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BY H. L. MENCKEN

Cops and Their Ways

THE THIRD DEGREE, by Emanuel H. Lavine. \$2. 8½ x 5½; 248 pp. New York: *The Vanguard Press*.

MR. LAVINE is a police reporter of long practise in New York. In a way his book proves it, for it is written in slipshod and often irritating journalese, but in another way it conceals the fact, for he deals with the police in a frank and objective manner that is very rare among men of his craft. Most of them, after a year or two at headquarters, become so coppish themselves that they are quite unable to discuss the constabulary art and mystery with any show of sense. They fade into what Mr. Lavine himself calls police buffs; that is, police enthusiasts, police fans. A headquarters detective, though he may present to the judicious eye only the spectacle of an ill-natured and somewhat thievish jackass, becomes a hero to them, and they regard an inspector with his gold badge in the wistful, abject fashion proper to the contemplation of the Holy Saints. Every American newspaper of any size has such a police reporter on its staff; there must be at least a thousand in the whole country. But they never write anything about cops that is either true or interesting, and so the literature of the subject is a blank.

Mr. Lavine's book is scarcely to be called literature; nevertheless, it makes a beginning. His discussion of the contents of the average policeman's mind is searching, accurate, and withal humane. He does not ask men of a useful but still very humble profession to be philosophers, but on the other hand he does not exaggerate such

modest mental gifts as they really have. He sees them as fellows who, in the main, are as honest as the next man, but labor under a stupidity which makes them close to helpless before rogues in general and wholly helpless before rogues of their own corps. The tone of the craft, unfortunately, is set by the last-named. They perform the outrages that have come, in the United States, to be associated with the name of policeman, and they are safe behind the fact that the average cop would rather conceal and protect them than run any risk of besmirching the force in general. Thus it is hard for reformers to get evidence against police grafters, and it is almost unheard of for other cops to expose them.

As his title indicates, Mr. Lavine devotes a large part of his book to describing the so-called third degree. His accounts of it have the gaudy picturesqueness of good war correspondence. Blood not only flows in streams; it spouts and gurgles. He tells of criminals so badly beaten by police-station Torquemadas that they went *mashug-gah*, and Sing Sing had to yield them to Matteawan. But he manages to get through his account without any show of moral indignation. It is very uncommon, he says, for an innocent man to be thus ill used. The cops seldom get out their rubber-hose shillelahs and lengths of automobile tire save when they have a clearly guilty man before them, and are trying to force something out of him—say the names of his accomplices—that will aid them in their art. Mr. Lavine believes that few professional criminals are able to with-

stand a really brisk third degree. They may hold out long enough to be somewhat severely mauled, but by the time the ceiling begins to show bloodstains and their bones begin to crack they are eager to betray their friends and get to hospital. Many a time such a session *in camera* has yielded enough evidence to fill the death-house. Thus, while the third degree is clearly illegal, it is justified by the national pragmatism, for it undoubtedly works.

Mr. Lavine says that the curse of the cops, speaking professionally, is the sensitiveness of the district attorney's office to political and other pressure. Every day they see perfectly good cases go to pieces in the courtroom. As a result their most arduous labors, sometimes at the risk of their lives, go for naught, and they are naturally upset and full of woe. Not infrequently they beat up a prisoner because they fear that he will be able to escape any other punishment. They know that he is guilty, but they also know that he has a sharp lawyer, so they fan him while they have him. This fanning—or massaging, as they call it—is greatly dreaded by criminals. Says Mr. Lavine:

Strong-arm men, gorillas and tough gangsters who cheerfully commit dastardly and murderous assaults are usually not afraid of a mere arrest. . . . But massaging by the police is a different affair. The same gangster who would kick a stranger in the abdomen or use a blackjack on a passing citizen for refusing him the price of a drink will either whimper or scream with fear when the workout begins.

There is here a hint for lawmakers. Let them restore the bastinado, as has been done in England, and they will not have to resort to Baumes laws and other such extravagant and desperate devices, most of which do not work. The English, when they take a tough boy in an assault with firearms, give him what, in America,

would be regarded as a very short term of imprisonment, but they keep him jumping while he is behind the bars by cowhiding him at regular intervals. In consequence, there are very few gunmen in England. In the United States any such programme would bring loud protests from so-called humanitarians. But there is really no reason why whipping should be inhumane. In England its aim is not to butcher the culprit but simply to hurt him—above all, to invade and make a mock of his professional dignity. It is hard for him, when he gets out, to posture as a hero, for all his associates know that he has been flogged like a schoolboy, and they can imagine his yells.

Mr. Lavine's book deserves hard study by the ladies and gentleman who now appear before the country as penologists, and are full of plans to put down crime by metaphysical devices. He is not much of a philosopher, but he knows his facts. His picture of the police is the most accurate and illuminating ever got upon paper.

Mr. Hoover Under the Muckrake

THE GREAT MISTAKE, by John Knox.

\$3. 9 x 5¾; 176 pp. Washington: *The National Foundation Press.*

THE subject here is the Hon. Herbert Hoover, LL.D., thirty-first President of the United States, and the author, whoever he may be, takes a very unfavorable view of him. In fact, he hints more than once that the hon. gentleman ought to be impeached, and in support of that suggestion he brings forward a great deal of curious evidence, most of it having to do with the Hooverian activities, in the days before the war, as a promoter of mine stocks. I have read this evidence attentively, and I confess frankly that I did so in some hope of finding it convincing, but at the end I am forced to say that it leaves me full of