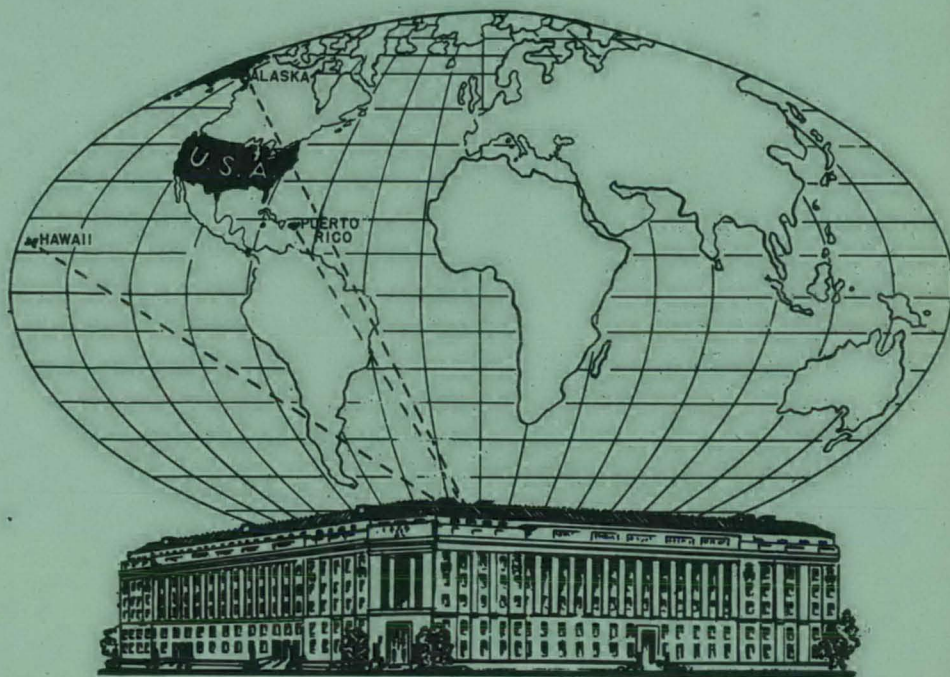


FBI LAW ENFORCEMENT BULLETIN

1941

April



HEADQUARTERS OF THE FBI,
DEPARTMENT OF JUSTICE BUILDING,
WASHINGTON, D.C.

Vol. 10

No. 4

Federal Bureau Of Investigation
United States Department Of Justice
John Edgar Hoover, Director

The Federal Bureau of Investigation, United States Department of Justice, is charged with the duty of investigating violations of the laws of the United States and collecting evidence in cases in which the United States is or may be a party in interest.

The following list indicates some of the major violations over which the Bureau has investigative jurisdiction:-

- Espionage, Sabotage, Violations of the Neutrality Act and similar matters related to Internal Security
- National Motor Vehicle Theft Act
- Interstate transportation of stolen property valued at \$5,000 or more
- National Bankruptcy Act
- Interstate flight to avoid prosecution or testifying in certain cases
- White Slave Traffic Act
- Impersonation of Government Officials
- Larceny of Goods in Interstate Commerce
- Killing or Assaulting Federal Officer
- Cases involving transportation in interstate or foreign commerce of any persons who have been kidnaped
- Extortion cases where mail is used to transmit threats of violence to persons or property; also cases where interstate commerce is an element and the means of communication is by telegram, telephone or other carrier
- Theft, Embezzlement or Illegal Possession of Government Property
- Antitrust Laws
- Robbery of National Banks, insured banks of the Federal Deposit Insurance Corporation, Member Banks of the Federal Reserve System and Federal Loan and Savings Institutions
- National Bank and Federal Reserve Act Violations, such as embezzlement, abstraction or misapplication of funds
- Crimes on any kind of Government reservation, including Indian Reservations or in any Government building or other Government property
- Neutrality violations, including the shipment of arms to friendly nations
- Frauds against the Government
- Crimes in connection with the Federal Penal and Correctional Institutions
- Perjury, embezzlement, or bribery in connection with Federal Statutes or officials
- Crimes on the high seas
- Federal Anti-Racketeering Statute
- The location of persons who are fugitives from justice by reason of violations of the Federal Laws over which the Bureau has jurisdiction, of escaped Federal prisoners, and parole and probation violators.

The Bureau does not have investigative jurisdiction over the violations of Counterfeiting, Narcotic, Customs, Immigration, or Postal Laws, except where the mail is used to extort something of value under threat of violence.

Law enforcement officials possessing information concerning violations over which the Bureau has investigative jurisdiction are requested to promptly forward the same to the Special Agent in Charge of the nearest field division of the Federal Bureau of Investigation, United States Department of Justice. The address of each field division of this Bureau appears on the inside back cover of this bulletin. Government Rate Collect telegrams or telephone calls will be accepted if information indicates that immediate action is necessary.

FBI
LAW ENFORCEMENT
BULLETIN

VOL. 10

APRIL 1941

NO. 4

PUBLISHED BY THE
FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

TABLE OF CONTENTS

| | | |
|---|-----------------------------|----|
| Introduction | John Edgar Hoover, Director | 1 |
| FBI Pledge for Law Enforcement Officers | | 2 |
| SCIENTIFIC AIDS | | |
| The Expert Witness of the Crime Detection Laboratory | | 3 |
| An Interesting Scientific Case, by Superintendent N. W. Goodchild, Oxford City Police, Oxford, England | | 19 |
| Check Flasher Gang Operating from the West Coast to the East | | 22 |
| National Fraudulent Check File | | 27 |
| IDENTIFICATION | | |
| A Questionable Pattern | | 31 |
| POLICE RECORDS | | |
| Pawnbrokers' Reports to Law Enforcement Agencies | | 32 |
| Criminal Repeaters | | 37 |
| MISCELLANEOUS | | |
| Wanted by the FBI -- James Francis Preston, with aliases, for Murder -- Unlawful Flight to Avoid Prosecution | | 38 |
| The Shadow of the Future, by Arthur W. Thalacker | | 41 |
| POLICE COMMUNICATIONS | | |
| Monroe, Louisiana, Police Radio | | 42 |
| BOOK REVIEWS | | |
| "Finger Printing" -- A Manual of Identification, by Charles Edward Chapel | | 43 |
| POLICE PERSONALITIES | | 44 |
| INSERT -- Fugitives Wanted, Missing Persons and Cancellations | | 47 |

The FBI Law Enforcement Bulletin is issued monthly to law enforcement agencies throughout the United States. Much of the data appearing herein are of a confidential nature and its circulation should be restricted to law enforcement officers; therefore, material contained in this Bulletin may not be reprinted without prior authorization by the Federal Bureau of Investigation.

The FBI LAW ENFORCEMENT BULLETIN is published by the Federal Bureau of Investigation, United States Department of Justice each month. Its material is compiled for the assistance of all Law Enforcement Officials and is a current catalogue of continuous reference for the Law Enforcement Officers of the Nation.

John Edgar Hoover, Director
Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

Recently, representatives of the Federal Bureau of Investigation returned from England where they had spent several months studying various phases of National Defense and Internal Security activities.

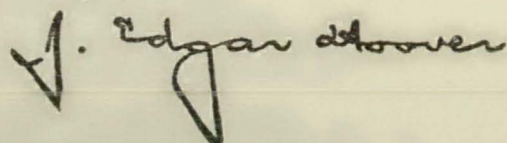
Certain officials of Scotland Yard indicated to these representatives, while they were in London, that frequently communications were received from police officers in the United States requesting information concerning methods and practices which were vital to the security of the United Kingdom. It was indicated that in many instances it was undesirable for this information to be furnished because of its confidential character and the lack of definite knowledge on the part of the English officials as to who might have access to the data provided it were furnished. The officials indicated their embarrassment at being thus unable to cooperate thoroughly and freely with all American police officials in furnishing information of this type. In some instances they were prohibited from doing so by instruction of the officers in charge of National Defense matters.

Inasmuch as a full disclosure of procedure and methods was made known to representatives of the Federal Bureau of Investigation in strictest confidence, it is suggested that communications requesting data of these types be addressed to the Director of the Federal Bureau of Investigation, United States Department of Justice, Washington, D. C., who might, as a result of the study made by FBI representatives in England, be in a position to answer the inquiries made if it would not be in violation of the confidence of the British officials in disclosing their secret methods of defense and defense operations.

I want you to know further that this suggestion is being made at the request of ranking officials of the Metropolitan Police Department of London, England, (Scotland Yard), and published here for the information and guidance of police officials throughout the United States.

Important also at this time is the fact that pertinent information, valuable in our own program of National Defense and Internal Security, will be included in the course of training in the FBI National Police Academy and in Retraining Schools for former graduates of the Academy.

Likewise, in connection with the Quarterly Conferences of Law Enforcement Officials on National Defense problems, this information will be made available.

J. Edgar Hoover

Director

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE



John Edgar Hoover, Director



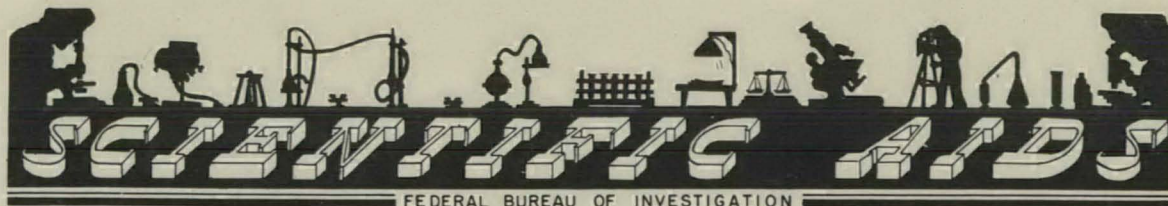
THE FBI PLEDGE FOR LAW ENFORCEMENT OFFICERS

HUMBLY RECOGNIZING THE RESPONSIBILITIES ENTRUSTED TO ME, I DO VOW THAT I SHALL ALWAYS CONSIDER THE HIGH CALLING OF LAW ENFORCEMENT TO BE AN HONORABLE PROFESSION, THE DUTIES OF WHICH ARE RECOGNIZED BY ME AS BOTH AN ART AND A SCIENCE. I RECOGNIZE FULLY MY RESPONSIBILITIES TO DEFEND THE RIGHT, TO PROTECT THE WEAK, TO AID THE DISTRESSED, AND TO UPHOLD THE LAW IN PUBLIC DUTY AND IN PRIVATE LIVING. I ACCEPT THE OBLIGATION IN CONNECTION WITH MY ASSIGNMENTS TO REPORT FACTS AND TO TESTIFY WITHOUT BIAS OR DISPLAY OF EMOTION, AND TO CONSIDER THE INFORMATION, COMING TO MY KNOWLEDGE BY VIRTUE OF MY POSITION, AS A SACRED TRUST, TO BE USED SOLELY FOR OFFICIAL PURPOSES. TO THE RESPONSIBILITIES ENTRUSTED TO ME OF SEEKING TO PREVENT CRIME, OF FINDING THE FACTS OF LAW VIOLATIONS AND OF APPREHENDING FUGITIVES AND CRIMINALS, I SHALL GIVE MY LOYAL AND FAITHFUL ATTENTION AND SHALL ALWAYS BE EQUALLY ALERT IN STRIVING TO ACQUIT THE INNOCENT AND TO CONVICT THE GUILTY. IN THE PERFORMANCE OF MY DUTIES AND ASSIGNMENTS, I SHALL NOT ENGAGE IN UNLAWFUL AND UNETHICAL PRACTICES BUT SHALL PERFORM THE FUNCTIONS OF MY OFFICE WITHOUT FEAR, WITHOUT FAVOR, AND WITHOUT PREJUDICE. AT NO TIME SHALL I DISCLOSE TO AN UNAUTHORIZED PERSON ANY FACT, TESTIMONY, OR INFORMATION IN ANY PENDING MATTER COMING TO MY OFFICIAL KNOWLEDGE WHICH MAY BE CALCULATED TO PREJUDICE THE MINDS OF EXISTING OR PROSPECTIVE JUDICIAL BODIES EITHER TO FAVOR OR TO DISFAVOR ANY PERSON OR ISSUE. WHILE OCCUPYING THE STATUS OF A LAW ENFORCEMENT OFFICER OR AT ANY OTHER TIME SUBSEQUENT THERETO, I SHALL NOT SEEK TO BENEFIT PERSONALLY BECAUSE OF MY KNOWLEDGE OF ANY CONFIDENTIAL MATTER WHICH HAS COME TO MY ATTENTION. I AM AWARE OF THE SERIOUS RESPONSIBILITIES OF MY OFFICE AND IN THE PERFORMANCE OF MY DUTIES I SHALL, AS A MINISTER, SEEK TO SUPPLY COMFORT, ADVICE AND AID TO THOSE WHO MAY BE IN NEED OF SUCH BENEFITS; AS A SOLDIER, I SHALL WAGE VIGOROUS WARFARE AGAINST THE ENEMIES OF MY COUNTRY, OF ITS LAWS, AND OF ITS PRINCIPLES; AND AS A PHYSICIAN, I SHALL SEEK TO ELIMINATE THE CRIMINAL PARASITE WHICH PREYS UPON OUR SOCIAL ORDER AND TO STRENGTHEN THE LAWFUL PROCESSES OF OUR BODY POLITIC. I SHALL STRIVE TO BE BOTH A TEACHER AND A PUPIL IN THE ART AND SCIENCE OF LAW ENFORCEMENT. AS A LAWYER, I SHALL ACQUIRE DUE KNOWLEDGE OF THE LAWS OF MY DOMAIN AND SEEK TO PRESERVE AND MAINTAIN THE MAJESTY AND DIGNITY OF THE LAW; AS A SCIENTIST IT WILL BE MY ENDEAVOR TO LEARN ALL PERTINENT TRUTH ABOUT ACCUSATIONS AND COMPLAINTS WHICH COME TO MY LAWFUL KNOWLEDGE; AS AN ARTIST, I SHALL SEEK TO USE MY SKILL FOR THE PURPOSE OF MAKING EACH ASSIGNMENT A MASTERPIECE; AS A NEIGHBOR, I SHALL BEAR AN ATTITUDE OF TRUE FRIENDSHIP AND COURTEOUS RESPECT TO ALL CITIZENS; AND AS AN OFFICER, I SHALL ALWAYS BE LOYAL TO MY DUTY, MY ORGANIZATION, AND MY COUNTRY. I WILL SUPPORT AND DEFEND THE CONSTITUTION OF THE UNITED STATES AGAINST ALL ENEMIES, FOREIGN AND DOMESTIC; I WILL BEAR TRUE FAITH AND ALLEGIANCE TO THE SAME, AND WILL CONSTANTLY STRIVE TO COOPERATE WITH AND PROMOTE COOPERATION BETWEEN ALL REGULARLY CONSTITUTED LAW ENFORCEMENT AGENCIES AND OFFICERS IN THE PERFORMANCE OF DUTIES OF MUTUAL INTEREST AND OBLIGATION.

