



Popular Crime: Reflections on the Celebration of Violence

By Bill James



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From the one-of-kind mind of Bill James, famous for revolutionizing the way we think about baseball, comes a “thought-provoking meditation” (*Seattle Times*) and epic tour through American crime—now available in paperback.

The man who revolutionized the way we think about baseball examines our cultural obsession with murder—delivering a unique, engrossing, brilliant history of tabloid crime in America.

Celebrated writer and contrarian Bill James has voraciously read true crime throughout his life and has been interested in writing a book on the topic for decades. With *Popular Crime*, James takes readers on an epic journey from Lizzie Borden to the Lindbergh baby, from the Black Dahlia to O. J. Simpson, explaining how crimes have been committed, investigated, prosecuted and written about, and how that has profoundly influenced our culture over the last few centuries—even if we haven’t always taken notice.

Exploring such phenomena as serial murder, the fluctuation of crime rates, the value of evidence, radicalism and crime, prison reform and the hidden ways in which crimes have shaped, or reflected, our society, James chronicles murder and misdeeds from the 1600s to the present day. James pays particular attention to crimes that were sensations during their time but have faded into obscurity, as well as still-famous cases, some that have never been solved, including the Lindbergh kidnapping, the Boston Strangler and JonBenet Ramsey. Satisfyingly sprawling and tremendously entertaining, *Popular Crime* is a professed amateur’s powerful examination of the incredible impact crime stories have on our society, culture and history.

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Editorial Review

Review

“An engagingly written history of well-publicized deadly crimes.”—*Pittsburgh Post-Gazette*

For true-crime afficianados, this book is a hoot. James has to be the least starchy serious writer I’ve run across in years. He has the gift of writing the way a person talks—no easy task, believe me—giving *Popular Crime* a folksy, conversational feel.”—*The New York Times Book Review*

“A very entertaining book, and it will instigate arguments even as it scores many important points.”—*The Washington Post*

“Running through *Popular Crime* is an exploration of the enduring popularity of true crime. James’ thought-provoking meditations elevate his book far above any routine recitation of facts.”—*The Seattle Times*

“*Popular Crime* is bloodthirstily engrossing, and you can read it with the cover proudly showing, because this is an important study of American culture and the human animal’s fascination with violence. Bill James deserves a standing ovation.”—Stephen King

About the Author

Bill James made his mark in the 1970s and 1980s with his *Baseball Abstracts*. He is currently the Senior Advisor on Baseball Operations for the Boston Red Sox. James lives in Lawrence, Kansas with his wife and three children.

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I

In Rome in the year 24 AD, the praetor Plautius Silvanus pushed his wife Apronia out of the window in the middle of the night. They hadn’t been married very long, or, we might guess, very happily. It was a high window, and she did not survive the fall.

Silvanus was a member of one of Rome’s most celebrated and successful families. His father, also Plautius Silvanus, had been consul in 2 BCE. His grandmother, Urgulania, was a close friend of the empress, and a cousin, Urgulanilla, was then married to the man who would later become the emperor Claudius.

Apronia’s father rushed to the palace and awakened the emperor Tiberius. Tiberius went immediately to the scene of the crime, where he saw obvious signs of a struggle and the marks of Apronia being forced out the window. Silvanus had no explanation. He claimed that he had been asleep at the time, and that Apronia must have leapt to her death. He was arrested, judges were appointed, and Tiberius presented his evidence to the Roman senate.

A great public scandal arose, in the midst of which Urgulania sent her grandson a dagger. This was taken to be a hint. Silvanus attempted to stab himself with the dagger, and, that failing, apparently enlisted the aid of confederates; in any case, Tacitus records that he “allowed his veins to be opened,” and was soon gone.

There was still to be a trial, however. Silvanus' first wife, Numantina, was put on trial on charges of having driven her late ex-husband insane with incantations and potions ... what we would now call "witchcraft." She was acquitted.

