

self-conscious to a degree which would be considered ludicrous if it were not such bad manners nowadays to laugh at the amateurish and the puerile.

We have had since the War a succession of experiments in form, ranging from the weak little sketch masquerading as a Chekhovian short-story, and the irregularly chopped lengths of prose which saved our young poets the pains of rhyming and were called "free-verse," to pure gibberish and the undigested catalogues of sensations and sensitiveness which have been described as great novels. The superficial characteristic common to all these forms is their self-consciousness. The essential characteristic of them all is their meaninglessness. They get nowhere.

Nevertheless, the writers of such contemporary works are persuaded that pure art, pure truth, can be conveyed without the labor incident to invention. An invented story such as the old novelists, poets, and dramatists told is beyond the power of the young writers of the present moment. They would rather be satirical at the expense of their friends and benefactors; they would rather trickle out a hundred or a thousand or a hundred thousand words of pretentious futility, than be at the pains of constructing anything so vulgar as a coherent story. For them the story is as out-moded as Frith's "Derby Day," or that picture, the painter of which I have forgotten, which was once so popular under the name of "The Hopeless Dawn." Secure in their formulæ, they smile superciliously upon a world which has not reached their intellectual eminence. There is something, they tell us, called "The Younger Generation," which is taking charge of the esthetic future. "The Younger Generation" is rich, experimental, fearless, and imposing. It is revolutionizing Art.

And yet . . . And yet it seems to me that I see in this confidence a flaw, an almost defensive aggressiveness, the slight tremor of the youthful impresario, who says, "Oh, you're not supposed to look at that! It's not finished yet." Am I wrong, or is there some lack in the young of something which may be called moral stamina? The lady whose book was rejected, for example, can she ever have taken to heart the now-despised poet's words about that

One who never turned his back but marched breast forward,  
Never doubted clouds would break,  
Never dreamed, though right were worsted, wrong would triumph,  
Held we fall to rise, are baffled to fight better,  
Sleep to wake?

Did it ever occur to her that her book needed revision, or that she had sent it to the wrong publisher, or that her talent lay in another direction? Apparently not. Like Charles Lamb's play, "Mr. H.," she was damned by a single hiss. Similarly, has the novelist who requires a press agent no real confidence in his own ability to create a reputation by normal means? Does he think that the public has to be managed and cajoled into supporting a genius? Or is it perhaps just that he cannot wait for fame? That he is impatient of the reputation that comes slowly by way of good work?

If he thinks this, it is possible that he is not alone, for I notice a similar weakness in the behavior of many of those who so bravely speak of "the Younger Generation." They band themselves together—it is always a bad sign. They praise each other's works. They are easily discouraged and annoyed. Only favorable things may be written or said of them. An adverse criticism, and either they are crushed or their blood is aflame. The gas-jet or the poisoned chalice opens a way to oblivion for the crushed, and the correspondence columns of the offending journal are seared with frantic insults from the affronted. A foul injustice has been done, not only to the individual, but to the whole of that Generation which is putting every other generation in its proper place.

Such sensitiveness to criticism is no indication of genuine self-confidence. On the contrary, it is proof of a very dangerous and regrettable element in the constitution of the doctrinaire young. The young man who cares first of all for his work can afford to disregard adverse comment. But the young man who is bent upon cutting a figure in the world thinks less of the work than of the effect which it is to produce. It is the second young man who is desirous of obtaining press publicity, who resents criticism, who engages in leagues with others of his own age and styles his league "the Younger Generation." The first young man devotes himself to

the task of producing work which shall endure even adverse comment. Which is the wiser of the two? Which is the more likely to stand comparison with the great writers of the past? The young person who advertises for a press agent is evidently bent upon extensive publicity. We have no assurance that he deserves it. The would-be suicidal young lady is to be assisted by the benevolent magistrate; but we have not been allowed to read the report which led the publishers to reject her book. In each case it is the writer rather than the work that fills the picture. It is the writer who has been rebuffed, not the great book which has been refused. It is the writer who is to receive publicity, and not the immortal work of his pen.

