

1944

Editorials

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Recommended Citation

Editorials, 34 J. Crim. L. & Criminology 363 (1943-1944)

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EDITORIALS

THE LEO FRANK CASE AGAIN¹

"A Deed of dreadful note"

"I am one of the few people who know that Leo Frank was innocent of the crime for which he was convicted and lynched. Subsequent to the trial and after his conviction had been affirmed by the Supreme Court, I learned who killed Mary Phagan, but the information came to me in such a way that, though I wish I could do so, I can never reveal it so long as certain persons are alive." So says Judge Arthur G. Powell, a former vice-president of the American Bar Association in *"I Can Go Home Again,"* a recent volume of his recollections.

This startling statement has blown the lid off the Leo Frank case, a *cause célèbre* in 1913. You will recall that it involved a charge of murder against Leo Frank, a college graduate twenty-nine years of age, superintendent of a pencil factory, for the murder of Mary Phagan, fourteen years of age. Twenty-four hours after Mary Phagan had been seen entering the factory apparently to collect her weekly wage, her dead body was found in the factory building.

To many Judge Powell's revealing story is a sudden surprise while to others it only goes to confirm a lurking suspicion that the murder of Mary Phagan, like the crime of Marie Roget in Poe's famous story, had not been satisfactorily solved. The question naturally arises as to what is to be done about this thirty years later. Like Banquo's ghost it will not down as readers of fiction well know and as patrons of the cinema saw in the soul stirring picture *"They Won't Forget."* It would end all controversy if the record were dragged out and examined again in the light of the entire history of the case. In the annals of crime there have been innumerable instances of supplemental investigations. For instance, in the famous case of Oscar Slater it was twenty years before his conviction for the murder of the aged Marion Gilchrist was set aside. Sir Arthur Conan Doyle became interested in Slater's case and set in motion a movement that culminated in the final hearing that officially cleared the name of Oscar Slater as the murderer of Marion Gilchrist. Like Leo Frank he had been found guilty of murder and sentenced to death and saved from the gallows by a last minute commutation to life imprisonment, but unlike Frank, in that he was not removed from prison and lynched by a mob.

If it were not for the fact that the Leo Frank case involves

¹(1914) 141 Ga. 243, 80 S.E. 1016.

fundamental principles underlying the administration of justice one would leave it in the law's lumber room for connoisseurs of morbid murder instead of recommending that it be exposed to the gladsome light of jurisprudence again. There is no doubt that some day the mystery will be solved. "I will repay, vengeance is mine, said the Lord."

JOHN W. CURRAN.

A CITY'S CRIME PROBLEM AND ITS SOLUTION

The citizens of Chicago were recently presented with a keen, practical analysis of the city's crime problem. They also received a warning and a challenge respecting a solution of the problem. The analysis, with the warning and challenge, came from V. W. Peterson, Operating Director of the Chicago Crime Commission, in a report made on the occasion of the Commission's twenty-fifth annual meeting. Mr. Peterson's report, through direct toward Chicago's situation, is worthy of study by anyone in search of an explanation and possible solution for the crime problem.

Organized, protected gambling has flourished in Chicago for many years, and the citizens of Chicago have viewed it with apathy and unconcern. What the citizens have failed to realize, however, is that the toleration of political corruption and a compromising attitude of the police in the matter of "placing a little bet" has had an effect upon Chicago's police department and Chicago's government itself somewhat comparable to the expected result on a human body when a small cancer growth is not promptly removed.

According to Mr. Peterson, organized and politically protected gambling, as it has existed in Chicago, is organized murder, organized racketeering, and organized vote frauds, and it means organized, widespread corruption.

Moral considerations regarding gambling are of no concern to Mr. Peterson or the Crime Commission, but organized gambling has been found to be one of the greatest obstacles to the solution of Chicago's crime problem, because of all its attending damaging effects upon the police force and the city's other governmental agencies and officials, and it is for this reason that organized gambling is attacked by Mr. Peterson and the Commission.

Rather than place the blame for the prevalence, until recently, of organized gambling in Chicago upon any individual, group, or political organization, Mr. Peterson affixes the responsibility upon the citizens themselves:

"There is a common tendency to lay all the blame on our public officials for widespread crime and corruption. But blaming them, without holding them strictly accountable, is futile. That is the people's responsibility. There is always a direct relationship

between official conduct and the attitude of the people toward their moral, social and civic responsibilities. . . .

"We cannot overlook the fact that while the Capones, Nittis, Stantons, and Zuckermans are definitely the products of their alliances with corrupt officials, they are also by-products of the public apathy and indifference existing in the community in which they have risen to power. The vast majority of citizens are law abiding and want good government. But lip service to the principles of democracy is not enough. There must be an awakening from the prevalent indifference or hostility toward the problem of crime and its repression. The public must fully realize that open and notorious lawlessness exists only because of the vicious system of protected privilege through political corruption. This realization must be supplemented with a determination to do something about it. When it becomes more important for any person seeking public office or position to secure and maintain the support of the citizens who want decent government than it is to curry the backing of the now strongly organized minority representing criminal elements, then and then only will democracy truly work."

The full report will be published in our next number.

FRED E. INBAU.

ANNOUNCEMENT

At the last regular meeting of our Editorial Board the following actions were unanimously taken:

The Police Science Section was placed in charge of the Northwestern University Traffic Institute. Its Director of Research and Information, Dr. David Geeting Monroe, has been designated as Section Editor. The Institute is in contact with all aspects of Police Science and Administration.

The Journal is under obligation to Messrs. Hilton, Harney, O'Neill and other members of the Chicago Police Scientific Crime Detection Laboratory who have managed this Section during several years. A change was necessary because Mr. Hilton and Mr. Harney have joined the Navy and the Army respectively.

Professor V. A. Leonard, Head of the Department of Police Science and Administration in the State College at Pullman, Washington, was elected to membership in our Editorial Board. Professor Leonard is well known for his writings on communication systems and for his activity throughout the west.

Col. Guy Malcolm Kinman, of the Judge Advocate General's Department, and Judge Advocate of the 6th Service Command in Chicago was elected to our Advisory Editorial Council.

ROBERT H. GAULT.