The obtaining of confession by process of torture and intimidation is a problem which is affecting the administration of justice more and more. Mr. Lunt cites actual cases, and discusses both sides of the question with a constructive suggestion.

The American Inquisition

BY DUDLEY CAMMETT LUNT

"There is a great deal of laziness in it. It is far pleasanter to sit comfortably in the shade rubbing red pepper into a poor devil's eyes than to go about in the sun hunting up evidence."—*Sir J. F. Stephen, "History of the Criminal Law."*

A FLASH of lightning revealed their destination to the Negro. He glimpsed a mass of swaying trees with their branches lashing and relashing against the massed clouds. Beneath stood row upon row of white stones, wet and gleaming in the darkness. It was the cemetery.

Then they were standing before a tomb. One of the officers fumbled with a key. The door swung heavily. A match flared and the yellow light from a lantern cast shadows from the coffin in the centre of the vault. The lid was lifted. Pale and thin the features of the corpse shone like wax.

"Now, nigger! You're goin' to tell us who killed George Mauer."

"Don' know nutthin' 'bout it."

"Where's the club you hit him with?"

"Don' know."

The questions came in quick succession, first from one officer, then from the other. Sullenly the Negro repeated his denials. There was a pause while the officers whispered together. In lulls came the beat of the rain, the thrashing of the branches and the rumble of distant thunder. One of the officers spoke:

"Listen, Williams. We're goin' to leave you here with George"—pointing to the figure in the half-open casket. "After you've had a chance to think this over maybe you'll come clean."

They went out, taking the lantern. The Negro stood in a corner, his face to the damp wall. He muttered a ceaseless monotone. Now and again a flash of lightning filled the vault with an instant of light. Inevitably followed the clap and roar of thunder.

"Edward Williams!"

A low voice resounded from above. The Negro did not move.

"Edward Williams! This is your God talking to you from heaven."

A pause.

"Tell me who killed George Mauer."

There was no answer. Williams persisted in his denials to the end of his trial. His sangfroid was ascribed by the district attorney to his "familiarity with scenes of death and horror acquired while serving on foreign battle-fields in the World War." So it is related in the case of Commonwealth *vs.* Williams in Pennsylvania in 1922.

Down in Arkansas at Christmas-time in 1927 somebody drowned little Julius McCollum, a lad of twelve, in a bayou.

They suspected Robert Bell. He was arrested while at work and confined in the penitentiary. There the warden, one Todhunter, took him in charge. He questioned him about the crime. Bell denied all knowledge of it. This went on for some time. Finally Todhunter said:

"You know you murdered little Julius. You got to tell us you did it."

"I did not," answered Bell.

He was forced to lie down. Then Todhunter produced a leather strap. It was over three feet long and three inches wide, attached to a wooden handle. He swung it over his head. Then came the inevitable question:

"Didn't you drown Julius McCollum?"

There was no answer from the man prostrate on the floor.

Swish—smack.

Bell screamed. His thin shirt stuck to his skin as a broad welt rose across his back. Again the strap swung and fell. Another scream—another welt. Then came a pause and the question. A denial, and the whipping began again. After several days Bell confessed. The testimony of Todhunter who "usually conquered when he began" is enlightening:

Question: "Did he make a free and voluntary confession or not?"

Answer: "Well, I don't know that I could say Bell ever made a free and voluntary confession. I got a confession out of him by piecemeal. It was never very free."

This was the case of Bell *vs.* State reviewed by the Supreme Court of Arkansas last fall. In Illinois they use the rubber hose. This leaves no marks. While interrogating a suspect alone, a chief of police in New York State wore a boxing-glove. Usually such a refinement is omitted and many cases show the work to have been done with whatever came handy. Occasionally unusual methods come to light. In Fisher *vs.* State, a Mississippi case, a sheriff related that he was called to the jail to take Fisher's confession. Upon his arrival he found a crowd gathered around the latter, who was tied down on the floor. Water was being poured in his nostrils.

The brutalities of extortion in another form have been reviewed by the highest tribunal in the land. The case is that of Ziang Sung Wan *vs.* United States. The opinion is that of Mr. Justice Brandeis. The pertinent facts are these.

