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THE DETECTIVE INSTRUCTOR

By

F. DALTON O'SULLIVAN

AUTHOR OF

"ENEMIES OF THE UNDERWORLD", "THE DEFENSE PLEADS INSANITY", "THE SCIENCE OF CRIMINOLOGY", "THE DETECTIVE ADVISER", "PREPARATORY LECTURES ON DETECTIVE SCIENCE", "LECTURES ON APPLIED CRIMINAL PSYCHOLOGY" and various other works along the line of Secret Service information.

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THE DETECTIVE INSTRUCTOR

THE MOST REMARKABLE BOOK OF INSTRUCTION EVER WRITTEN.

INTRODUCTION

Probably the greatest detective "stories" ever written will be found on the following pages. Because when written the author never gave a thought to the public that might some day read them—a public that demands in detective stories many wonderful deductions, fearful adventures and amazing cleverness on the part of the hero, who laughs his scoffers to scorn at the end of the story when he captures the whole band of yeggmen single handed.

There is neither hero nor villain in these "stories." Yet those who read them will see cleverness in certain deductions and will experience a sense of keen adventure that is thrilling because they are real. In the "stories" there is the murder of a prominent builder,—the robbery of a home in the fashionable section of a large city,—a Black Hand threat sent to a merchant and the apprehension of a pawnbroker who has been acting as a "fence" for thieves. Furthermore, these "stories" bear the queer title of "Practical Questions." They consist of questions and answers for examination for the position of detective.

It would be unfair to say that the author is the only man who ever wrote a "true detective story." Virtually every detective in every city in the United States has written one, for nearly every man who wants to become a detective has to pass an examination to prove that he is fitted for the job.

There are few people perhaps, who realize that there are preparatory schools for detectives. The general belief is that a detective is a long, lean individual, built on the general lines of a hunting dog, looking for clues by measuring foot and fingerprints. This is a cherished illusion of the public, but it is nothing more than an illusion. The police detective invariably first walks a beat, then he must prove his mettle and his worth—and above all, he must rank high in his written examinations. Private detectives and secret service men prepare themselves through study and routine work—always commencing at the bottom of the ladder.

This fact-story in question and answer form is written as an aid to energetic, ambitious men who are desirous of entering the profession, or advancing themselves therein. Study the questions and answers carefully and much benefit will result therefrom.

F. DALTON O'SULLIVAN.

THE DETECTIVE INSTRUCTOR

By *F. Dalton O'Sullivan*

Practical Questions and Answers

OR

Promotional Examinations for Detectives

Many of the questions and answers are prepared from the actual Civil Service examination papers of some of the leading Police Departments of the country.

Every character of crime and every modern method of investigation is covered in this remarkable series of technical questions and answers.

Q. 1.—What personal qualities should a detective have that are not essential to a policeman or a layman?

A.—Personal qualities of a detective, apart from those possessed by a policeman or layman, should be his close observance of faces, especially those known to belong to the criminal class. He must be very cool and diplomatic in his actions; use good judgment in predicaments, so as not to disclose his identity; must be able to reasonably detect certain circumstances in order to reach logical conclusions in cases which he may be investigating. He must be able to invent schemes to obtain information from the criminal class so that suspicion will be diverted from the actual informer.

Q. 2.—Briefly explain two or more systems used for identifying criminals. What are the weak spots in each system?

A.—The Bertillon and Finger Print system are two systems used for the identification of criminals. The Bertillon System consists of photographs, measurements, and marks for identification of any part or parts of the face, hands, or body. The finger print system is a reproduction of the lines on all the fingers of both hands. The thumbs and right index finger, immediately after the criminal or suspect signs his name, are also taken. The finger print system is without doubt the superior of the Bertillon system in that it never changes, for the lines in a person's fingers do not change from the cradle to the grave. The weak spot in this system lies in the fact that only one trained in the system can read and understand it, while, in the Bertillon System, anyone connected with the Identification Bureau can

recognize the photograph and measurements of a criminal. The weak spot in the Bertillon system is that a person's facial expression, color of hair, scars, and other marks of identification may change or fade away after a number of years.

Q. 3.—Describe fully the meaning of blackmail.

A.—A blackmailer is a person who, knowing the contents thereof, and with intent to extort money or property, or do other wrongful acts, sends or delivers any letter or writing threatening the life of a person or member of his family, or to do injury to any person or property, or to accuse of a crime. Usually this form of threatening letter contains a demand for the immediate payment of a large sum of money in order to prevent the execution of the threat.

Q. 4.—Describe the meaning of conspiracy.

A.—A conspiracy is where two or more persons conspire to commit a crime, or falsely and maliciously accuse another of a crime, or to defraud another out of property by criminal means, or by preventing another from exercising a lawful trade or calling by intimidation, or to commit an act injurious to public health or morals, trade commerce, or to obstruct justice.

Q. 5.—If, while residents were away on vacation, certain houses near 59th and Sheridan Rd. were robbed of jewelry and silverware, and you were assigned to detect the criminal or criminals and recover the goods, state in order and in full detail what you would do.

A.—I would interview the persons robbed and get a list of the articles stolen, and

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“No cell, nor chain, nor dungeon, speaks to the murderer
like the voice of solitude.”

the best possible description and marks of identification, such as initials, numbers, etc. I would send or have sent, the description of the goods, to every pawnshop and jewelry dealer in the city, also flyers to all large cities. I would make a careful examination as to jimmy marks, foot prints, and fingerprints. I would make inquiry in the neighborhood and try to find someone who might have seen the thieves leave the house. If I did, I would take that person to the Rogues' Gallery in the Identification Bureau and see whether he could not identify pictures of criminals who specialize in house jobs of that character. If he picked out pictures of men like those seen in the neighborhood immediately before or after the robbery took place, I would consult the records to ascertain if the suspected were at large and could possibly have committed the robbery. If I found that one of the men was serving time, I would eliminate him for the reason that he could not be in prison and commit robberies at the same time. I would have a general order sent out to all districts asking for the arrest of the suspects, and make diligent search myself for the men in their haunts or the neighborhood where they were supposed to belong. I would also get the assistance of such detectives as had personal knowledge of the suspects by reason of previous arrests. Aside from that I would also continue my investigation of the premises and in the neighborhood in the hope of securing other clues.

Q. 6.—Define Evidence.

A.—Evidence is a matter of fact which is furnished or given in a court of record for the purpose of ascertaining some other matter of fact, which in criminal cases is generally the guilt or innocence of the accused.

Q. 7.—Give an illustration of Direct Evidence.

A.—If John Smith is accused of killing a man and a witness swears he saw John Smith strike the blow, or aim and discharge the gun, that is direct evidence.

Q. 8.—Describe Corroborative Evidence.

A.—If John Smith is accused of killing a man and a witness testifies that he saw him commit the act, and John Jones testifies that he heard the witness say to John Smith, "I saw you do it," that is corroborative evidence.

Q. 9.—Give an illustration of circumstantial evidence.

A.—John Smith is accused of killing a man and witness testifies he saw him leave the house where the crime was committed, with blood on his hands, and the body of the deceased is found in the house shortly afterwards, that is circumstantial evidence.

Q. 10.—The dead body of a new born child is found in a vacant lot, wrapped in a pillow-case, which has an unknown, private laundry mark on it. What would be your course of action if assigned to the case.

A.—I would make inquiries as to the conditions under which the child was found, as to who in the neighborhood might have been the likely person to have left the child, and I would have photographs made of the laundry mark. I would then send a copy of this photograph to every laundry in the city to ascertain if possible, to whom this particular pillow case might have been delivered, and then make an investigation that might lead to the person who might have given birth to the child. If found I would arrest her on the charge of infanticide.

Q. 11.—A building contractor was found Sunday morning, dead at his desk in the temporary office on the lot where he was erecting a factory. A discharged revolver was lying on the desk in front of him. In a large tin bucket were some ashes of burnt papers. If you were detailed to the case, tell how you would determine whether it was a suicide or murder. If murder, how would you detect the murderer or murderers? Assume whatever circumstances are probable and necessary.

A.—If detailed on this case I would make a careful investigation and study the place in which the man was found dead. I would look for signs indicating whether or not there had been a struggle, and if there were footprints in the room, to determine whether there had been anyone else present just prior to the discovery of the dead man. I would try and find someone who had last seen him alive. I would try to learn whether he went to the office Sunday morning, or if he had been there since the day before, as well as to learn also his customary daily routine. I would ascertain if he came there Sunday, what the purpose was. Were there money or papers missing; motive for murder or robbery; financial condition; motive for suicide; domestic affairs; health, etc. I would examine the ashes of burnt papers to find any possible clue to a disastrous love affair. If my conclusions pointed to murder and robbery, I would find out what, if anything, was missing when the body was found. I would try to find out whether or not he was probably followed and set upon by one or more of his employees who knew his habits. Monday, the next working day, I would check up all his employees to see if any of them were missing, and if so, conduct an investigation that would lead to their apprehension on suspicion of having committed the crime. Finger prints on the revolver more than anything else might clear up the mystery by showing the position in which it was held, thus indicating either murder or suicide.

“There is no den in the wide world to hide a rogue,—Commit
a crime and the earth is made of glass.”

Q. 12.—What is a felony?

A.—A felony is any crime which is, or may be, punishable by death or imprisonment in a State or Federal Penitentiary.

Q. 13.—What is the meaning of extradition? How is it accomplished?

A.—The surrender by one sovereign state to another on its demands, of persons charged with the commission of a crime within its jurisdiction, in pursuance of a treaty, or by one of the states of the United States to another, in pursuance of statutory law. The fugitive can demand the right to be heard by the Governor of the State in which he was apprehended. He is privileged to plead his innocence and substantiate his assertion with evidence. At times even a writ of habeas corpus is sued out before a judge; this is true in cases where the identification of a prisoner is not positive.

Q. 14.—What is embezzlement?

A.—The act of fraudulently removing and secreting personal property with the care and management of which the party has been entrusted, for the purpose of applying it to his own use.

Q. 15.—Define a Crime.

A.—A crime is an act or omission forbidden by law, and punishable upon conviction, by death, imprisonment, fine, removal from office, disqualification to hold public office, or other Penal discipline.

Q. 16.—What is the legal definition of self-defense.

A.—Self defenses is an act, otherwise criminal, but justifiable when it is done to protect the person committing it or another, whom he is bound to protect, from inevitable and irreparable personal injury, and such injury could only be prevented by the commission of such act.

Q. 17.—Define an arrest. When may an officer arrest without warrant?

A.—An arrest is the taking of a person into custody that he may be held to answer for a crime. An arrest is made by the actual restraint of the defendant or by his submission to custody. No more restraint than is necessary is allowed. An officer can make an arrest without a warrant as follows: First,—For a crime committed or attempted in his presence. Second,—When the person arrested has committed a felony, although not in the presence of the officer. Third,—When a felony has in fact been committed, and he has reasonable cause for believing the person to be arrested to have committed it.

Q. 18.—What would you do if you wished to arrest a person whom you felt was concealed in a house and admittance was denied you?

A.—I would first explain that I was an officer of the law and demand that the door be opened at once. If this request was denied I would break open the door or window and gain admittance in that way.

Q. 19.—If a bulletin was received at headquarters describing a fugitive from another state and requesting his arrest and holding, for the officer sending out the bulletin,—and you observed a man on the street answering the description given in the bulletin, what would be your mode of procedure?

A.—First, I would stop the man and question him as to his identity and business. If not convinced that I was mistaken I would take him to headquarters for further questioning. I would be justified in so doing, even if later, the suspected person proved his innocence. If reasonably sure that I had the right man I would notify by wire the officer whose name was signed to the bulletin, stating that we were holding a suspect for further identification and request that he at once send a man for that purpose. A criminal fleeing into one state after having committed a crime in another state, has no more rights, than if he had committed the crime in the state in which he is apprehended.

Q. 20.—Who constitutes Peace Officers?

A.—The sheriff of a county, under-sheriff or deputy, or a town constable, county detective, marshal or city police, or detectives, town or village.

Q. 21.—Is a private detective or individual permitted to make an arrest?

A.—A Private Detective may make an arrest for a crime committed or attempted in his presence, or when the person arrested has committed a felony, although not in his presence. The prisoner, however, must be at once delivered over to a peace officer or brought before a Magistrate for an immediate hearing. The person making the arrest must inform the defendant of the cause of arrest, the same as a peace officer.

Q. 22.—A woman from Denver appeals to Headquarters to apprehend her husband, whom, she says, came to Chicago last week and married another woman. She does not know where he is living. He is an electrician and dependent upon his earnings. The wife has a recent photograph of him. What could you do for her?

A.—If her information was that he had deserted her and married another woman, I would get her to swear out a warrant in Denver, and then I would swear out a fugitive warrant in this city. I would make inquiries at the Electricians Union, and show his photograph and description. If he was a non-union man I would have halftone copies made of the photograph and send one to each district in the city, and instruct the policemen

“Whenever a criminal commits a crime, providence finds a witness.”

to look over building operations on their beats and arrest the man when found. Private detectives would follow the same line of investigation, except that they would have their own men, instead of the policemen, investigate the non-union building operations.

Q. 23.—A pawnbroker is suspected of being a "Fence." If you were assigned to find out, what would be your course of action?

