possible the portrayal of crime and scandal in the most vivid manner, as for example, the bedroom scene shown in the Graphic of January 26, 1927. On Thursday, the 23rd of December, 1926, the same case is being featured as before. Another front page story is that which gives the details of the rape of a young woman by "two score men." On January 3, 1927, Harry Thaw is featured in a front page picture with a female and below is a picture of the colored female from whom a millionaire's son sought an annulment of marriage. Here are examples of the revival of the worst sort of scandals, one of which the papers had featured months before and one, years before. The next day apropos
of the court decision on the annulment case the principals in the case and members of the defendant's family are pictured on the first page and the leading article is in part an interview with the defendant. On January 12, 1927, the headline and leading story is about the Browning case. A female who had begun a divorce action in San Francisco is pictured and a headline calls attention to the status of a moving picture actor's divorce case. On November 17, 1926, the Journal featured the arrest of the leader of a religious cult who was charged with vicious practices with the minor females in his cult. In this same issue there are three pictures of Harry Thaw in connection with the story of a murder involving seduction. Another scandal featured with pictures is that of a ruling prince of India and a native female who had been linked with him in a murder and scandal.

On January 11, 1927, the New York Telegram featured in front page headline and picture the divorce of the wife of a moving picture actor and gives details of the complaint. On January 14, 1927, the Telegram featured this same case again and pictured a former mate of the defendant. On page 2 of the same issue under the caption

Heiress Seeks Separation

is pictured the female applicant for a divorce and the story tells of a novel way in which the evidence was secured. In the issue of January 20, 1927, the divorce action against the moving picture actor is again dealt with on the front page and above this item is a picture of a female who was at the time suing the previously mentioned Browning charging that he had assaulted her when she was a minor. For further examples of the Telegram's treatment of scandal see the issues of January 21 and 22, 1927, and following dates.

Further rehearsal of the sort of scandal news that the New York papers publish and their method of treating it is unnecessary. Every one of the twelve papers under discussion published news of the activities of the old man who was accused by various females, some of them minors, and the other cases mentioned above. These cases were featured more by some of the papers than by others but none of them failed to publish such news and none of them did it in a manner that is defensible. The Times, for example, printed as much about the Browning case as any of the other papers including the tabloids. Casual observation of the current papers by the reader will afford him examples of the sort of news under discussion.

Consider the sort of people who are the ones featured. In general, they are those who have social position or wealth. Further, it is their sex delinquencies that are news topics mostly. When the affair is a crime, the sex element is brought in, as for example, by the
discussion of correspondence of the accused or in a discussion of the motive. For the most part the scandal news is news of marital disagreements which of course are sex matters.

Consider the effect of such news in the light of what is known about suggestion as told in Section V. By way of the newspaper comes suggestion appealing to one of humanity’s most powerful tendencies, sex. Those who have prestige, those with wealth and social position or official position are the people whose affairs are featured. Constant repetition, indirectness and all the other factors that make suggestion conducive to imitative action are present.

That the publication of such matter is anti-social in its effect is a matter of such belief based on the experience of society that it has received the attention of the lawmaking bodies of all civilized nations. For example, the penal code of New York State, article 106, section 1141, reads as follows:

1. A person who sells, lends, gives away or shows, or offers to sell, lend, give away, or show, or has in his possession with intent to sell, lend or give away, or to show, or to advertise in any manner, or who otherwise offers for loan, gift, sale or distribution, any obscene, lewd, lascivious, filthy, indecent or disgusting book, magazine, pamphlet, newspaper, story paper, writing, paper, picture, drawing, photograph, figure or image, or any written or printed matter of an indecent character; or any article or instrument of indecent or immoral use, or purporting to be for indecent or immoral use or purpose, or who designs, copies, draws, photographs, prints, utters, publishes, or in any manner manufactures, or prepares any such book, picture, drawing, magazine, pamphlet, newspaper, story paper, writing, paper, figure, image, matter, article or thing, or who writes, prints, publishes, or utters, or causes to be written, printed, published, or uttered, any advertisement or notice of any kind, giving information directly or indirectly, stating, or purporting so to do, where, how, of whom, or by what means any, or what purports to be any, obscene, lewd, lascivious, filthy, disgusting or indecent book, picture, writing, paper, figure, image, matter, article or thing, named in this section can be purchased, obtained or had who has in his possession, any slot machine or other mechanical contrivance with moving pictures of nude or partly denuded female figures which pictures are lewd, obscene, indecent or immoral, or other lewd, obscene, indecent or immoral drawing, image, article or object, or who shows, advertises or exhibits the same, or causes the same to be shown, advertised, or exhibited, or who buys, owns or holds any such machine with the intent to show, advertise or in any manner exhibit the same; or who,

2. Prints, utters, publishes, sells, lends, gives away or shows, or has in his possession with intent to sell, lend, give away or show, or otherwise offers for sale, loan, gift or distribution, any book, pamphlet, magazine, newspaper or other printed paper, devoted to the publication and principally made up of criminal news, police reports, or accounts of criminal deeds, or pictures or stories of deeds of bloodshed, lust or crime; or who,
3. In any manner, hires, employs, uses or permits any minor or child to do or assist in doing any act or thing mentioned in this section, or any of them, is guilty of a misdemeanor, and, upon conviction, shall be sentenced to not less than ten days nor more than one year's imprisonment or be fined not less than fifty dollars nor more than one thousand dollars or both fine and imprisonment for each offense.