The truth is that the young of the present day are too much occupied with themselves. Never before has Narcissism reached such a pitch as it has done today. The novels written by these young novelists and esthetes are about young novelists and esthetes; the plays are all about amoral damsels who get drunk and remove their clothing for the purpose of arousing the amorous desires of young playwrights and esthetes; the poems are all collections of fastidiously-chosen but not very intelligible words about the poets themselves, their thoughts and feelings, and those who have offended them. There is no creation, no imaginative effort, nothing but a series of self-portraits, self-studies, self-defences. We never leave the stuffy little studios of the esthetes, which seem to the esthetes themselves to constitute all of the world that is worthy of artistic treatment. The young writers are absorbed, not in the job of doing good work, but in themselves, their enemies, and the problem of their own success.



Now in life there is no real substitute for work, and in literature and art there is no substitute for creative imagination. And the attempt to make works of art out of esthetic formulæ is a futile attempt. One could as easily make a rose according to rule. Nor can the artist create unless he is single-minded. Whether he is thinking, therefore, of his formulæ or his career, the esthetic is equally incapable of making a work of art, because a work of art results only from the complete absorption of the artist in his own invention. Moreover, easy fame is as useless to the artist as it is alluring to the conscious or unconscious charlatan. If there is indeed something which can be called "the Younger Generation"—it is very questionable,—those members of it who have talent will discover before long that publicity, stunts, and formulæ never have produced and never can produce the genuine article. Imitation works of art, built according to plan, are no more than curious oddities, like waxen or paper flowers; and esthetic booms are like every other kind of boom—they come to an end, with discredit to all who have been concerned in them. The young writers who at present are in love with themselves, and who are using all sorts of devices for making their names familiar to the public, will gradually learn that they have become a nuisance. Either they will realize in time that they must work and create, as the great writers of the past have done, or, with the rest of "the Younger Generation," they will be overwhelmed with ridicule and carried into that dreadful purgatory of the ambitious, oblivion.

## Portraits

GENIUS AND CHARACTER. By EMIL LUDWIG. Translated by Kenneth Burke. New York: Harcourt, Brace & Co. 1927. \$3.50.

Reviewed by ARTHUR W. COLTON

ONE hears much of "the new biography," of portraiture in place of the narrated lives, but so far as the practice of Mr. Bradford and Mr. Ludwig goes, it belong to an ancient and honorable tradition. Plutarch has inspired many generations to do the same, if haply it were possible. But the effort is after the personality of the man rather than his value or effect on the world of his time and after him. Therein a biographical essay by Messrs. Bradford or Strachey or Ludwig on—let us say—Burke or Bismarck or Burr, would differ of course from one by Macaulay or Lord Morley. It is more an effort of creative imagination in handling the same materials, and less of record and outlook.

But the ultimate values are still personal to the

writer. Mr. Ludwig's portraits of Germans are his best, as one would expect they would be. He understands the Goethean problem better than he understands the Shakespearian. His Wilson is lamentable. It is a dialogue between Wilson and Washington that does not come within recognition distance of either of them. His Voltaire is not very interesting, though, on the other hand, his Balzac is. His Rhodes is not bad, but his Von Stein is admirable. His parallel of Byron and Lassalle is strained. He is not very successful with these "stunts."

Mr. Ludwig is not as subtle as Mr. Strachey, or as well balanced as Mr. Bradford, but he is brilliant and vivid, and never smart or impertinent—the pit-falls into which so much recent biography has fallen. He has been more than fortunate in his translator.

## Murder au Fait

By EDMUND LESTER PEARSON

TRIAL OF ABRAHAM THORNTON (1817). Edited by SIR JOHN HALL, Bt. New York: The John Day Co. 1927. \$3.50.

TRIAL OF MRS. MAYBRICK (1889). Edited by H. B. IRVING. The same.

BURKE AND HARE. (1828). Edited by WILLIAM ROUGHHEAD. The same.

TRIAL OF MADELEINE SMITH. (1857). Edited by F. TENNYSON JESSE. The same.

TRIAL OF OSCAR SLATER. (1909). Edited by WILLIAM ROUGHHEAD. The same.

TRIAL OF HERBERT ROWSE ARMSTRONG. (1922). Edited by FILSON YOUNG. The same.