ANNOUNCEMENT

MARCH OF TIME IS RELEASING A FEATURE PICTURE DEPICTING
THE WORK OF LOCAL LAW ENFORCEMENT AND THE FEDERAL BUREAU
OF INVESTIGATION IN THE HANDLING OF SABOTAGE, ESPIONAGE,
AND NATIONAL DEFENSE INVESTIGATIONS

THE RELEASE DATE IS APRIL 10, 1941



THE EXPERT WITNESS OF THE CRIME DETECTION LABORATORY *

by
J. Edgar Hoover, Director

Crime has never been an open thing. It seeks cover and secrecy. Often when a crime has been committed there are no actual witnesses who can supply the evidence needed to determine the identity of the criminal so that he may be apprehended and punished for his unlawful act. But no crime has ever been committed without the perpetrator having left some evidence of his guilt behind him. Perhaps it is a lone finger impression or a torn scrap of paper left carelessly at the scene by the criminal; maybe there has been violent death and a bullet is found in the body of a murdered victim. This does not seem like much evidence to the lay person, but to the investigator it may be the means that leads to the apprehension and ultimate conviction of the culprit. It is mute evidence; it cannot speak like the human witness, but it exists and when given voice through modern scientific methods it is the most valuable evidence that can be produced. It does not depend on fleeting memory or the vagaries of human nature. There is no need to question the honesty of such evidence, it is not biased, it has no prejudices. It is an integral part of the scheme of the crime that needs only to be interpreted in its true light and joined as another link in the binding chain of facts. Evidence of this nature possesses a latent quality. It is circumstantial evidence, the kind of evidence with which the expert witness is concerned.

Perhaps to better understand the problems involved in the testimony of the expert, a review of the development of the law permitting the expert witness to testify would not be amiss.

It is possible to use two methods of presentation before the court to have it reach a conclusion in reference to a matter at issue. The first is to present the thing itself that is in issue; for example, the producing of a bloodstained knife; the exhibiting of an injured limb; the viewing of premises by jury; or the producing of a document. "The second is the presentation of some independent fact by inference from which the persuasion is to be produced. The second falls further into two classes, according as the basis of inference is (a) the assertion of a human being as to the existence

* This article was originally prepared for the University of Detroit Law Journal. It appeared in the November, 1940, issue of that Journal and is being reprinted here through the courtesy of the Editor of that publication.

of the thing in issue, or (b) any other fact; the one is termed Testimonial or Direct Evidence, the other Circumstantial or Indirect Evidence." With the exception of the first class, all evidence must involve an inference from some fact to the proposition to be proved. In this direct or testimonial evidence and circumstantial or indirect evidence are alike, but the distinction between the two has been well presented in *State vs Carter*, where the court said that direct or positive evidence are facts testified to by witnesses which they have learned through their senses; while facts established by circumstantial evidence are those inferred from other facts proved in the case. The character of circumstantial evidence is not damaged by the fact that it ordinarily needs to be proved by testimony.

Not all circumstantial evidence, of course, is within the province of the expert witness. For the sake of clarity, if a murder is committed by the use of a knife and a bloody knife is found in the possession of the accused, there exists a circumstance from which an inference can be drawn. To carry the point further, today modern science can determine that the blood is human blood and sometimes can furnish evidence of value by reason of testimony as to the results of blood grouping. The man who makes such an investigation of the bloodstained knife when testifying gives his opinion that there was blood on the knife and that it was human blood. He interprets circumstantial evidence. The fact that he gives an opinion presents a two-fold problem. The first question concerns the admissibility of the expert testimony in the courts of justice and the second concerns the qualifications of experts.

The use of scientific methods of crime detection is not new.³ Such methods have not displaced the older methods of criminal investigation in determining the facts. There is no question, however, that the criminal investigator by making use of the already available developments of science in the interpretation of physical evidence has made rapid advances in the development of more convincing indirect evidence which is not subject to the limitations of the human witness. Extensive studies have been made of these limitations which must only serve to confirm our own opinions that we are untrustworthy depositories of knowledge, especially when we think of the weaknesses of our memories as we go about the performance of our daily tasks.

The value of indirect evidence is a legal principle accepted by the courts of law wherever the English system of jurisprudence has been established. It is true that occasionally a judicial voice is raised to claim that direct proof is far superior to the mute evidence which must be given expression through a witness, but this is an infrequent occurrence in these days.⁴ We must remember that the pure arts and the law were

1. Wigmore on Evidence, 2d Ed. Sec. 24.
2. *Houst. Cr. Cas.* 402 (Delaware. 1873).
3. "Scientific Methods of Crime Detection in the Judicial Process," by J. Edgar Hoover, *George Washington Law Review*, Vol 4, p. 1 (1935).
4. *Op. Cit.* supra note 1, Sec. 82.

completely divorced from science when the fundamental principles of our law were being formed.

With the growth of scientific progress beginning in the early part of the 19th Century, people began to be aware of the tremendous possibilities of science because of the changes that were brought about before their very eyes each succeeding day. Scepticism about science and the vapor of mysticism that cloaked every operator in the field began to dissolve until today the frequent announcements of new products, new industries, advanced strides in chemistry and medicine receive but slight attention from the public. Most of the people in the United States can remember when the automobile, the airplane, and the radio, were oddities. How easily we accept these marvels of human skill and ingenuity as commonplace!

Although the use of science in interpreting mute indirect evidence has faced high barriers in the past in the courts of our land, today the field of scientific interpretation of evidence has advanced to a point where its use, like the automobile, the airplane and the radio, is accepted as a commonplace fact. In *Folkes vs Chadd*, in 1782, opinion testimony was accepted from an engineer concerning the cutting of an embankment, which formed part of a harbor, and resultant damages which the defendant suffered. The court accepted the testimony of an engineer on the question of justification for the cutting, stating that "in matters of science, the reasonings of men of science can only be answered by men of science." The courts many years ago accepted the testimony of an expert or professional witness in a particular field after proof of the existence of certain conditions. The expert then was permitted to testify that the conditions existing could only have been brought about by the action of the immutable laws of nature and science in the field in which he was skilled. It is on this fundamental basis that expert testimony is received in the courts today.

Science makes it possible for the courts to have before them more complete information which can help to determine the guilt or innocence of a defendant. Through the application of the laws of science to evidence, facts are made available for consideration today which in the past would have been equally significant if it had been possible to present them to the court and jury. Ponder for a moment on the myriad of litigants there have been, the uncountable millions of defendants in whose cases, by the application of the principles of science, a perfect decision might have been made where due to the restricted information before the court perhaps only justice by chance was meted out.

There are special problems in the application of the principles of science to modern criminal cases, based primarily on the training of personnel to perform the work at a maximum of the possibility of perfection and fairness. Weighing heavily on the scale against the usefulness of science and the expert witness in the courtroom is the purchasability of expert opinion, a problem which will be discussed later.

5. Ct. of King's Bench, 3 Doug. 157.

6. *Mayor of the City of New York vs Pentz*, 24 Wendell N. Y. 667 (1840).

7. Op. Cit. supra, note 3, at p. 3.

When the scientist is called to the witness stand to give his findings from the evidence he expresses an opinion. The outstanding mark of the Anglo-Saxon system of jurisprudence is the proposition that the witness must only testify to facts that he has perceived through the use of his own senses and which are thus peculiarly within his own knowledge. The general rule has been established that the opinion of the witness is not ordinarily admitted into evidence. *

With the firm establishment of the rule that a witness may not testify except in reference to facts that he has observed, two general exceptions have developed. As a result of necessity or in some instances when no better evidence can be obtained, ordinary lay witnesses are permitted to express an opinion which has been deduced from the observation of particular events. * The most important reason for this exception is that frequently the witness cannot properly express the thoughts he has in his mind. From the mere existence of certain events or facts an inference may be drawn. Thus persons have been permitted to express the opinion that the testator of a will was insane at the time the instrument was signed. Where the issue is whether a person is of sound or unsound mind, a lay witness who has had an adequate opportunity to observe the speech and other conduct of that person may in some jurisdictions, in addition to relating the significant instances of speech and conduct, testify to his opinion of the mental capacity of the questioned person. * The lay witness can testify to a variety of reactions or opinions. He can testify concerning color, noise, sickness, health, weight, measurements, heights and depths. He can express opinions as to his observations concerning another individual, for example, whether that individual was in a state of anger, intoxication, fear, or excitement, and in addition a large variety of conclusions with which we are not concerned. "

The second exception which permits the expert to testify is a salutary one which, like permitting the lay person to testify to an opinion, is based on necessity, but necessity of a different sort. If the court is to have full benefit of all evidence, there is no doubt some of it will have to be interpreted by a competent authority if the judge, the jury and

8. Berckmans vs Berckmans, 16 N. J. E. 122, aff'd, 17 N. J. E. 453 (1864); Sikes vs Paine, 32 N. C. 280; Carter vs Boehm, Ct. of King's Bench, 3 Burr. 1905 (1766); Bogart vs City of New York, 200 N. Y. 379; Goodman vs Caledonia Ins. Co., 222 N. Y. 121; Norman vs Wells, 17 Wend. 136; McCarragher vs Rogers, 120 N. Y. 526, 24 N. E. 812; People vs Grutz, 212 N. Y. 72; Hillock vs Grape, 111 App. Div. 720, 97 N. Y. S. 823.
9. Pursley vs Edge Moor Bridge Works, 56 N. Y. App. Div. 71, aff'd 168 N. Y. 589; 60 N. E. 1119 (1901).
10. Turner vs Am. Security & Trust Co., 213 U. S. 257, 29 Sup. Ct. 420, 53 L. Ed. 788 (1909).
11. Hardy vs Merrill, 56 N. H. 227, 22 Am. Rep. 441 (1875). See also People vs Eastwood, 14 N. Y. 562; People vs Albers, 137 Mich. 678; Miller vs City of N. Y., 104 App. Div. 33, 93 N. Y. S. 227; People vs Marx, 128 App. Div. 828, 112 N. Y. S. 1011; Blake vs People, 73 N. Y. 586; Rawls vs Am. Mutual Life Ins. Co., 27 N. Y. 282.

ultimately the litigants are to benefit. This exception permits in evidence the opinions of persons who have qualified as experts. Such a witness is presumed by skill, training and previous experience to be better qualified to speak concerning the subject matter at issue and thus be in a position to better advise the judge and jury of certain facts in their true perspective. As a correlated thought, opinion evidence is not admissible when the subject matter is something the judge and jury understand without explanation.

An early interesting case on the subject is *Alsop vs Bawtrell*.¹² In that case physicians testified in a bastardy proceeding which resulted in the court declaring a child of legitimate issue. In *Lamoure vs Caryl*,¹³ the court stated that "In general the opinion of a witness is not evidence for a jury, although there are exceptions to the rule. But they all proceed on the principle that the question is one of science or skill, or has reference to some subject upon which the jury are supposed not to have the same degree of knowledge with the witness." To express the thought in another way, when the expert testifies it must be an instance where the opinion of an expert can be received. The subject must be peculiar and exceptional, requiring an explanation which a peculiar knowledge alone can afford in order to render it intelligible to the average man.¹⁴

A man must be an expert in his field to testify in court. Thus an otherwise ignorant and simple man who is skilled in steam fitting can testify as an expert on that subject in a court of law. The most brilliant statesman or educator in the Nation, not being an expert on steam fitting, cannot testify in reference to the subject. While the judges talk of experts skilled in the sciences, the arts and technical training, testimony is frequently given concerning matters with which people are acquainted through their everyday experience, but from which they are not capable of drawing the correct inference. This is a serious problem because the jurors who determine the facts make no pretension to superior skill or knowledge. The jurors should never be left with the possibility of doubt in their minds as to any of the facts. Certain expert witnesses when testifying are allowed by the courts to give their advice and assistance but it remains the function of the jury to draw the conclusion from the facts as clarified. In *Dougherty vs Milliken*¹⁵ it was held that experienced witnesses could testify concerning the construction of a derrick and discuss for the benefit of the jury the stress and strain a derrick could withstand. The expert could not testify to the conclusion of the safeness of the construction of the derrick. The jury, after having the facts explained to them, could perform their historic duty of determining the true facts without the aid of the expert.¹⁶ These expert witnesses are really not experts in the true sense of the term; they are only specially qualified as witnesses because they

12. Ct. of King's Bench, 1620, 2 Croke 541.

13. 4 Denio 370 (New York, 1847).

14. *Ellingwood vs Bragg*, 52 N.H. 488 (1872); *Sikes vs Paine*, 32 N.C. 280 (1849).

15. 163 N.Y. 527, 57 N.E. 575, 79 Am. St. Rep. 608 (1900).

16. *Ferguson vs Hubbell*, 97 N.Y. 507, 49 Am. Rep. 544 (1884); *Schultz vs Union Ry. Co.*, 181 N.Y. 33; *Atchison, T. & S.F. Ry. Co. vs Holloway*, 71 Kan. 1.

have had a greater opportunity for observation of certain conditions. Anyone with the same opportunity could testify in the same manner.

