

## Introduction:

# Crime and Scandal as Historical Sources

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The study of crimes and scandals has become a fairly standard historical method not simply for telling a good story but for exploring the broader aspects of a society. Notorious crimes and scandals necessarily are accompanied by newspaper accounts, court records, and other significant sources that might not otherwise become public. Just as the recent O. J. Simpson trial has been used to examine "celebrity" in American society, race relations, and gender, so earlier events that fascinated the public provide historical sources about events that might otherwise remain buried. Each of the articles in this issue, then, not only tells a story that captured public attention in the past but provides a lens for examining the society of that time.

The first scandal chronologically is the article by Susan Branson exploring the 1816 attempt by Ann Carson to free from prison—and thus save from execution—her second husband, who had killed her first husband. Ann Carson had, herself, been indicted but not convicted as an accessory to that murder. Her first plot was a failed attempt rescue her husband from the Walnut Street Prison. Her second plan may have been to kidnap the five-year-old son of a friend of the Pennsylvania's governor, in order to persuade him to grant a pardon. Her final plot was to kidnap the governor himself and to hold him until he signed a pardon. Many people (including Ann Carson in her *Memoirs of the Celebrated and Beautiful Mrs. Ann Carson*) expressed views of the events. Branson's article skillfully weaves together the varied attitudes in order to explain the larger context.

Like other articles in this volume, a central theme is gender and particularly the roles and role expectations for women. To begin with, Ann's first marriage at the age of fifteen to a man she did not love may have been arranged by her father in order to repair the family's fortunes. At her trial, she and her attorney consciously shaped their strategy to use contemporary expectations about women's behavior in order to win an acquittal. They expected that the governor would testify that he did not fear the kidnap attempt in order to avoid ridicule for being afraid of a woman. They also played upon gender stereotypes which held that women were not to be taken seriously in carrying out schemes like kidnapping. In short, the crimes and the trial were embedded in gender relations of the time.

In the article next chronologically, Leslie Patrick tells the story of Ann Hinson to provide insight into a number of interesting historical issues. Hinson, after her conviction for manslaughter, became one of four African-

American women who were the only women incarcerated in Philadelphia's Eastern State Penitentiary in 1830. Studies of prisons today often stress the disparity between the formal rules of a prison and the culture that emerges from the interaction of prisoners among themselves and with prison officials. This article, then, carries that approach back in time to Philadelphia's Eastern State in the early 1830's. Despite the prison's rigid rules requiring that prisoners remain in their cells and not speak to each other, the article shows that Hinson was often assigned to a cell in a part of the prison where she was not allowed and did "women's" work of cooking and washing clothes despite rules that forbade her to speak or be out of her cell. She even took part in social events hosted by the warden. With the knowledge of the staff, then, she was part of a prison life quite different from what the rules dictated.

The essay explores the degree to which her special role resulted from her gender and her race. There was, to begin with, her anomalous relationship with Mrs. Blundin—the wife of an underkeeper—who was given general access to the prison. Furthermore, there may have been a general expectation that an African-American woman could not be reformed like other prisoners or that women in general have gender roles to perform that give them different functions in a prison constructed for men. It is these questions, raised by the article but difficult to determine from the limited and conflicting evidence, that lend the article special interest.

The article by Robert James Young, Jr., tells an amazing tale of serial murder for profit that involved the coordinated activities of con men, faith healers, physicians, undertakers, and even the relatives of victims. The scheme, uncovered in Philadelphia in the late 1930s, led to the deaths of perhaps fifty to one-hundred individuals spread over three states. Among other things, this series of crimes, now virtually unknown, reminds us how quickly even the most bizarre scandals can be lost to historical memory.