(All in the Notable British Trials Series, under the general editorship of Harry Hodge.)

Reviewed by EDMUND PEARSON

Author of "Murder at Smutty Nose"

THERE was a May morning, and a stile in a meadow. It was very early,—before three o'clock—but as the country was England, it was surely broad daylight. On the stile sat talking a young man and a girl. They were still lingering on their way home, and had been loitering through the fields and lanes since midnight, at which prudent hour they had left a country dance. The girl was very pretty; a little less than twenty years old. The man was four years older, rather stout, heavy-featured, and a little awkward. In the manner of his time—a mode briefly revived two or three years ago—he wore closely cropped side-whiskers near his ears.

His clothes, to use a novelist's phrase, were those of "a young buck of the Regency," and to the intelligent readers of the *Saturday Review* I do not need to describe what they were. This is lucky, for I do not know myself. He may have worn boots and "small-clothes," but as he had been to a dance they might have been pantaloons and shoes. The date was only two years after Waterloo, so the pantaloons are doubtful. It is possible to be precise about the girl's costume: a white "spencer," a white muslin dress, a dimity petticoat, white shoes and stockings, a straw bonnet with yellow ribbons.

There on the stile they sat and talked; apparently innocent, certainly obscure and humble folk; dwellers in a tiny village, who had just attended a dance at a little rustic tavern. Another guest, who had been seeing his sweetheart to her home, passed them, and said "good-morning." The man replied; the girl hung her head, and concealed her face under her bonnet.

Since we hear so much about the evil conduct of young people today; about flappers and their boy-friends; and about unchaperoned dances at road-houses, it is instructive to consider this couple, sitting on a stile in the days when our great-grandmothers were young, and when—so we are told—loose conduct was simply impossible. Young Abraham Thornton did not own a motor-car, to facilitate mischief; nor did Mary Ashford carry a pocket flask of gin to promote flirtation. There had, however, been beer at the dance, and Thornton probably took his share. That night he had seen Mary for the first time, so there is something almost shockingly modern about the rapidity of their acquaintance. The stately courtesy of more ceremonious days seems to have been mysteriously absent. It is said—although he denied it—that on seeing her, and being struck with her beauty, he made a



rude and highly improper remark about his intentions toward her, coupled with a boast about his conquest of her sister. At all events, they danced together, and with another couple at midnight left *The Three Tuns*, the place of the party, and walked along the London and Chester road, passing another tavern, pleasantly named the *Old Cuckoo*. A short distance beyond, the party dwindled, while Thornton and Miss Ashford were left during the remaining hours of darkness, to their own devices. These were not to say a *pater noster*, nor was the girl's conduct that of an "elegant female" within the definition of Mr. Collins in the recently published novel, "Pride and Prejudice."

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It is one of the peculiarities of a celebrated murder trial that it suddenly lifts obscure folk into the most astonishing prominence, and one of its fascinations that it makes trifling incidents both important and interesting. A notorious murder will put an entire community under a magnifying glass, as, according to Hawthorne, the novels of Trollope did to the English countryside. Mary Ashford and Abraham Thornton, sitting on their stile, were the most commonplace pair, but their adventures in the next hour were to amaze the world, to alter the law of England, to confuse judges and other great men, to furnish subjects for learned treatises, moral discourses, and tragedies for the stage. Sir John Hall, in compiling this account of the case, found thirty-three items for his bibliography, sermons, plays, stories, and legal articles. After more than a hundred years, after all this discussion and writing and after a Lord Chief Justice and other great lawyers had taken a look at it, even today it is not known what happened during the rest of that spring morning.

Of this we are sure. At four o'clock Mary Ashford returned alone and in good spirits to the home of her friend—the girl with whom she had left the dance—and changed most of her evening clothes for her workaday dress. Then she set out afoot for her own village. Three or four hours later her bonnet, her bundle, and her white shoes were found on the edge of a deep pool, in a field a mile distant. The pool was dragged and the girl's dead body recovered from the water. Nearby there were foot prints—supposed to be Thornton's—there was blood, and also signs, it was alleged, of a pursuit and a struggle. Thornton was arrested. Public sentiment was furious against him. He made no denial of some of the facts, nor of the amorous episodes of the night, but maintained his innocence of any crime. On his trial he completely established his innocence, to the satisfaction of both judge and jury. They acquitted him in six minutes. By a number of reliable witnesses, who had met him on his way home, he proved that he was far from the scene of Mary Ashford's death. Sir John Hall says that of his innocence there cannot be "a shadow of a doubt."