Another type of expert testimony is found in those cases where the conclusion to be drawn from the facts stated, as well as the knowledge of the facts themselves, depends upon professional or scientific knowledge or skill not within the ordinary training and intelligence of the jurors. In such cases not only the facts but the conclusions to which they lead may be expressed by the qualified expert.¹⁷

Experts in this division of cases who possess certain skill and knowledge actually help the jury reach its final conclusion of the facts by pointing out the inferences that are not obvious. In *Mayor vs Pentz*,¹⁸ the court stated in regard to this point that facts having been proved, testimony of men skilled in such matters may be admitted to prove the existence of other more general facts or laws of nature, or the course of business as the case may be, so as to enable the jury to form an inference for themselves. The expert's scientific opinion is in fact his testimony to a law of nature.¹⁹

Before discussing particular instances of the application of the expert's experience in the criminal court, certain related facts should be considered. As the criminal leaves behind him at the scene of a crime some mark or indication of his presence and the skill of the scientist can be applied to that evidence so that the most proficient and honorable dispensation of justice by the courts can be rendered, the problem arises as to how that evidence can be brought to the attention of the scientific expert, or better, directly to the laboratory where most efficient scientific examinations can be made.

In recent years there has been a notable increase of interest in scientific crime detection on the part of law enforcement officials throughout the United States. The Federal Bureau of Investigation has endeavored to assist in the training of police personnel in modern methods of law enforcement. The officer who has received training in scientific crime detection recognizes the full significance of the evidence which he develops in the course of investigating a violation of the law, and, more important, has the comprehensive understanding of the methods wherein science can aid him. Though the courts are willing to accept the results of scientific investigation, the archaic methods of some investigating officers preclude this possibility. The FBI, to help correct this condition, conducts a school for the training of law enforcement officers and lends the assistance of its various experts to aid in the training of police personnel throughout the land as a public service to the country. The law enforcement officer is willing to learn; he only needs expert assistance and now he is getting it.

17. *Supra*, note 15, at p. 527.

18. *Supra*, note 6, at p. 674.

19. *U. S. vs McGlue*, 1 Curt. 1, Fed. Cas. #15,679. See also: *Grigsby vs Clear Lake Water Works Co.*, 40 Cal. 396; *Eas. Trans. Line vs Hope*, 95 U. S. 297, 24 L. Ed. 477; *Swarts vs Wilson Mfg. Co.*, 115 A. D. 739; *Aff'd*, 193 N. Y. 623, 86 N. E. 1133.

To better appreciate this problem, an account of the training of Special Agents in the FBI will amply illustrate how the FBI is meeting the obvious but curiously overlooked task of training investigators to recognize the value of evidence developed during the course of an investigation so that courts and juries can be aided by science in passing on matters brought before them. The men selected to be Special Agents of the Federal Bureau of Investigation are graduates of accredited law schools who have been admitted to the bar and who have had at least two years of legal or business experience, or they must be graduates of an accredited accounting school with at least three years' commercial accounting and auditing experience.

After thorough examinations into these qualifications, an equally thorough investigation is conducted into the applicant's background, character and reputation and no community in which he ever worked or lived is overlooked. The object of this investigation is to assure that an adaptable, intelligent, balanced man has been selected for the duties of investigator, and moreover, one whose honesty is unimpeachable. After the potentially correct man has been selected from the many who apply, he is given a complete and thorough training lasting 12 weeks and consisting of practical instruction in all phases of modern scientific crime detection. The new Special Agent is taught how science can aid him and how to preserve evidence found at the scene of a crime. He learns the paramount importance of the scientific laboratory and its possibilities as an aid in the establishment of the guilt or innocence of persons suspected of committing crime. He is taught to realize the value of fingerprints, stains, soil, dust or any tangible or intangible clue which may be found at the scene of a crime.

Before discussing the qualifications of the expert witnesses assigned to the Laboratory of the Federal Bureau of Investigation, it is necessary to discuss an unhealthy phase of modern scientific criminal detection. With the recognition by the courts of the value of science in the criminal investigation, there have sprung up many pseudo scientists who are ready to testify to their findings in court as experts in various fields of science without the proper qualifications.

Justice suffers a definite setback with the testimony of unqualified experts who sometimes unfortunately are as lacking in honesty and integrity as they are in scientific training.

The files of the FBI contain many accounts of the chicanery and nimble wizardry of a few charlatans who would subvert justice to further their own ends.

The Laboratory facilities of the Federal Bureau of Investigation are made available to duly constituted law enforcement authorities of the United States without cost; experts are provided to testify to the results of their examinations, if needed.

Experts in the criminal field from many nations have called at the FBI so that they might gather new ideas for the development of their own laboratories.

The staff of the FBI Laboratory is composed of men who are taught from the inception of their association with the FBI to be the impartial dispensers of opinions based on their scientific examinations. They know they are paid for their services by the Federal Bureau of Investigation as scientists. They are aloof from any local conditions of influence or mere partiality. It is interesting to note that the substantive facts of the case in which evidence is submitted to the FBI Laboratory are unknown to the Laboratory expert who examines the evidence. Thus the FBI expert bases his opinion on his findings from the evidence submitted and from that alone.

The Laboratory staff of the Federal Bureau of Investigation is comprised of five groups; Document Identification Specialists, Analytical Chemists in Geology and Metallurgy, Analytical Chemists in Toxicology and Serology, Physicists and Firearms Identification Specialists. The technical expert, no matter in what work he specializes, must have majored in sciences and graduated from college. He must be a citizen of the United States and, at the time of his appointment, between the ages of 23 and 35 years. As to character, reputation, education, background and associates, candidates for positions in the Laboratory are just as vigorously investigated as are the candidates for the appointment as Special Agents. He enters the service of the FBI in the capacity of a junior grade technician. He is required to pursue a course of study in the phase of laboratory work for which he has qualified by education and experience. The potential expert selected for document examination work studies handwriting, typewriting, paper composition, ink analysis, obliterated writing and other forms of writing concealed in any manner. The Toxicologist-Serologist conducts a variety of examinations, among which are the determination of poisons, analyses of stains on clothing or other evidence submitted. They also make tests to determine the general source or origin of blood and blood groupings. The Geology-Metallurgy expert makes a study of metal crystalline structure. He also examines soil, clays, dust and other debris as evidence. The Firearms Identification expert conducts microscopic and macroscopic examinations of firearms, cartridges, shells, bullets and other projectiles. The Physicist is called upon to make examinations of unusual types of evidence by physical methods such as spectroanalysis.

Almost all the examinations are conducted for comparison purposes. For example, the document examiner may have an extortion note upon which appears certain handwriting. The Special Agent in the field will obtain handwriting specimens from various suspects. The known specimens will be forwarded to the Laboratory where they will be compared with that appearing on the extortion note. To further illustrate, an analysis is sometimes made of filings from locks or other metal particles found at the scene of a crime. Perhaps a file is found in the possession of a suspect. The particles found on the file can be compared with particles found at the scene of the crime. The expert after study can determine the similarity or dissimilarity of the metal particles.

The Technical Laboratory of the FBI is equipped with adequate scientific aids and precision instruments. Constant research is being

conducted in this field and the FBI is ever on the alert for better equipment. The experts depend upon the various laboratory instruments they use and they do not attempt to reach conclusions without first carefully examining the evidence in the Laboratory where all the necessary equipment for a proper examination is available.

A document examination covers all phases of the document being considered. Not only is a study made of the handwriting, typewriting, or printing which appears on the instrument but also the document examiner includes in his examination the study and comparison of paper, paper perforations, inks, pencil, carbon sheet or typewriter ribbon deposits. When required, analysis and identification of handprinting, typewriting, postmarks, printed matter, and lithographs can be made. In addition, examinations can be conducted to determine the approximate age of documents, the detection of alterations, erasures, obliterated writing, discovery of indented writings and blotted remains, and the reading of messages written with invisible ink or in code.²⁰

Generally speaking, a witness who is not an expert can testify to the genuineness of a disputed writing when he has seen the person whose handwriting is questioned write at least once, or has seen writings which were admitted to be the handwriting of the party questioned. In *Miles vs Loomis*,²¹ the court states "evidence of handwriting, it is universally conceded, may be opinion merely. It is universally conceded that a witness who has either seen the party write or who, not having seen him write, has received letters from him which have been 'acted upon' by him as genuine, is competent to give an opinion as to his handwriting. And this competency is not affected by the lack of frequency of observation, the length of time which has elapsed since the writing was seen, or the slightness of correspondence, although the weight of the opinion will, of course, depend much upon their circumstances." At common law, only documents in evidence could be used for comparison purposes. The rule thus laid down restricted to a great extent opinion testimony in reference to handwriting. But the case²² is important because it laid down the rule that the expert witness in handwriting was qualified to testify to his opinion after a comparison of the genuine and disputed evidence. The restriction which limited the witness to the use of known handwriting in evidence for comparison with the disputed handwriting was removed in England in 1854²³ and in the Federal Courts in 1913 by an Act of Congress.²⁴

20. Op. Cit. supra, note 3, at p. 10.

21. 75 N.Y. 288, 31 Am. Rep. 470 (1878).

22. Id. at p. 288.

23. The Common Law Procedure Act XXVII.

24. 37 Stat. 683 (1913), 28 U. S. C. A. 638 (1934); The rule was changed in New York State by the passage of what is now Section 332 of the Civil Practice Act which provides: "Comparison of a disputed writing with any writing proved to the satisfaction of the court to be the genuine handwriting of any person claimed on the trial to have made or executed the disputed instrument or writing shall be permitted and submitted to the court and jury in like manner."

The rule today in reference to the genuineness of the standard of comparison is shown by any of four methods, (1) by the concession of the person sought to be charged with the disputed writing made at or for the purposes of the trial, or by his testimony; (2) or by witnesses who saw the standards written, or to whom, or in whose hearing, the person sought to be charged acknowledged the writing thereof; (3) or by witnesses whose familiarity with the handwriting of the person who is claimed to have written the standard enables them to testify to a belief as to its genuineness; (4) or by evidence showing that the reputed writer of the standard has acquiesced in or recognized the same, or that it has been adopted and acted upon by him in his business transactions or other concerns.²⁵

An opinion by a specially qualified expert is generally held admissible today in the courts after a careful comparison by him of the disputed handwriting with a known genuine specimen.²⁶ Whether the expert is qualified to testify to handwriting is a question for the court to decide. In *Ellingwood vs Bragg*²⁷ a lawyer of forty years' experience at the bar who had the same experience the average lawyer has with handwriting and who had handled one or two cases which led him particularly to examine and compare handwritings, gave his opinion as an expert in reference to some handwriting. The trial court allowed the testimony but the Supreme Judicial Court of New Hampshire expressed the opinion that for a man to qualify as an expert he should be a man of science qualified by previous habit and course of attention, observation and particular and special study.²⁸ In line with this reasoning a handwriting expert should be especially conversant with handwriting. Many persons, because of their calling or means of livelihood, deal with handwriting in some way. They have been allowed to testify as expert witnesses. In *Goodtitle dem. Revett vs Braham*²⁹ the court permitted two postal clerks to qualify as experts. They testified they were experienced in inspecting postal matters. Based on this experience, they both gave the opinion that certain handwriting was imitated and not genuine.³⁰ In *People vs Fletcher*³¹ the court, in referring to expert handwriting witnesses says: "There is no distinct legal rule defining the precise qualifications of this class of witnesses." What qualifies a person as an expert in handwriting is a matter that "must of necessity rest, in the main, with the trial judge to determine whether a particular witness has the

25. *People vs Molineux*, 168 N.Y. 264, 61 N.E. 286 (1901).

26. *Supra*, note 21, at p. 288; See also: *Carter vs Jackson*, 58 N. H. 156; *Bell vs Brewster*, 44 Ohio St. 690, 10 N. E. 679; *State vs Ward*, 39 Vt 225; *Vinton vs Peck*, 14 Mich. 287.

27. *Supra*, note 14, at p. 490.

28. See also *Matter of Burbank*, 104 A. D. 312, 93 N. Y. S. 866; *Aff'd*. 185 N. Y. 559.

29. *Ct. of Kings Bench*, 4 Term R. 497 (1792).

30. *Rex vs Cator*, 4 Espinasse 117 (1802).

31. 44 N. Y. App. Div. 199, 60 N. Y. S. 777 (1899).

essential qualifications, and his decision will not be held to present an error of law, requiring a reversal unless it is against the evidence, or mainly without support in the facts appearing in the case." ³²

The expert witness compares disputed writing with genuine writing and gives his opinion as to whether they were both written by the same person. ³³ He may, however, give his reasons for the conclusion he has reached, and in fact such testimony may add great force to his opinion "for the mere expression of opinion standing alone has little probative force." It is a rule of general acceptance that an expert may always, if called upon, give the reasons for his opinion. ³⁴

The rule which exists in some states that permits as part of legitimate cross-examination the performance of tests in the court room to prove the falsity or genuineness of handwriting specimens by the expert, works a penalty which should be removed. The courts have declared that the incompetency of a professed expert may be shown as an independent fact in the same way and for the same reason that hostility of witnesses to parties in action may be shown. The courts believe that by demonstrating the incompetency of the expert, through his failure to make an accurate identification in court, testimony otherwise persuasive is shown to be unreliable. ³⁵ When such a demonstration is demanded, the honest expert is placed in the same category as a charlatan who might by sheer luck guess the correct answer to the problem given him in court. The expert usually can make a hasty examination during the course of the trial, but the best examination possible cannot be made under these circumstances. The conclusions reached by the FBI Laboratory expert, a man of splendid training and background, are studied and deliberate. There is no guesswork and the examinations he conducts are performed under the ideal conditions which exist in the Laboratory, with correct instruments and sufficient genuine handwriting for a proper test.