And section 1141-a reads as follows:

Any person who shall expose, place, display, post up, exhibit or paint, print or mark, or cause to be exposed, placed, displayed, posted, exhibited or painted, printed or marked in or on any building, structure, billboard, wall or fence, or on the street, or in or upon any public place, any placard, poster, bill or picture, or shall knowingly permit the same to be displayed on property belonging to or controlled by him, which placard, poster, bill or picture shall tend to demoralize the morals of youth or others or which shall be lewd, indecent, or immoral, shall be guilty of a misdemeanor.—As added by ch. 280, Laws (1909).

Whether any matter is "obscene, lewd, lascivious, filthy, indecent, or disgusting" or is such that it "shall tend to demoralize the morals of youth or others" is a question for the jury to decide. The question as to whether the matter appearing in the papers daily and to which attention has been called above, is such, is raised for the serious consideration of the reader. For a definition of the term "obscene" which is the one most widely used to describe the objectional matter referred to in the penal code one may turn to the New York World. In the issue of August 10, 1927, the following editorial apropos of a proposed radio program appears.

"From the radio station WGL we receive the following announcement:

"'On Monday evening, Aug. 15, at 9 o'clock Station WGL will place a microphone inside the wards of one of the largest insane asylums in America. The strange sights of such an institution, which have doubtless aroused the curiosity of most people, will be visualized for the unseen audience, and the weird, uncanny sounds of the inmates will be broadcast.

"'Due to the fact that the institution must be protected, and in no way the inmates misused, the name of the institution is withheld.'"

Assuming that this announcement is strictly on the up-and-up, and that the performers will be real lunatics and not lunatics recruited from the vaudeville stage, it would seem that here is something obscene in the literal meaning of the word. For obscene, according to Funk & Wagnalls, means "offensive to chastity, delicacy or decency." Doesn't this describe the broadcasting of "the weird, uncanny sounds" made by insane persons? Moreover, there is danger that the performance will be obscene in the more common use of the word. How do the broadcasters know that some of the inmates will not suddenly
take a notion to use language having pathological overtones? Not all of them are in an institution because they believe themselves to be Napoleon; some of them are there because they show symptoms of a grosser nature.

Station WGL, if it has really arranged any such program as it announces, might do well to reconsider its plan. And if it is perpetrating an ingenious hoax, it might remember the principle which is being insistently asserted by the Federal authorities: "that radio programs be what they purport to be, and that no flim-flams be worked on the public."

Does the definition of "obscene" which the Editor of the New York World quotes apply to such matter as that in the New York Graphic of January 26, 1927, referred to above? Does it apply to the material in the New York Mirror of January 3, 1927, also noted above? Does it apply wholly or in part to the material in the issue of the New York Journal and the New York Telegram described above?

But are the above examples unique or are they typical of the current practices of New York journalism? Consider the correspondence reproduced on page 9 of the New York American of November 16, 1926, and the quotations from a complaint given on page 5 of the American, issue of December 16, 1926. On January 15, 1927, in the fourth column, page 4, of the New York World appears an interview with a moving picture actor in which he gives the details of the intimate relations and disagreements between himself and his wife who had started a divorce action. On the same date The New York Evening World published the same interview at greater length. The news item following the interview is an Associated Press dispatch from Los Angeles which read in part as follows:

"Meanwhile, Los Angeles warmed up to the case by showing such a liking for its details that copies of a booklet in which Mrs. Chaplin's petition was given in its entirety, have been sold. The copies brought 25 cents each. The County Clerk's office has been besieged with so many requests to see the petition that it has been removed from the files."

The cases referred to above and many other similar ones were featured by all of the twelve papers under discussion and the details to which attention has been called were "played up" more or less.

There have flourished during the past year a great number of so-called art magazines depicting nude and semi-nude females. The city authorities have been supported by the press in their campaigns against such publications. Although these were in part reproductions of actual works of art it is the consensus of opinion that they were socially harmful. The question raised by such publication of pictures
need not be answered here but the reader's attention is called to the pictures of semi-draped females being reproduced in some of the papers under discussion.

One of the journalistic methods used to feature crime and to bring out the "human interest" side of the story which is often the scandal aspect of the case is the employment of the "sob sister." The sob sister is often known in newspaper parlance as a "feature writer." What such writers contribute is chiefly cheap sentimentality and specious moralizing. A few examples will suffice. In the Mirror of November 12, 1926, is a signed story by a writer who tells in a sensational manner the proceedings of a murder trial then going on. No little part of his story has to do with what the prosecution will do the following week. See also in the Mirror of November 11, 1926, a signed article by another writer describing the female defendant's attitude in the same case. In connection with this case the young daughter of the murdered woman won her spurs as sob sister by a series of signed articles. She later appeared as a writer in connection with the court hearings of one of the scandals referred to above. As an example of the sort of moralizing that feature writers furnish their readers, see the series of articles in the Graphic during November, 1926, by a Mr. Roach Stratton, a preacher. As examples of sentimentality see the signed articles in the News of November 15 and 23, 1926, one apropos of a case of a female who slew her seducer and the other of a young female who had been deserted by the Chinese with whom she had mated.