A.—I would have the pawnbroker's place watched carefully, to see if there were any articles that might have been stolen, pledged by persons of the criminal class. I would have an article fully described as stolen, pledged with him, and then see if he reported that article on the daily sheet that is returned to the pawnbroker's division of the Detective Bureau. If he did not, I would have him reported to the captain in charge, and if he could not be prosecuted, he should have his license taken away from him on the grounds that he was an unfit person to conduct a pawnbroking business.

Q. 24.—In your opinion, what is the best way to secure information. Do you think the brusque method of demanding facts is the better plan, or is the diplomatic system the more favorable?

A.—A detective should always endeavor to act the part of a gentleman. At times this method is not possible, especially when dealing with hardened criminals. But in making investigations, nine time out of ten, a gentleman can make more headway and secure more information than a man who is domineering, and acts the part of a bully.

Q. 25.—Is there any difference in crime in different parts of the world?

A.—No, crime is universally the same.

Q. 26.—To what do you attribute the system of universal punishment from crime?

A.—To the fact the whole world recognizes, that human life and liberty must be protected from the vicious. Hence the Biblical mandate of early days, "An eye for an eye, and a tooth for a tooth."

Q. 27.—What is your understanding of statutory regulations?

A.—In this country, every state has its own statutory regulations, and they vary somewhat in degree and amount of punishment attached to particular crimes in the different states. However, on the whole, the punishment is about the same in each state, with the exception in cases of murder.

Q. 28.—What is the difference between a felony and a misdemeanor?

A.—Felonies are such crimes as may be punishable by death or imprisonment in a penitentiary. All other unlawful acts are misdemeanors.

Q. 29.—Why is it that no two cases can be worked in the same way?

A.—Because every crime is different, and to handle them successfully the detective must be able to meet and overcome the various new angles as they present themselves.

Q. 30.—What do you consider the detective instinct?

A.—The detective instinct may be a myth, still many men are better qualified by nature for the work than others. Instinct in detective work, I should consider, as aptness for the work, a naturally close observer, alertness of mind and body, ability to concentrate on what might appear on the surface as being but a minor detail. The possessor of the "detective instinct" is one who goes about his work naturally, in a business like fashion; he thinks and acts for himself.

Q. 31.—Do you believe the detective possessing self-control to a marked degree is more successful than the one who does not? Define self-control.

A.—Yes, the detective who has acquired the art of self-control should in every way outdistance the detective who permits himself to become excited over trivial matters. Self-control is the elimination of all outward appearance of passion such as anger, joy, fear, dismay, surprise, etc. The faculty of self-control must also include the ability to direct the mental functions in a cool and composed manner as well as the physical expressions.

Q. 32.—How many classes of criminals are there. How would you define them?

A.—Various Criminologists classify criminals differently. Ferri, the great Italian criminologist classifies them as follows: First,—Insane Criminal. Second,—Born Criminal. Third,—Habitual Criminal. Fourth,—Occasional Criminal. Fifth,—Criminal by Passion. While Parmelee adds two other criminals,—namely—The Moron, or feebleminded criminal, and the Psychopathic Criminal. Lombroso adds,—The Pseudo Criminal, and—the Political Criminal.

Q. 33.—What distinguishes the habitual from the instinctive criminal?

A.—The habitual criminal is in reality a professional criminal. There may be a distinction between major and minor professional criminals. The habitual criminal becomes such often through environment. Early in life he is convicted of some small crime, usually theft, and is sent to a place of confinement. When released he usually follows a life of crime. The instinctive criminal is the born criminal. What is meant by that is, that the criminal was born to a life of crime. I personally doubt the truth of this assertion unless the child is brought up in an atmosphere of crime. Then environ-

“Remorse is the echo of lost liberty,—It is beholding
heaven and feeling hell.”

ment, not birth, is accountable for the criminal tendencies that develop in the child. True, a child might inherit a criminal trait, the same as a child might inherit the taste for music, literature, or science.

Q. 34.—Is crime the resultant of atavism or sociological conditions?

A.—It would be improper to state that crime was the positive result of either atavism or sociological conditions, although both, in a way, furnishes it's quota. In wealthy and respectable families is often found what is termed the "Black Sheep." If the history of the family is traced it will often reveal that an ancestor was criminally inclined. A criminal in such a family is often a revision to type. Criminals that are the result of sociological conditions are those that present no pronounced peculiarities for crime; have no inherent tendency to crime, and have not committed crimes through emotional stress—they commit crimes through the influence of corrupt associates or debasing environment.

Q. 35.—Is imprisonment a deterrent or an incentive to crime?

A.—The large number or relapsed cases of persons who are brought to trial year after year, prove that thieves ply their trade as a regular calling. The thief who has once tasted prison life is sure to return to it. Cases of reformed thieves are rare. Ferri, the Criminologist says "When you turn an old thief into an honest man, you may turn an old fox into a house dog."

Q. 36.—How does a microscopical examination of the finger nail deposits aid the detective?

A.—First,—It gives the character and kind of labor performed for a period of from three to eight days. Second,—The evidence of the kind of clothing worn for several days previously. Third,—Fiber derived from legal documents, bank notes, furnishings, etc. Fourth,—The evidence of trade or business engaged in. Fifth,—The evidence of personal habits and peculiarities.

Q. 37.—An unconscious man was found in a vacant lot. He was taken to Headquarters and Doctors revived him, but they found that he was paralyzed in his entire body and could neither write nor speak, but it seemed apparent to those attending him, that he could hear. He had no letters or cards in his possession, and there were no marks of identification in his clothing or on his body, and inasmuch as he could neither write nor talk, the problem was to make him tell his name, his home town, and who his people were. How would you make him do this without writing or speaking?

A.—It is presumed that he could hear. This being the case he could no doubt also

see. In order to identify him I would secure a set of large blocks of letters, similar to those that are used in teaching children. I would place them in front of him in position so that he could see them. Then I would tell him that I would try and spell out his name. I would ask him to wink one of his eyes or in some way indicate "yes", when I placed the correct letter in the spelling of his name in front of him. In time I would succeed in getting the correct letters in the right formation and in that way I would discover his name. Then I would procure a large map of the United States and hang it on the wall in front of him, provided he could see. Then I would take a pointer and point out the different states and tell him to indicate in some way when the pointer reached his state. After finding the state, then I would go through the counties in that state until I reached his county. After that, I would go through all the cities and towns of that county until I found his town, that is, until he indicated that I had found his town. If he could not see I would spell out the states, counties, and towns. When I completed my task I would notify the authorities of his town and in that way, verify my efforts.

Q. 38.—To what ends is a detective justified in going, in order to secure information when making an important investigation?

A.—A detective should avoid as far as possible, all underhand methods in making an investigation. Frequently it will be found necessary to resort to deceit and even a violation of a confidence in order to secure some needed information. Unfortunately this is unavoidable, but where there is an option of two or more methods, always choose the least objectionable,—for while he is endeavoring to bring to justice, he should still hesitate to "double-cross" even a crook, or do what might be considered a dishonorable act. A detective never knows who he may approach for information,—and a man's reputation precedes him.

Q. 39.—What would you consider as one of the principal characteristics for success in the detective profession?

A.—Absolute honesty and truthfulness. There are many opportunities for dishonesty in work of this character, and the temptations are many. It is because of so many cases of alleged dishonesty that the public has a distinctive distrust of detectives as a class. Truthfulness is another virtue that a detective can practice with profit to himself and to his profession. High officials in Police Departments, in Secret Service, and Industry, are not slow in recognizing and rewarding honesty and truthfulness in the men under them.

Q. 40.—What is the first step to take in conducting an investigation?

**“One murder makes a villain, millions a hero,—numbers
sanctify the crime.”**

A.—The first step is to establish a theory or a motive. In constructing a theory the detective should be careful to keep an open mind and allow for all the various contingencies which may arise. Clues should be sought with diligence, then assorted in such a manner that they become related facts instead of a tangled mass of unrelated evidence.

Q. 41.—Give an illustration of the common term used, namely: Cause and Effect.

A.—If there has been a heavy electrical storm and you see a man lying dead under a tree which is torn down and splintered, you see not only the effect, but the self-evident cause—lightning. The natural deduction is of course that the man was killed by the lightning, and the chain of reasoning from cause to effect is a simple one. But, if you should find a man lying senseless or dead from no apparent cause, the cause is not self-evident and must be detected. Here then is where detective work is necessary,—to discover the unknown causes for known effects. This is especially true if the effect relates to some criminal action or apparently criminal action.

Q. 42.—The owner of a small grocery store receives the following letter: "When a man comes into your store and asks for five and one-half pounds of sugar overweight, give him the sugar and \$50 in the bag with the sugar. If you don't, you will be shot. There is no use to notify the police, for you are being watched." What would you do?

A.—I would conceal myself in a place where I could see and not be seen. If the person coming in and making the request such as the one contained in the letter should be a stranger to the grocery man, I would place him under arrest. Then I would investigate and see if the person under arrest and the writer of the letter were the same, or if there was a conspiracy in which there were a number of persons involved. If, by a prearranged sign the grocer should let me know that the man lived in the neighborhood, I would let him go until such time as I could investigate the neighborhood, and have the suspect and his house covered by other detectives. If my investigation proved that the person buying the sugar either wrote the letter or was in a conspiracy with others, I would make arrests and also notify the postal authorities for violations of the postal laws. I would be sure to have the \$50 in marked bills so that if there were more than one in the conspiracy, all would have enough of the marked money so that the burden of proof as to how they came into possession of it, would be on the defendant.

Q. 43.—Define forgery.

A.—Forgery is the crime of falsely altering or counterfeiting any document. It must be with the intent to defraud. The

most common forgery is the signing of another person's name to a check or promissory note, where the payment of such note will devolve upon another person. Changing the figures on a bank note or check to make them of a larger denomination, is forgery.

Q. 44.—Define homicide and give outline of essential proof of same.

A.—Homicide, to kill by act, by procurement or by omission. In homicide cases it is absolutely essential that the identity of the body be established. The "Corpus Delicti" must be established. The clothing of the victim is often of prime importance as evidence. If a gun was used, empty shells and the ball or balls are vital evidence. The position of the body, furniture, doorways, windows, etc. must be noted in order that the detective as a witness may be able to paint a verbal picture of the crime. If the victim is still alive on the arrival of the detective, he should if possible, secure an ante mortem statement. There are four kinds of homicide. Murder, manslaughter, excusable homicide, and justifiable homicide.

Q. 45.—How long do you think a detective should persevere in a case which has all the evidences of a hopeless failure?

A.—No other than a detective can appreciate what great perseverance is required in some cases. Hours, weeks, often months must be spent in waiting and watching, and yet at no minute must the detective be off his guard. It is trying and sometimes almost maddening, but invariably the man who perseveres to the end succeeds. I would say that the only time a detective is justified in dropping a case, is right after he has terminated it successfully.

Q. 46.—What is meant by the term recidivism in criminals?

A.—A study of criminal statistics shows that many prisoners have had previous jail and penitentiary experience. This recurrence of crime in the same individual is characterized as habitual criminality, due to innate depravity, by some criminologists; as developed moral insensibility by others, and as a resultant of social conditions by still others. The old saying of once a criminal always a criminal, seems to hold good in present day crime.

Q. 47.—In your opinion does the criminal make his environment, or is he made by his environment?

A.—High police officers and other authorities differ in opinion on this vital question. If environment makes a criminal, then we can well understand how a depressing environment due to economic conditions might lead to an increase in crime. Certain it is that crime is born of poverty and reaches adulthood in a poverty stricken environment.

“Society prepares the crime, the criminal commits it.”

Q. 48.—What do you consider the real functions of a police department to be?

A.—First,—To apprehend criminals. Second,—To protect the innocent. Third,—To protect property. Fourth,—To safeguard public welfare.

Q. 49.—Why is the apprehension of criminals delegated to certain departments of police and other agencies organized for the protection of the public?

A.—The apprehension of criminals has become quite an art in itself, with specially organized and specially trained detectives in charge. Whenever a crime has been committed it is essential to conserve and interpret all available evidence. This calls for specially trained forces. When a criminal is captured it becomes necessary to identify him, and this again calls for experts in Bertillon measurements, Finger Print Experts, Microscopic experts, and Photographic experts. Naturally to perform these duties in a satisfactory manner, special training is necessary.

Q. 50.—What is the value of the evidence of an accomplice?

A.—No conviction can be had on the evidence of an accomplice unless it is corroborated by some other evidence which would tend to connect the defendant with the commission of the crime. All persons jointly charged with a crime are competent witnesses against each other. The testimony of a convict is competent, but he may be cross-examined as to his reliability.

Q. 51.—In a criminal action is a witness or the defendant obliged to testify in court?

A.—In a criminal action no person can be compelled to testify against himself, and failure of such person to act as a witness in his own behalf, shall not create an impression on the court for or against him. A prisoner is supposed to be innocent of the crime with which he is charged, until the contrary is proven, and he is entitled to acquittal if any doubt exists as to his guilt. The evidence must convince court or jury beyond a reasonable doubt. There must be no guess work as to the guilt or innocence of a man accused and tried for a crime.