In one case decided in 1887, a county auditor, a teacher of penmanship, and attorneys at law were qualified as experts because of their employment and allowed to testify to the age of a document. ³⁶ It was not deemed necessary in the mind of the court that the expert witnesses have any knowledge of the chemical composition of the paper or possess any special scientific knowledge of the subject about which they were testifying.

32. *Slocovich vs Orient Mut. Ins. Co.*, 108 N. Y. 56, 14 N.E. 802 (1888); See also: *O'Brien vs McKelvey*, 118 P. 885, 66 Wash. 18, in which employees in county auditor's office were allowed to testify; they had occupied positions where they had to examine handwriting and signatures. *Rhea vs Cook*, Tex. Civ. App. 174 S.W. 392. Bank clerk who had taught in writing school qualified as expert.

33. *People vs Severance*, 67 Hun. 182, 22 N. Y. S. 91 (1893).

34. *Johnson Service Company vs Maderman*, 142 N.Y. App. Div. 677 (1911); See also: *McKay vs Lasher*, 121 N. Y. 477.

35. *Hoag vs Wright*, 174 N. Y. 36, 66 N. E. 579 (1903).

36. *Eisfield & Co. vs Dill*, 71 Iowa 442, 32 N. W. 420 (1887).

In another interesting case a more scientific approach was made to the problem of determining the age of ink on a writing. A microscope was used to help the expert. The court in this case also expressed the belief that the properly qualified expert could testify to information he obtained through the use of scientific methods and processes. The expert, by using this means, merely aided his natural senses.³⁷

Closely related to the laboratory work of the FBI in handwriting identification and document examination is the subject of the examination of writings by typewriters. The Bureau maintains a file of all known standards of typewriting. It is possible to show, by comparison of known samples with questioned writings, on what kind of a machine the disputed typewriting was prepared. If during the course of the investigation of a case by Special Agents of the FBI disputed typewriting exists and a suspected machine is found, samples made on the machine can be compared with the disputed typewriting and an identification effected if both were prepared on the suspected machine.

In *People vs Storrs*³⁸ the court said that it doubted whether typewriting could be deemed "handwriting" within the meaning of the existing Statute³⁹ yet a sample of typewriting which had no relation to the case at hand but which had been typed on a disputed typewriter, could be admitted into evidence upon the principle that where an impression is made upon paper, wood, leather or any other plastic material by an instrument or mechanical contrivance having or possessing a defect or peculiarity, the identity of the instrument may be established by proving the identity of the defects or peculiarities which it impresses on different papers.⁴⁰ The rule is based upon the assumption or proof that a typewriter machine may possess an individuality that differentiates it from other typewriters and which is recognizable through the character of the work it produces. Opinion testimony in reference to the peculiarities found in typewriters is no different from other special knowledge and it should be given by experts and those who are qualified by experience or familiarity with the facts.⁴¹

The crimes that usually cause the screaming headlines in the daily press are the ghastliest of murders and shootings. Death dealers, whether members of a desperate gang or a lone individual, use guns these days which they are able to purchase practically without restriction. Then, too, there are many citizens of our land who have the daily need of a gun for protection because of their isolated homes or mode of livelihood. In recent years, because of the common use of guns, new scientific progress has

37. *Williams vs Williams*, 112 Me. 21, 90 Atl. 500 (1930).

38. 207 N. Y. 147, 100 N. E. 730 (1912).

39. Sec. 961(d) of Code of Civil Procedure. See also *supra*, note 24.

40. *Supra*, note 38, at p. 152; See also: *Levy vs Rust*, 49 Atl. 1017, 1025; *State vs Freshwater*, 30 Utah 442; *Huber Mfg. Co. vs Clandel*, Kansas Supreme Court, 71 Kansas 441, 80 Pac. 960.

41. *Millman vs Drew*, 223 N. Y. App. Div. 691 (1928).

been made in law enforcement laboratories that is of great value to the criminal investigator. In keeping with this development the Federal Bureau of Investigation has equipped a complete laboratory for firearms examinations. Here men skilled in science are able to develop with the use of the comparison microscope, photomicrograph and other accessories, convincing evidence in relation to the use of particular firearms submitted for examination.

The most common examination is the comparison of the markings left on bullets after they have been fired from the barrel of a gun. When it was discovered that a projectile impelled by the force of gunpowder would follow a more accurate flight when expelled from a rifled barrel,⁴² a discovery was made that is the basis of many of the examinations in the FBI Laboratory. When a bullet leaves a barrel certain definite marks are recorded on it as the result of passage through the barrel. These markings are the result of the rifling which consists of lands and grooves. Comparison can be made between a recovered bullet and a bullet obtained from a suspected weapon fired for the purpose of examination. If both bullets bear the same markings in the lands and grooves caused by the rifled barrel the expert can definitely say that the recovered bullet was fired from the suspected weapon. It is possible for the scientist in the laboratory to examine a cartridge microscopically and determine from marks left by the breech block and other surfaces of the gun that recovered cartridges were once fired from the suspected weapon. The Laboratory of the FBI maintains a firearms collection which can be used to determine accurately the particular kind of weapon from which a recovered bullet was fired.⁴³ Though the development of accurate ballistic examinations is comparatively recent the courts have given such testimony considerable weight.

As in all other matters requiring the testimony of experts the courts have reserved for themselves the right to determine who is an expert. In the case of *Burchett vs State*⁴⁴ the expert was a banker who made ballistics a hobby and had attained great skill in his work. He testified that there was no question but that the ball found in the body of the deceased was shot from a gun owned by the defendant which he had in his possession the night of the killing. The banker said he was not an expert but the court in a novel manner exercised its prerogative and expressed the belief that the banker was sufficiently well educated and experienced to qualify as an expert. The court and not the jury should determine the qualifications of a witness.⁴⁵ Unless founded on some error of law, or a

42. All weapons other than those designed for shot cartridges, for example, shot-guns, have rifling on the interior of the barrels. The rifling, which consists of a varying number of grooves, usually about 4/1000 of an inch deep, is cut into the surface on the interior of the barrel on a helix. Its purpose is to impart a rotational spin to the bullet about its longitudinal axis to give it stability and prevent tumbling in flight.

43. *Op. Cit. Supra*, note 3, at p. 21.

44. 35 Ohio Appeals 463, 172 N. E. 555 (1930).

45. *Wigmore on Evidence*, Vol. 3, 2d Edition, Sec. 1314.

serious mistake or abuse of discretion, the ruling of the trial court on this preliminary question is not reversible error.⁴⁶

One of the first cases in which expert testimony was accepted on matters related to firearms is Moughon vs State of Georgia.⁴⁷ The court found no error on the part of the trial court in admitting testimony from a witness who stated he was familiar with guns all his life, that one barrel of the gun when examined the morning following the shooting, appeared to have been recently fired. Testimony was also accepted to show that shot lodged in the person of the victim and a banister near the scene of the shooting was found upon examination to be similar to the shot in the unexploded cartridge in the other barrel of the gun.⁴⁸

In Evans vs Commonwealth⁴⁹ the court devoted a great deal of time to the evidence of the firearms expert because of its convincing nature. The Chief of Police of Pineville, Kentucky, was killed by a left handed man wearing dark clothes. Very little other evidence of a direct nature was produced at the trial. The defendant admitted that he had a .45 caliber automatic pistol with him on the night of the killing. Found at the scene of the killing were six cartridges and one bullet dug from the ground. The individual offering himself as an expert qualified to the satisfaction of the court and then testified at great length as to the scientific examination he made of the suspected pistol in relation to the six cartridges and the bullet recovered at the scene of the killing. A claim of surprise was made by the defendant in reference to this evidence but the appellate court decided that a litigant can never be surprised when his adversary proves his case. The court also decided in this useful decision that the expert witness might use demonstrative evidence to exhibit the basis of his reasoning for the conclusion he reached.⁵⁰ Nor was it error for the trial court to permit the jurors the opportunity to observe through the comparison microscope the suspected bullet found at the scene of the killing and a bullet shot through the suspected weapon so that they could observe the similarity of the markings left on the bullets by the rifling in the weapon.

The objection was raised by the defense that the testimony of the firearms expert in identifying a bullet as that of one fired from the pistol of the accused is highly technical, unreasonable and extremely doubtful and therefore inadmissible. The court concluded after a review of the outstanding cases that the objection was without foundation and that the testimony of the expert on firearms should be admissible for the same reasons that the testimony of skilled or expert witnesses is accepted in other

46. 3 Jones on Evidence (2d Ed.) Sec. 1318; Gravette vs State, 147 Southern 641, the court said for a witness to testify as an expert he must be shown to be such; see Olson Sander vs State, 56 Southern 69.

47. 57 Ga. 102 (1876).

48. H. Pemberton vs The State, 55 Texas Crim. Rep. 464, 117 S. W. 837 (1909), wherein similar testimony was accepted by the court from an expert that the suspected death weapon was recently fired.

49. 230 Kentucky 411, 19 S. W. 2d 1091 (1929).

50. People vs Fisher, 340 Ill. 216, 17 N. E. 743 (1930).

matters, to help the jury reach a true verdict.⁵¹ The courts have stated that it is proper for an expert to testify to his opinion that recovered bullets and the test bullets were fired from the suspected weapon.⁵²

An expert was permitted to testify in the case of *People vs Fisher*⁵³ that no two firing pins on firearms make exactly the same impression when striking the caps of cartridges. Such evidence, the court stated, is admissible for what it is worth.

Individuals have been qualified as experts in firearms to testify to related matters. Testimony has been accepted by the courts to show the kind of a gun that was used,⁵⁴ powder burns left by the discharge of a gun in close proximity to an object,⁵⁵ and to the kind of gun by which a wound was inflicted.

The weight of the testimony of the witness in these cases, as in others where expert testimony has been accepted, is a question for the jury. The defendant's guilt or innocence is a matter to be determined by the jury after a review of all the evidence.⁵⁶

The Technical Laboratory of the Federal Bureau of Investigation is equipped to conduct many scientific examinations of evidence in addition to those matters discussed in this article. A number of the more important are the reproduction of marks and indentations such as footprints, automobile tire impressions, tool marks, tooth marks and death masks. Microscopic analysis is made of hair, fibers, spermatozoa, soil, dust, cloth ash, and other materials which defy identification with the naked eye. Chemical tests are conducted to determine the amount of a particular material present in an article being examined. Studies are made in the fields of serology and metallurgy. Spectrographic and micro-chemical analyses are conducted when the specimen of evidence is so minute as to defy determination by any other method.⁵⁷ The Technical Laboratory of the FBI performs a function that is fast growing indispensable to the proper and complete presentation of evidence in the criminal courts of our land. The truth of this statement is indicated by the fact that during the year 1939, 32,361 specimens were received for examination.

51. *Galenis vs. State*, 198 Wis. 313, 223 N. W. 790 (1929); See also: *Commonwealth vs. Sacco*, 255 Mass. 359, 151 N. E. 839; *People vs. Beitzel*, 276 Cal. App. 1006; *People vs. Fisher*, *supra*, note 50.

52. *Supra*, note 49; See also: *People vs. Weber*, 149 Cal. 325, 86 Pac. 671 (1906).

53. *Supra*, note 50, at p. 242.

54. *Franklin vs. Commonwealth of Kentucky*, 105 Ky. 234, 48 S. W. 986 (1899); See also: *Evans vs. Commonwealth*, *supra*, note 49, at p. 411; *People vs. Fisher*, *supra*, note 50, at p. 216.

55. *Long vs. Travelers Insurance Company*, 113 Iowa Rep. 259, 85 N. W. 24 (1901); See also: *State vs. Asbell*, 57 Kansas 398, 46 Pacific 770.

56. *State vs. Broccadoro*, 105 N. J. L. 352, 144 Atl. 612 (1929).

57. *Op. Cit. supra*, note 3, at p. 15.

The problem of correcting the abuses that can arise from the acceptance of testimony from any individual who claims to be an expert is very grave. Perhaps the courts as they view the work being done by the scientifically trained examiner, will themselves prevent the giving of expert testimony by any person not properly trained. Perhaps, too, with the continued success of the true presentation of the results from honest laboratories the courts will have brought forcefully before them the problem of the false expert ever willing to insert himself into a position to make an evil livelihood and deal with it so that the prosecution and the defense will have complete protection in the presentation of their cases. The obvious growth of the use of laboratory technicians is a gratifying sign and the development is bound to continue if the introduction of this testimony is kept on a high plane and is not permitted to become a legal see-saw of little use to the courts. The value of the technical expert should not depend on the numbers either side can produce but rather should the value depend on the quality, the skill and the learning of the expert.

The Federal Bureau of Investigation has dedicated its Laboratory to the cause of Justice.

ITEMS OF INTEREST

Arsenic trioxide is commonly thought of as a poison, but some of the inhabitants of Styria (a province of Austria) are "arsenic eaters" and take arsenic trioxide as a tonic. They do not show any symptoms of arsenic poisoning until they stop eating the arsenic. The bodies of the "arsenic eaters" when disinterred, are in a remarkably excellent state of preservation due to the preservative action of the arsenic.

It is possible to determine by chemical tests whether a person has drowned in salt water or fresh water.

The benzidine test for blood is so sensitive that it will detect one part of blood in 300,000 parts of solution.

Aconitine is a poison so deadly that one milligram - approximately one twenty-nine thousandth of an ounce - will be fatal to the average person.

AN INTERESTING SCIENTIFIC CASE*

by
Superintendent N. W. Goodchild
Oxford City Police
Oxford, England

A recent case of school breaking at Oxford illustrates again how useful the scientific crime detection laboratory can be to the detective and affords an excellent example of the completeness of the evidence which scientific aids can sometimes produce.

The caretaker of a large secondary school in the city arrived at the school at 6 A.M. on the 20th of January and found that during the night the premises had been broken into. The school is approached via a lane and is surrounded on three sides by the playing fields. Around the buildings are a number of flower beds in which sand had been mixed with the original heavy clay soil.

The window of a lavatory had been levered from its hinges and was lying on the ground. Inside the school offices a safe had been carried away from a room at the front and was found in a vestibule with the back ripped off. The sum of seven pounds, made up of five one pound notes, silver and copper, had been stolen.