Poor Mary Ashford may have met somebody else who attacked and murdered her, or she may have committed suicide. Both are most unlikely. The probable explanation of her death is simple. She was tired and faint, and had had but little food for twenty-four hours. She stopped at the pool to rest and refresh herself. Her foot slipped on the steep edge of the bank and she was drowned.

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Thornton's troubles were not ended with his acquittal. Public feeling was still strong—and ill-formed—against him, and a way was found to bring him again into Court. The "appeal of murder" was not yet removed from the statutes; an heir of a murdered person, dissatisfied with a verdict of acquittal, could sue to make the accused again answer for his crime. This was done, and Thornton was once more put in prison. His lawyers, however, found a complete, satisfactory, and delightfully humorous answer to this antiquated bit of persecution. The man arrested on "appeal of murder" had the right of the "wage of battle,"—he could demand that the appellant fight him "in lists sixty feet square," and if he killed the appellant, or could maintain the fight from sunrise to sunset, he was to be acquitted.

Now, Mary Ashford's heir was a cousin, a feeble young man, and not at all likely to prevail against burly Abraham Thornton. The latter, when the case was called, pleaded "Not guilty, and I am ready to defend the same with my body." He thereupon threw a gauntlet upon the floor of the Court, in token of his challenge. The Ashford champion did

not take it up; he did not even appear to admit his recreancy, and Thornton was forever acquitted. His neighbors were still against him however, and he was forced to emigrate to America.

I have heard that the "wage of battle" has been invoked in our own time, in Pennsylvania. A man proceeded against, in a civil suit by a Y. M. C. A. Secretary, dared the plaintiff to the lists. The law was hastily consulted, and it was found that Pennsylvania had indeed neglected to repeal this ancient law. The defendant's attorneys instructed the Y. M. C. A. Secretary, that before entering upon the combat both contestants would be expected to take the prescribed oath that no spell had been laid upon their weapons, nor had sorcery or witchcraft been employed to protect the fighters. The Y. M. C. A. man adopted the course of Mary Ashford's cousin; he discreetly abandoned his suit. And the state of Pennsylvania repealed the "wage of battle" exactly as England revoked that law, as well as the "appeal of murder," soon after the Thornton case was ended.

The "Trial of Abraham Thornton" is one of the volumes in the Notable British Trials series, now in process of American publication by The John Day Company. Six volumes of this amazing set of books have already appeared in this country; another half dozen are scheduled for next spring, and so on, until the forty odd which at present comprise the set, have been published here. New items are coming out, one or two a year; and



Cover design for "Tombstone," by Walter Noble Burns (Doubleday, Page)

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the set ranges in time from the trial of Mary, Queen of Scots, to that of Major Armstrong, who was executed in 1922. With seven or eight exceptions, they are trials for murder. Each case has a substantial volume to itself. The method is to give a condensed report of the trial (even this condensation sometimes runs to 300 pages) introduced by a history of the case written by the editor of each volume. The editors are distinguished amateurs of criminology, lawyers, or authors, including such persons as Andrew Lang, H. B. Irving, Filson Young, W. Teignmouth Shore, and Eric R. Watson. Some of the editors, J. B. Atlay and H. B. Irving, have died, and their places are being filled by younger enthusiasts on this subject,—as, for instance, Miss Tennyson Jesse and Sir John Hall. About eight of these trials have been edited by William Roughead, whose work is widely known in America. His "Burke and Hare" in the present group, and "Jessie McLachlan" (not yet published in America) represent the high water mark in a series in which it is hard to choose favorites.

Even if one does not care to read all the pages of testimony in the report of the trial, the introductory essay, which is usually about the length of a long magazine article, gives an interesting review of the case. The illustrations, and the appendices, with current newspaper comment, subsequent proceedings in Court, and the final fate of the accused—whether sudden, at the hands of the executioner, or in peaceful old age—make up a thoroughly well-rounded story.