Silvanus' family was destroyed by the scandal. Claudius divorced Urgulanilla, who was believed to have been implicated in the matter in some opaque way. The grandmother disappears from history.

In 61 AD the Prefect of the city of Rome, L. Pedanius Secundus, became embroiled in a dispute with one of his slaves, either because he had agreed to release the slave for a price and then reneged on the deal—the story told by the slave—or because Pedanius and the slave had both fallen in love with the same slave boy who was kept as a prostitute, which was apparently the story circulated in the streets. In any case, Pedanius was murdered by the slave.

Roman law required that, when a slave murdered his master, all of the slaves residing in the household were to be executed—in fact, even if the master died accidentally within his house, the slaves were sometimes executed for failing to protect the master. Pedanius had 400 slaves. The law had been as it was for hundreds of years, Roman law being harder to change than the course of a river, and there had been cases before in which large numbers of slaves had been executed, but now people were losing respect for the old values, and the slaves no longer saw the point in this tradition. Crowds of plebs—rank-and-file civilians, neither slaves nor aristocracy—gathered to protest the executions. Rioting broke out, and not for the first time, incidentally. Rioting had erupted over the same issue at other times through the centuries.

The senate debated the matter, and most of the senators realized that the executions were unjust. They were unable to block implementation of the law, however, and the order was given that the executions must be carried out. Troops attempted to seize the slaves, but a crowd gathered to defend them, armed with stones and torches, and the soldiers were beaten back. By now Claudius' stepson Nero was the emperor, never known for his civility. Nero ordered thousands of soldiers to the scene. The slaves were taken into custody, and legions of soldiers lined the streets along which they were taken to be put to death.

Ordinarily, crime stories sink gradually beneath the waves of history, as proper stiff-upper-lip historians are generally above re-telling them, but street riots are one of the things that sometimes cause them to float. On January 1, 1753, an 18-year-old girl disappeared from a country lane in an area which is now part of London, but which at that time linked London to the village of Whitechapel. Employed as a maid in London, Elizabeth Canning had spent New Year's Day with her aunt and uncle in Whitechapel. As the holiday drew toward evening she headed back to London, and the aunt and uncle walked with her part of the way. With less than a mile to go along the thinly populated lane her relatives turned back, assuming that she would be safe making the last leg of the trek alone in the gathering dusk. In 1753, of course, the streets were unlit, and also, London had no regular police service. She had with her a little bit of money, what was left of her Christmas money, which was called a "Christmas Box," and a mince pie that she was carrying as a treat for one of her younger brothers.

She failed to arrive back in London. What happened then is oddly familiar to us. Her mother immediately raised the alarm, and her friends, relatives and her employers immediately organized a volunteer search. Within hours of her disappearance they were knocking on doors throughout the area, and within two days they had covered much of London with advertisements and fliers asking for information and offering a small reward. Her disappearance attracted the attention of the city. Someone along the lane thought that he remembered hearing a woman scream about the time she disappeared.

The search, however, went nowhere for several weeks. On January 29, late in the evening, Miss Canning

suddenly reappeared at her mother's house, looking so bedraggled that her mother, when first Elizabeth came through the door, had not the slightest idea who she was. She had bruises on her face and body, a bad cut near one ear, she was dirty and emaciated and the nice dress she had been wearing at the time she disappeared had been replaced by rags. Her mother screamed, and, in the crowded part of London where they lived, the house filled quickly with friends and curious neighbors.

At this point the system of justice, such as it was, flew into action with unfortunate speed. Her neighbors began peppering her with questions about her disappearance—an obvious lapse of judgment, but what do you expect from eighteenth century peasants? We're lucky they weren't carrying pitchforks. Where have you been? Who took you? Where were you held? When you escaped, where did you find yourself?

Elizabeth, I believe, tried to answer these questions as best she could in her desperate condition. The story that she told, confused and disjointed and somewhat incoherent, is that, walking along the lane on the fateful holiday, she had been accosted by two thugs, who robbed her of her coins and her nice dress, and then pushed and dragged her several miles to a large house. There they turned her over to a group of women who made some half-hearted efforts to force her into a life of immoral trade. Resisting these efforts, she was locked in the hayloft—the attic, we would call it now—and apparently forgotten until she finally managed to escape, injuring her ear in the process. She had lived for four weeks on a loaf of bread, a pitcher of water and the mince pie.