Q. 52.—Criminal lawyers resort to the use of habeas corpus in many cases. Define Habeas Corpus.

A.—Habeas Corpus is the most powerful instrument of the law to release a prisoner. It is a writ, usually forthwith, ordering a Sheriff, Chief of Police, or other officer having a prisoner in custody, to produce the body of the person detained, in court, and receive whatever the court should consider in his behalf. A writ of Habeas Corpus is the constitutional right and privilege of every

citizen charged with an offense. It is the bugbear of the police and prosecuting officers.

Q. 53.—Define Perjury.

A.—A person who swears that a statement in writing, subscribed by him is true,—or swears that any material matter testified to by him is true,—which he knows to be false. Two contradictory statements made under oath by the same person relative to the same matter, is presumptive evidence of perjury.

Q. 54.—Subordination of Perjury.

A.—A person who wilfully procures another to commit perjury, is guilty of subordination of perjury. In other words, if a person induces a witness to give false testimony he is guilty of subordination of perjury.

Q. 55.—When is self defense justifiable to the point of killing another?

A.—Self defense is nature's oldest law. A man is justified at all times to protect himself or those who are in his care, even to the point of killing the person who disputes that right to the extent of a personal attack.

Q. 56.—Why have innocent men frequently been sent to prison?

A.—Many an innocent man has been sent to prison because of error in identification. Up until 1883, the methods and means used in identifying criminals and those suspected of crime were indeed crude. Innocent men were frequently sent to prison because some officer "thought" he recognized a suspect as an old offender.

Q. 57.—What would you say about man's infallibility with reference to identification?

A.—Nature and certainty are very hard to arrive at, and infallibility is mere vanity and pretense. Sometimes we may learn more from a man's errors than from his successes. It is from the errors of others that wise men correct their own. That may explain why we have the finger print system of identification together with the Bertillon System.

Q. 58.—Records show that many guilty men have gone free because of the lack of identification. In your opinion what would be the result of guilty men going free?

A.—Guilty men have often gone free because there was no one who could or would positively identify them to the extent of being responsible for their death or imprisonment. The result was that many criminals escaped punishment and this had a tendency of making them bold, and they ventured to almost any degree of crime, relying upon the inability of officers to properly distinguish to an unerring certainty, one accused man from another. Men who would hesitate long before venturing into dangers that would make them liable to the penalties of the law, cast

“Three persons may keep a secret,—if two of them are dead.”

discretion to the winds, as they trusted faithfully to the fallibility of man.

Q. 59.—Give your views as to the comparative value of the "Rogues Gallery," and the Bertillon System, and the Finger Print System, as a means of identifying criminals.

A.—The Bertillon System is a means of identifying criminals from certain permanent marks on the body and certain characteristics in the physical make-up of the individual which are not subject to change, and which are not identical with those in another person. Finger Print identification is more recent than the Bertillon System and by many it is thought more accurate. The old Rogues Gallery was not reliable for the reason that the appearance of a person was sure to undergo change as time passed. Then again, criminals frequently altered their appearance, often shaving off, or growing a beard. But with the new systems it is different, as the lines in the fingers and certain bony measurements never change.

Q. 60.—What is the difference between theory and practice in detective work?

A.—Theory is the guide to practice, and practice the ratification and life of theory. The theory which absorbs the greatest number of facts and persists in doing so regardless of the changes of opinion and detail, is the one that must rule all conclusions.

Q. 61.—In your opinion which is the more difficult,—to outline and direct the performance of a case, or to actually perform the work itself?

A.—I think it easier to outline or design the work than to perform the duty. The reason may be explained thus. As a case develops or unfolds, frequently new and unthought of conditions arise and must be met. If an investigator is following strictly laid down rules he is handicapped. The man in the office is in much the same position as the man who teaches navigation from land,—to him the sea is always smooth and the wind always favorable. Investigators should be given a free rein.

Q. 62.—How is the prisoner accounted for after he is turned over to the warden of a modern prison?

A.—In prison practice, the sigmaletic card accompanies every reception and delivery of a human individual. This card shows a complete record of the case. On this card is noted every legal action which transpired during the incarceration of the prisoner. In case of discharge or transfer, or merely notification of a judicial or executive decision, notation is made on the record card. This system tends to help identify a prisoner at some future time, did the necessity arise.

Q. 63.—How are measurements made for identification purposes, and what parts of the human body are given place on the formula for anthropometrical signalment?

A.—The living human frame may be measured accurately with calipers of very simple construction. There are innumerable measurements of the human body which can be made, but the following are the principal ones used. Height, (man standing). Trunk, (height of man sitting). Width of head. Width of right ear. Length of the left middle finger. Length of the left forearm. Reach, (length of outstretched arm). Length of head. Length of the right ear. Length of the left foot. Length of the left little finger.

Q. 64.—What are the appliances necessary for taking finger prints?

A.—The appliances required for making finger print impressions are few and inexpensive. Ordinary white paper with the surface not too highly glazed, some printers ink and a roller for spreading it, consisting of a wooden cylinder $3\frac{1}{2}$ inches long, and 1 inch in diameter, over which a piece of rubber tubing has been tightly stretched. At either end of the cylinder brass pins are driven in to form an axle on which the handle works. A pointer for counting ridge tracing can be made from a penholder handle.

Q. 65.—What are the different designations of finger prints?

A.—As a result of much experimenting, a fourfold classification has been adopted which apparently meets all requirements. These four are: Arches, Loops, Whorls, and Composites. These are sub-divided under numerous designations.

Q. 66.—What is necessary when finger prints are to be used as evidence in a court of record?

A.—When finger prints are to be used as evidence in cases it is often necessary to have photographic enlargements made, so that the presiding judge or jury may be able to see for themselves the similarities or dissimilarities which are relied on in the case. Such enlargements to be admissible must be proved in the manner laid down by the law of Evidence, the provision of which should be consulted by detectives concerned in conducting cases in which finger prints are exhibited. According to existing law, the testimony of finger prints is admissible and relevant, when such testimony is given by an expert.

Q. 67.—Name three incidents in which it is not unlawful to use force or violence upon the person of another.

A.—First,—When defending one's self, one's property from assault, or the forcible

“Where boasting ends, there common sense begins, for be it known the empty vessel makes the greatest sound.”

taking thereof, or when defending another person from assault at the hands of a third party, but the force used must not be more than is necessary. Second,—In making an arrest, where the party arrested resists. Third,—In restraining an insane person bent on doing injury to himself or another.

Q. 68.—If assigned at 3 P. M. to take charge of a murder which occurred in an unfinished skyscraper building, where one or more of the laborers or mechanics employed were suspected. State exactly what you would do, particularly in regard to the investigation and detection of the murderer.

A.—The dominating theory would be, as the murder occurred at 3 o'clock in the afternoon, and there was mystery as to the perpetrator of it, I would be justified in assuming that the workman or workmen who committed the deed were still in the building and quite likely to remain until 5 P. M. I would at once have all exits guarded and permit no one to leave. I would ascertain the identity of the person who discovered the murdered man. I would try and ascertain whether or not the man was quite dead when found, and what efforts had been made to revive him and get a statement from him. If a statement was made I would learn whether any one was accused or suspected of having committed the murder. If a hammer or other heavy tool was dropped on the man's head, I would try and discover the name of the owner of such tool. I would also question the foreman and superintendent and learn who, or just which one of the workmen were employed in that particular section of the building at the time of the murder, also who was working directly above this man. I would also try to find out whether or not any trouble had ever occurred between the dead man and other workmen on the building. I would also make inquiry to learn whether any workmen or workman had left the building between the time of the murder and my arrival at the scene of the crime.

Q. 69.—What are the court rulings on the subject of insanity as a defense?

A.—To establish a defense on the grounds of insanity, it must be clearly proved that at the time of committing the act the accused was laboring under such a defect of reason, from disease of mind, as not to know the nature and quality of the act he was doing, or, if he knew it, that he did not know he was doing wrong.

Q. 70.—What are the general rulings of American judges when called upon to decide the question of responsibility in mental cases?

A.—The consensus of American jurists are to the effect, that, if the deed was the offspring of mental disease in the defendant; that neither delusion nor knowledge of right

and wrong, nor design or cunning in planning and executing a crime and in escaping or avoiding detection, nor ability to recognize acquaintances, or to labor or transact business or manage affairs, is, as a matter of law, a test of mental disease, but that all symptoms and all tests of mental disease are purely matters of fact to be determined by the jury.

Q. 71.—How was the notorious murderer Thaw saved from the electric chair?

A.—His counsel entered a plea of insanity. The New York Statute reads: "No act done by a person in a state of mental insanity can be punished as an offense." The jury found Thaw insane.

Q. 72.—Why was Harvey Church hanged, despite the fact that he was feeble-minded? Why was Fitzgerald hanged when it was proved that he was a moron?

A.—(A) The craftiness that he (Church) displayed in inveigling the two automobile salesmen into his home and then killing them in the basement, one at a time, had much to do with dispelling the doubt of insanity in his case. Then too, the unconscious stupor that possessed him for weeks before he was hanged, appeared to be a trick or dodge on his part to escape the penalty for his crime.

(B) In the Fitzgerald case his victim was a child. He was a janitor and financially unable to hire an array of legal talent to plead strange demencies so he was hanged. He was hanged on the theory of an English judge, who made the following ruling: "If the accused is too insane to be of any use in the world, he should be hung to get rid of him."

Q. 73.—What do you know of the laws of Illinois which permit criminals to plead insanity after conviction? Cite cases of this character which have been tried in the courts of Illinois.

A.—The law makers of Illinois have been especially eager to set safe guards around the mentally incompetent. There is a law which allows a convicted murderer to apply for an entirely new trial, by jury, to test his sanity, even though he has not pleaded insanity in the original trial. This law was recently invoked in the cases of Gene Geary and Carl Wanderer. Geary escaped the noose. Wanderer was hanged.

Q. 74.—What was the argument advanced in the famous Leopold & Loeb case which saved them from being hanged?

A.—While there was not an actual plea of insanity entered in this case, still alienists testified in the case to the effect, that the murderers were mentally irresponsible for their acts, inasmuch as their minds were diseased and under-developed. They were afflicted with ego and an uncontrollable desire for thrills. The legal trick in this case was to

Justice delayed, is justice denied."

have them just "queer" enough to escape the insane asylum, but at the same time, not crazy enough to be sent to the gallows. Between hanging and the insane asylum a judicial compromise was reached, and the murderers were sent to the Joliet penitentiary for life.

Q. 75.—How would you describe a criminal by passion.

A.—A man stung to passion approaching insanity by some wrong to himself, his wife, child, or some object most dear to him, will in the height of that passion commit a criminal act to which he has no predilection. Such a man, although amenable to the law, is not the menace to society or morals, however great his crime may be as is the instinctive criminal.

Q. 76.—For what purpose are laws enacted and enforced?

A.—Laws are instituted for the protection of society and not for the avenging of an act. In taking the life of a murderer, society removes from it's midst, a creature who is a menace.

Q. 77.—A murder has occurred in the up-town district. In the early hours of the morning a beautiful young woman is found dead on the library; her husband is beside her and drenched in her blood. If assigned to the case, how would proceed?

A.—My first efforts would be devoted to a thorough investigation of the husband. If I found that the murdered woman was inclined toward other men, I would ascertain all I could about who they were, and where they were, at the time this murder occurred. In cases of this character, the most intimate secrets of the family must be exposed. Faithless wives are more often killed by their husbands than by their sweethearts, but as there is no fast rule in this respect, I would surely investigate fully to find out whether the murdered woman consorted with other men, and if so, I would investigate, or have each one investigated as to their habits, and their whereabouts at the time of the murder. Would also investigate their past, and their manner of living. The husband being the first to discover the murder,—naturally I would center my investigation on him. I would take him into custody and hold him until I was satisfied as to his guilt or innocence.

Q. 78.—When you are satisfied regarding a certain persons' guilt, what would be your procedure?

A.—I would expend every effort to secure convincing evidence. I fully realize that the courts exact something more than my expressed belief. I would investigate the man's past, especially for a record of past crimes. I would investigate his ancestry, also his

method and manner of living prior to his connection with the case in question. I would take the sworn statements of all witnesses and subpoena them to appear at the trial.

Q. 79.—At a coroner's inquest before it has been ascertained that a crime has been committed, or before any person has been arrested, a witness is sworn before a coroner's jury; at the time of his examination, the witness was aware that it was suspected that a crime had been committed and that he was the criminal. If he is afterward arrested, may his testimony before the coroner's jury be used against him at the trial?

A.—The evidence is admissible. Statements voluntarily made before a court when there is no threat of punishment or hope of reward are admissible. The witness knew that a crime had been committed, and he had the right to refuse to testify on the ground that his answers might incriminate him.

Q. 80.—A physician is arrested for malpractice, and the only direct witness against him is a woman upon whom he has performed an illegal operation. Can the physician be convicted upon the woman's unsupported testimony?

A.—Yes, the physician can be convicted. The courts have held that under such circumstances the woman was not necessarily a party to the crime. The evidence of a party to a crime must be corroborated before conviction can be secured.

Q. 81.—The police have a man in custody charged with murder, and prior to being arraigned before a judge, the Coroner was called and took down in writing, a confession dictated by the prisoner. The Coroner was not acting in his official capacity, but rather as a copyist to take down the confession and prove the contents. Is this testimony admissible, and may it be used at his trial?