The six volumes now available include, in addition to the Thornton case, the internationally famous trial of Mrs. Maybrick. When I was a boy, and when tweaking the Lion's tail was in better repute than it is today, it was good form every now and then to pester the government of Great Britain about Mrs. Maybrick. In those days,

in the opinion of some of the "Woman's Rights" party, any woman accused of crime was probably innocent, because she was a woman. When, in addition, she was American born, serving a life-sentence for murdering her English husband, the obligation to sign a petition to Queen Victoria or to Lord Salisbury was evident. Nothing could have been clearer until the days when that great light of knowledge was vouchsafed to novelists, journalists, and poets, which enabled them—in an instant—to know more about the guilt or innocence of Sacco and Vanzetti than the jury, the Governor, or the university president who had seen as well as heard the witnesses. Mrs. Maybrick's case is a puzzler; Mr. Irving presents it with perfect neutrality, and two reasonable people may fairly, I think, hold opposite views as to what was the truth. If she were innocent she was the most unlucky soul who ever lived. Those who have read her own book have read an incomplete and (naturally) biased account. Mr. Irving very properly says that Mrs. Maybrick's "My Fifteen Lost Years" deals "in its latter portion with some of the facts of the case." The *some* should be emphasized.

The "Trial of Oscar Slater" records a case which has been cited in connection with that of Sacco-Vanzetti;—but merely by English papers as a reason why Britons should not be too loud in their denunciation of alleged miscarriage of justice in America. It has always seemed to me that Sir Conan Doyle's defense of Slater was justified. Mr. Roughead does not take sides, but presents the history with the impartiality of the legal historian.

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The "Trial of Madeleine Smith" is a new edition, with a new introduction, by Miss Tennyson Jesse. This celebrated trial of a pretty Scottish girl, for the cruel poisoning of her lover, has always been a favorite with murder fanciers. As the lover threatened to blackmail his youthful mistress, by means of her love-letters, there was little sympathy for him, and the murderess escaped with a verdict of "not-proven." The world has looked at Madeleine Smith, aghast, and yet with a certain admiration for her effrontery. Miss Jesse, in her brilliant introduction, analyzes her character, and dwells chiefly on the love affair. She does not trouble to investigate the girl's subsequent career, nor the vague rumor that she is still living at the age of ninety, and in America! Madeleine's marriages; the identity of her husbands; the causes of her marital infelicity; her social career in London, and her acquaintance with William Morris, Du Maurier, and Henry James seem to me subjects which merited research. Incidentally it may be said that her celebrated letters are now published in full for the first time.

Little Major Armstrong, the "tea-time poisoner" has a volume in the series. The Major dealt, with sly sociability, in arsenic,—it was his specific for dandelions in the lawn, for an annoying wife, and for a rival lawyer. A fantastic little devil,—he so scared the rival lawyer and the lawyer's wife that they did not dare sleep at night unless one or the other kept watch, for fear the Major should come sneaking in, with his tiny squirt-gun, loaded with arsenic for dandelions,—and other enemies.

And there is that cruder pair of ruffians, Burke and Hare, who made the discovery that grave-robbing might raise blisters on the hands, and cause the operator to lose sleep,—it was simpler and more satisfactory to convert living persons into subjects for the anatomical theatre by a program of hospitable alcoholic entertainment, followed by smothering. Mr. Roughead's treatment of this extraordinary case sets this volume in a class by itself. No one else, in all the serried ranks of Great Britain's criminologists, possesses so many of the qualities which were displayed in editing "Burke and Hare." For here are legal knowledge, an unwearied patience in mastering a large and complicated subject, excellent judgment in selection, and a vigorous and interesting style in the presentation.

The Notable British Trials, as they were published in England, in their red bindings, have been known to American lawyers, to custodians of libraries of law, and to some general readers and amateurs of the literature of murder. Their American publishers have done well to bring them over here; as they offer a dignified treatment of an interesting subject, in great contrast to a dozen or more trivial books of popular criminology which have been imported in the past two or three years.