Within minutes, the finger of suspicion had been pointed at the residents of a particular house, a large house filled with gypsies, tramps and thieves. There were some loose women who lived there, and some other oddballs and eccentrics. Yes, said Elizabeth; that sounds like that must be the house.

She was given a day to rest and recover, and then taken before an Alderman, who interrogated her and expressed some doubts about her account, but ultimately issued a warrant for a search of the property in question. A posse of Elizabeth's over-eager friends descended on the house, accompanied by a representative of the Lord Mayor of London and by other officials. All of the residents of the house were arrested. They were arraigned days later before a Justice of the Peace, who happened to be the novelist Henry Fielding. Fielding issued warrants for the detention of two women.

This story, very much like the story of the Duke Lacrosse team, would soon explode into a divisive national controversy with political overtones, occupying the attention of the British people to an extent that is ultimately inexplicable. Elizabeth Canning was destined to become, for a few months at least, perhaps the most famous person in the world. Crime stories of this magnitude make entire cast and crew into celebrities. In this cast we have an old gypsy woman named Mary Squires, with a face like a child's drawing of a witch, and a mistress of the house called Mother Wells, and in the crew we have a man bearing the moniker (I am not making this up) Fortune Natus, and a young prostitute named Virtue Hall.

Mary Squires smoked a pipe and would tell your fortune for a penny. She was the ugliest woman in the history of the world, a skinny old crone with a face full of warts, a nose the size of a pear and a lower lip, said the writers, the size of an infant's arm. Ms. Canning accused Squires and Susannah Wells, who owned the house, of stealing her corsets or, as they were called at the time, her "stays." (They were probably called "stays" because they helped the woman's body stay where it was put.) The underwear was worth perhaps less than Ms. Virtue's virtue, but at that time one could be hanged for theft in England, and while that was not the usual punishment this was not the usual case. In the early days of the story, due to the great public sympathy for Ms. Canning, her accusations were accepted at face value, and by late February the old gypsy stood in the shadow of the gallows.

The mayor of London at that time was Sir Crispe Gascoyne. Gascoyne became concerned that an injustice was occurring on his watch, and took it upon himself to prevent this. The story told by Elizabeth Canning had serious problems. She had given a description of the house which did not match the suspect dwelling in one particular after another, and she had failed to mention things about the hayloft which, having been locked in there for 28 days, she could hardly have failed to notice. It seemed to many observers inexplicable that, in describing the events before the court, she had failed to give a hint about her assailant's quite remarkable face. Further, Mrs. Squires stated immediately upon being accused that on the first of January she had been a hundred and twenty miles away, and, on investigation, this appeared to be true; once somebody finally bothered to check, she had witnesses.

The trumpet of justice had sounded, however, and Ms. Canning refused to recant. All of England now began to choose sides, the Canningites against the Egyptians (the gypsies being commonly believed to have originated in Egypt). Which side you were on tended to match up with which pub you socialized in. There was a class division, somewhat inaccessible to us now, between domestic servants and lower-class people who lacked a position.

So one pub would decide that Mrs. Squires was guilty and the one across the street would decide that Miss Canning was lying, and occasionally they would meet in the middle of the street and try to settle the matter with fists and stones. Canning's supporters raised large amounts of money to prosecute those she had accused; Squires' defenders raised essentially equal amounts for the other side. A legal battle raged back and forth for a year, bills of indictment being sought and obtained on all sides. Henry Fielding authored a pamphlet, *A Clear Statement of the Case of Elizabeth Canning*, supporting the Canningites; Tobias Smollett was among many publishing on the other side of the issue. Voltaire published a history of the affair (*Histoire d'Elisabeth Canning, et de Jean Calas*). At one point the Lord Mayor—the head of the Egyptians, who opposed Canning—was dragged from his coach and roughed up by a mob of Canningites.