A.—It would seem that this was a voluntary statement, made without a promise of reward, or under a threat apparently, but there is an implied threat in the presence of the police, and the fact that the Coroner acted as clerk, and not in his official capacity, gives the transaction a suspicious tinge. It is doubtful if the court would permit this confession to stand.

Q. 82.—How would you define a bigamist?

A.—A bigamist is a person who having a husband or a wife living, marries another person. In most states there are certain qualifications, such as,—if a former husband or wife has been absent for five years successively, without it's being known they are living, and believed to be dead. Or, a person whose former husband or wife has been imprisoned for life.

**“It is the masterpiece of villainy to smoothe the brow, and so
outface suspicion.”**

Q. 83.—Define burglary in the first degree.

A.—A person who with intent to commit some crime therein, breaks and enters, in the night time, the dwelling house of another. Burglars are invariably armed with dangerous weapons, and are frequently assisted by an accomplice or confederate actually present. At times crooks engage as servants in the homes of wealthy persons, and in that way they frequently arrange for the admittance of their confederates, or commit the robbery themselves. All burglaries should be investigated from the standpoint of possible inside aid. For that reason all servants should be thoroughly investigated.

Q. 84.—In your estimation, which is the most important,—a fact, or a theory? Tell something about the common error of young detectives.

A.—Theories are alright, in fact quite necessary, but the detective should make them his servants and not his masters. One error common among young detectives is that they allow their prejudices to interfere with their reason. They frame a theory in their minds and then attempt to distort the evidence until it fits their theory. If the fact fits the theory all well and good, but if it does not, then I would suggest that the detective get a new theory,—not a new fact.

Q. 85.—Where a number of persons are suspected of the commission of a crime, how would you proceed to determine which one is guilty?

A.—In building up a theory regarding a criminal action, it is necessary first to determine just how many, and who might be guilty. This at once narrows the field of investigation to a certain few persons. It often happens that several persons are related to the crime in such a manner that any one of them might be the criminal. In such a case the process of elimination might well be followed. Take up the case of the suspected persons and try to establish the innocence of each, one by one. As soon as the innocence of one is established, drop him from further consideration and begin with another. Oft times this leads to a wholly new suspect whose connection with the case has not been mistrusted.

Q. 86.—If you were assigned to a case in which there were no clues to start with, no apparent motive,—what would you do?

A.—In getting a start in the case I would first look to those who would naturally be the most interested. That would be of course, relatives, friends, neighbors, business associates, or fellow craftsmen, as these people would doubtless be the most interested in the solution of the crime, and I would call upon them to enlist their aid. I would look for evidence among those most closely connected with the crime.

Q. 87.—What should be the attitude of a detective in a crisis and under trying conditions.

A.—A detective should under all circumstances be cool, collected and composed. Rapidity of thought and one's ability to properly judge, decide, and act instantaneously even under excitement is one of the first rudiments of the detective. To the rapid action of one's mental faculties is due the ability of drawing attention from a certain danger point or the skillful turning of an interview without apparent intent to a subject upon which information is desired. A detective must also have a great store of patience. Patience, integrity, courage, keen observation, and unlimited self-control, active mental faculties and physical endurance will in all cases triumph.

Q. 88.—It is assumed that every human being has some weakness. How would you undertake to approach a man to determine his weakness?

A.—The weakest spots in most persons can be reached by flattery. Great care must be exercised by broaching the subject. Some people like to be flattered, others do not. Some men pride themselves on their personal appearance, others, in their superior knowledge. Some pride themselves on their polished manners, while others revel in their physical strength, and real or imaginary cleverness in conversation or business. Some men's weak point lies in the fact of personal assurance, or lack of susceptibility to flattery.

Q. 89.—In studying human nature, enumerate some of the physical characteristics as pertaining to individuals?

A.—A good forehead is one that slopes gently back, is high and square. A forehead that shows weak intellect is one that curves outward from the eyebrows to the top. Wide foreheads are always a favorable sign. A high, narrow forehead is a sign of narrowness of character. Eyebrows high on the forehead denote a timid nature. Heavy eyebrows indicate strong passions and a violent temper. Eye-brows that straggle show a person's lack of self-control. A large nose is a good sign. A nose that is deeply indented at the root shows that the person has a weak, timid nature. A large, well shaped mouth, with lips neither too thick nor too thin is a good sign, but a wide shapeless mouth with thick lips denote cruelty, deceit and immorality. Thin lips indicate greed and selfishness, while the trembling lip denotes physical and mental weakness. A receding chin is always a bad sign. A broad, thick chin shows lack of self control and a quick temper. Shifting eyes show treachery and deceit, while half closed eyes show that the owner is not to be trusted.

“Mercy turns her back to the unmerciful.”

Q. 90.—Set forth some of the Federal cases in which the ordinary detective is not interested, except under special assignment by a superior officer.

A.—Selling liquor to the Indians. Cutting timber from government lands. Illicit distilling. Abusing or using the mails for improper purposes. These are all cases which come under the Federal laws. Cases of this character are handled by the United States officers, and they are tried in the Federal Courts only.

Q. 91.—What is a search warrant and when may it be served?

A.—A Search Warrant is an order in writing in the name of the State, signed by a judge and directed to a peace officer, commanding him to search for personal property and bring it before the court. The warrant is issued when the person making the affidavit has reasonable grounds for believing the property to be concealed after being stolen or that it had been used to commit a felony, or that it might be used to commit a felony, in which case the property may be taken from the person or place where it is found. The property must be duly described in the warrant. Search Warrants are issued in other cases where it is deemed that property is being illegally held in order that fraud may be committed. Search warrants are available only in public prosecutions, and not to enforce private rights.

Q. 92.—What is the purpose of a Bench Warrant?

A.—A bench warrant is issued by the court where a defendant or a witness fails to respond to a summons. It is a forthwith order to bring the body of the person specified therein before the court. It is frequently resorted to where a defendant out on bail fails to appear when his trial opens. In such cases his bond is forfeited, and a bench warrant issued for his person.

Q. 93.—What is an Information?

A.—An information is a complaint or accusation exhibited against a person for some criminal offense. It is made by a competent public officer and filed generally by the States' Attorney, for the purpose of procuring the accused party's arrest. An Information is usually accompanied by a warrant of arrest.

Q. 94.—What is hearsay evidence? What are the principal reasons why it is never accepted as admissible?

A.—Hearsay is the evidence, not of what the witness himself knows, but of what he has heard from others. The principal reasons why it is not generally admissible are; First,—That the party making such declaration is not under oath. Secondly,—Because the party against whom it operates, has no opportunity of cross examination.

Q. 95.—What is cumulative evidence?

A.—Cumulative evidence is evidence of the same kind to the same point. For example; A witness swears he saw a thing happen, then another swears he saw it too, and a third swears he saw it also. This is all to the same point, and is cumulative.

Q. 96.—State briefly what evidence you would gather in order to suppress or close an alleged gambling house.

A. I would visit the place in question wearing plain clothes, and I would bet on some of their games or horses, and then find out whether the horses actually ran in such a race. I would ascertain the manager's name and also that of the person who took the money on the bets. I would get corroborative evidence if possible.

Q. 97.—A detective meets with violent resistance while endeavoring to make an arrest. State fully how he may secure assistance if needed.

A.—Every person must aid an officer in the execution of a warrant or the making of a lawful arrest. The detective would have the right to call on those present to aid him, and if they refused they would render themselves liable to punishment. Where individuals present do not show a disposition to help a detective, then he should blow his whistle for the purpose of attracting the attention of another officer who might be in the vicinity.

Q. 98.—What constitutes the carrying of dangerous weapons?

A.—A person who attempts to use against another or who carries or possesses a revolver or any instrument or weapon of the kind commonly known as a black-jack, sand club, metal knuckles, or who, with intent to use the same against another carries or possesses a dagger, dirk, or dangerous knife. The vicious use of any of the above weapons constitutes a felony.

Q. 99.—Substantially, what is the law with regard to the sale of, or the distribution of narcotics?

A.—A person other than a physician who has in his possession any narcotic such as morphine, cocaine, heroin, etc., who has in his possession any narcotic or anaesthetic substance, compound or preparation, capable of producing stupor or unconsciousness,—with intent to sell or administer the same, or who administers or causes to be administered such to another without the latter's consent, is guilty of a felony. There is a Federal law called the Harrison Narcotic Act, under which practically all such violations are tried.

Q. 100.—What degree of crime is child abandonment?

“He only is exempt from failure who makes no effort.”

A.—A parent or other person having the care or custody of a child under 14 years of age who deserts the child in any place with intent wholly to abandon it, is punishable with imprisonment. This is quite a common crime and offenders often escape punishment on the plea that the child became lost. Child abandonment is a felony, and punishable as such.

Q. 101.—Is robbery a felony? Describe it.

A.—Yes, robbery is a felony. It is the unlawful taking of personal property from the person against his will by means of force or violence or by means of injury, immediate or future, to his person or the person or property of a relative or member of his family, or anyone in his company at the time of the robbery. This is a crime which has always been common in large cities, but now since the advent of the automobile, it has become a matter of great concern on the highways. The automobile bandits of modern times are equally as bad, if not worse, than the stage bandits of early days.

Q. 102.—Give a definition of extortion.

A.—Extortion is the obtaining of money or property from another with his consent, induced by a wrongful use of force or fear, or under cover of official right. It is a crime similar to that of blackmail, and carries the same punishment,—a term in the penitentiary.

Q. 103.—What is a criminal libel?

A.—A criminal libel is the malicious publication by writing or printing of something derogatory concerning a person, exposing him to public contempt, ridicule, or in some way harm him in his business or social connections, or the business of a corporation. There is little detective work to be done in cases of this kind, as presentation of the publication in question, or the libelous article, is the best evidence.

Q. 104.—Into how many classes is crime divided, and what are they? Give an example.

A.—There are two classes, felonies and misdemeanors. Breaking into an occupied house at night for the purpose of robbery, is a felony. While entering an unoccupied house in the daytime, is a misdemeanor.

Q. 105.—What is the distinction between a principal and an accessory to a crime?

A.—A principal to a crime is the person directly concerned in its commission, whether he actually commits the crime or aids in its commission; he may be absent himself, but induces or counsels another to commit the crime. An accessory after the fact, is a person who harbors or aids the offender to avoid arrest and trial.

Q. 106.—If assigned to clean up a district in which many hold ups had been reported, how would you proceed?

A.—There is a class of criminals who confine their operations almost wholly to hold-ups. They are rarely professionals but almost always young toughs who are a product of the neighborhood. If assigned to such a case I would look for my men in community tough joints, usually a pool room or cigar store, since the saloons are abolished. I would dress myself up to appear reasonably prosperous, and walk the favorite streets of the hold ups late at night. I would be ready for any emergency, as the holdup is the lowest order of crook and would kill in a moment if cornered.

Q. 107.—How and where do kleptomaniacs operate? How would you handle the case of a kleptomaniac?

A.—Kleptomania is defined by psychologists as an overwhelming desire to steal. Those afflicted thus are invariably women of the better class and they operate in stores of the first class. They are usually nothing but common thieves, protected by their position in society. Were I assigned to such a case I would be guided to a considerable extent by the attitude of the management of the concern in which the thief was caught. If poor they would be sent to jail,—if rich the management would no doubt send them a bill for the goods stolen.

Q. 108.—When does a theft actually occur in a store or place of business?

A.—Theft does not legally occur until the goods are taken out of the store or place of business. Therefore an arrest cannot be made until the thief has left the store or business house. Frequently thieves note, after they have appropriated an article, that they have been observed, and return it to the place where taken from. Then walk out of the store unmolested.

Q. 109.—In payroll robberies where would you seek for a clue as to the identity of the robberies?

A.—Inasmuch as payroll robberies seem always to be timed exactly to the minute, the natural assumption would be that the gang must have received some inside information. I would look for the man inside, either in the bank itself, or somewhere in the firm's office. A man's position or previous good reputation would not prevent me from making a thorough investigation of his habits and associates, as many a bank and business house have been wrecked by a Sunday School Superintendent.

Q. 110.—What are crimes against the person?

A.—Crimes against the person range all the way from a simple violation of the pro-

“An idle theory lessens the weight of the good one you had
before.”

pecting law such as assault, through varying degrees, such as assault to do great bodily harm, assault with intent to kill, manslaughter, second degree murder, and first degree murder.

Q. 111.—What do you understand by the term "professional" as applied to thieves? State in detail how this class of criminal operates, and what means are taken to apprehend individuals engaged in this line of criminal endeavor.

A.—The term "professional" when applied to thieves describes the persons who commit crimes repeatedly because they have been driven to do so by force of circumstances in order to make a living, or have deliberately chosen a criminal career as the most profitable or the easiest mode of gaining a livelihood. The "professional" vary from the intelligent, expert professional, who reap huge profits from their criminal career, to the repeated petty offender, who eke out a precarious existence with their petty crimes but are too stupid to commit more profitable crimes. The "professional" thief as a rule works independently, that is, he plans and carries out his own crimes, frequently though he has one or two accomplices. The thief who robs a cashier's cage in these modern times operates something like this: He secures a fast automobile and installs a chauffeur in whom he has confidence, then with one or two other confederates, he enters the place he designates for robbery. With drawn guns they herd the employes into a safe corner, grab all the money in sight and flee in the waiting machine. There is a standing order in all police headquarters to arrest professional crooks at sight without warrant. Frequently they are charged with vagrancy or disorderly conduct. Therefore, the constant fear of arrest keeps "professional" crooks off the street during the daytime as much as possible.