On the 5th of April, 1927, the leading editorial in the New York Telegram was entitled:

Satirizing the Sob Sister

After a complimentary review of a current theatrical production the editorial reads in part as follows:

"The next important murder trial in which a woman is a defendant is to be that of Mrs. Ruth Snyder, who, with Henry Judd Gray, her paramour, is charged with murdering her husband.

"Evidences of sob sister activity in this connection continue to multiply as the trial date approaches.

"Now, Mrs. Snyder or any other woman charged with murder is entitled to the full protection of the law and the evidence, to trial by jury, to the presumption of innocence until proved guilty, and all the other safeguards that the law has set up."

On the front page of the same issue of the Telegram appears an advertisement headed:

Will Durant to Cover Snyder Murder Trial for Telegram

The advertisement reads in part as follows:
"When Mrs. Ruth Snyder and her lover, Henry Judd Gray, go on trial April 18, Dr. Durant will analyze the proceedings for Telegram readers. He will ignore technicalities and write of the part two lives are enacting in what will probably be the most interesting drama in years.

"Telegram readers will be enabled to see the principal characters through different eyes. They will get to know them in an understanding way. The Snyder case lends itself particularly to Will Durant's style of writing and philosophizing. Here you have a wife and mother, said to have deliberately conspired with her clandestine lover to slay her husband, the father of her nine year old girl. What emotions she passed through and will experience as the trial proceeds should supply remarkable material for Durant's pen."

And during the ensuing trial the Telegram employed as feature writers in addition to Durant and a Jane Dixon their permanent writer, one Arthur Segal and the woman whose play the Telegram had interpreted as "satirizing the sob sister." The sort of copy these writers furnished the readers of the Telegram during the trial is best indicated by the descriptions of their writings which were given in a full page advertisement in the issue of April 28, 1927. In part these comments are as follows:

Of the woman dramatist,

"From her seat in the Snyder trial room she passes onto Telegram readers most colorful comment on each day's unravelings of the murder drama. . . . She tears aside the false, penetrates pretense, and shows you the grim truth.

"Miss Dixon's daily feature articles in the Telegram on the Snyder trial do not mince matters. A spade's a spade, and Miss Dixon says so. She tolerates no disguise, but she misses no true point of interest, overlooks nothing worthy of commendation. She is essentially fair.

"Alfred Segal is a writer new to New York, and he brings a new note in murder trial reporting. . . . You do not merely KNOW what is happening in the Snyder courtroom, but you SEE the drama progress. Vivid, fascinating word pictures——"

Truth in advertising is most commendable. The question of one of the feature writer's fairness need not be discussed. The articles by these people in the light of the Telegram's editorial quoted above are, however, worthy of consideration. Among the other feature writers and those who attended the trial and gave statements to the various papers were a musical comedy star, an evangelist, a novelist, an actor, a theatrical producer and a local preacher. The reader is invited to consider the methods of all the New York papers in connection with this case in the light of what has been said previously about suggestion, from the time of the discovery of the crime to the public spectacle created by the news writers when the defendants were taken from the city to the state prison and later executed.
Section IX
THE MOTIVE AND THE REMEDY

A newspaper is profitable in proportion to the amount of advertising space it sells and that in turn depends on the circulation. To find an explanation of the practices of the twelve papers described in the foregoing chapters, one must go back some years and note the trends to be found in the circulation figures. On the following page is a table showing the circulation statements filed with the government for the six month periods indicated. The periods chosen for analysis begin well after the World War and at a time when there was what has amounted to almost a revolution in New York journalism, one might say American journalism, the establishment of the first successful tabloid. Similar tabloids have been established in other cities.

From the summer of 1917 to the periods indicated in the table there was a downward trend of circulation figures of the majority of the New York papers. And with slight fluctuations a downward trend in the total number of subscribers in all of Greater New York. Consider the trends in circulation of each of the twelve papers during the eight years period as shown in the table. Only three of the twelve show a tendency to seasonal fluctuation, an increase in the winter months and a decrease in the summer months, i.e., the Times, the Journal and the Post. There is no obvious reason why these

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<th>Date</th>
<th>Times</th>
<th>M. World</th>
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<th>Mir-</th>
<th>Jour-</th>
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</tr>
<tr>
<td>March 31, 1922</td>
<td>372,801</td>
<td>387,191</td>
<td>456,335</td>
<td></td>
<td>654,952</td>
<td>137,485</td>
<td></td>
</tr>
<tr>
<td>Sept. 30, 1922</td>
<td>356,671</td>
<td>382,087</td>
<td>429,071</td>
<td></td>
<td>622,749</td>
<td>130,161</td>
<td></td>
</tr>
<tr>
<td>March 31, 1923</td>
<td>370,266</td>
<td>392,387</td>
<td>434,198</td>
<td></td>
<td>643,489</td>
<td>131,613</td>
<td></td>
</tr>
<tr>
<td>Sept. 30, 1923</td>
<td>362,361</td>
<td>382,739</td>
<td>439,177</td>
<td></td>
<td>601,837</td>
<td>133,230</td>
<td></td>
</tr>
<tr>
<td>March 31, 1924</td>
<td>378,174</td>
<td>391,421</td>
<td>411,471</td>
<td></td>
<td>641,192</td>
<td>154,435*</td>
<td></td>
</tr>
<tr>
<td>Sept. 30, 1924</td>
<td>383,005</td>
<td>404,377</td>
<td>405,044</td>
<td>157,796</td>
<td>666,886</td>
<td>276,755</td>
<td></td>
</tr>
<tr>
<td>Sept. 30, 1925</td>
<td>387,934</td>
<td>381,536</td>
<td>379,975</td>
<td>218,431</td>
<td>649,072</td>
<td>283,197</td>
<td>95,697</td>
</tr>
<tr>
<td>Sept. 30, 1926</td>
<td>391,465</td>
<td>382,005</td>
<td>342,928</td>
<td>362,862</td>
<td>249,649</td>
<td>635,805</td>
<td>287,386</td>
</tr>
<tr>
<td>Sept. 30, 1927</td>
<td>414,990</td>
<td>391,465</td>
<td>322,467</td>
<td>336,280</td>
<td>411,808</td>
<td>677,844</td>
<td>312,670</td>
</tr>
</tbody>
</table>