But what other issues does the article explore? To begin with, the history of American belief in the occult and its impact on human behavior has been a little-explored topic, although some ethnic historians have remarked on the fact that many Italian immigrants believed in the "evil eye." Yet faith healing was central to the scheme by which the group administered arsenic to those selected to die. Another theme might be that women, in an age when divorce was legally difficult to obtain and often frowned upon, could solve their problem by purchasing life insurance on their husbands as part of a scheme to have their husbands poisoned. In the end, they hoped to be "grieving" widows rather than spurned divorcees. Finally, the 1920s and 1930s was a period when law enforcement, confronted by organized criminal schemes, began to establish task forces to coordinate various departments and increasingly to offer reduced sentences to some members of a conspiracy to persuade them to confess and testify against other members of the conspiracy. The trial of those

involved in the arsenic killings was made possible by a coordinated law enforcement effort.

If the murder ring of the 1920s and 1930s implicitly raises the issue of how past crimes can capture headlines yet soon be lost to historical memory, Thomas Everly's article on the kidnapping of young Charles Ross deals explicitly with the topic. On July 1, 1874, four-year-old Charley was seized in Philadelphia along with his six-year-old brother Walter. Although Walter was immediately freed, Charley disappeared. There were fumbling attempts to meet the kidnappers, ransom demands, while detectives from Philadelphia, New York, the Pinkerton agency, and the U.S. Secret Service searched for the boy and his abductors. The kidnapping and its aftermath fascinated the public for over a year. Eventually, police found two alleged perpetrators and shot them in a gun battle; a third suspect, who denied his guilt, was later convicted. Over the years, a number of persons claimed to be the missing boy but none were convincing, and the family eventually assumed that Charley was killed after the kidnapping.

Yet memory of the crime lived on. At the fiftieth anniversary in 1924, Walter, on behalf of the family, released a statement at the request of newspapers. More interesting, 1924 was the summer of the famous killing of young Bobby Franks in Chicago by Nathan Leopold and Richard Loeb, who sought the thrill of committing a perfect crime. They claimed that the kidnapping of Charley Ross was the "perfect" crime that they copied. Through the 1930s, Gustave Blair sought recognition as the missing Charley, but the family had lost hope and paid no attention even when he won a suit in Arizona to be recognized as the long-missing boy. Beyond these specific memories of the crime, Everly argues that the kidnapping has also been remembered in the sense that it provided the original model for our image of child kidnapping; a ransom note with misspelled words, a request for payment in small bills, and the failed attempts to set up meetings for payment.

The final article by Allen Hornblum titled "Subject to Medical Experimentation" deals with issues of medical ethics and the treatment of prisoners in the post-World War II period. The article skillfully places the Philadelphia events in the context of such major events as the Nurnberg trials of Nazi doctors for their medical experimentation as well as the Tuskegee Syphilis Study in which lower-class blacks were, for several decades, used to study syphilis without being told that they were not receiving treatment. The importance of the events in Philadelphia lay in the fact that the medical experimenters were doctors from the University of Pennsylvania, an elite Ivy League school. The scandal also made clear that the experiments were made possible by money from drug companies and other sources. That experiments of these sort were routinely performed for money by researchers in prestigious institutions tells much about the medical ethics of the time.

The article touches on at least two issues of historical importance. One, obviously, is the evolution of medical ethics. Scandals can often serve to advertise a problem and trigger reform. Today universities are required to have committees that oversee research carried out by medical schools, and also by other researchers including social scientists. The committees are expected to review all research proposals to assure the ethical treatment of subjects. In the review, a central concern is that all subjects be fully informed about all aspects of the research and then give, in writing, informed consent to take part in the study.

But another issue explicit in the study is the ethical treatment of prisoners. While questionable medical experimentation in prisons largely came to an end, a movement for the more ethical treatment of prisoners, which peaked in the 1970s, is currently in disarray in a nation that has tended to define those in prison as persons to be deprived of dignity as part of the process of preventing crime by deterrence. Despite numerous revelations of brutality and bad conditions in prisons, the scandals do not spur reform. Politicians, no doubt reflecting public opinion, compete with each other to be tough on crime, and this message has largely dominated discussions of prison life.

At any rate, these five articles—despite the differing scandals and crimes that are the subject of studies—nevertheless illuminate some common themes in American history. Each article, in its own way, places the crimes and scandals within a broad context of the social developments that shaped the scandals and the attitudes that determined the outcomes of the scandals.