Q. 112.—Do professional criminals work indiscriminately, or do they hold to their own profession?

A.—Crooks as a rule specialize. Confidence men are always on the alert to sell inside information in race track events, or mining stock, or something in which a vast fortune can be made in a short time. The burglar never enters into anything except burglary. The pickpocket never attempts a holdup. The jewelry thief never attempts a bank racket. The forger confines himself to his own art, etc. The crook is a specialist in his line the same as honest men are specialists in theirs.

Q. 113.—Are the habits and methods of thieves alike?

A.—No, thieves and crooks have an individuality all their own. They take a cer-

tain pride in their method of operation which distinguishes them one from another. The trained detective looks for these evidences and decides that the job was done by such a crook or crooks because of these peculiarities. After determining the identity of the man or men wanted, the task of locating them becomes the thing of importance.

Q. 114.—How would you rate criminals with regard to intelligence?

A.—Criminals as a rule are greatly over rated with regard to their intelligence and cleverness. To a man who has made a study of criminals, the task of detecting them is absurdly easy. They are often considered clever because of the fact that they specialize, and the man who does the same thing over and over soon becomes an expert in that particular thing. So it is with the criminal.

Q. 115.—Give an example of the crime,—Compounding a Felony.

A.—A clerk has embezzled \$500 from a merchant by whom he was employed. The father of the clerk arranges to pay the merchant \$500 providing the merchant agrees not to prosecute the son for embezzlement. In the strict meaning of the law, both the father and the merchant would be guilty of compounding a felony.

Q. 116.—Define—receiving stolen property, and give an example.

A.—A person who knowingly buys or receives stolen property, or who conceals the same for a reward is guilty, and subject to either fine or imprisonment. For example,—if John Smith steals an automobile in Detroit and brings it to Chicago. There he sells it to a used car dealer after telling him that the car has been stolen. Then the dealer becomes an accessory to the stealing of the automobile. The owner may have his car returned to him upon proving his ownership of the car.

Q. 117.—In what cases may a defendant be released on bail?

A.—The court must permit every person accused of a criminal offense, to give bail, except in Capitol cases. The Court has the right and privilege of naming what the amount of the bail shall be.

Q. 118.—What does the constitution of the United States provide with regard to trial by jury.

A.—The Constitution of the United States provides that every person charged with a felony shall have the right and privilege of a trial by jury. The defendant is also entitled to an attorney to defend him. Should the defendant be without funds with which to hire an attorney, then the Court must appoint one at the expense of the state.

“The certainty of punishment, even more than its severity,
is the preventive of crime.”

Q. 119.—Can witnesses be compelled to come to court and give testimony?

A.—If the witness has been served with a subpoena or summons by the court, to appear on the day fixed in the subpoena, then he is obliged to appear under the penalty of being guilty of contempt of court.

Q. 120.—What is a subpoena duces tecum, which is frequently employed by State's Attorneys in important criminal cases.

A.—It is a special subpoena issued by the court to bring specific property into court for inspection. It frequently applies to books of records or written documents.

Q. 121.—What does the constitution of the United States prescribe with regard to placing an accused person in jeopardy twice for the same offense?

A.—The constitution of the United States strictly forbids that the same party be twice tried for the same crime, even though the verdict of the jury is absolutely erroneous.

Q. 122.—A man carries a heavy life insurance. He is in financial straits and cannot pay his premiums. He innocently (?) goes upon a fishing or boating trip. His hat is found in the river or lake, also the overturned boat. Presumably, he is drowned and his relatives put in a claim for his insurance. Now, if assigned to the case what steps would you take to determine whether or not he was actually drowned?

A.—The investigation of a case of this kind requires patience. I would check up on every movement the man made, prior to his disappearance. I would try to ascertain whether or not he made any financial arrangement for himself or family before leaving. In the event that he had gotten together any sum of money, which was not accounted for legitimately, that would look suspicious. If the man is alive it is almost certain that he will try and communicate with his family. It would be reasonable to assume that he is a considerable distance away from home, and therefore will attempt to use the mails, perhaps in some round about manner. I would quietly arrange some plan for watching the incoming and outgoing mail of the family. If the family moved, or if any member of the family made a trip, I would shadow them. If the man still lives, I would discover the fact.

Q. 123.—In what way could insurance companies guard against the possibility of fraud, insofar as their insured are concerned?

A.—By the universal adoption of the rule of finger printing all it's policy holders. The comparison of the finger prints of a person drowned or killed with that of the prints on file would determine conclusively whether or not the claimants rights were genuine.

Q. 124.—Can you outline any other scheme or plan which might be used by unscrupulous persons to defraud an insurance company?

A.—A scheme to defraud was recently exposed in which a partnership existed between the solicitor, the examining doctor, and the adjustor. In this case a very old person was insured. The elderly person's age is given as being much less than it really is, and he is insured without his knowledge. The Doctor certifies the person's fitness for insurance, and the trio pays the premiums. In a short time the old persons dies and the conspirators collect and divide the amount secured.

Q. 125.—If called upon to investigate the theft of an automobile, in connection with suspicious garage owners, how would you proceed?

A.—I would first get in touch with the owner and question him closely until he remembers certain things which will aid me in identifying that particular car. Would check up on all possible garages, especially those of a shady character. Would watch closely garages which were suspiciously active late at night. Would also try and find out whether there were any private workshops in connection to which the public was not admitted. The garage owner's bank account should also be investigated. If it shows suspicious lump sums deposited I would try and find out the source of this money. I would also investigate his antecedents.

Q. 126.—In what way would visual evidence effect a jury?

A.—Visual evidence has the most powerful effect upon the minds of the jury than any other degree of evidence. The club, gun, axe, or other weapon, the blood-stained clothes of the victim, the poison bottle, and other like evidence is of the greatest value and tends to influence the jury more than all the eloquence in the world.

Q. 127.—What are the most frequent motives for crime? Especially murder.

A.—Unrequited love, revenge, greed, pecuniary gain, pyromania and primal savagery. In these anti-prohibition days too much indulgence in home brew and poison distilled whiskey, causes a large proportion of the vicious crimes. While rivalry among the law breaking distributing boot-levellers is the means of many murders.

Q. 128.—What are the classes of writings that more often call for the opinion of an expert or experts?

A.—1st, Writings and questioned signature such as checks and wills, and important legal papers. 2nd,—Writings in which alterations have been made or matter inserted, such as changing the conditions, date or amount of a promissory note. 3d, Typewritten papers

“If a fool knows a secret, he tells it, because he is a fool.”

investigated for the purpose of ascertaining their source or determining their date. 4th.—Anonymous and disputed letters such as threatening letters, blackmail letters, suicide notes, etc. 5th.—Registration, identifications, and miscellaneous.

Q. 129.—What care should be exercised in preserving papers or writings which are in question?

A.—They must be handled as little as possible. They should not be torn, folded on new lines, mutilated in any manner, cut, touched, with pencil point, pen point, or the point of dividers; nor should they be touched with acids or solutions or with an eraser. The best way to take care of questionable documents of this character is to place them between two glass slides or suitable pieces of glass and allow no one to remove them from the covers. Transparent celluloid may be used in place of glass as a covering matter and the papers kept in place by rubber bands. Mounted in this manner the papers may be freely handled and examined by witnesses, lawyers, judges and jury, and not be injured in the least.

Q. 130.—How should the examination of questioned handwriting and papers proceed?

A.—Orderly procedure is essential. First, the signature should be carefully examined and compared in detail with an authentic signature. Then it must be examined to see if it contains the characteristics of the original, such as the color and character of ink as is habitually used by the writer. Is the writing continuous or broken? Is the water mark the same as that which usually appears in the paper used by the original writer. The documents should be examined to see if an abrasion has occurred, denoting the use of an eraser. Regardless of how fine the eraser or how lightly used, it will cause marks of abrasion. These marks may be easily detected by holding the paper up to the light or by allowing the light to fall upon the paper from a slanting direction.

Q. 131.—Define abduction.

A.—Abduction is the taking, receiving, employing or harboring a young girl under age for the purpose of prostitution. Taking or detaining a female unlawfully against her will, with intent by force or threats to compel her to marry or be defiled, or enticing an unmarried female of previous chaste character into a house of ill repute for immoral purposes. A conviction cannot be had on the sole testimony of the abducted female. Corroborative evidence is necessary.

Q. 132.—What must be the qualifications of a person signing bail bonds for a prisoner?

A.—He must be a resident and property holder within the State, and unless the Judge otherwise directs it is necessary that the prop-

erty be within the county. He must be worth the amount of the undertaking, exempt from all execution. Or two persons may jointly give security. Judges may require evidence other than the oath of the surety as to his qualifications.

Q. 133.—Define the crime of rape.

A.—The seizure and carnal knowledge of a woman against her will, or when through an unsoundness of mind she is unable to give her consent, or when through any weakness she is unable to offer resistance, or when her resistance is forcibly overcome by fear of great bodily harm, or when she is unconscious of the nature of the act and this is known to the defendant, or, when she is in the custody of the law. Any male who commits any of the above acts is guilty of rape.

Q. 134.—Define Arson.

A.—Arson is the malicious firing of a building, agricultural products, automobile or other machinery, a ship, or property of any character. To prove arson an intent to burn or destroy must be shown. Arson is one of the most frequent crimes committed but it is one that is seldom punished. This crime can be planned and carried out with the least suspicion. Defective wiring, the explosion of a lamp, the ignition of benzine or other cleaning liquids,—all might occur by accident or by design. It is one of those cases in which proof is difficult to secure.

Q. 135.—What are the rights of a defendant in a criminal action?

A.—That he gets a speedy and fair trial; that he be allowed counsel or he may defend himself in person and produce witnesses in his own behalf. He must be confronted with the witnesses against him in the presence of the Judge holding the examination, and have an opportunity to cross-examine the witnesses. The defendant is also entitled to a trial by jury.

Q. 136.—What may be done to secure the attendance of a material witness at a trial?

A.—If the Court has reason to believe that a material witness is apt to flee the State he may commit him to jail or place him under bond. The bond may be determined by the court.

Q. 137.—What are the technical designations of common black ink? In how many classes are they?

A.—There are three classes and technically known as Iron-nut-gall, Logwood, and Nigrosine. They each show the characteristic blue when first written but turn to black with exposure. They look alike and none but an expert will know the difference in them. Many forgers come to trouble by the characteristic lack of foresight exhibited by criminals by not first ascertaining whether the

“Penalties may be delayed, but they are sure to come.”

ink he uses is the same as that previously used on the document.

Q. 138.—Describe as best you can the principals and characteristics of each of the above classes of inks.

A.—Iron-nut-gall is a true chemical solution. It's extreme fluidity causes it to actually penetrate the fiber of the paper and thus become a real part of it. Ordinary eraser by means of abrasion is not effective with this ink unless the fiber itself is destroyed. This ink has one failing however,—it can be easily removed by a reagent. Logwood ink is a saturated solution of logwood and potassium chromate. It is expensive, does not corrode the pen like iron-nut-gall, but does not last well. Nigrosine ink has the good points of the logwood but it is easily effected by dampness.

Q. 139.—How would you go about taking tests of the various inks?

A.—Inks may be determined by simple tests by reagents. The common reagents are hydrochloric acid, oxalic acid ferrocyanide of potash used in a ten to fifteen percent solution. In testing the ink in question, wet only a very small part of the writing, about the size of a pinhead, and study the reaction under a microscope. Apply the solution with a glass point. Hydrochloric acid or ferrocyanide solution applied to Iron-nut-gall ink turns it to blue or greenish blue; applied to logwood ink turns it red or purple. Oxalic acid applied to these inks bleaches or removes them entirely. If there is no perceptible reaction, the ink in question is Nigrosine, Carbon, or India. Alcohol applied to nigrosine ink dissolves it, but has no effect on logwood, and little on Iron-nut-gall ink.

Q. 140.—In what way is the grade or class of ink important in a court action?

A.—A document may be shown to have been written with various kinds of ink, thus indicating that it was written at different times. Entries, purporting to have been written at different dates may be shown to have all been written at one time. Raised checks and notes may show two different kinds of ink used in the writing.

Q. 141.—If assigned to a case in which an old will was involved, and forgery was charged, how would you proceed?

A.—I would first investigate all the writing and compare it with authentic originals. Then I would test the ink. I would also look into the paper used in the document, especially as to the quality, watermark, and when manufactured. Frequently cases have been won on the testimony of witnesses that the paper used in the questioned document was not manufactured until after the date of the signature on the document in question.