*The Herald and Tribune combined March 19, 1924.
CRIME AND THE PRESS

Compiled by the Statistical Department of the N. Y. Evening Post.

Papers should vary in this manner that is not applicable to some of the other papers and so these fluctuations may be only apparent. However, in the case of the Times, the World, the American, the Post and the Sun there was from the six months previous to Sept. 30, 1919 to Sept. 30, 1924, either a maintenance of circulation or the increase to be expected from the increase in population. The decrease in population of Manhattan revealed by the last state census would not be expected to materially affect the circulation of Manhattan papers for they are readily available in the other boroughs which gained in proportion as Manhattan lost. The great increase in the Sun's circulation reported on Sept. 30, 1923, is accounted for by its combination with the Globe and the change from a morning to an evening paper. During the same period the Herald-Tribune was increasing its circulation due probably to the consolidation of the Sun and Herald on February 1, 1920. Note the increase during the period March 31, 1920 to Sept. 30, 1920. On March 19, 1924, the Herald and Tribune were combined. Note the increase reported on Sept. 30, 1924. Although the figures given in the table are those of the defunct Sun, Herald and Tribune, they represent to a certain degree the increases and decreases of the present Herald-Tribune. Another consolidation was that of the Globe and Evening Sun on June 4, 1923, and the circulation reported on Sept. 30, 1923, was the average for two months of the Sun and 4 months of the Sun-Globe. This should be considered in connection with the above statement that the Sun had only maintained its circulation. The circulation of the Globe on March 31, 1923, was 159,786 and that of the Sun at the same time was 177,290. The consolidation seems to have resulted in a temporary decrease in circulation.

During the period under discussion the Evening World was steadily losing in circulation. The Journal with fluctuations both upward and downward lost greatly between September 30, 1919, and September 30, 1924. The Telegram lost steadily from September

### Table: Circulation of Newspapers

<table>
<thead>
<tr>
<th>Date</th>
<th>E. World</th>
<th>Telegram</th>
<th>Post</th>
<th>News (Daily)</th>
<th>News (Sunday)</th>
<th>Sun</th>
</tr>
</thead>
<tbody>
<tr>
<td>March 31, 1922</td>
<td>280,727</td>
<td>107,710</td>
<td>35,006</td>
<td>440,482</td>
<td>268,061</td>
<td>180,442</td>
</tr>
<tr>
<td>Sept. 30, 1922</td>
<td>265,049</td>
<td>119,431</td>
<td>32,318</td>
<td>522,635</td>
<td>348,711</td>
<td>179,937</td>
</tr>
<tr>
<td>March 31, 1923</td>
<td>277,853</td>
<td>111,088</td>
<td>32,694</td>
<td>551,457</td>
<td>438,810</td>
<td>177,290</td>
</tr>
<tr>
<td>Sept. 30, 1923</td>
<td>272,355</td>
<td>133,594</td>
<td>32,506</td>
<td>633,578</td>
<td>567,381</td>
<td>236,165</td>
</tr>
<tr>
<td>March 31, 1924</td>
<td>271,114</td>
<td>155,194</td>
<td>35,768</td>
<td>720,852</td>
<td>662,142</td>
<td>260,026</td>
</tr>
<tr>
<td>Sept. 30, 1924</td>
<td>314,489</td>
<td>220,707</td>
<td>31,291</td>
<td>786,398</td>
<td>807,279</td>
<td>255,212</td>
</tr>
<tr>
<td>March 31, 1925</td>
<td>310,850</td>
<td>190,519</td>
<td>35,501</td>
<td>795,160</td>
<td>987,199</td>
<td>247,370</td>
</tr>
<tr>
<td>Sept. 30, 1925</td>
<td>311,933</td>
<td>199,566</td>
<td>34,415</td>
<td>920,956</td>
<td>1,122,065</td>
<td>256,234</td>
</tr>
<tr>
<td>March 31, 1926</td>
<td>318,442</td>
<td>182,489</td>
<td>35,525</td>
<td>998,617</td>
<td>1,224,063</td>
<td>259,351</td>
</tr>
<tr>
<td>Sept. 30, 1926</td>
<td>295,732</td>
<td>207,706</td>
<td>34,127</td>
<td>1,082,976</td>
<td>1,244,316</td>
<td>265,000</td>
</tr>
<tr>
<td>March 31, 1927</td>
<td>305,404</td>
<td>196,329</td>
<td>51,757</td>
<td>1,145,481</td>
<td>1,433,578</td>
<td>267,520</td>
</tr>
<tr>
<td>Sept. 30, 1927</td>
<td>314,491</td>
<td>228,984</td>
<td>68,477</td>
<td>1,208,994</td>
<td>1,374,018</td>
<td>278,582</td>
</tr>
</tbody>
</table>
30, 1919, until the Spring of 1922 and had not regained its circulation of the first date by the Spring of 1924. On January 28, 1924, the Telegram and Mail were combined and so the circulation reported on September 30, 1924, is not indicative of the growth of the Telegram itself.