Three Chinamen had been murdered. The police were informed by one Li that early in the evening when they were last known to have been alive, he had seen Wan on the premises. Acting on this clew two detectives went immediately to New York to fetch Wan. Li went with them. At Wan's boarding-house they entered his room unannounced. He was in bed. They did not arrest him. They asked him to return to Washington with them. He said he was too sick. Li, who had remained outside, was called. He told Wan that they were both under suspicion. Then Wan consented to go. The detectives searched his room, ransacked his effects and went through his bed. They had no search-warrant. In Washington Wan was not arrested. He was conducted to a secluded room. Li was there, the superintendent of police was there and three detectives were there. They interrogated Wan for five or six hours. Late in the evening he was taken to a hotel and placed in a room. He was not registered. A policeman remained with him in the room on watch. So ended the first day.

The next morning another policeman—they stood watch in eight-hour shifts—admitted the superintendent of police and two detectives, closed the door after them and stood guard outside. Wan was in bed. They questioned him.

They went all over the details of the murder. They cross-examined him. Wan said he was sick. He asked for a doctor. He asked for his brother who had nursed him in New York. At times he refused to talk at all. For twenty minutes—a half-hour he would sit without a word of response. All this was repeated in the afternoon. It occurred again in the evening. It was the routine for the next day and the day following that and the fifth day—the sixth—seventh and eighth days.

On the evening of the eighth day a variation occurred. About seven o'clock they all went to the scene of the murder. There ensued a minute inspection of all the details known to the police. The opinion reads:

"The places where the dead men were discovered; the revolver with which presumably the murder was committed, the blood stains and the finger-prints thereon; the bullet holes in the walls; the discharged cartridges found upon the floor; the clothes of the murdered men; the blood stains on the floor and the stairs; the coat and pillow which had been found covering the dead men's faces; photographs taken by the police of the men as they lay dead. . . ."

A stenographer was present. The interrogation, argumentation, suggestion, cross-examination—it went on and on and was faithfully transcribed. The evening lengthened into the night. The police began to succumb. The superintendent was apparently the first to retire. At midnight the redoubtable Li, again present, gave it up. Five o'clock found them still at it with one of the detectives asleep in a chair.

A little after five they took the sick man to the police station. There they arrested him. Then the questioning began anew. This was the order for that day on into the evening. On the following day another turn was had at the scene of the murder. Evidently this provided more ammunition, for on the eleventh day the barrage of questions was continued with stenographic assistance at hand.

On the twelfth day Wan signed his capitulation. It was a typewritten report of his interrogation which ultimately took up twelve pages of the printed record. Wan had left New York on the first of February. On the thirteenth the chief medical officer of the jail saw him for the first time. In his opinion the Chinaman had been painfully ill for weeks with spastic colitis. He ordered him to bed, where he remained for a month. This physician testified at his trial that his condition was such that "he would do anything to have the torture stopped."

The salient aspects of this drawn-out process are the extended questioning and the fact that Wan was held *incommunicado*. There are instances of record of even greater duration. In Louisiana in 1924 a suspect was held *incommunicado* for forty days. In People *vs.* Vinci, an Illinois case, the accused was subjected to almost continuous questioning during four nights and three days. Akin to these practices is solitary confinement. It also works. In 1928 in Miami, Frederick Deiterle was confined all night in a cell without a bed. He later claimed that he had been chained to the floor. As to this fact, said the court, other witnesses were evasive. The cell was infested with mosquitoes and the prisoner was compelled to remove his shirt and fight them throughout the night. During an interrogation the next day at which "the scalp of the dead woman was placed at his feet," Deiterle confessed.

In a Missouri case in 1922 the police ran the gamut of nearly all the current forms of torture. A young woman had been found murdered—her throat had

been brutally slashed with a razor. Suspicion, and it was strong suspicion, fastened itself upon Albert Ellis, her former sweetheart, with whom she was known to have quarrelled. He was taken into custody on a Saturday morning at eleven o'clock. From that time until the following morning at five o'clock, when he agreed to confess, the inquisition was on.

This was a period of eighteen hours. During this time Ellis was allowed neither food nor sleep. Throughout he was continuously interrogated by relays of officers; he was assaulted by two of them; at one juncture all his clothing was stripped from him; he was forced to face a blinding light and not permitted to turn away his eyes; twice he was conducted to the scene of the murder. The while the questioning was going on. There was also the trip to the undertaker's. He stood there in the darkness. A light flashed. The face of the dead girl looked up at him. He was forced to lay his hand upon her.