Q. 142.—How many men, and of what calibre and make-up, is the automobile "gang of thieves" composed of?

A.—Usually five or six men compose a gang. There must be at least one good mechanic, one spotter, the actual thief, a garage or place to hide stolen cars, a fence or man who disposes of the cars. If one of the gang is discovered, the rest may be found by shadowing. The backers and accomplices of these gangs are frequently composed of leading citizens of a community, and often embraces in their list, doctors, bankers, lawyers, and even Sunday School Superintendents. In Cleveland a short time ago a gang was exposed, and was found to have within it's fold almost every class of prominent business man. It is hard to explain how men of any business standing could lack the moral sensibilities necessary to prevent them from engaging in a conspiracy to defraud.

Q. 143.—In what way is observation a factor in the success of the detective?

A.—The detective who has taught himself to observe things generally is a long way on the road to success. I might say that this detective is destined to distinction, as nothing can escape his lynx-eyed vigilance. This man must have none of the characteristics of Paul Pry, yet he knows all that is passing, and keeps a perfect account of all the criminal characters in whom he may have any concern. The best way to study observation is to enter a room not familiar to you, survey it quickly and then write a description of the room and it's contents. Practice this at every opportunity and in a short time you will unconsciously and without attracting any attention take a visual inventory of every place you enter.

Q. 144.—In raising checks what are the figures that the forger has the least difficulty in changing to a higher denomination?

A.—The commonest form of raised check are those in which the figure 10 is raised by adding ciphers to read 100, or 1,000. Another common raise used is to change the figure 1 by adding a line or two, and thus causing 10, to read 40, or 100, to read 400, or 1,000 to read 4,000. The figure one is often changed to read 7 or 9, and thus a check for ten dollars (\$10.00) may easily be changed to read \$70.00, or \$700, or \$7,000, or it can be made to read \$90 or \$900, or \$9,000. In cases where chemical erasers have been used, they leave a perceptible yellow stain. Hold the paper up to the light and it will be visible to the naked eye. The top of the figure 3 is often erased and the figure 5 substituted.

Q. 145.—Are deeds, wills, and contracts which are made out on typewriters a help to criminals engaged in forging such papers? Has a certain make of typewriter an individuality?

“The business of eradicating crime is not by making punishment familiar, but formidable.”

A.—The forger and anonymous letter writer hailed the invention of the typewriter with joy. He felt that his writings could not be traced. But typewriters do have individuality. The expert can and does prove that a certain writing was done on a certain machine. He not only proves that the writing was done by a certain make of machine, but he actually finds the individual machine and proves that the questioned writing was done on that machine. Each and every typewriter have a different face of type; different characters, improvements from time to time. A recent document in evidence was dated 1893. The expert proved first,—that the document was typed on a Smith Premier machine; second—that the style of type used was not adopted by the Smith Premier people until 1896. This was sufficient to prove that the document was written something more than three years after the document was dated. Hence it was a fraud.

Q. 146.—Are there any other forms or method of identifying the work of certain typewriters?

A.—In examining typewritten documents look for the design of type used, size and proportion of the letters, also the alignment of the letters. You know old machines get out of alignment easily. Look at the weight of impression on top and sides of the letters, also look for defects, bruises, scars, all defects due to wear, accident or the continued use of certain letters. Practice in this work will bring proficiency. Typed matter from many machines all look alike to the average person, but practice in observing these things will bring the ability to distinguish differences at a glance.

Q. 147.—Define kidnapping.

A.—A person who deliberately seizes or kidnaps another with intent to cause him to be imprisoned, without lawful authority such as taking a person into custody from one state to another without due process of law, or to be withheld or detained in any way against his will, is guilty of kidnapping. Also a person who entices a child with intent to conceal it from its parents or guardian or attempts to obtain a reward for its return, is guilty of kidnapping. Kidnapping has become a very serious offense in most states, in some of which the death penalty has been invoked for the kidnapper. Kidnapping cases must be handled very carefully, for the reason that the kidnapper is usually the lowest type of criminal, and where he is holding a child or a person for ransom, and he fears discovery, he frequently murders the child or person he is holding, in the belief that his safety lies in their riddance.

Q. 148.—What care should be exercised in order that a confession received from an accused person may be valid?

A.—A confession, to be valid evidence must be wholly voluntary, but the detective may use any legitimate means to obtain it. The confession should be written or typed, must be signed by the accused, and must be witnessed by at least two witnesses. It should also be sworn to before a notary. Suggestion may play an important part in obtaining a confession. Here is a legitimate third degree method of obtaining a confession. Place the suspect in an upright position in a hard chair, which precludes bodily comfort. Keep the suspect awake through any means short of bodily brutality. Then repeat over and over the suggestion: "You know you did it, you had better confess." "You will be shown more mercy if you confess." "You may have a good meal and sleep as long as you wish if you tell the truth and confess." "Have some regard for the parents of the victim you know they are suffering from suspense." Use similar expressions, and try always, to be in an amiable mood. The softly spoken voice will always gain a confession much sooner than the harsh one.

Q. 149.—When is the mind of a person most susceptible to suggestion?

A.—The mind is more susceptible to suggestion when the body is asleep. The mind never sleeps. Experienced detectives have often used the power of suggestion on sleeping suspects with very good results. Many use this method; when the suspect is sound asleep they whisper loudly in his ear that he is going to confess when he awakens. The mind will record the impression. Then they awaken the suspect with gentle methods and do nothing to distract his attention. The mind will react to the suggestion made while he was asleep and he frequently confesses, if he is guilty.

Q. 150.—What relation has criminalistic science to deduction and detection?

A.—Science is but organized facts. The study of criminalistic science is the intensive study of facts. A murder is a fact; the corpse a fact; the implement used is a fact; the surroundings are facts; finally, the murderer himself is a fact. It remains only to correlate those facts through the medium of deduction, elimination, and investigation, and the mystery is solved.

Q. 151.—What is the weak point in burglar alarms?

A.—The weakest point in burglar alarm systems is that they depend almost exclusively upon electricity. Some system of induced electric current is depended upon to ring a bell buzzer. Obviously, they are put out of commission whenever an essential wire is cut, and the crook knows this well. He also understands the scientific arrangement of the entire burglar system, that is, he does if he is a professional criminal.

"The virtue of the coward is suspicion."

Q. 152.—At what stage of the criminal's life is he induced into crime?

A.—A study of crime and criminals tends to prove that all habitual criminals began their careers of crime during their youth. Small crimes precede great ones. No detective has ever seen timid innocence, suddenly expand into extreme crime. Less than two percent of the adult criminals entered a career of crime after they were twenty-one.

Q. 153.—Are criminals true to each other?

A.—The fidelity of criminals has been greatly over-rated. If they are faithful to one another it is through fear, rather than a perverted sense of honor. The criminal has no sense of honor. He has some traits which are common to all; Vanity is present in every one. They take pride in their crimes, and are sustained on the gallows only through a false sense of pride. Another of their traits is their untruthfulness. They lie consistently, even when the truth would serve them better.

Q. 154.—Give your version of Applied Psychology in relation to the reconstruction of a mysterious crime.

A.—The detective who knows and understands the habitual pathways of the criminal mind is able to reconstruct the exact sequence of events which led to the committing of a crime. He is able to think as the criminal thought, to put himself in his place, and to construct the defense as he has reconstructed the crime. He classifies the criminal according to the crime, and thus, narrows down his field of investigation right from the start. The trained detective is able to see at once whether the job was pulled by an amateur or a professional. Was the man right-handed or left? Was he tall or short? Why did he do a certain thing, or leave a thing undone? How did he reason when confronted by unforeseen circumstances? No criminal ever got away without leaving a trace, slight as it might be,—which will lead to a complete reconstruction of the crime, when a trained mind takes hold and grapples with the problem.

Q. 155.—Are the perpetrators of crime more common among the foreign born than among native born? Explain why.

A.—An Italian statesman sometime ago advised unrestricted immigration as an outlet for carrying off the criminally inclined,—from Italy. American statesmen might well ponder his statement. Only the improvident who hope to improve their condition, immigrates to a foreign land. Obviously then, our immigrants are from the lowest strata of European society. Ages of continued poverty and degradation coupled with an awakening resentment of their superior's prosperity, causes an inborn tendency to-

ward crimes against property. The majority of crimes are committed by the foreign born.

Q. 156.—State in your opinion some of the contributing causes which aid environment in producing the habitual criminal?

A.—A strong factor is the prison and its associates. The offender may be a novice in crime. He enters the prison gates with a certain degree of moral upgirding, a firm determination as it were to get it over with and not let it happen again, he possibly enters with a genuine sense of repentance. He soon changes. He adjusts himself to his environment. He becomes reconciled to the restrictions upon his movements. With the safeguards of conventionality and rules of social procedure removed from the inmates they descend to the lowest depths of depravity. What can be expected of them when released? Nothing.

Q. 157.—In walking along the street what more must a detective see, than the average citizen.

A.—While walking along the street the shoe merchant sees only shoes. The hatter sees only hats; The dentist sees only teeth; The tailor sees suits; The architect buildings; the concrete worker sidewalks; the electricians lights and wires; the street cleaner, garbage. The detective must see all of these things and infinitely more. He must be able to distinguish nationalities at a glance. He must instantly note all of their details of clothing, mannerisms, facial characteristics, callings, avocations. Seeing signs he must read and interpret them correctly.

Q. 158.—What is the motive behind crime against property?

A.—The motive behind this crime is simply greed and profit. The criminals study crime as a business, and spend days and often weeks planning it's perpetration.

Q. 159. What are the duties of the Grand Jury?

A.—The sole and only purpose of the Grand Jury is to hear what evidence the State's Attorney has to offer against an accused person.

Q. 160.—Should detectives reveal their whole case to the Grand Jury?

A.—No, only give such testimony as will convince the grand jury that there is cause for action. It is better to save the best cards for the last play,—before the trial jury.

Q. 161.—Are foreign ambassadors and members of foreign legations subject to arrest in this country?

A.—No, their punishment must be prescribed by the Government officials of their own country. Of course where a severe offense has been committed, the Secretary of State may communicate with the govern-

“Mystery is but another name for ignorance.”

mental heads of the offenders' country, that he is detaining the guilty person, then the matter must be settled by arbitration.

Q. 162.—What state or county officer is exempt from arrest, with one exception? Who can arrest him?

A.—The Sheriff is the highest officer in any county. The Coroner can arrest him, but he can do this only on a warrant signed by the Governor.

Q. 163.—What are external clues? Give an example.

A.—External clues are such as can be seen by the naked eye of the investigator. They are such as the marks of a burglars' tools, his finger prints, his clothing, doors interfered with, windows broken, or fasteners forced, safes tampered with. The first thing a detective should do when called into a case, is to make a list of all external clues.

Q. 164.—What is an internal clue?

A.—The tool itself is an external clue, but the consideration as to who purchased it is an internal clue. Everything connected with a crime must be traced to its source, for the criminal must have it from some ascertainable place. Internal clues then, is locating the source.

Q. 165. If called upon to dispose of a package suspected of being an infernal machine and containing dynamite, what would you do?

A.—I would take it some open space, and throw it at a considerable distance. The jar of landing will break it open and explode any dynamite it might contain, without injuring anyone. Another method is to soak it in a large quantity of alcohol for a day or so. This will dissolve out all nitroglycerine and destroy the explosive properties. Soaking in water is ineffective, since wetting dynamite will not destroy, or even injure its explosive properties.

Q. 166.—What class of criminals usually kill by poison?

A.—Poisoning is usually the crime of the educated and the seemingly respectable, because the successful carrying out of a poisoning plot usually requires a higher order of intelligence than the average criminal possesses. Poison cases are extremely hard to prove. After the character of the poison is determined, then its source must be discovered.

Q. 167.—If you were in the immediate vicinity of a drug store, in which a clerk was killed during a hold-up, and you were the first detective on the scene, what would you do?

A.—I would immediately phone headquarters and request the presence of the murder squad if the police department had one.

I would also notify the Coroner of the murder. Would forbid anyone but a Doctor touching the body of the murdered clerk before the Coroner arrived. I would prevent all those present at the time of the murder, from leaving the store. Would get the names and addresses of all those present when the crime was committed. I would also get what information I could as to who the murderer was, also whether or not he was unknown, and whether he disappeared in an automobile. Would get a description of the car and number if possible and phone it to headquarters so that all exits of the city would be guarded. If the murderer was known I would get his name and address and phone it to headquarters.

Q. 168.—How would you handle cases against suspected persons who are not actually accused of committing a crime?

A.—It is invariably necessary to shadow suspected persons. Where a certain criminal is wanted it is often necessary, or advisable, to shadow some of his friends, or pals, as it may be possible that they know the whereabouts of the particular man wanted. When a bank cashier, or a trusted employe absconds with his firms' money, they seldom take their families with them, but in nine cases out of ten they can be located if their families are shadowed long enough.

Q. 169.—Frequently prominent persons are reported missing, and no good reason advanced for their disappearance. If assigned to locate such a person, how would you proceed?

A.—I would first interview his family, or those most interested in his disappearance. I would try to ascertain whether or not any preparations had been made by this party, for a trip. I would then check up his financial affairs. If his accounts were straight, I would abandon the absconding theory. Money is usually the determining factor. If the party has taken his money with him he is probably sane and has committed a pre-meditated action for some personal reason. I would then check up his friends, particularly those of the opposite sex, and find out if any of them had disappeared about the same time. If so, it might be an elopement.