The caretaker telephoned to the Central Police Station, and whilst detective officers went to the school other officers made a search of the city for possible suspects. One officer found two men waiting in the coach station. They had no luggage and said that they were waiting for a coach to London, having come to Oxford to visit a friend. The officer was not satisfied with their replies to his questions and detained them. Between them they had a little over seven pounds in money, including five one pound notes. They gave a vague account of their movements during the night, and this was obviously false although they adhered to the story. One of them had a cheap torch without a battery. Later a set of housebreaking tools, including powerful jemmys, was found in a field adjoining the school, but whilst one of the jemmys fitted the marks on the window which had been forced there was no evidence to connect the suspects with the tools.

The clothing, including boots, of the suspects was taken from them, and each item packed and sealed separately.

* From Oxford, England, comes this very interesting case showing the major part scientific crime detection plays in law enforcement work. Regardless of whether or not the evidence collected is presented in Court and convicts the culprit in the minds of the jurors and judge or whether it convinces the prisoner, prior to the time of his trial, the hopelessness of a "not guilty" plea, it serves the same purpose. In this case, as in many others, the suspect, when confronted with the overwhelming and undeniable evidence scientifically deduced and presented, entered a plea of "guilty" and saved the Commonwealth the expense of a trial.

In the meantime a careful examination of the premises had been made. On the stone window-sill of the lavatory a bunch of fibres was found. These were removed and sealed. Inside the lavatory a splinter of wood from the window frame was found, and this also had a bunch of fibres adhering to it. This too was separately packed.

No fingerprints could be found.

It was noticed that the safe ballast was in two groups, the top packing being light coloured and that at the side being much darker. Samples of each kind were taken.

The outside of the safe was painted dark green over a pink undercoat. The inner lining was painted light green directly on the metal. Scrapings of each kind of paint were taken and sealed.

Finally, samples of the soil from the lane, the playing fields, flower beds, and the field where the tools had been found, were taken.

The whole of the exhibits were taken to the West Midland Forensic Science Laboratory at Birmingham.

The fibres from outside the lavatory window-sill were found to consist of 13 wool fibres, each of a different colour, and two cotton fibres of different colours. These were found to be identical with fibres from the jacket of the first suspect. A similar result was obtained on examination of the fibres on the splinter of wood.

Soil present on the boots of both suspects was compared with the samples of soil taken from the flower bed and fields; it was found to be similar in structure and character. Further, two microscopic plants - one somewhat unusual - which occurred on the surface of the soil were present in the soil on the boots of both suspects. There was also on the boots of one of the suspects a small quantity of heavy clay soil similar to that in the lane.

The splinter of wood with fibres adhering to it which was found on the floor of the lavatory was found to consist of teak, and a splinter of teak of similar colouring was found in the trousers' turn-up of the clothing of the first suspect. From the trousers' pockets and turn-up of this man were extracted fragments of beech, spruce, Scots pine and box-wood. The packing ballast from the side of the safe was found to contain the first three, and that from the top of the safe was found to contain the fourth.

From the trousers and trousers' turn-ups of the second suspect fragments of beech, spruce, and Scots pine were extracted.

The dust was extracted from the clothing of both suspects. In the dust from the pockets and trousers' turn-ups of the first suspect there were found numerous particles of light green paint and also of dark green paint with a pink undercoating.

Similar particles of both kinds of paint were found in the dust from the trousers, trousers' turn-ups and coat pockets of the second suspect, whilst particles of light green paint were recovered from his trousers' pockets.

The two varieties of paint recovered from the clothing of both suspects were subjected to tests and found to be identical in colour and chemical composition with the samples of paint which had been taken from the safe.

There was thus abundant evidence upon which to charge the two suspects, in the one case the contact being established both ways by fibres from the clothing being found at the scene of crime whilst material from the scene of crime was found on the clothing of the suspect, and in the other case the contact being established only one way but by a combination of materials which could leave no room for doubt.

Charged at Quarter Sessions, both men pleaded guilty and were sent to prison.

No charge could have been preferred without the aid of the laboratory, since the two prisoners were never seen nearer than two miles from the scene of the crime, nothing identifiable had been stolen, and neither would admit their guilt until overwhelming evidence had been found against them.

ITEMS OF INTEREST

Blood groups are inherited from the father and mother and thus it may be possible to determine whether a given individual could have been the parent of a child in question, or it may on the other hand be possible to show that the individual could not have been a parent of the child.

Carbon monoxide is one of the oldest poisons known to man. The ancient peoples attributed poisoning by coal gas, which contains carbon monoxide, to evil spirits in the vapors. This gas was used as a form of capital punishment during the Second Punic War.

Glass is not a solid as commonly believed, but is a supercooled liquid.

**CHECK FLASHER GANG OPERATING FROM THE
WEST COAST TO THE EAST**
(Supplement to article appearing in this
Bulletin for October, 1940)

DOMINIC COGLIANDRO, alias CHARLES R. COGLIANDRO, #FBI-543803, has been identified as another member of this gang of check flashers and is presently in custody at the San Francisco, California, Police Department.

Dominic Cogliandro

Age, 30 years

Height, 5' 8 $\frac{1}{4}$ "

Weight, 140 pounds

Eyes, brown

Hair, black

Marks and Scars:

Blotch scars behind
right and left ears



Photograph of Dominic Cogliandro

According to information received from the Berkeley, California, Police Department, COGLIANDRO has confessed to passing some checks similar to those appearing in the October, 1940, issue of this Bulletin. He further implicated JAMES L. ARMENTROUT, #FBI-656347, whose photograph appears in the reference Bulletin as the man responsible for making these checks on a handprinting press and issuing them.

The latest report on the activity of ARMENTROUT was obtained from the Atlanta, Georgia, Police Department. While in Atlanta, about January 21, 1941, he passed several pay roll checks on the SHELL OIL COMPANY, INC., under the name of ROY HARING.

The following are the modus operandi, habits and characteristics of ARMENTROUT as given by COGLIANDRO:

ARMENTROUT makes these checks on a handprinting press; fills them out with a portable Remington typewriter and a word-writing Todd check protector; and passes them himself or gives them to an accomplice to

*Roy Haring
a Witness & Cruzel*

Federal Bureau of Investigation, U.S. Dept. of Justice - 95-3858-68 Q54

ATLANTA, GA. January 16th 1941
Pay from the PAY-ROLL ACCOUNT of the \$ 18.56
SHELL OIL COMPANY, INC. NO: F 296 77

To **Roy Haring** ----- or Bearer
DISTRICT OFFICE Atlanta WITHDRAWAL NO. 7-8890536

EXACTLY EIGHTEEN DOLLARS FIFTY SIX CENTS

FIRST NATIONAL BANK
of ATLANTA 6-64-130



[Signature]
Cashier

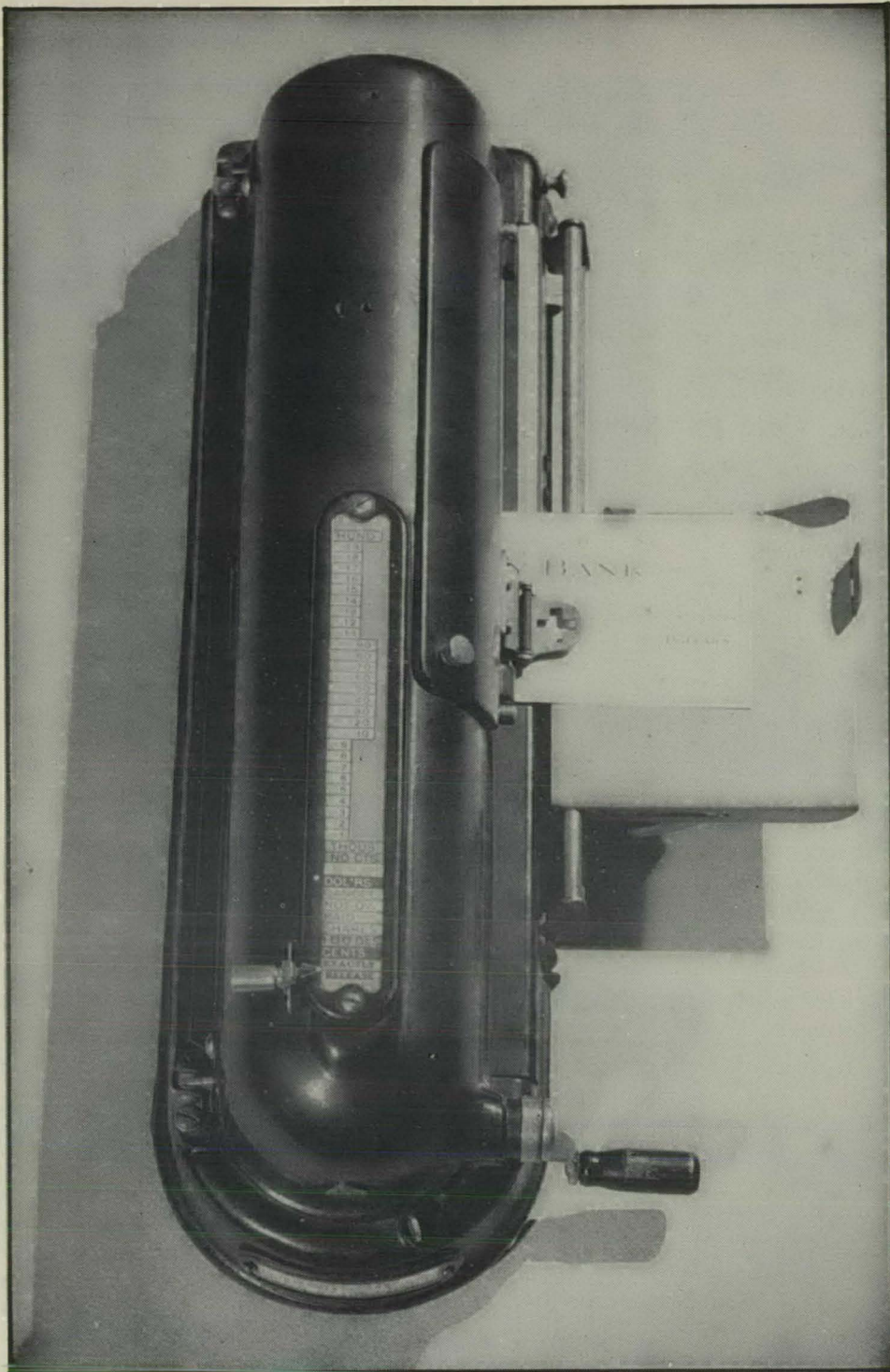
Check issued in Atlanta, Georgia, About January 21, 1941

pass. In writing the signatures on the checks he prefers to use a plain pen and effects the heavy writing by using extreme pressure. He always endorses the check in the presence of the victim and if the victim provides a different writing instrument, the quality of the writing changes.

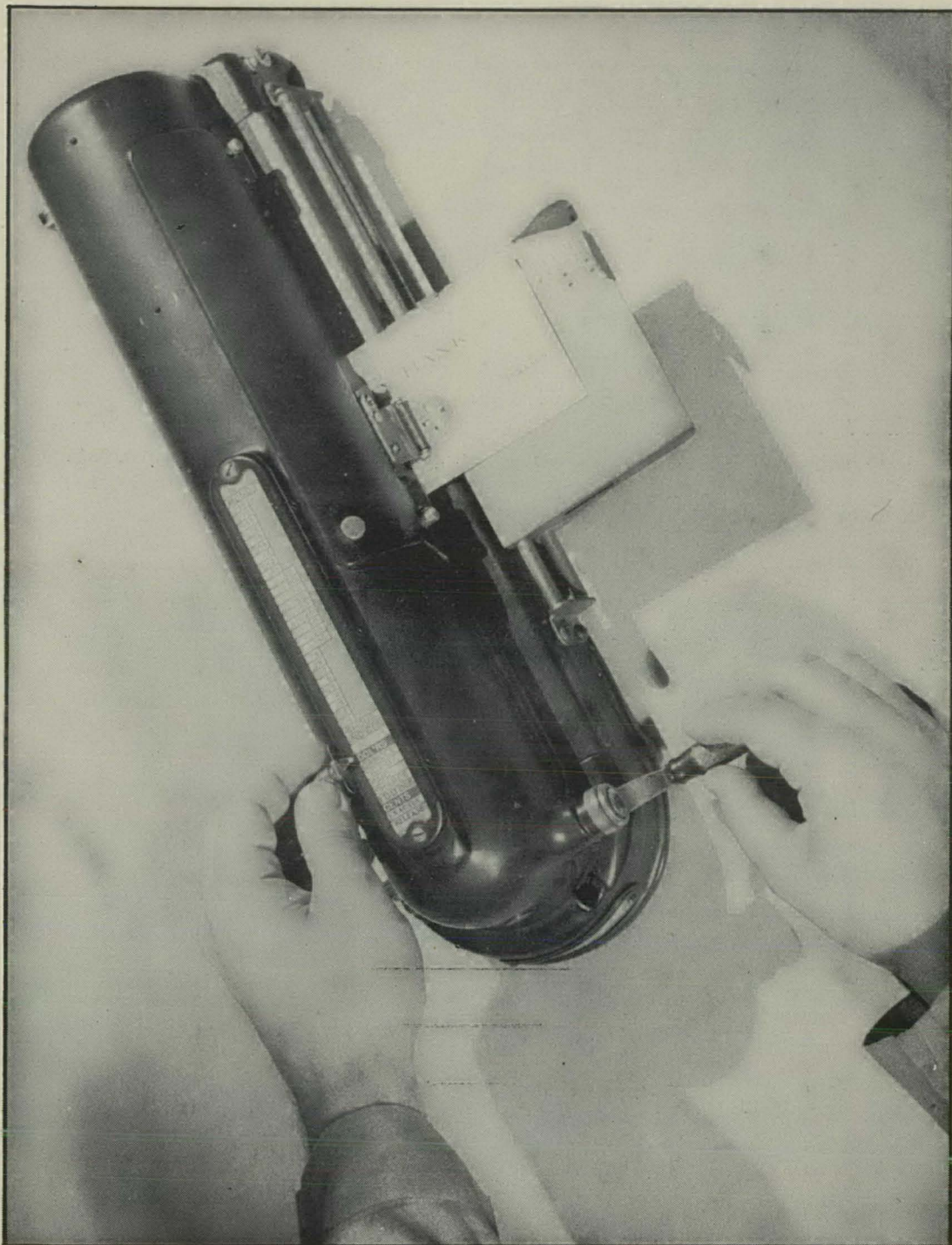
If ARMENTROUT has his accomplice pass the check he waits nearby in an automobile, watches the accomplice leave the store and picks him up around the corner. If working alone he will park his car around the corner before passing a check.