These, said the court, are "the undisputed facts."

All this is not the fruit of sensational journalism. Let there be no mistake as to this. These accounts are drawn from the reported decisions of courts of last resort. There they appear in the statements under oath of the police themselves as well as in the uncontradicted testimony of those accused and in some instances in the deductions of the court from the record of the proceedings at the trial. They are the fruits of judicial inquiry.

It has long been a matter of notorious common knowledge that methods such as these are employed to procure evidence. The instances related here are but a fraction of the whole number. Those reported during the last decade have arisen in thirty States and five federal circuits. They number over a hundred. And it must be borne in mind that they comprise only those cases in which the trial court admitted the extorted confession and the prisoner afterward sought a reversal of his conviction. There remain the countless unreported instances in which such evidence was rejected by the trial judge and likewise those trials in which, in view of its obvious inadmissibility, it was never offered by the prosecution. In the light of these circumstances one is led irresistibly to the conclusion that the extortion of evidence by torture is a regular step in the administration of the criminal law in large sections of this country.

How stands this problem of torture as a matter of law? A little over three hundred years ago one John Felton confessed before the King in Council to the foul murdering of the Duke of Buckingham. Upon his refusal to reveal his accomplices, Doctor Laud, Bishop of London, threatened him with the rack. A dispute on this point arose in the Council, and Charles the First proposed to the judges this question: "Whether by the law he might not be racked, and whether there were any law against it (for said the King) if it might be done by law he would not use his prerogative in this point." To-day one may read in Howell's "State Trials":

"And on the fourteenth of November 1628 all the justices being assembled at Serjeant's Inn in Fleet Street, agreed in one, that he ought not by the law to be tortured on the rack for no such punishment is known or allowed by our law."

It is true that torture was among the abuses perpetrated by the Court of Star Chamber. It was regarded, however, as an exercise of the King's prerogative rather than as a legal process. Those were the days when that gentleman could do no wrong. This court was abol-

ished in 1640 and the practice seems to have fallen into disuse about the same time. Thus our law from the middle of the seventeenth century at least, has not recognized torture as a part of the judicial process. There are those who find much satisfaction in this.

In the light of the oppressive practices current in this country this diversity between the judicial and the police process is not likely to evoke the applause of laymen. Certainly to one whose head is a mass of bruises from applied black-jacks and rubber hoses, the distinction will appear decidedly academic. To that gentleman and his ilk the policeman and his night stick are both the law and the gospel.

What are the securities against the extortion of evidence by torture which are provided to the individual? It has been held to be a crime at common law. In 1824 Edward Livingston wrote its prohibition into his famous criminal code. Nearly a century later a similar provision appeared in the Constitution of Louisiana. The modern practices have been made criminal by the legislatures of three States. There do not appear to have been any convictions under these acts. Yet in Kentucky, where such a statute has existed since 1912, there have been five decisions involving the admissibility of confessions in which the court has declared this law to have been violated. As a practical matter it is doubtful whether such legislation has much effect other than to voice the indignation of the legislators.

On the civil side the use of these tactics almost invariably involves a violation of personal rights not to mention obvious constitutional guaranties. Often the facts present a case of false arrest and more frequently assault and battery. The fact that there appear to have been but two recoveries on this score since 1916 demonstrates that this too is in the realm of theory. Moreover three courts have ruled that the surety on the officer's bond cannot be held liable. The reasoning here is that under the condition of the bond, it is the lawful performance of the officer's duty that is guaranteed and not his acts done without any color of authority. The paucity of these cases is readily explained. The extortion of evidence takes place in secret. Then you have the word of one man who is ordinarily of questionable veracity against the testimony of several stalwart policemen.

There remains the question as to whether an extorted confession can be used against a man at his trial. This problem is governed by the simple principle that what the courts are seeking is the truth and not figments of the imagination forced from a suffering human to secure relief from further torture. It is not necessary here to voyage far into the sea of rules which determine whether or no a given confession is voluntary and hence admissible in evidence. Cases which are characterized by the use of force or violence; even where there are threats of such violence; where men are held *incommunicado* or in solitary confinement or are subjected to high pressure questioning for considerable periods; and where they are forced to undergo gruesome ordeals—all these are plain sailing. Confessions so arrived at are not voluntary. The trial judge excludes them. And if he does not the upper court will reverse, as was the case in the great majority of decisions already mentioned.