Apart, then, from consolidations of papers the figures seem to indicate that the various papers mentioned above were either losing in circulation (the Evening World and the Journal), or were only increasing at a rate to be expected in accordance with the growth of population. On the 31st of March, 1920, the Daily News, the first of the three tabloids, made its first report of circulation figures and from then on to the last reporting date, September 30, 1927, it has increased to a figure exceeding that of any other paper. The first report of the circulation of the Sunday edition of the News was made on September 30, 1921, and its growth has been constant until the last reporting date, September 30, 1927, when a slight relative decrease occurred for the previous six months. The Evening Graphic was first issued on September 5, 1924, and had a Sunday edition from May 3, 1925 to September 1, 1925. It should be remembered that all the figures so far discussed except those of the News are averages of daily and Sunday editions in the case of papers having Sunday editions. The Graphic first reported its circulation on March 31, 1925, and its increase was enormous for each period except the last when a decrease of 15.7% was shown. The Mirror was first issued on June 24, 1924, and its first report of circulation was made on September 30, 1924, and it has had a great increase during each six months period.

Now consider what has happened to the circulation of the various standard size papers during the period since the September 30, 1924, while competition with the tabloids has presumably been greatest. Only the Morning World and the American have lost. The total number of paid subscribers has increased enormously, and since the Summer of 1919 the increase of total circulation of all New York papers combined has been great. The figures indicate that to some degree the first tabloid, the News, drew some of its readers from the ranks of the other papers' subscribers. On the whole this is not literally true, for during the period of its existence the total number of subscribers has increased. The same is true of the other tabloids, the Graphic and Mirror, for during the period when they have been published the total number of subscribers has again increased enormously and as noted above only two papers have lost in circulation. The increases in the circulation of the tabloids as compared with the increases of the other papers and the total increases of all the papers'
CRIME AND THE PRESS

subscribers combined indicates that the total newspaper reading public has been increased.

Has this increase been due to the practices of sensational journalism by the tabloids? Have the other papers either held their own or increased their circulation by resorting to the methods of the tabloids? First consider the increases or decreases in circulation during the period when the Hall-Mills case was before the public the first time. The Rev Mr. Hall and Mrs. Mills were murdered on the night of September 14, 1922. The press regaled the public with the mystery for months after. Referring again to the table on page 284 note what happened to the circulation of each of the ten papers; the Mirror and Graphic were not yet in existence. Any change in circulation due at all to the exploitation of that case would show in the figures for the period September 30, 1922 to March 31, 1923. In the period previous, the Times had a large loss and in the following period again suffered a loss, but during that period had a large gain. The same is true of the New York World, the American, the Evening World and the Post. And all of the ten papers gained in circulation during that six months period except the Telegram and the Sun, both of which had been rapidly losing their subscribers during the previous years.

The trial of the accused in the Hall-Mills case occurred during November, 1926. The various court actions against the man Browning and the excessively exploited Browning-Heenan annulment case occurred during the following months. The effect of the newspaper exploitation of these cases would be indicated in the circulation figures reported on March 31, 1927. For a comparison of the circulations for this date with those of the previous period more detailed figures are available, namely the circulation figures for the daily and Sunday editions separately. They are as follows:* *

<table>
<thead>
<tr>
<th>New York City</th>
<th>March 31, 1926</th>
<th>Sept. 30, 1926</th>
<th>March 31, 1927</th>
<th>Sept. 30, 1927</th>
</tr>
</thead>
<tbody>
<tr>
<td>American</td>
<td>225,081</td>
<td>221,624</td>
<td>205,631</td>
<td>227,969</td>
</tr>
<tr>
<td>Sunday</td>
<td>1,083,911</td>
<td>1,063,437</td>
<td>1,120,177</td>
<td>1,099,735</td>
</tr>
<tr>
<td>Evening Graphic</td>
<td>141,597</td>
<td>242,508</td>
<td>334,795</td>
<td>282,235</td>
</tr>
<tr>
<td>Evening World</td>
<td>290,106</td>
<td>295,472</td>
<td>305,746</td>
<td>314,061</td>
</tr>
<tr>
<td>Herald-Tribune</td>
<td>285,800</td>
<td>290,534</td>
<td>289,674</td>
<td>302,598</td>
</tr>
<tr>
<td>Sunday</td>
<td>345,484</td>
<td>343,716</td>
<td>366,220</td>
<td>373,484</td>
</tr>
<tr>
<td>Journal</td>
<td>696,447</td>
<td>677,844</td>
<td>686,740</td>
<td>680,681</td>
</tr>
<tr>
<td>Mirror</td>
<td>310,333</td>
<td>371,465</td>
<td>411,808</td>
<td>449,369</td>
</tr>
<tr>
<td>Morning World</td>
<td>287,970</td>
<td>283,870</td>
<td>302,199</td>
<td>335,880</td>
</tr>
<tr>
<td>Sunday</td>
<td>583,163</td>
<td>553,400</td>
<td>593,383</td>
<td>571,181</td>
</tr>
<tr>
<td>News</td>
<td>998,617</td>
<td>1,082,976</td>
<td>1,145,481</td>
<td>1,208,994</td>
</tr>
<tr>
<td>Sunday</td>
<td>1,224,063</td>
<td>1,244,316</td>
<td>1,433,578</td>
<td>1,374,018</td>
</tr>
<tr>
<td>Post</td>
<td>31,210</td>
<td>31,628</td>
<td>49,191</td>
<td>68,477**</td>
</tr>
</tbody>
</table>