ARMENTROUT, according to COGLIANDRO, has expensive habits. He likes to eat in expensive restaurants, especially those serving Jewish food. He always lives in apartments of respectable character, paying rentals of from \$40.00 to \$50.00 per month in a quiet district. He travels by automobile, usually in his own car, but will buy an old car and remove the license plates to use on his own automobile.

Due to his ability as a photographer, ARMENTROUT may now be engaged in legitimate photographic work.



Type of Check Protector Being Used by James L. Armentrout



Another View of the
Type of Check Protector Being Used by James L. Armentrout

ARMENTROUT is believed to be traveling with a girl who is described as follows:

| | |
|-----------------|--|
| Age | 21 years |
| Height | 5' 3" to 4" |
| Weight | 115 pounds |
| Hair | Dark brown |
| Eyes | Dark |
| Complexion | Light olive |
| Peculiarities | Oval face and high forehead |
| Descent | Irish-English |
| Dress | Good but somewhat flashy; uses lots of lipstick and eyebrow pencil |
| Criminal Record | None in Bureau's files under this description. |

While operating in Berkeley, California, on October 22, 1940, ARMENTROUT had a male companion described as having blond wavy hair, fair complexion, slender face similar in shape to ARMENTROUT'S, probably blue eyes, some freckles, and being about twenty-five years of age and about the same height and weight as ARMENTROUT.

This man had in his possession a dark colored sedan, four or five years old, make unknown, to which ARMENTROUT transferred his equipment after abandoning his own car in Oakland, California, on October 22, 1940.

This information has been compiled for the information of all law enforcement agencies and if any law enforcement agency should learn of the identity of any other members of this gang or of the whereabouts of ARMENTROUT, it is requested that you advise the FBI in order that this information may be passed on to other interested law enforcement agencies.

NATIONAL FRAUDULENT CHECK FILE (The National Clearing House for Fraudulent Checks)

Recently an NPA graduate who had been sent to attend the Bureau's School for the Sheriff's Office, Olympia, Washington, advised that a man walked into a cigar store at Olympia and inquired as to the Sheriff's name. Afterwards he wrote a check on the Sheriff's personal account making it payable to himself as a Deputy Sheriff; entered the Five and Ten Cent Store across the street; presented the check to the manager after showing a round shaped badge with the words "DEPUTY SHERIFF" on the face and flashing a worn commission card on which was the photograph of the subject. The check was cashed by the manager.

In Charleston, South Carolina, a man answered an advertisement for a room. After looking the room over he decided to take it and as a down payment presented a Bank of North America traveler's check which was in excess of the room rent. The landlady called her husband in order to obtain the necessary change. Upon his appearance before the man with a detectives badge pinned to his vest, a hurried and much embarrassed exit was made by the check passer. The police officer immediately took the check left behind to the police station and found that three other persons had been similarly fleeced about one hour before with bogus Bank of North America traveler's checks.

For one year now, work with the National Fraudulent Check File has been interesting and increasing. The increase has become almost negligible when weighed against the enormous amount of personal satisfaction received by the Sheriffs writing "Thanks for clearing up two of our forgery cases," or the Chiefs saying "Deeply appreciate your solving a check case which has been among our unsolved cases for five years." Such has been the expression of numerous Sheriffs and Chiefs of Police.

You may well ask, why such expressions of gratitude? It is for the most part due to the National Fraudulent Check File, the "National Clearing House" for fraudulent and fictitious checks. In order to understand this, analyze the problem or problems which confront the police officer in investigating a check case. You will find that it is not a simple task but a difficult one. The habit of the professional check passer is not to sit in one spot but to move around over relatively large areas, utilizing the automobile, train and airplane. So it is not long before he is out of the investigative jurisdiction of the local officer. As a further means of evading the investigator he may take on helpers who act as fronts for him, passing the checks he writes. If they are caught he moves on and hires new assistants. He may even employ various forms of disguises, such as dying his hair, changing clothing, or license tags, et cetera. His modus operandi is also susceptible to change. There are hundreds of ways in which the professional check flasher may evade the law enforcement officer. Therefore, the problem of catching the fugitive check flasher is not so simple.

To help the law enforcement officer in solving his check cases, extensive work is being done through the laboratory examinations, personal

contacts with the police officers, lectures, and the FBI Law Enforcement Bulletin. As a result of this work 2,632 checks having an estimated face value of \$675,834.15 were examined and reported on in the FBI Technical Laboratory in 1940. In this period there was noted a slight drop in the number of checks in the last six months of 1940 examined as compared with the first six months of the same year. This drop was probably due to the inability of the Laboratory to make handwriting examinations for other than Federal law enforcement agencies. However, there has been shown a 26 per cent increase in the past six months in the number of cases identified in the National Fraudulent Check File over the first six months of 1940. This increase can be undoubtedly attributed to the development of a more representative cross section of the Nation's professional check flashers in the "National Clearing House" of fraudulent checks. The Bureau's Field Offices and contributing law enforcement agencies have been very instrumental in the forming of this cross section.

During 1940, seven issues of the FBI Law Enforcement Bulletin advised law enforcement agencies of the United States and Territorial Possessions of the functions of the National Fraudulent Check File or of the activities of some check flasher. In every instance the appearance of an article in the Bulletin seemed to be the signal for numerous queries on the operation of the check file or for some additional information on the subject in the article. Frequently, instead of requesting information, information was given by some police department. This information was, of course, passed on to any other interested agency by the Bureau.

The article "Oil Company Workers - Check Forgers" in the December, 1940, issue of the FBI Law Enforcement Bulletin resulted in the receiving of valuable information on these forgers. The Bureau of Investigation, Topeka, Kansas, advised that four passers of these Oil Company checks had been successfully prosecuted in the State Court and that a fifth member of the group was known but was still a fugitive. At least five police departments have benefited from this information and others will later benefit through inquiries of the Bureau or the informed police departments.

In the October, 1940, issue of the Bulletin, the article "Check Flasher Gang Operating from the West Coast to the East," was found to be very productive. Theodore R. Llewellyn, a member of this gang, was arrested on a minor check charge in Mt. Clemens, Michigan. He made good this check and was subsequently released. Meanwhile, an alert Mt. Clemens police officer in reading the article in the FBI Law Enforcement Bulletin, on the check flashers operating from the West Coast to the East, recognized the photograph of one of the subjects in the article as being the man he had just released. Noting that Llewellyn was wanted by various law enforcement agencies on check charges, the officer went to the address Llewellyn had given, picked him up and held him for the out-of-State authorities. Such incidents as these well illustrate the value of publishing these data in the FBI Law Enforcement Bulletin.

In the last quarter of 1940 an Unusual Modus Operandi File on professional check flashers was established in the Technical Laboratory.

This file is limited to those check passing schemes which are of a very unusual nature. Although the file is very small, it must remain relatively small to be most beneficial. The results obtained thus far have been interesting.

On one occasion a report from Arizona was received of the check activities of two men representing themselves to have been connected with the Dies Committee. They displayed Government papers and newspaper clippings concerning various investigations purportedly made by them. One of the men was reported to walk with a slight limp. This scheme was considered sufficiently unusual to earn a place in the Modus Operandi File. About three weeks later a letter was received from a citizen of Virginia advising of the check activities of a slightly crippled man who claimed to have been formerly employed by the Dies Committee and displayed various Government papers. This report brought to mind the similar scheme of the two men operating in the Southwest United States. A check of the Unusual Modus Operandi File revealed the case reported from Arizona was identical as to modus operandi of the subjects. A thorough examination was made of these two cases. Much satisfaction was obtained from learning that these check flashers, though operating in very distant points, were very probably the same gang.

As a supplement to, but forming a very integral part of, the Modus Operandi and Fraudulent Check Files, there has been developed an Alphabetical Signature File of Check Flashers in the Technical Laboratory. In the four months since the file was started approximately 800 signatures used by the check passers in their nefarious schemes have been collected. Although the signature file is still in the embryonic stage, the apparent value becomes greater as more signatures are added. In several instances, these signatures have been of assistance in identifying and locating specimens in the check file which would ordinarily have taken several hours to locate. In addition it has been found possible to cut down the number of specimens added to the check file and prevent the cluttering of it with miscellaneous writings. The Signature File has been instrumental in speeding up somewhat the searches in the check file because when searching the check file fuller attention may be given to the make-up and form of the check after a comparison is made of the comparable signatures in the signature file.

Although the FBI Technical Laboratory has been limited in the amount of aid it may render to the local law enforcement agencies in the form of document examinations, every effort is being made to assist them if at all possible. Besides the searches made in the National Fraudulent Check File of Bogus Checks on the basis of their general make-up and form for the police departments, they are treated for latent fingerprints, if of a recent issue.

If the checks are prepared with typewriters or check protectographs they are advised of the make of typewriter or protectograph used, if possible. Incidentally, during the past year eleven check protectographs representing those most commonly used by the professional "check

flasher" were obtained by the FBI Laboratory. These machines are studied for their design and mechanical structure as well as the types of impressions made by each. Frequently, they have been of vital importance in determining the answer to some question brought up in the examination of the check-writer impressions.

In short, every effort is being made to utilize all of the facilities of the FBI Technical Laboratory to assist not only our own Bureau but every interested law enforcement agency in the curtailment of the activities of the professional check flasher.

ITEMS OF INTEREST

That motor vehicle deaths are on the increase in the United States again is reflected in a report made up by the Statistical Bureau of the National Safety Council of Chicago in its release of February 28, 1941.

| | <u>1941</u> | <u>1940</u> | <u>1939</u> | <u>1938</u> |
|--------------|-------------|-------------|-------------|-------------|
| January----- | 2760 | 2530 | 2480 | 2690 |

The January, 1941, deaths are:

- 9 per cent above January, 1940
- 11 per cent above January, 1939
- 3 per cent above January, 1938

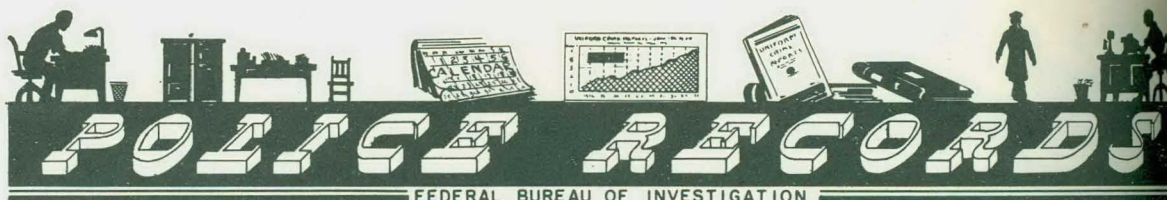


A QUESTIONABLE PATTERN

The finger impression reproduced below bears a striking resemblance to a pattern of the whorl type. However, a careful analysis of this pattern reveals that it does not fulfil all of the requirements of any one of the four types of whorls. For example, although recurving ridges occur in front of delta D, no recurving ridge or ridge at right angle occurs in front of formation B. Ridge A does not recurve but merely abuts ridge E. Moreover, this pattern cannot be considered an accidental whorl as ridge F does not form a tented arch.



This pattern is classified as a fourteen-count loop in the Identification Division of the Federal Bureau of Investigation.



PAWNBROKER'S REPORTS TO LAW ENFORCEMENT AGENCIES

The importance of accurate daily reports to law enforcement agencies concerning property pawned is widely recognized by police officers in the United States. For years it has been the practice of many departments to require the daily submission by pawnbrokers of such reports in ledger form, each sheet containing entries concerning several different transactions. A somewhat improved procedure consists in requiring the pawnbrokers to record a description of each piece of property taken in pawn on a separate 3" x 5" card, which can be readily searched through the police indices and subsequently filed.

For example, in the City of Indianapolis, Indiana, any person pawning an article or selling a secondhand piece of personal property to a dealer leaves with the pawnshop operator or the secondhand dealer not only his description but his right thumb print which, according to a City Ordinance, is promptly transmitted to the Chief of Police.

Indianapolis General Ordinance No. 75, 1937, as amended, prohibits pawnbrokers from doing business between the hours of 7:00 P.M. and 7:00 A.M. Neither can they be open for business on Sundays or certain specified holidays.

Pawnbrokers are required to place the description of each article pledged or received on the front side of a 3" x 5" card which is provided by the licensee. The ordinance specifically describes four separate types of cards, one each for the following types of property:

1. Watches
2. Jewelry
3. Clothing
4. Miscellaneous articles

Cards of different colors are used in order that each type of card may be readily distinguished from the others. The pawnbroker is required to fully describe the article pawned in accordance with the headings printed on the face of the card.

The printed headings on the reverse side are the same on all cards; on this side the pawnbroker is required to enter the description of

the patron, and the patron must enter in his own handwriting his name and address. In addition, the patron must place the impression of his right thumb in the space provided. The print must be taken in the usually approved manner, and must not be blurred or obliterated.

The cards for watches and jewelry pawned bear printed headings adapted to the recording of appropriate descriptive data for the special types of property involved. The card for miscellaneous articles pawned is, except for the caption, identical to the one used in recording clothing pledged.