The type of confession obtained by strong arm methods is well illustrated by Bell *vs.* State. After Robert Bell had been whipped he admitted having taken money from the murdered boy and told his accusers where it was hidden. A search was made and no money was

found. So Bell was whipped again until he named another place. Again no money was found. This performance was repeated still another time. The money was never located. It is certainly a fair inference that Bell had not stolen the money.

While in many States the jury is withdrawn while the circumstances attending the alleged confession are being investigated, jurymen are not unaware of what is being whispered behind the closed door. They are quick to sense the implications of what a New York judge has termed this "standardized defense." Their verdict will reflect the extremes of their prejudices. In a community where these abuses have become a public scandal, they will acquit. The police are brutes and liars. Apart from such circumstances they will be as strongly inclined to accept the official statement of the situation and disbelieve the accused.

In the upper court the judges are by no means content with the mere disposition of the record before them. They condemn the methods employed by the police in no uncertain terms. Their opinions bristle with language denouncing "mediæval practices in this enlightened age" and "the substitution of the blackjack for the thumb-screw and the rack." Such fulminations, which are published long after the event, are usually destined to thunder unheeded in the seclusion of libraries. Like the statutes forbidding the practices, these opinions are model expressions of righteous indignation.

When now and again their echoes penetrate to the sergeant's desk the outcry is impressive. How, demand the police, are we to deal with the criminal and cope with crime if the judges are going to tie our hands? The case for the police is a strong one. Their task, particularly amid the conditions of a complex industrial scheme in which inhere the peculiar difficulties arising from diverse racial origins, is obviously far from easy. They are engaged in continuous warfare with those who dwell beyond the pale of the law and their needs warrant careful consideration. If they are hamstrung in the performance of their duties, it is at the peril of the public.

The phrase "the third degree" has been avoided. It serves only to befog the discussion. Its current vogue is said to have arisen from a slang application of certain processes in the Masonic ritual. Furthermore journalistic usage has given the words a secondary meaning which is the antithesis of their import in police circles. Properly the phrase involves a thorough and searching examination of a suspect shortly after arrest. There is thus capitalized for what it is worth the strong desire to unburden which, upon apprehension, inevitably tinctures the guilty mind. Moreover to the law-abiding this is a far-reaching safeguard. In most instances they gain their freedom upon the relation of a satisfactory account of themselves.

All this is entirely legitimate and quite within the scope of police authority. The point at which such a procedure becomes oppressive is difficult to ascertain. It is, of course, a matter of degree. It depends upon the individual and what is reasonable usage with respect to him. In a word it is the difference between what is elicited and what is extorted. In the determination of this question a trial court in Pennsylvania recently admitted in evidence a talking picture taken while the accused was being interrogated by the police.

Be the means what they may a confession is ordinarily the prize. Failing that, clues are sought by the aid of which a case may be built up by outside investigation, which in turn will either convict the accused and his accomplices or

in many instances implicate a third person. When improper coercive methods are employed the desire for further evidence is enhanced by the knowledge that the case should be presented without the extorted confession if possible, for if the facts concerning it come out, it will be excluded by the court.

The employment of force is like a contagious disease. One of the most difficult aspects of the whole problem is this species of brutalized exhibitionism which has permeated the police to so large an extent as to convince them that such measures are imperative. In attempting any solution the end sought must be to avoid handicapping the police in their necessary and legitimate investigations and at the same time to enforce safeguards against the prevalent abuses.

It has been asserted that under modern conditions our constitutional immunity against self-incrimination forces the police to the use of extreme measures. There are those who would abolish this guaranty on the ground among others, that if a thorough examination of an accused was permitted throughout the proceedings against him, the incentive to coercion by the police would be removed. Such a proposal leads the inquiry into the realm of wide and far-reaching considerations of policy beyond the scope of this article. Apart from that angle there is the serious practical difficulty in that it would require a host of constitutional amendments. Similar considerations apply to the analogous suggestion of the importation of the "inquisitorial system" in use on the Continent.