*Compiled by the Audit Bureau of Circulation.
**Daily and Saturday.
The Times (daily) made a large gain, several times as large as it made in the previous period. The Times (Sunday) made a large gain, about three times as much as it lost in the previous period. The Morning World gained more than four times as much as it had lost in the previous period. The Evening World gained about twice as much as it had in the previous period. The Post gained 17,563 and in the previous period it had gained only 418. The American (daily) lost as it had in the previous period but its Sunday issue made a big gain after previously losing. The Herald-Tribune lost slightly, having gained previously and its Sunday edition gained greatly, having lost previously. The Journal gained after a previous big loss. The Sun gained as it had done previously. The Telegram suffered a big loss after a big gain in the previous period. The greatest gains were made by the three tabloids, the Graphic, the News and the Mirror. To recapitulate: of the seventeen papers, dailies and Sunday papers, fourteen gained in circulation during the six months period of September 30, 1926 to March 31, 1927 and three lost. Of the fourteen which gained, six had lost in the previous period and five lost in the following period.

Another comparison that is perhaps worth making is that of the gains between September 30, 1926 and March 31, 1927 and the amount of crime news published by the various papers during the month of November 8 to December 8, 1926. Since those figures are for both Sunday and daily papers the comparisons will be made with figures given in the table on page 156.

Ranked in order of gains in circulation, both absolute and relative and in order of amounts of crime news, both in terms of items and inches of space the twelve papers are as follows:

<table>
<thead>
<tr>
<th>Paper</th>
<th>Absolute Gain in Circulation</th>
<th>% Gain in Circulation</th>
<th>Inches of Crime News</th>
<th>Inches of Crime News</th>
</tr>
</thead>
<tbody>
<tr>
<td>Times</td>
<td>23,525</td>
<td>6%</td>
<td>478</td>
<td>11,498.25</td>
</tr>
<tr>
<td>Morn. World</td>
<td>20,783</td>
<td>6%</td>
<td>392</td>
<td>10,829.75</td>
</tr>
<tr>
<td>Mirror</td>
<td>32,412</td>
<td>8%</td>
<td>380</td>
<td>8,130.25</td>
</tr>
<tr>
<td>Journal</td>
<td>8,896</td>
<td>1%</td>
<td>519</td>
<td>8,059.00</td>
</tr>
<tr>
<td>Graphic</td>
<td>92,287</td>
<td>38%</td>
<td>421</td>
<td>6,837.50</td>
</tr>
<tr>
<td>H. Tribune</td>
<td>2,520</td>
<td>1%</td>
<td>331</td>
<td>7,827.50</td>
</tr>
<tr>
<td>Eve. World</td>
<td>9,672</td>
<td>3%</td>
<td>291</td>
<td>4,789.00</td>
</tr>
<tr>
<td>Post</td>
<td>17,630</td>
<td>51%</td>
<td>245</td>
<td>3,757.75</td>
</tr>
<tr>
<td>News, daily</td>
<td>62,505</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>News, Sunday</td>
<td>189,262</td>
<td>Av. 3%</td>
<td>586</td>
<td>10,397.50</td>
</tr>
<tr>
<td>Sun</td>
<td>2,520</td>
<td>%</td>
<td>339</td>
<td>3,549.25</td>
</tr>
</tbody>
</table>
Comparison of these figures show the following relations to be true. The absolute gain in circulation during what might for purposes of the present discussion, be called the Hall-Mills period, show a fairly high degree of correlation with the amount of space in terms of inches devoted by the various papers to crime news. The correlation coefficient is +.52. The absolute gains correlated with the number of items gives the coefficient +.52. The relative gains and number of items seem to be not related to each other and the relative gains and number of inches only slightly (correlation coefficient is +.13), but nevertheless positively.

The following is a list of the twelve papers and their circulation figures for the end of the same period, and the number of items and number of inches of crime news.