For the information of interested law enforcement officials, photographic reproductions are presented herein showing the front side of the watch, jewelry, and clothing cards. Only one reverse side is reproduced, inasmuch as it is the same on all cards.

| | | | |
|---------------------------|---------------|----------------------------|-----------------------|
| 9 | | | |
| FOR WATCHES ONLY | | | |
| LADY'S OR GENT'S | JEWELS | MAKE | NUMBER OF WATCH WORKS |
| SIZE | MATERIAL | STYLE | NUMBER OF CASE |
| INITIALS AND INSCRIPTIONS | | | |
| PURCHASE PRICE | AMOUNT LOANED | RECEIVED A. M. P. M. | DATE 19 |
| DEALER'S NAME | | | |
| LOCATION | | | |
| DEALER'S TICKET NO. | | DATE REPORTED | 19 |

Exhibit 1

Photographic Reproduction of Pawnbroker's 3" x 5" Card used by the Indianapolis, Indiana, Police Department, to record WATCHES received by the Pawnbroker. The color of this particular card is BLUE.

| FOR JEWELRY AND DIAMONDS ONLY | | | | |
|---------------------------------|----------------|--------------------|------|------|
| ARTICLE | | MATERIAL | | |
| INSCRIPTION, ETC. | | SETTING AND DESIGN | | |
| | | NO. | KIND | SIZE |
| PURCHASE PRICE | TRADE-IN PRICE | | | |
| TIME RECEIVED A. M. P. M. | DATE | | | |
| DEALER'S NAME | | | | |
| DEALER'S LOCATION | | | | |
| DATE REPORTED | | | | |
| DEALER'S LICENSE NUMBER | | | | |

Exhibit 2

Photographic Reproduction of Pawnbroker's 3" x 5" Card used by the Indianapolis, Indiana, Police Department, to record JEWELRY and DIAMONDS received by the Pawnbroker. The color of this particular card is YELLOW.

| CLOTHING ONLY | | | |
|-----------------------------------|----------------|--------------------|------|
| ARTICLE | | COLOR | |
| MAKER'S NAME | | MATERIAL | |
| INITIALS, NAME AND CLEANER'S MARK | | | |
| PURCHASE PRICE | TRADE-IN PRICE | RECEIVED | DATE |
| | | | |
| DEALER'S NAME | | | |
| LOCATION | | | |
| DEALER'S LICENSE NUMBER | | DATE REPORTED 19__ | |

Exhibit 3

Photographic Reproduction of Pawnbroker's 3" x 5" Card used by the Indianapolis, Indiana, Police Department, to record CLOTHING received by the Pawnbroker. The color of this particular card is PINK.

| | | | | | | |
|--|-----|--------|-----|-----|-------------|------|
| SIGNATURE | | | | | | |
| ADDRESS | | | | | | |
| DESCRIPTION OF CUSTOMER. TO BE FILLED OUT BY THE DEALER. | | | | | | |
| SEX | AGE | HEIGHT | FT. | IN. | WEIGHT | LBS. |
| RACE OR NATIONALITY | | | | | | |
| CLOTHING | | | | | | |
| COMPLEXION | | | | | | |
| CENTURY PRESS, 580 CENTURY BLDG., LI. 1974 | | | | | | |
| | | | | | RIGHT THUMB | |

Exhibit 4

Photographic Reproduction of the reverse side of Pawnbroker's 3" x 5" Card used by the Indianapolis, Indiana, Police Department, to record MISCELLANEOUS ARTICLES received by the Pawnbroker. The color of this particular card is WHITE.

Other special cards, each of a different color, are used in Indianapolis for reporting the following types of property received:

1. Bicycles
2. Adding machines, cash registers, check protectors, typewriters, and dictaphones
3. Chandeliers, steel dome reflectors, and other electrical fixtures
4. Musical instruments
5. Sinks, bathtubs, faucets, and other plumbing fixtures
6. Shotguns, rifles, and revolvers.

The Ordinance provides that pawnbrokers shall maintain certain books of records concerning property pledged which shall be at all reasonable times open to the inspection of the Mayor and Chief of Police or any persons designated by them.

In addition, all goods or articles pledged or received by any licensed pawnbroker must be retained by the pawnbroker for a period of not less than 96 hours from the time the report of the pledge was made to the Chief of Police.

It is unlawful for any licensed pawnbroker in Indianapolis to accept a pledge or to receive goods or articles from any person who is in an intoxicated condition, from any person who is a suspected or known thief or associate of thieves, or from a suspected or known receiver of stolen property.

The Ordinance, of course, contains a penalty clause providing that any persons violating the provisions of the Ordinance shall, upon conviction, be fined not less than \$5.00 nor more than \$300.00, to which may be added imprisonment not to exceed thirty days.

Indianapolis General Ordinance No. 39, 1940, approved on June 5, 1940, is similar to the Ordinance regarding pawnshop operators, but is applicable to secondhand dealers.

The practice in Indianapolis of requiring pawnshop operators and secondhand dealers to furnish the foregoing information to the Chief of Police is followed in a generally similar manner in many other cities, except as to the requirement that a finger impression of the person pledging or selling articles be a part of the record.

The procedure of obtaining records from pawnshop operators and secondhand dealers as described heretofore has been found to be a vital factor in the successful operation of lost and stolen property files by law enforcement agencies. The cards received daily from the pawnshop operators and secondhand dealers can be checked against the cards already in file representing property previously reported lost or stolen. If no identification is made the pawnbrokers' cards should be inserted in the file for future reference, because in some cases the report of the loss or theft will not be received from the victim until after the property has been pawned. This is especially likely to happen during the period when many residents are on vacation trips.

A general explanation concerning the setup and maintenance of a lost and stolen property index by a law enforcement organization is included in the "Manual of Police Records" issued by the Federal Bureau of Investigation. A copy of the Manual will be gladly forwarded to any law enforcement official upon request to the Director, Federal Bureau of Investigation, United States Department of Justice, Washington, D. C.

CRIMINAL REPEATERS

A tabulation prepared by the FBI for the calendar year 1940 reveals that 50.0 per cent of the persons whose arrest records were examined were found to have prior criminal records. These criminal histories are incomplete because they are limited to the information in the files of the Identification Division of the Federal Bureau of Investigation, but they show that 206,484 of the persons arrested and fingerprinted during this period have been previously convicted of 540,847 criminal violations. Of these, 226,301 were convictions of major crimes and 314,546 were convictions of less serious violations. These figures place emphasis upon the well-known fact that efforts of police organizations must be constantly directed toward reapprehending individuals who at some former time had come into conflict with the law of the land.

Generally speaking, the proportion of prior convictions was greater among those arrested for offenses against property than among individuals charged with offenses against the person. More than one out of three of the persons arrested and fingerprinted during 1940 had prior to that time been convicted of some type of violation, but only 20 per cent of those charged with murder or manslaughter and 29 per cent of those charged with assault had records showing previous convictions. This is probably partially explainable on the theory that many murders and less serious attacks on the person are not premeditated and are committed in the heat of passion, whereas offenses against property are more or less carefully planned and are frequently the product of the professional criminal.

Of the 206,484 persons with previous convictions in their records, more than 50 per cent have been convicted of serious offenses against the person or against property. There were 1,621 convicted murderers, 7,382 robbers, 10,497 convicted of assault, 20,092 burglars, 44,909 thieves (including persons convicted of similar violations), 210 arsonists, 4,973 forgers and counterfeiters, 1,335 rapists, 3,651 violators of the narcotic drug laws, 2,111 potential killers who had been convicted of unlawful carrying of deadly weapons, and 6,659 convicted of driving while intoxicated. This makes a total of 103,440 individuals whose records showed previous convictions for major violations who were again arrested during 1940, many of them being charged with violations equally vicious in character.

During 1940, there were 50 persons arrested for criminal homicide who had previously been convicted of murder or manslaughter in some degree. The tendency of criminals to repeat the same type of crime is further indicated by the fact that 837 persons charged with robbery during this period had been previously convicted of the same type of offense, and 3,793 persons arrested during 1940 for burglary had been previously convicted of burglary.

The Identification Division of the FBI examined during 1940 a total of 609,013 fingerprint cards representing persons arrested for violations of State laws. These records were received by the FBI from law enforcement agencies throughout the United States.

WANTED BY THE FBI

JAMES FRANCIS PRESTON, with aliases

For

MURDER - UNLAWFUL FLIGHT TO AVOID PROSECUTION



Detailed descriptive data concerning this individual appear on pages 39 and 40.

WANTED BY THE FBI
James Francis Preston, with aliases

The death-like stillness of a sleeping city during the hours just before dawn was shattered by the sound of pistol shots ringing through the streets of Revere, Massachusetts, on November 23, 1937. In the darkness a man fell to the street to die almost instantly from .38 caliber slugs fired into his back.

This murder, the only one of its kind in the peaceful city of Revere, caused an immediate investigation to be launched by the law enforcement officials there for the purpose of determining the identity of its perpetrator and the motive which prompted such a brutal killing. This investigation revealed the victim to be Louis Gaeta, a well-known individual among the bookie and numbers racket hangers-on in that vicinity.

It also was ascertained during the course of the investigation that James Francis Preston, Gaeta's partner in nefarious gambling enterprises, had, shortly before Gaeta's death, driven to the vicinity of the Mal-Nor Cafe on Shirley Avenue, in which he personally had financial interest, and inquired of two bystanders as to the whereabouts of Gaeta. Gaeta, a short time thereafter entered Preston's Cafe, into which Preston followed him. They apparently engaged in a heated discussion concerning their business relationship and then emerged from the Cafe and after further discussion on the sidewalk, Gaeta turned his back on Preston with a wave of his hand, saying, "That's all there is to it," and walked away. Preston was then alleged to have fired the fatal shots into Gaeta's back and to have immediately driven away in his car.

As it was apparent from the investigation conducted by the local authorities that Preston had left that vicinity and in all probability fled from the State of Massachusetts for the purpose of avoiding prosecution for this killing, it was reported to the Federal Bureau of Investigation and on January 20, 1938, a Federal complaint was filed before the United States Commissioner at Boston, Massachusetts, charging Preston with a violation of the Unlawful Flight to Avoid Prosecution Statute.

Since that time extensive investigation has been conducted for the purpose of apprehending Preston but he has thus far evaded apprehension. It appears, from Preston's background that any pertinent information concerning his present whereabouts will probably come to light through contacts with frequenters and habitués of bookie joints, race tracks, and gambling establishments. All investigative leads which have offered any possibility as to the location of Preston have been exhausted. It is, therefore, requested that all law enforcement officials make contact with their confidential informants, particularly those who are well acquainted in gambling circles, with a view to developing information concerning Preston.

Under date of October 3, 1938, Identification Order Number 1558 was issued by the Federal Bureau of Investigation and was furnished to

all law enforcement agencies. Reference to it will give pertinent data concerning Preston. It is noted that although Preston's criminal record discloses that on at least fifteen occasions, he has been arrested by police authorities, he has been known to serve time in jail on only two occasions, notwithstanding the fact that his record dates back to 1915 and the crimes with which he has been charged include larceny, burglary, manslaughter, possession of firearms, attempted rape and instant offense.

Following are the best available descriptive data concerning Preston:

| | |
|-----------------|--|
| Name | James Francis Preston, with aliases: Joseph Donovan, James Preston, James F. Preston |
| Age | 40 years (Born October 24, 1900, Boston, Massachusetts) |
| Height | 5' 10" |
| Weight | 194 pounds |
| Eyes | Blue |
| Hair | Chestnut |
| Complexion | Medium |
| Build | Stocky |
| Race | White |
| Nationality | American - Irish descent |
| Occupation | Chauffeur, gambler |
| Scars and marks | Tattoo right forearm (pattern unknown); bullet wound right wrist (inner and outer); bullet wound left heel (inner and outer). |
| Peculiarities | Pouchy stomach; wears silver-rimmed glasses. |

In the event any information is obtained concerning James Francis Preston, it is requested that the nearest office of the Federal Bureau of Investigation be contacted, or immediately advise the Director, Federal Bureau of Investigation, United States Department of Justice, Washington, D. C.



The Shadow of the Future*

By Arthur W. Thalacker, Chief of Police, Burlington, Vt.

*Have You Ever Watched a Group of Boys at Play? Cops and Robbers, Just a Game?
Not to the Boy Who Is Playing It.*

To his youthful imagination it is real. See him swagger as he sides up to one of his pals. Hear the words that come from the corner of his mouth. Not very bad words, perhaps, but the worst he knows, for he is a bad man, Public Enemy No. 1, Little Caesar, or whatever underworld character last was presented to him as a hero.

It is not only a game he is playing. It is the pattern of his life he is moulding. His actions today foreshadow his thoughts in the future. For the moment, his whole heart is thrown into the imitation of crime, and for that moment, great harm is being done to his future outlook on life. It will take an equal imaginative participation in good work to offset that evil.

Let no one doubt the importance of youthful imagination, nor belittle its intensity.

In juvenile and children's courts all over the country, boys are appearing every day who have carried their imaginative games over into actual practice. Boys brought in for their first minor offense talk with the tongues of hardened criminals—talk that is not their own natural conversation, but the lingo of their games of "gangsters." Boastfully, they declare they will "take

the rap" and will not "squel." The policeman who caught them is a "bull" or a "Dick" and their efforts to escape was "taking it on the lam."

The movies may have been responsible in a large part for this juvenile hero-worship of the criminal, but of recent months, the emphasis appears to have been shifted so that today he may see youthful G-men hunting down cowardly gangsters. Today the strongest kid on the block is more likely to be Public Hero No. 1 than Scarface.

If sound characters are to be given our children, it is necessary that this emphasis be kept on the heroism of honesty and courage. Parents must supervise the movies their children see, the books they read, and companions they choose. The various agencies which exist for the purpose of guiding youth must make wholesome play more attractive than gangster play. Every force must be utilized to direct the child's imagination into an imitation of the finest characters so that his character may be formed in similar mould.

The child taught to aim at a high ideal will never grow into a man who shoots at cops.