Q. 170.—Define an alibi. Give an example.

A.—An alibi is the actual presence of a person in another place at a certain time, than that charged. For example,—if a witness swears he saw John Smith in Coopers' Hardware Store, on State St., Chicago, at 6 o'clock in the evening, Tuesday, May 10, 1925,—and John Smith produces records and witnesses to prove that he was attending a dinner party at Mrs. Brown's home in Indianapolis, at exactly that time;—then he furnishes an alibi beyond question.

“He alone is an acute observer, who can observe minutely
without being observed.”

Q. 171.—What is the legal definition of hold-up? How is it defined?

A.—The legal definition of hold-up is robbery. It is defined as taking by force or threats of personal injury any goods or valuables from the person of another.

Q. 172.—What are the physical and distinguishing characteristics of the Pickpocket, and how does he work?

A.—As a rule, Pickpockets travel in mobs, and work in congested spots, or on street cars at busy hours, or where there are large gatherings, where the mind and eyes of the crowd are occupied in witnessing some spectacle, such as a parade, show, or accident. Where Pickpockets work in mobs there is but one actual "dip"; the rest of the mob spots the subject to be robbed, and jolts and jockeys him into the crowd so that the "dip" can reach the victim's pockets conveniently. As a rule the dip is a furtive, shifty eyed individual of very small stature, with long, slender fingers which are as quick as lightning. His hands are soft and smooth. The rest of the mob are invariably burly ruffians who crowd and smash their way through gatherings and attract attention to themselves rather than the "dip" who is following mildly in their wake, but who has no apparent connection with them. Pickpockets seldom carry weapons. They usually dress to correspond with the class of people they are working among.

Q. 173. In an outlying district of Chicago a passenger train has been wrecked and many people killed and injured. Heavy obstacles placed on the rails were found to be the cause of the wreck. After the wreck occurred two men were seen robbing the dead and injured. Their descriptions correspond

with that of two men seen in the vicinity before the wreck. The description of these men corresponds with that of two well known criminals who are wanted. If directed to secure the evidence in this case what would you do? What crimes have been committed?

A.—I would first locate the persons who saw the two men in that vicinity prior to the wreck. Would get as complete a description of them as possible. I would also interview all persons who saw the men robbing the injured persons after the wreck. Would get the names and addresses of all those injured, or who in any way, could give testimony or identify the criminals. I would take all of these witnesses to the Bureau of Identification and show them the pictures and descriptions of the two criminals suspected, and others of a similar description. I would have duplicate descriptions and pictures made to show any of the injured who could not come to the Bureau. Would also send out these descriptions broadcast. Would search all criminal haunts, especially those of the two criminals under suspicion. The crimes committed were those of Murder,—Destruction of Property,—and Robbery.

Q. 174.—What is the difference between the duties of the patrolman and a detective?

A.—In some respects they are similar as both are required to preserve the peace, enforce the laws, and arrest all offenders. The detective though has greater latitude and a larger field of operations. He is especially called upon to ferret out crime, investigate criminal methods and procure evidence thereon. The detective is the greatest power in the world for law enforcement and for the preservation of human safety.

“The tongue of the fool is the key of his counsel.”

DEFINITIONS OF LEGAL PHRASES

ONE HUNDRED AND SEVENTY-TWO DEFINITIONS OF TECHNICAL LEGAL PHRASES THAT EVERY DETECTIVE SHOULD KNOW AND UNDERSTAND.

Abscond—To depart in a secret manner from the jurisdiction of the court or to lie concealed in order to avoid process.

Accessory—One who is not the chief actor in the perpetration of the offense, nor present in its performance, but is some way concerned therein, either before or after the fact committed.

Accessory Before the Fact—One who, though absent at the time of the crime committed, yet procures, counsels, or commands another to commit it.

Accessory After the Fact—One who, knowing a felony to have been committed, receives, relieves, comforts or assists the felon.

Accomplice—One who is in some way concerned in the commission of a crime, though not as a principal.

Administrator—A person authorized by court to manage and distribute the estate of an intestate, or of a testator, who has appointed no executor, or when the executor declines to act.

Affidavit—A statement or declaration in writing and sworn to or affirmed before some officer who has authority to administer an oath.

Alias (Another)—Applied to a writ issued where one of the same kind has been issued before in the same case.

Alias Dictas (Otherwise Called)—In its common use this term is contracted to "Alias" and means "otherwise called." It is most commonly applied to criminals who sail under several different names, as Charles Davis, alias "William White."

Alibi—Presence in another place than that described.

Alimony—The allowance which a husband by the order of court pays to his wife who lives apart from him for her maintenance. It may be *Pendente Lite, i. e.*, during trial or permanent, *i. e.*, during their joint lives after termination of suit.

Answer—A defense in writing made by a defendant to the charges contained in a bill filed by the plaintiff against him.

Appeal—The removal of a cause from a court of inferior to one of superior jurisdiction for the purpose of obtaining a review and retrial.

Appearance—A coming into court as party to a suit, either as plaintiff or defendant. In civil suits it may be in person or by attorney.

Appellant—One who appeals from one jurisdiction to another.

Apprehension—The capture or arrest of a person on a criminal charge.

Arraign—To call a prisoner to the bar of the court to answer to a matter charged in the indictment; upon being arraigned he is called upon to plead guilty or not guilty to the charge.

Arrest—Apprehending a person and detaining him in order that he may be forthcoming to answer to an alleged or suspected crime.

Arson—The malicious burning of the house of another. "House" includes barn, stable, cow-house, dairy-house.

Assaults—All unlawful offer or attempt with force or violence to do a corporal hurt to another.

Assets—All the stock in trade, cash and all available property belonging to a merchant or company.

Assignment—A transfer or making over to another of the whole or any property, real or personal, in possession or in action, or of any estate or right therein. An assignment is a transfer by writing and not by delivery.

Assignee—One to whom the transfer is made.

Assignor—One who makes the transfer.

Attachment—A writ issued by the court commanding the sheriff, or other proper officer, to attach the property, rights, credits, or effects, of the defendant to satisfy the demands of the plaintiff.

“The mill of justice grinds slow but sure.”

Attorney-at-Law—An officer in a court of justice who is employed by a party in a cause to manage it for him.

Bastard—One born of an illicit connection and before the lawful marriage of its parents. One begotten and born out of lawful wedlock. A man is a bastard if born before lawful marriage of his parents, but he is not a bastard if born after their marriage, although begotten before. A man is a bastard if born during coverture under such circumstances as to make it impossible that the husband of his mother can be his father, as if the husband has been absent on a sea-voyage for twelve months prior to his birth. A man is a bastard if born beyond a competent time after coverture has ceased, as twelve months after the death of the husband or after divorce. Most of the states provide that if a man marry a woman after she has born children for him, that fact legitimates the children.

Battery—An unlawful beating, or other wrongful physical violence or constraint, inflicted upon a human being without his consent.

Bigamy—The state of a man who has two wives, or a woman who has two husbands living at the same time. If more than two wives or two husbands, the proper term is polygamy.

Bill of Sale—A written agreement under seal by which one person transfers his right to or interest in his personal property to another.

Blackmail—In modern use, the extortion of money from a person by threats of accusation or exposure. The term originated in England and was first applied to those rents which were paid in grain or labor. They were called blackmail in distinction from white rents, which were paid in silver. The bands of marauders that infested the borders of England and Scotland about the middle of the sixteenth century, levied contributions yearly from the inhabitants for alleged security and protection. This was called blackmail.

Bond—An obligation in writing under seal. It is usually for the payment of money upon certain conditions, as the malfeasance in office of the party whose good conduct the bondsmen vouch, or the failure of a prisoner to appear in court for trial.

Breach of the Peace—The offense of disturbing the public peace.

Breach of Trust—The wilful misappropriation by a trustee of a thing which has been lawfully delivered to him in confidence.

Breaking Doors—Forcibly removing the fastening of a house so that a person may

enter. An officer armed with a warrant for the arrest of a person charged with felony may "break doors" and use necessary force to secure the felon.

Bribery—The receiving or offering any undue reward by or to any person whosoever, whose ordinary profession or business relates to the administration of public justice, in order to influence his behavior in office, and to incline him to act contrary to his duty, and the known rules of honesty and integrity.

Burglary—The breaking and entering the house of another in the night time, with intent to steal or commit a felony.

Certified Check—A check recognized and endorsed as good for the amount therein specified, by the proper officer of the bank or firm upon which it is drawn. A check is usually certified by the cashier, or other authorized official, stamping upon its face the words, "Good when properly endorsed," and signing his name to it.

Character—The sum of qualities which distinguish one person from another, also defined as the opinion generally entertained of a person by those who are acquainted with him. The most common motive for introducing a man's character and conduct in proof before a jury is to impeach or confirm the veracity of a witness. It is also done to afford a presumption that a particular party has not been guilty of crime charged; also to effect damages where the amount depends on the character of the individual.

Chastity—Purity from all unlawful intercourse. A woman may defend her chastity by taking the life of her assailant.

Chattel—Every species of property, whether movable or immovable, that is less than a free hold.

Citizen—In American Law: One who, under the constitution and laws of the United States has a right to vote for representative in Congress, and if qualified to fill offices in the gift of the people. Also, and more generally, a native born or naturalized person, of either sex, who is entitled to full protection in the exercise and the enjoyment of private rights.

Code—A body of law established by the legislative authority of the state.

Coercion—Constraint, compulsion, force.

Cohabit—To live together in the same house claiming to be husband and wife.

Collusion—An agreement between two or more persons to defraud a third person of his rights or to obtain an object forbidden by law. Collusion vitiates and makes void every act infected with it.

“They who talk most have the least to say.”

Commercial Law—This branch of law embraces those divisions which relate to the rights of property and relations of persons engaged in commerce.

Common Pleas—In England the name of a court having jurisdiction generally of civil actions. Many of the states of the United States have a court of this name, but generally they have both civil and criminal jurisdiction, sometimes extending over the whole state, but more frequently confined to a single county. It is a court of original and general jurisdiction for the trial of issues of fact and law.

Compounding a Felony—The act of a party injured in agreeing with a thief or felon that he will not prosecute him if he will return the goods stolen or in taking a reward not to prosecute.

Concealment—The improper withholding by one party to a contract from the other or any fact or circumstances which in justice ought to be known.

Connivance—An agreement given indirectly, that something unlawful shall be done by another.

Corpus-delicti—The essence of the crime.

Court of Equity—A court which administers justice according to the principles of equity.

Court—A body in the government to which the public administration of justice is delegated. The judge or judges, themselves, when daily convened, are addressed as the court.

Court of Oyer and Terminer—The name of court of criminal jurisdiction in some states, as New York, Georgia, and some others.

Court of Probate—A court which has jurisdiction in the probate of wills and in the management and settlement of estates of decedents and control of minors' estates, and other persons who are under special protection of law.

Crime—An act committed or omitted in violation of public law, forbidding or commanding it. When the act is of an inferior degree of guilt, it is usually called a misdemeanor.

Criminal Law—That branch of jurisprudence which treats of crimes and offenses.

Cross-examination—The examination of a witness—by the party opposed to the party who called him.

Declaration—A statement in methodical and logical form of the circumstances, a plaintiff's cause of action.

Default—Failure to perform a contract. In practice it means the non-appearance of a party to a suit at court within the time prescribed by law.

Defendant—The party called upon to answer whether in law or equity and in civil and criminal suits.

Demurrer in Pleading—An allegation which admits the truth of matters alleged by the opposing party, but denies their sufficiency in law to maintain the issue, and refusing to proceed until the court decides the question. It means literally, a stop or pause.

Deponent—One who makes a deposition.

Deposition—The testimony of a witness reduced to writing in due form of law and by authority of some competent court, to be used on the trial of some question of fact in a court of justice. The opposing party has a right of notification of time and place of taking a deposition, so they may be present and cross-examined.

Disability—The lack of legal capacity, as infancy, insanity, etc.

Distress—The taking of a person or chattel out of the possession of a wrongdoer, into the custody of the party injured, to procure satisfaction for the wrong done.

Divorce—The dissolution or partial suspension by law, of the marriage relation.

Dockets—A formal record of court proceedings.

Duress—Personal restraint, or fear of personal injury, used to compel a person to make a deed or sign some paper, or commit some offense.

Embezzlement—The act of fraudulently removing and secreting personal property with the care and management of which the party has been entrusted, for the purpose of applying it to his own use.

Escrow—A deed delivered to a stranger to be by him delivered to the grantee upon the happening of certain conditions. Upon the last delivery the transmission of title is complete.

Evidence—That which tends to prove or disprove any matter in question.

Ex Officio—By virtue of his office.

Ex Post Facto Law—A law relating to the punishment of crime which makes an act criminal which was not a crime when it was committed; or which makes an offense punishable in a matter in which it was not punishable when it was committed. The words mean literally, "by a law made after-

“Success belongs to the most persevering.”

ward." The idea is to make a law to fit a particular case which has already happened. The constitution of the United States says no *Ex Post Facto* law shall be passed.

Exemption—The right given by law to a debtor to hold a portion of his property free from liability to execution at the suit of a creditor, or to distress from rent.

Extortion—The unlawful taking by an officer, by virtue of his office, of anything of value that is not due him, or more than is due, or before it is due.