<table>
<thead>
<tr>
<th>Daily</th>
<th>Total Circulation</th>
<th>Inches of Crime News</th>
<th>Inches of Crime News</th>
</tr>
</thead>
<tbody>
<tr>
<td>American</td>
<td>205,631</td>
<td>461</td>
<td>9,925.75</td>
</tr>
<tr>
<td>Evening World</td>
<td>305,746</td>
<td>291</td>
<td>4,789.00</td>
</tr>
<tr>
<td>Herald-Tribune</td>
<td>289,674</td>
<td>331</td>
<td>7,827.50</td>
</tr>
<tr>
<td>Journal</td>
<td>686,740</td>
<td>519</td>
<td>8,059.00</td>
</tr>
<tr>
<td>Morning World</td>
<td>302,199</td>
<td>392</td>
<td>10,829.75</td>
</tr>
<tr>
<td>Post</td>
<td>49,191</td>
<td>245</td>
<td>3,757.75</td>
</tr>
<tr>
<td>Sun</td>
<td>265,440</td>
<td>339</td>
<td>3,549.25</td>
</tr>
<tr>
<td>Telegram</td>
<td>195,739</td>
<td>269</td>
<td>4,020.50</td>
</tr>
<tr>
<td>Times</td>
<td>375,249</td>
<td>478</td>
<td>11,498.25</td>
</tr>
<tr>
<td>News</td>
<td>1,145,481</td>
<td>586</td>
<td>10,397.50</td>
</tr>
<tr>
<td>Mirror</td>
<td>411,808</td>
<td>380</td>
<td>8,130.25</td>
</tr>
<tr>
<td>Graphic</td>
<td>334,795</td>
<td>421</td>
<td>6,837.50</td>
</tr>
</tbody>
</table>

A comparison of these figures shows that there is a fairly high degree of correlation between the number of inches of crime news and the total circulation of the various papers and a very high degree of correlation between the amount of such news in terms of items and the total circulation. The two coefficients of correlation** are respectively +.57 and +.75.

Albert Snyder was murdered on the night of March 19-20, 1927 and the trial of Mrs. Snyder and Gray began on the 18th of April. The case was exploited during the six months period of March 31,*

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*Math A. B. C. circulation figures, see p. 287.

**A coefficient of correlation is a measure of concomitant variation. In this case it is a measure of the relationship of amount of crime news and circulation, that is, as one increases the other increases. To say that inches of crime news and circulation correlate +.57 means that they are as alike as brothers, to say that the number of items and circulation correlate +.75 means that they are as alike as are twins.
1927 to September 30, 1927. Referring again to the table on page 287 note the gains and losses in circulation by the seventeen daily and Sunday papers. Of the five Sunday papers, three lost in circulation and the two that gained made only slight gains relatively. Figures are not at hand to show that such losses in Sunday paper circulation usually occur during the summer, but that such might be true seems plausible. Of the twelve daily papers only the Journal and the Graphic lost. The American and the Herald-Tribune which had lost in the previous period made fair gains and the Telegram which had previously lost made an enormous gain. Again the question is presented for the consideration of the reader: Have the standard-size papers either held their own or increased their circulation by resorting to the methods of the tabloids? Among the papers that lost were the sensational Sunday American and Sunday News and the very sensational Journal and the tabloid Graphic.

It might be objected that the trans-Atlantic flight of Lindbergh and the attempts of other fliers account for the increases in circulation figures during the last six months period. Those events undoubtedly do account in part for the increases but on the whole they were exploited by the press for comparatively short periods. Moreover this objection loses weight when considered in connection with the whole previous discussion.

On April 6, 1927 the Graphic printed on its pink back an advertisement, perhaps the writer considered it an editorial, dealing with its circulation which reads in part as follows:

"This month the sworn circulation statements of the New York newspapers have an unusually significant story to relate. These statements record the definite establishment of the newer journalism—the journalism which has become so popular and so powerful that it has amazed the circulation world.

"In New York the GRAPHIC has had much to do with this new journalism. Firm in its belief that the tabloid newspaper was the next progressive step in the evolution of the daily prints, The GRAPHIC has pioneered, and it has pioneered for the people with amazing results!

"During the past six months, as its sworn circulation statement, printed on another page, will show, The GRAPHIC has made the largest gain in new readers of any newspaper in the United States!

"The GRAPHIC'S gain in circulation from October 1, 1926, to the present day is 92,287. The GRAPHIC'S net paid, sworn circulation is 334,795, all built up in two years and six months.

"It is by far the largest gain made by any paper in New York, morning or evening.

"THIS ESTABLISHES THE GRAPHIC AS OFFICIALLY SECOND IN THE EVENING FIELD IN NEW YORK. All that the New York Evening Journal could gain in six months was 8,896. Compare that
figure with The GRAPHIC's gain of 92,287 in the same period of time and it will not take much figuring to determine when The GRAPHIC will lead in the evening field.

"Advertisers will be interested in these figures, for they show where the great masses of readers can be found. The GRAPHIC's circulation is of vital interest to New York advertisers, as this paper now ranks third in city and suburban circulation. This means that more GRAPHICS are read in the city and suburbs of New York than any other newspaper, morning or evening, with the exception of two. That is why The GRAPHIC can be a veritable gold mine to any advertiser who uses its columns, for GRAPHIC readers buy their necessities in New York and live in New York and its suburbs.

"The amazing circulation record of The GRAPHIC means that there are now only four evening newspapers in the entire United States ahead of it. The GRAPHIC's gain of 92,287 new readers in the past six months is greater than the combined gain of all standard-size newspapers in New York during that period, morning and evening. Not only that, but it is greater than that combined standard-size newspaper gain plus 16,751.

"This is The GRAPHIC'S answer to the attacks made on tabloid journalism by the standard-size newspapers!"

"And The GRAPHIC proposes to add another 100,000 new readers or more during the next six months. . . ."

"The GRAPHIC is proud of the fact that it is part of the movement known as the newer journalism—a movement that is concerned with the welfare of human beings, is opposed to reactionary influences and that places the emphasis on life instead of on statistics.