Mother Wells, immediately upon being convicted as a thief, was branded with a red-hot iron, the letter "T" being seared into her skin near her thumb.

This was done in open court in full view of the spectators to the trial. Mary Squires, sentenced to be hanged, was pardoned by the King, outraging Canning's supporters, some of whom lobbed stones at the King's carriage. In April of 1754, a little more than a year after the first event, Elizabeth stood trial at the Old Bailey on a charge of perjury, accused of giving false testimony against Mary Squires. The trial lasted for seven days, making it perhaps the longest trial of a commoner in English history up to that point, and certainly the most avidly followed. She was convicted on a close vote, a unanimous verdict not being required, and was ordered to be transported to America for seven years as punishment.

Elizabeth's opponents insisted that she had made up the whole story as an excuse for some adventure that had gone awry. This is unlikely. Her supporters insisted to the end that she was right about everything except a few details of her account, that Mary Squires' gypsy friends had created a false alibi. This is unlikely. Miss Canning may have suffered exactly what she said she had suffered, but mixed up the details in her confusion, and wound up innocently participating in the prosecution of innocent people. She may have run off to meet a man she knew or thought she knew, and found herself in a horrible situation, which she never came clean about. She may have lied to avoid admitting that she had been raped. Ultimately, we just do not know.

Elizabeth Canning's supporters raised money for her to travel to America in comfort and with a little bit of a purse, to which the British judicial system made no objections. On the ship across the Atlantic she was befriended by a Philadelphia minister and his wife. She met and married a well-off young man named John Treat, the grandson of a former Connecticut governor, bore three sons and a daughter, died before the

revolution, and is believed to be buried in Wethersfield, Connecticut.

The modern American phenomenon of popular crime stories is in absolutely no way new, modern, or American. That it is truly a universal phenomenon throughout human history perhaps should not be asserted without a more complete survey, but I know of no society which did not have sensational crimes and huge public interest in them, except perhaps societies which were so repressive that the government was able to quash them.

Crime stories rush by us like oncoming traffic. New crime stories emerge in the national media almost every day. Each one roars by us for a few days, is remarked upon in casual conversation and filed away as something less than a memory. Occasionally a crime story turns and follows us, visible in our mirror for months or years afterward. Each one is important to somebody, and a few of them—something less than 2% of the murders—become books.

We are, not as a nation but as human beings, fascinated by crime stories, even obsessed with them. The Bible is full of them. On your television at this moment there are four channels covering true crime stories, and five more doing detective fiction. And yet, on a certain level, we are profoundly ashamed of this fascination. If you go into a good used book store and ask if they have a section of crime books, you will get one of two reactions. One is, the clerk will look at you as if you had asked whether they had any really good pornography. The other is, they will tell you that the crime books are down the aisle on your left, in the alcove beside the detective stories. Right next to the pornography.

The internet service that I use headlines news stories with links to them. A huge percentage of these are crime stories—yet in the chart attached, where their news summaries are sorted into categories, there is no category for crime. Maybe a third of their top news stories are crime stories; you would think that would rate one category among their 25. Apparently not.

Cable television networks which are financed and organized with high-minded civic purposes—the Biography channel, Arts & Entertainment Network, Discovery Channel—find themselves being swallowed up by crime stories, because when they put on crime stories, people watch. Forensics are a wedge, respectable science applied to dirty little crime.

If you go to a party attended by the best people—academics and lawyers, journalists and school bus drivers, those kinds of people ... if you go to a party populated by the NPR crowd and you start talking about JonBenet Ramsey, people will look at you as if you had forgotten your pants. If you are a writer and you try to talk your editor into working on a book about famous crimes, he or she will instantly begin hedging you toward something more ... something more decent. Maybe if you included a chapter on Watergate, it would be alright. If you write anything about JonBenet, you need to say how un-important that really was, compared to the attention it drew; that's really the only appropriate thing to be said about that case.