Extradition—The surrender by one sovereign state to another on its demand, of persons charged with commission of a crime within its jurisdiction, in pursuance of a treaty, or by one of the states of the United States, to another, in pursuance of statutory law.

False Pretenses; In Criminal Law—False representation of facts made with a fraudulent design to obtain money, goods, or merchandise, with intent to cheat. The representation must be of a present, existing state of things or a past event. An assurance with reference to a future transaction will not amount to a statutory false pretense.

Felony—An offense, originally in English common law, that was punished by a total forfeiture of lands or goods or both, and capital to other punishment may be added, according to the degree of guilt. The word has no clearly defined meaning in American law, but the statutes of nearly all the states, as Massachusetts, New York, Ohio, it means a crime punishable by death or imprisonment in the state's prison and no other.

Fœticide—Criminal abortion.

Foreclosure—A legal proceeding by which the mortgagor's right of redemption of the mortgaged property is closed forever.

Forgery—The falsely making or material altering with intent to defraud, any writing which, if genuine, might apparently be of legal efficacy, or the foundation of legal liability. The statutes of most of the states define forgery with great particularity and reference should be made to them.

Fraud—The unlawful appropriation of another's property, with knowledge by design and without criminal intent. Fraud vitiates everything with which it is connected. When proved it voids a contract *ab initio*. It is not of itself a crime, for want of criminal intent, though it may become such in cases provided by law. The statutes of the different states define frauds and their punishments.

Full Age—The age of twenty-one, for both males and females in all states of the Union, excepting Vermont and Ohio, where a female reaches full age at eighteen.

Grand Jury—A body of men consisting of not more than twenty-four (in this country, generally fifteen), who hear accusations in criminal charges, and if the evidence is sufficient, find an indictment against the party complained of. The grand jury hears only the evidence against the person charged. The proceeding before the grand jury is not a trial, but simply an examination of the evidence against the party to ascertain whether he should be presented to the court trial. Twelve must concur in order to find a true bill, otherwise it must be ignored. Their operations must be kept strictly secret.

Guardian—One who has legally the care and management of the person or the estate, or both, of a child, during minority.

Habeas Corpus, (Latin, "that you have the body.")—A writ directed to the person who is detaining another and demanding him to produce the body of the prisoner at a certain time and place. The object is to inquire into the cause of a person's liberty. This is the most famous writ in the law. It is often called the great writ of liberty, because for centuries it has been used to remove illegal restraint upon personal liberty.

Homicide—The killing of a human being by a human being.

Excusable Homicide—A killing under such circumstances of accident or necessity that the party is relieved from the penalty annexed to the commission of a felonious homicide.

Felonious Homicide—A killing committed wilfully, and under such circumstances as to make it punishable.

Justifiable Homicide—A killing committed with full intent, but under such circumstances of duty as to render the act one proper to be performed. When the death is intentionally caused by the deceased himself, he is called a *felix de se*.

Illicit—Unlawful, forbidden by law.

Incendiary—One guilty of the crime of arson.

Incest—The carnal copulation of sexual intercourse of a man and woman related in the degrees within in which marriage is prohibited by law.

Indictment—A written accusation against a person of a crime, preferred by a grand jury.

“Truth provokes those it does not convert.”

Infraction—The violation of a law or contract.

Injunction—A prohibitory writ issued by a court of equity to restrain one of the parties to a suit in equity from doing an act which is deemed unjust or inequitable.

Judgment—The conclusion of the law upon fact found or admitted by the parties, or default in the course of the suit.

Jurisdiction—The authority by which judicial officers take cognizance of and decide the causes.

Jury—A body of men who are sworn to declare the facts of a case as they are delivered from the evidence placed before them.

Justification; In Pleading—The allegation of matter of fact by the defendant, showing his legal right to do the thing complained of by the plaintiff.

Libel—That which is written or printed and published, circulated to injure the character of another by bringing him into ridicule, hatred or contempt.

Limitations—Statutes prescribing the time within which a party having a cause of action may appeal to the court for redress.

Litigation—A contest in a court of justice to enforce a right.

Malice; In Criminal Law—Doing a wrongful act intentionally, without cause or excuse.

Manslaughter; In Criminal Law—The unlawful killing of another without malice. Manslaughter differs from murder in lacking the essential elements of malice and premeditation. There being no premeditation, there can be no accessories before the fact. Manslaughter may be voluntary, as when the person intends to produce the injury, or involuntary, as that which occurs without the intention to inflict the injury, but in the performance of an unlawful act. The different grades of homicide are defined and their punishments fixed by the statutes of the various states.

Maiming; In Criminal Law—The maiming of a person by depriving him of any of his members, which are necessary for his defense or protection, as the cutting off of a man's finger or hand, or striking out his eye.

Misdemeanor—Every offense inferior to felony, punishable by indictment, or particular prescribed proceedings.

Misfeasance—The performance of a lawful act in an improper manner, by which another person receives an injury.

Misprison—The concealment of a crime, as felony, treason. It is the duty of every good citizen knowing of a felony or treason having been committed to inform some magistrate.

Murder; In Criminal Court—The wilful killing of any person, with malice aforethought. In nearly all the states murder has been divided into degrees.

Mutiny—Insurrection against constituted authority, particularly military or naval authority, concerted revolt against the rules of discipline.

Night—That space of time during which the sun is below the horizon of the earth, except a short period called commonly twilight, before rising and after setting, during which a man's face may be discerned. This is important sometimes in determining the crime of burglary, which can only be committed in the night time. If the face can be recognized by the fading sunlight, it is not night, and a breaking and entering another's house at that time is not burglary, but house breaking.

Nolle Prosequi (To be unwilling to prosecute)—An entry made on the record by which the public prosecutor declares that he will not proceed against a defendant charged criminally, or a plaintiff that he will not proceed against the defendant in a civil case. A prosecutor can enter *nolle prosequi* before the jury is impaneled without the consent of the defendant, but not after the jury is impaneled.

Nominal Damages—A trifling sum awarded to a plaintiff who has sued for damages and shown a breach of duty on the part of the defendant, but no serious loss resulting therefrom.

Nonsuit—The name of a judgment given against a plaintiff, first, when he abandons his cause, or absents himself from the court when called, but allows judgment for cost to be entered against him, or second, when he has given no evidence on which a jury could find a verdict. A nonsuit is no bar to another action for the same cause.

Nuisance—Anything that unlawfully worketh hurt, inconvenience or damages.

Oath—An outward pledge, given by the person taking it, that his attestation or promise to tell the truth is made under an immediate sense of his responsibility to God.

Oyez—The sheriff or other court officer opens court, and public criers sometimes call attention to a proclamation by repeating this word three times. It means "hear ye," and is usually wrongfully pronounced "O yes."

“Want of decency is want of sense.”

Panel—Schedule or roll containing the names of jurors summoned by virtue of a writ of *venue facias*.

Parol (*French word, speech*)—A term applied to contracts not under seal. Parol contracts may be written or verbal, but if written have no seal.

Parol Evidence—Evidence delivered verbally by the witness.

Parricide—The unlawful killing of father or mother, the murder of anyone to whom reverence is due. Blackstone applies the word to one who kills his child.

Perjury—The wilful giving under oath, in a judicial proceeding or court of justice, of false testimony, material to the point of issue.

Perquisites—Something derived from a position or office in addition to the regular salary fee.

Petit Jury—A jury of twelve men impaneled to try cases of justice. Called petit in distinction from the grand jury.

Petty Larceny—In most of the states larceny of a sum less than thirty-five dollars. See Larceny.

Pickpocket—A thief who steals from the pocket or person of another without putting him in fear.

Piracy—A robbery or forcible depredation on the high seas without lawful authority (as letters of marque) and done in the spirit of universal hostility. In Torts—Plagiarizing, or stealing from a book, engraving or other work for which a copyright has been taken out.

Plaintiff—The one who seeks a remedy at law for an injury to his rights.

Plea, Equity—A special answer showing cause why the suit should be dismissed or delayed or barred. In Law—The defendant's answer by matter of fact to the plaintiff's declaration. This differs from demurrer, which is an answer by matter of law.

Pleading—The stating in a legal form of the facts which constitute the plaintiff's cause of action or the defendant's grounds for defense.

Poaching—Unlawful entering land in the night time, armed with intent to take or destroy game.

Polygamy—The state of a person who marries another with the knowledge that he already has two or more wives, or that she has two or more husbands.

Power of Attorney—An instrument authorizing a person to act as the agent or attorney of the person granting it.

Pre-emption Rights—The right given to settlers upon public lands of the United States to purchase them at the lowest price in preference to all others.

Premediation—A design formed to commit a crime or do some other act before it is done.

Prima Facie—At first view or appearance.

Prima Facie evidence of a fact will establish that fact in law unless rebutted.

Process—The means of compelling a defendant to appear in court in both civil and criminal cases.

Prosecutor—The one who prosecutes another for a crime in the name of the state.

Rape—The carnal knowledge of a woman by a man forcibly and unlawfully and against her will. Man in this definition means a male of the human species of the age of fourteen and upwards.

Recognizance—An obligation of record entered into before a court or officer duly authorized for that purpose, with a condition to do some act required by law which is therein specified. In civil cases the condition of a recognizance is, that the party and his surety will pay the debt, interests and costs recovered by the plaintiff under certain contingencies. In criminal cases the condition is that the party shall appear before the court, at a specified time, to answer to such charges as are or shall be made against him, or that he shall keep the peace or be of good behavior.—Blackstone.

Redress—Satisfaction for an injury sustained.

Replevin—An action to regain possession of chattels which have been taken from the plaintiff unlawfully.

Requisition—The demand made by the governor of one state on the governor of another for a fugitive from justice.—See Extradition.

Retaining Fee—A fee given to an attorney upon consulting him, in order to secure his future services.

Reward—An offer of recompense for the performance of some good act for the public good. A person may be a witness in a criminal case, although he expects to receive a reward upon the conviction of the prisoner.

Robbery—The felonious and forcible taking from the person of another goods or

“Idiots only may be twice fooled.”

money of any value by violence or putting him in fear. Robbery is larceny from the person, accompanied by violence or putting in fear.

Search Warrant—A warrant requiring the officer to whom it is addressed to search a house specified for property alleged to have been stolen and secreted there. The officer must bring the goods if found and the body of the person occupying the premises, who must be named before the justice issuing the warrant or some other legally authorized officer.

Self-Defense—The protection of one's person and property from injury. A man may repel force, by force of his person, property or habitation against any one who attempts to commit a forcible felony, as murder, burglary, rape, arson, robbery. He is not required to retreat, but may resist and even pursue his adversary until he has secured himself from all danger.

Slander—Words spoken or written of a defamatory, false and malicious nature which are injurious to the character of another. Injury to character is the ground of all liability to an action.

Stay of Execution—The period during which no execution can issue on a judgment.

Subornation of Perjury—Procuring another to commit legal perjury. The false oath must actually be taken.

Summons—A writ notifying a party to appear in court and answer to a complaint made against him.

Surety—A person who binds himself for the payment of a sum of money, or for the performance of something else for another who is already bound for the same.

Suretyship—An undertaking to answer for the debt, default or miscarriage of another, the surety becoming bound as the principal or original debtor is bound. Suretyship differs from guaranty in this; suretyship is a primary obligation to see that the debt is paid, while guaranty is a collateral undertaking, essentially in the alternative, to pay the debt if the debtor does not pay it. A surety may be used as a promisor. A guarantor must be used specifically on his contract. Guaranty applies only to contract under seal. Suretyship applies to all obligations, either under seal or by parol.

Tender—An offer to deliver something or pay something in accordance with a contract, and in such a way as to require no

further act by the party making the offer to complete the transfer.

Testify—To give evidence according to law.

Treason—Against the United States, according to the Constitution, consists in levying war against them, or in adhering to their enemies, giving them aid and comfort. It can only be committed by a person who owes allegiance to the government. In monarchies an attempt to kill the king is treason.

Trial—The examination before a competent tribunal according to law of the fact put in issue in a cause.

Vagrant—An idle person who has no settled home, who refuses to work and goes about begging, commonly called a tramp.

Venue—A neighborhood place or country in which an injury was done or crime committed and from which the jury must be drawn to try the issue.

Verdict—The unanimous decision of a jury reported to the court on the matters submitted to them in the trial of a cause.

Violence—The abuse of force; that force which is employed against common right, against law and against public property.

Void—That which has no force or effect.

Voidable—That which has some force or effect, but which in consequence of some inherent quality may be legally annulled or avoided. An infant's note or contract with an adult is a familiar example. The infant may void or confirm the contract upon coming of age.

Warrant—A writ issued by the justice of the peace or other authorized officer and directed to a constable or other proper person ordering him to arrest a person therein named charged with committing some offense and bring him before the justice.

Witness—One who testifies under oath to what he knows of his own knowledge not acquired by hearsay.

Writ—A mandatory precept issuing from a court law in the name of the state and requiring the defendant to do something therein mentioned.

Without Prejudice—Anything said or done without prejudice is without effecting anyone's rights in the controversy or question at issue.

THE END.

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Pamphlet
Binders
Gaylord Bros. Inc.
Makers
Syracuse, N. Y.
Pat. Jan. 21, 1938

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THE DETECTIVE INSTRUCTOR

By

F. DALTON O'SULLIVAN

AUTHOR OF

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