"The public has responded to this form of journalism by increasing tabloid circulation to MORE THAN A MILLION AND A HALF DAILY in New York city.

"When you see articles in the so-called 'big papers' finding fault with the tabloids KEEP THESE FIGURES IN MIND AND SMILE!"

The editor of the Graphic knows then what he is doing and that it gets results. He didn't of course anticipate a decrease in circulation due among other things perhaps, to the fact that his competitors might resort to the practices of the "newer journalism."

A petulant reply to criticism and by subtle inference, a justification of the paper's practices is given in the following editorial in the New York World of July 6, 1927.

REFORMING THE PRESS

"In a Fourth of July address at Ocean Grove, ex-Gov. Edward C. Stokes of New Jersey paid another tribute to Charles A. Lindbergh. The story of the trans-Atlantic flight, said Mr. Stokes, 'has done much to reform the press of America."

"'Lindbergh blotted out the references to crime and scandal and filled the columns with bravery and great deeds. No one else has ever done so much to clean up the press.'"

"This is rather a sweeping statement. It is sweeping in its assump-
tion that 'the press'—i.e., several thousand newspapers, some of them considerably unlike each other—made 'crime and scandal' its chief stock in trade before Lindbergh flew to Paris. And it is sweeping in its assumption that because Lindbergh flew to Paris 'crime and scandal' have disappeared from the press, never to return.

"There is this much in what Mr. Stokes says, however, that seems both fair and accurate: the Lindbergh story was a tremendous story; as such it did tend to overshadow all other news, crime news included; as such, we believe, it would have overshadowed any crime news, however sensational and exciting—news of the Snyder trial included. It is an interesting fact that the Nungesser-Coli fight, coming just at the end of the Snyder trial, did blanket to a large extent the final chapter of that story.

"There are always morals galore to be drawn from the text of 'the press and crime.' Surely one moral, in the light of any comparison with the Lindbergh flight, is this: given a glamorous story with a real human interest, the press will play up that story with as much enthusiasm as it ever devotes to the human interest inevitably present in the story of a crime. And given more opportunities of the same sort, the press will make the most of them. In politics, for example, we can expect more glamorous reporting when politicians give us something more glamorous to write about—something less timid, calculating and personally ambitious; something tinged a little more with the fine, bold spirit of a Lindbergh."

Does the editor of the World really mean that nothing short of a feat like Lindbergh's can get the space in his paper that he gives to crime news? What does he mean by "glamorous" reporting? Funk and Wagnall's New Standard Dictionary defines "glamour" as follows:

1. Some charm or enchantment operating on the vision and causing things to seem different from what they really are, etc. 2. Any artificial interest or association by which an object is made to appear to the mental vision delusively magnified, exalted or glorified; also, the effect of such cause; illusion; fascination; witchery.

Are crime stories in the press glamorous, i.e. given "artificial interest," "made to appear" "delusively magnified"? Are crimes and criminals "exalted" and "glorified"?

The "glamorous" reporting of Lindbergh's flight is not relevant to the present discussion. The "glamorous" reporting that the editor of the World prizes so highly is sufficiently illustrated in the previous pages.

The remedy for the abuses described in the previous chapters lies in part in legislation and in greater part in the hands of the journalists themselves. The two remedies are not mutually exclusive. The practices that legislation may forbid if to work out efficiently, must become part of the code of ethics of the profession of jour-
nalism. And of course the ethical code of the journalist must be positive in its exhortations, not negative, as are codes of criminal law. The latter are for the most part bare statements of what penalties will be applied to those who do certain acts. They are not only not statements of what one should do but they are only by implication statements of what one should not do. Of the abuses listed in Section V and illustrated in Section VI, nearly every one of them might be made the subject of legislation. A statute forbidding the discussion by newspapers of crimes and trials in any manner other than by a bare statement of the fact that such and such an offense has been committed and that so and so had been taken into custody and further forbidding any discussion (or pictures) of the trial other than a bare statement of the accusation, the persons involved and the outcome of the trial, would in great part remedy the situation. A similar statute governing the practices of the newspapers in regard to divorce cases and annulment and separation action would be desirable.

Of course the constitutionality of such statutes would soon be called in question. Whether sustained or not the remedies would lie in great part in the hands of the newswriters themselves. Such statutes would not provide remedies for all the abuses and could not force the press to be constructive. No statute could. The constructive remedy lies in legislation that gives support to the ethical organizations of journalists who have from time to time adopted codes attempting to guide the conduct of the members of the profession. Such legislation should provide for the licensing of all editors and newswriters and make provision for the revocation of such licenses in a manner similar to that resorted to in the case of lawyers and physicians who violate the codes established by their professional associations.

Such a procedure does not contemplate in any sense a censorship of the press which should be repugnant to all who believe in a government of laws rather than of men. Further, such a plan should be welcome to journalists for thereby they may conserve their own interests and have in their own hands a means of controlling those who are bringing opprobrium upon the craft.

On the other hand if the journalists prefer to disavow their constructive duty to society and deny that their activities are of public concern as are those of the physician and lawyer, and like the shopkeeper, be guided only by their cupidity, at the same time hypocritically proclaiming the necessity of the "freedom of the press" they must submit to regulation as does he who engages in any other business which affects the public welfare.