*Published through the courtesy of the Burlington Free Press and Times in which this article appeared in September, 1940, and Arthur W. Thalacker, formerly Chief of Police at Burlington, Vermont, now Inspector of Police at Mobile, Alabama, and a graduate of the FBI National Police Academy.



MONROE, LOUISIANA, POLICE RADIO

Monroe, Louisiana, Police are wondering how they managed to operate prior to the installation of their new 500-watt radio station in September, 1940, according to an article appearing in the December, 1940, issue of "The Louisiana Policeman." This accomplishment is the result of the continued efforts of Chief Frank V. Reitzel with the cooperation of the Mayor and City Commissioners.

The new radio operates on 2430 K.C. and has a two-way service in all police cars. It is in operation the full 24 hours of each day and night. The transmitter operators work in 8 hour shifts. Thus far 20 Monroe police officers have qualified as operators for both the transmitter and the mobile units.

The article relates that the majority of Sheriffs in the Parishes adjoining Monroe have indicated their cooperative spirit by having receivers installed in order to work with the Monroe station.

From the information contained in the above-mentioned article the Monroe Police Department has for many years striven ceaselessly to obtain a Police Radio Station and already it has proven more than its worth for the effort expended. It serves as another link in the chain of scientific accomplishments on the part of American law enforcement officers.



"FINGER PRINTING"
A Manual of Identification
by
Charles Edward Chapel

The author of this book, published by Coward McCann, New York, in 1941, is a member of the International Association for Identification and a retired First Lieutenant, United States Marine Corps.

This book contains 299 pages and is devoted to the science of fingerprint identification. The first two chapters cover the early history of fingerprinting and point out the advantages of fingerprint identification over the Bertillon system. The third, fourth and fifth chapters explain the various types of latent fingerprints, how they may be located at the scene of a crime, and also how these impressions can be developed and photographed and compared with the fingerprints of suspects.

Chapter eight is devoted to a discussion of the forgery of fingerprints. The author makes detailed reference to the book, "Fingerprints Can Be Forged," written by Albert Wehde and John Nicholas Beffel, and points out the impossibility of successfully counterfeiting fingerprints. In the next five chapters the author explains the proper method of taking finger impressions and the preparation of fingerprint evidence for use in court. There is given considerable material with respect to the qualification of the expert fingerprint witness and a number of decisions of courts in the several States with respect to the admission of fingerprint evidence.

The second half of this book, beginning with chapter thirteen, is devoted to an explanation of the Henry system of fingerprint classification, in connection with which a considerable number of illustrations are offered. The author also discusses the modifications and extensions of the Henry system as applied in the files of the Identification Division of the Federal Bureau of Investigation.

Following this there is set out a discussion of pattern type frequencies with respect to file searching, a discussion of various systems of single fingerprint classification and the use of fingerprints for identification purposes in countries other than the United States.



CALIFORNIA

Mr. Albert White has been appointed Chief of Police of the Sunnysvale, California, Police Department, succeeding Mr. A. H. Reimer.

CONNECTICUT

Mr. Charles J. Hallissey has succeeded Mr. John J. Butler as Chief of Police at Hartford, Connecticut.

IDAHO

Mr. E. L. Hensen is now Sheriff of Franklin County, Preston, Idaho.

IOWA

The following is a list of recently elected County Sheriffs in the State of Iowa:

| <u>COUNTY</u> | <u>COUNTY SEAT</u> | <u>NAME OF SHERIFF</u> |
|---------------|--------------------|------------------------|
| Allamakee | Waukon | Leonard J. Bulman |
| Buchanan | Independence | James L. McDonnell |
| Cass | Atlantic | Harry Jordan |
| Cherokee | Cherokee | Don F. Phipps |
| Clarke | Osceola | Harold Burgus |
| Davis | Bloomfield | C. H. Jones |
| Decatur | Leon | Herman Hamilton |
| Grundy | Grundy Center | John A. Meyer |
| Jackson | Maquoketa | Lorrin Felderman |
| Kossuth | Algona | A. J. Cogley |
| Lee | Fort Madison | Harry V. D. Maas |
| Osceola | Sibley | John H. Nicoll |
| Taylor | Bedford | C. I. Wells |
| Van Buren | Keosauqua | Elwood Vance |
| Wapello | Ottumwa | Mike Mier |
| Webster | Fort Dodge | Joe McMahon |
| Winnebago | Forest City | J. F. Johnston |
| Worth | Northwood | Carl M. Sheimo |

KANSAS

Mr. Ben Switzer has recently been elected Sheriff of Jewell County, Mankato, Kansas.

KENTUCKY

Mr. A. C. Stanley has been appointed Chief of Police at Morton's Gap, Kentucky, to succeed Mr. M. E. Franklin.

MAINE

Mr. Henry P. Weaver, formerly Chief of the Federal Alcohol Tax Division in Maine, has been appointed Chief of the Maine State Police, Augusta, Maine, succeeding Mr. John W. Healy who resigned to enter Federal Army Service.

Mr. Warren King has been appointed Chief of Police of the Biddeford, Maine, Police Department.

MICHIGAN

Mr. Alden Bridges has succeeded Mr. N. S. Van Horn as Chief of Police at Watervliet, Michigan.

MISSOURI

Mr. Granville A. Richart has been elected Sheriff of Jackson County, Missouri.

NEW YORK

Mr. Arthur Martinson has assumed the duties of Chief of Police at the Mamaroneck Village, New York, Police Department.

Mr. Robert Simmons has been appointed Chief of Police of the Oneonta, New York, Police Department, succeeding Mr. Frank N. Horton.

OKLAHOMA

Mr. C. W. Hinds has succeeded Mr. Clyde Whisenant as Chief of Police at Poteau, Oklahoma.

OREGON

Mr. H. F. Hollenbeck recently assumed the duties of Chief of Police at Hood River, Oregon, succeeding Mr. Glen R. Sloat.

PENNSYLVANIA

Mr. H. N. Evangelist has replaced Mr. John Bucci as Chief of Police at Hatfield, Pennsylvania.

PENNSYLVANIA (Continued)

Mr. James S. Mower has been appointed Chief of Police at Prospect Park, Pennsylvania, succeeding the late George H. Wood.

RHODE ISLAND

Mr. Edward C. Sullivan has succeeded Mr. Patrick J. Furey as Chief of Police of the Newport, Rhode Island, Police Department.

TEXAS

Mr. William A. Rettig has been appointed Chief of Police of the Naval Air Station, Corpus Christi, Texas, succeeding Captain George Rogers. Captain Rogers has returned to his former position as Senior Captain of Police at Austin, Texas.

Mr. Ray Ashworth, formerly Chief of Police in San Antonio, Texas, has been appointed Chief of Police at Houston, Texas, succeeding Mr. L. C. Brown.

Mr. W. L. Cross has succeeded Mr. J. N. Power as Sheriff of Garza County, Post, Texas.

Mr. J. B. Toliver has been named Sheriff of Hudspeth County, Sierra Blanca, Texas, succeeding Mr. W. W. Massey.

WASHINGTON

Mr. V. E. Holmquist is now Chief of Police at Port Orchard, Washington.

WISCONSIN

Mr. J. J. Shinnars has succeeded Mr. E. J. Mitten as Sheriff at Milwaukee, Wisconsin.

Mr. William F. Peterson has been appointed Chief of Police at Washburn, Wisconsin, succeeding Mr. Arthur A. Anderson.

WYOMING

Mr. Theodore Burnstad has assumed the duties of Chief of Police of the Laramie, Wyoming, Police Department, succeeding Mr. William J. Mast.

Communications may be addressed to the Field Office covering the territory in which you are located by forwarding your letter or telegram to the Special Agent in Charge at the address listed below. Telephone and teletype numbers are also listed if you have occasion to telephone or teletype the Field Office.

| CITY | AGENT IN CHARGE | TELEPHONE NUMBER | BUILDING ADDRESS (Letters or Telegrams) |
|-----------------------|----------------------------|------------------|--|
| Albany, New York | Clegg, J. E. | 5-4595 | 707 National Savings Bank |
| Atlanta, Georgia | Danner, R. G. | Walnut 3698 | 501 Healey |
| Baltimore, Md. | O'Connor, H. T. | Plaza 6776 | 800 Court Square |
| Birmingham, Alabama | Guinane, E. P. | 4-1877 | 320 Federal |
| Boston, Massachusetts | Peterson, V. W. | Liberty 8470 | 10 Post Office Square, Room 1016 |
| Buffalo, New York | | Cleveland 2030 | 400 U. S. Court House |
| Butte, Montana | Banister, W. G. | 2-2304 | 302 Federal |
| Charlotte, N. C. | Scheidt, E. | 3-4127 | 914 Johnston |
| Chicago, Illinois | Devereaux, W. S. | Randolph 6226 | 1900 Bankers' |
| | Johnson, A. H. (Assistant) | | |
| Cincinnati, Ohio | Suran, R. C. | Cherry 7127 | 637 U. S. Post Office & Court House |
| Cleveland, Ohio | Richmond, L. H. | Prospect 2456 | 1448 Standard |
| Dallas, Texas | Kitchin, A. P. | 2-9086 | 1200 Tower Petroleum |
| Denver, Colorado | Nicholson, G. A. | Main 6241 | 518 Railway Exchange |
| Des Moines, Iowa | Dalton, J. L. | 3-8998 | 739 Insurance Exchange |
| Detroit, Michigan | Bugas, J. S. | Cadillac 2832 | 911 Federal |
| El Paso, Texas | | Main 1711 | 202 U. S. Court House |
| Grand Rapids, Mich. | McFarlin, M. W. | 6-5337 | 715 Grand Rapids Nat'l. Bank |
| Honolulu, Hawaii | Shivers, R. L. | 4621 | 302 Dillingham |
| Houston, Texas | Abbatechio, R. J. | Capitol 9717 | 2706 Gulf |
| Huntington, W. Va. | Cook, L. K. | 8928 | 700 West Virginia |
| Indianapolis, Indiana | Wynn, E. J. | Riley 5416 | 323 Federal |
| Juneau, Alaska | Vogel, R. C. | 618 | 515 Federal and Territorial |
| Kansas City, Missouri | Brantley, D. | Victor 3113 | 707 U. S. Court House |
| Knoxville, Tenn. | Fierstone, C. K. | 4-2721 | 407 Hamilton National Bank |
| Little Rock, Arkansas | Hallford, F. | 2-3158 | 500 Rector |
| Los Angeles, Calif. | Hood, R. B. | Madison 7241 | 900 Security |
| | Vincent, J. W. (Assistant) | | |
| Louisville, Kentucky | Moss, H. K. | Wabash 2133 | 633 Federal |
| Memphis, Tennessee | Kuhnel, E. E. | 8-4236 | 2401 Sterick |
| Miami, Florida | Wyly, P. | 3-5558 | 1300 Biscayne |
| Milwaukee, Wisconsin | Boardman, L. V. | Daly 3431 | 1501 Bankers' |
| Newark, New Jersey | Conroy, E. E. | Market 2-5511 | 1836 Raymond-Commerce |
| New Haven, Conn. | McGuire, J. J. | 7-1217 | 510 The Trust Company |
| New Orleans, La. | Fletcher, H. B. | Raymond 9354 | 1308 Masonic Temple |
| New York, New York | Sackett, B. E. | Rector 2-3520 | 607 U. S. Court House, Foley Square |
| | Guerin, R. A. (Assistant) | | |
| Oklahoma City, Okla. | Andersen, H. E. | 2-8186 | 940 First National |
| Omaha, Nebraska | Stein, C. W. | Atlantic 8644 | 629 First National Bank |
| Philadelphia, Pa. | Sears, J. F. | Walnut 0555 | 4058 U. S. Court House |
| Phoenix, Arizona | | 4-5766 | 307 W. C. Ellis |
| Pittsburgh, Pa. | Thornton, J. E. | Grant 0800 | 620 New Federal |
| Portland, Oregon | Swenson, J. D. | Broadway 0469 | 411 U. S. Court House |
| Richmond, Virginia | Hennrich, C. E. | 3-0169 | 601 Richmond Trust |
| Saint Louis, Mo. | Norris, G. B. | Central 4115 | 423 U. S. Court House & Custom House |
| Saint Paul, Minn. | Rutzen, A. C. | Garfield 7509 | 404 New York |
| Salt Lake City, Utah | Newman, J. C. | 4-4338 | 301 Continental Bank |
| San Antonio, Texas | Jones, G. T. | Fannin 8052 | 478 Federal |
| San Diego, Calif. | Nathan, H. | Main 3044 | 728 San Diego Trust & Savings Bank |
| San Francisco, Calif. | Pieper, N. J. L. | Yukon 2354 | One Eleven Sutter, Room 1729 |
| San Juan, Puerto Rico | McCormack, D. L. | 1971 | 504 Banco Popular |
| Savannah, Georgia | Duffey, H. R. | 3-3054 | 305 Realty |
| Seattle, Washington | Cornelius, A. | Main 0460 | 508 U. S. Court House |
| Sioux Falls, S. D. | Hanni, W. | 2885 | 400 Northwest Security National Bank |
| Springfield, Illinois | | 2-9675 | 1107 Illinois |
| Washington, D. C. | McKee, S. K. | Republic 7100 | 2266 U. S. Department of Justice |

The teletypewriter number for each Field Office, including the Bureau at Washington, is 0711, except the New York City Office which is 1-0711.

Communications concerning fingerprint identification or crime statistics matters should be addressed to:-

Director
Federal Bureau of Investigation
United States Department of Justice
Pennsylvania Avenue at 9th Street, N. W.
Washington, D. C.

The office of the Director is open twenty-four hours each day.

TELEPHONE NUMBER:
EMERGENCY (KIDNAPING)

REPUBLIC 7100
NATIONAL 7117

WANTED BY THE FBI. . . .



James Francis Preston

with aliases:

For

Murder -

Unlawful Flight To Avoid Prosecution

Detailed descriptive data on this
individual appear on pages 39 and 40.