Recently a Code of Criminal Procedure which is intended to serve as a model for legislative reform by the States has been approved by the American Law Institute. It contains some provisions which are germane to this problem. In addition to a prohibition of the use of oppressive measures there is a requirement that upon arrest a person shall "without unnecessary delay" be taken before a magistrate for his preliminary examination. This should remove to some extent the opportunity for the use of coercive measures. It is during that indefinite period between the arrest and the preliminary examination that the abuses complained of usually take place. There is, of course, the practical difficulty in the non-observance of this requirement, as has been the experience in some of the States where a similar provision exists. Strict disciplinary action against offenders should take care of this. For instance, in New York the penalty for its wilful violation is a fine of five hundred dollars or a year's imprisonment, or both.

Then comes the preliminary examination, at which the accused is accorded the right to counsel and the other usual guaranties of fair dealing. At the close of the State's case the magistrate is required to tell the accused that he may, if he desires, make a statement not under oath, concerning the charge against him. The magistrate is likewise to inform him that his refusal to do so may not later be used against him, but that if he does make such a statement, whatever he says may be offered in evidence against him at his trial. In this manner an opportunity for voluntary confession or avoidance is accorded a suspect upon the heels of the event and at a time when the urge to unburden is at its height. There is substituted, for the dubious process behind the closed door, an open proceeding before a responsible official.

The best commentary upon these provisions is the experience that lies back of them. Their first appearance was in an English statute in 1848. With minor variations this practice exists at the pres-

ent time. It is buttressed by the English law with respect to admissions made by an accused to the police. While there is no decision of an upper court which flatly excludes such evidence, it is stated that it is to be received with the greatest caution and to be rejected if found to be not voluntary.

The investigations of the police are exceedingly thorough and are conducted in a manner which is carefully calculated to avoid intimidation. This is well illustrated by the so-called Judges' Rules which were promulgated in 1912 for the guidance of the metropolitan police. The gist of them is that after an officer has decided to make an arrest, before putting any further questions to the suspect or listening to any remarks which he may volunteer, he should caution the person that "whatever he says may be used in evidence." Important investigations are handled by trained officials of long experience who proceed cautiously and with uncommonly shrewd ability.

And they get results. In the ten cases which have been reviewed by the upper courts since 1907 statements made to the police have been ruled out in but two instances. In one of these the officer had failed to give the customary caution. In the other after two men had been charged separately with the same offense, they were confronted with each other. Then the police read to them statements which each had made behind the back of the other. The court condemned this as "an informal preliminary trial in private by the police." In 1918 the Judges' Rules were amended to cover this situation.

Two years ago the methods of the officials of Scotland Yard were investigated by a Royal Commission for the first time in fifty years. The occasion was the charges of a Miss Savidge that she had been subjected at Scotland Yard to an intimidating examination alone at which, due to exhaustion, her statements had not been voluntary. The circumstances were unusual. One Sir Leo Money and Miss Savidge had previously been taken into custody charged with what might technically be termed a Hyde Park offense. At the preliminary examination the magistrate dismissed the charge. Afterward it was asserted in the House of Commons that the officers who had testified at the examination had perjured themselves. An investigation of these charges was ordered in the course of which the examination of Miss Savidge took place.

The outstanding facts as to her examination were found by the Commission from a maze of testimony to be these. Two officers accompanied by a police matron called at her place of employment. Miss Savidge, who was a pretty girl of about twenty-two and quite able to take care of herself, was informed that they desired to clear up a few matters concerning the policemen connected with the recent case. She twice signified her willingness to accompany them to Scotland Yard and make a statement. Upon their arrival she was introduced to Chief Inspector Collins, an official of thirty-two years' experience and an unblemished record. The police matron enquired if she were to remain during the examination. Inspector Collins asked Miss Savidge if she so desired. The latter announced that she would be all right. The matron left but remained within call by telephone.

The examination which was conducted by Inspector Collins and another officer then took place. It lasted about four hours. In the middle it was suspended while tea was served and Miss Savidge and the officers indulged in cigarettes. At the end of the examination they escorted her to her home. At that time she

showed no visible signs of exhaustion. It was not until the following morning that she made her accusations. By a two to one decision the Commission exonerated the two officials. The contrast between these circumstances and those portrayed in Wan *vs.* United States is too obvious for comment.

It should not be inferred that the model Code provides a certain palliative against the use of torture to extort evidence. Difficult as it is for many persons to believe, there is no such magic in the letter of the law. There is simply proposed what is believed to be the best practice. Experience in England confirms this belief. Nevertheless in substantially the same form that practice is outlined to-day in the statutes of New York, Oregon, Tennessee and Nevada, as well as in England. Yet in so far as the reported decisions are evidential oppressive methods are employed in the two former States.