If you try to talk to American intellectuals and opinion-makers about the phenomenon of famous crimes, they immediately throw up a shield: I will not talk about this. I am a serious and intelligent person. I am interested in politics and the environment. I do not talk about Natalee Holloway. It is as if they were afraid of being dirtied by the subject.

Of course, no one has a social responsibility to be interested in Rabbi Neulander; that's not what I am saying. What I am saying is that given the magnitude of this subject, given the extent to which it occupies the attention of the nation, there are a series of obvious questions which one might guess would be matters of public discussion, but which are not discussed anywhere because the kind of people who participate in the

national conversation are terrified of being thrown out of the boat if they confess to an interest in such vulgar matters. Why do some crime stories become famous? Why does the Scott Peterson case become a national circus, while a thousand similar cases attract nothing beyond local notice? Why are people interested in crime stories? Is this a destructive phenomenon, as so many people assume it to be, or is there a valid social purpose being served? Who benefits from this? Who suffers from it? Who makes the critical decisions that cause crime stories to explode or fizzle? Are these stories actually significant to the nation, or are they truly as petty and irrelevant as intellectuals tend to assume they are?

Beyond this roomful of questions there is another room where the questions are yet more important. Does our criminal justice system work well? How could it work better? When it fails, why does it fail? How could this failure have been avoided? Do the rules make sense? What does it take to earn a conviction? What should it take?

Crime stories are very often the basis on which new laws are proposed and old ones modified. We have Megan's Law and Sarah's Law and Jeremy's Law and Amber Alerts. This has been true for many years. In the 18th century several new laws sprung from the story of Elizabeth Canning. In the 1930s we had the Lindbergh Laws and the Little Lindbergh Laws. A great deal of our law and of our criminal procedure has always been shaped and re-shaped by these very famous crimes that the best people refuse to discuss.

Of course there is a national discussion about those types of issues—among the lawyers. When the rest of us try to comment, we are reminded firmly that we are not lawyers and therefore don't know what we're talking about. No one writes about these issues. Name a book by a non-lawyer, published in the last ten years for the general public, which attempts to discuss these issues in a serious way. On truTV, whenever a guest tries to comment on some irrational wrinkle of judicial procedure, some self-important lawyer immediately steps forward to "explain" why the system has to work this way, why the system of justice would collapse if a juror were allowed to read a news report about the case or a cop was allowed to mention his prior run-ins with the defendant.

It is not my intention to bash lawyers. It is my belief that the lay public—non-lawyers—should participate actively in the discussion of crime and justice. It is my notion that popular crime stories could be and should be a passageway that the lay public uses to enter into that discussion.

I said that no one writes about these issues, which is not literally true. I am sure that in some corner of the academic world there hides an intellectual who knows vastly more about these issues than I do and has written 208 published articles about them, which none of us have ever heard of, probably because he writes like a troll, or, not to be sexist, she writes like a troll or trollette. I am not here to bash intellectuals, either; I'm just a sarcastic bastard by nature.

This book is about three things. First, it is about famous crimes, and in particular about famous crimes which have happened in the United States since about 1880. Second, it is about crime, in a general way, about the kinds of issues I have tried to introduce here.

And third, it is about crime books. I am not a lawyer or an academic, nor even a cop or a court groupie. My understanding of these issues is based on what I have read, which includes a thousand or more crime books. There is, to the best of my knowledge, no book about crime books.

The world has lost track of Elizabeth Canning's grave. She lies somewhere in Connecticut, but no one seems to know exactly where. Her story is not a part of proper history, you see; she is just someone in whom the world was so foolish as to take an interest. We know where ancient athletes were born and where they died,

and the same for actors and politicians, generals and inventors, musicians and artists, writers and industrialists. Elizabeth Canning was about the same age as George Washington, and was for many years vastly more famous than he was—and yet we have entirely lost track of her, her story sinking gradually beneath the waves.

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Users Review

From reader reviews:

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