The explanation of the dearth of these unpleasant measures in England is to be found in circumstances that exist apart from the written word of the law. In the first place public opinion is definitely opposed to them. The mere fact of the Savidge inquiry is conclusive on this point. Then there is the attitude of the police themselves. The use of violence is contemptuously regarded as beneath their professional dignity and is rather unpleasantly referred to as "transatlantic usage." It is not playing the game. They are expected and they prefer "to go about in the sun hunting up evidence." Finally there exists a close liaison between the judicial and the police process as is evidenced by the Judges' Rules.

The use of torture to extort evidence which is so wide-spread in this country is deserving on humanitarian grounds of nothing but contempt and condemnation. Pragmatically considered it stands in much the same light. It is productive of evidence of a very poor quality; it leads through the gauntlet of perjury to exclusion in many cases; and its baneful effect in encouraging lawlessness is incalculable. In this latter connection comparative statistics are of interest. In 1928, the year of the Savidge inquiry, the report of the metropolitan police of London showed twenty-one murders known to the police; in the same year those of the New York police reflected three hundred and thirty-nine. The disproportion of other crimes of violence was even greater.

While obviously the comparatively great prevalence of crime with us can by no means be written off in its entirety as a result of the use of torture, it will not be denied that it contributes to it. The whole question is so intricately entangled with all the problems involved in the administration and enforcement of the criminal law that the conclusions on this matter of the National Commission on Law Enforcement and Observance are awaited with keen interest.

Note.—The cases referred to in this article are to be found collected in a Note in 43 Harvard Law Review at page 617. The writer desires to acknowledge his indebtedness to this source.

The Dream

BY SOPHIE KERR

"BUSINESS *woman, middle-aged, will share comfortable five-room apartment with another business woman of breeding and education. Central location. Moderate expense. Apply for appointment by letter, giving all particulars. B* 150 *Herald Tribune.*"

Miss Louisa Davies had only come to this when the rent went up to seventy-five. She made forty-five dollars a week as proof-reader to the commercial printers, Comyn & Son, and she was truly, as she said in the advertisement, middle-aged, even a little more. With all this talk about young blood she might find the pink slip in her pay-envelope any pay-day, though she didn't believe she'd be fired so long as old Mr. Comyn was active in the firm. Though she had saved faithfully and invested carefully, she didn't have enough capital to give her a living income, and she couldn't manage seventy-five a month rent alone. Sixty was a strain. When she had first taken the apartment—twenty-five years ago, imagine that!—the rent had been twenty-five, but, what with the war and changing landlords, and prices of everything flying up to the skies, it was now three times as much.

But it was a pleasant place. Third floor of an old house on Stuyvesant Square, furnished slowly and painstakingly by incessant rummaging in second-hand and small unpretentious antique-shops, cleaned and polished and shined and loved devotedly, very much as a doting mother cares for an only child, Miss Davies could truthfully believe that it had an air. And how she hated the thought of having another person live there with her! She could hardly decide which would be worse, to take another apartment, or to have a companion. In the end she told herself that, at least, if she didn't like a companion, she could get rid of her, whereas if she took another apartment she could never get this one back again. So, taking pains with each word, she wrote the advertisement. "Three insertions," she told the languid young person at the desk.

It was exciting to read the letters, though there were only six, but they gave Miss Davies a sense of power. Here were six women all wanting to come and live with her, and she could decide which would be the lucky one. Miss Davies seldom had the chance to be powerful, to decide other people's important questions; all day she sat at her desk reading proof on business booklets and circulars and catalogues, and in the evenings she did her fine laundry and mending, read her library book or a chapter of "In Tune with the Infinite," rubbed and rearranged her furniture. On Sunday mornings she went to St. Mark's, and nodded to a few acquaintances, sometimes spoke to the assistant rector, but he annoyed her by calling her Miss Davis instead of Miss Davies. In the afternoon she went up to Bronx Park and walked about briskly, enjoying the trees and the flowers but cordially detesting the people she saw. "Where only man is vile," she would murmur as she passed some specially bulging and vociferous family, smeared with ice-cream cones and spattered with sarsaparilla, greedy, unbathed, and unashamed.

Miss Davies had a married cousin who