

Porteous Finds Himself Photographed as a Criminal.

COSMOPOLITAN'S BIG SUIT

A Scientific Gentleman Who Prints Photographs of Himself in Disguise in a Magazine—Wants \$50,000.

New York, Dec. 8.—The Sun prints an amusing account of the circumstances that have been responsible for a suit for damages that has just been begun against the Cosmopolitan Magazine by George M. Porteous, the agent of the Bertillon system of identifying criminals. The Cosmopolitan is Porteous' magazine, and filed the papers in the case yesterday. Mr. Porteous has been at work introducing the system of identification in this country for several years. His idea has been to establish a central bureau in New York or Chicago, in which would be kept a collection of photographs and measurements of all the criminals in the country. It is his contention and the contention of the advocates of the system that photographs are generally useless for identification, because of the possibility of disguise; that is, a man may wear his whiskers in any number of styles, each one of which makes him a different man, so far as a full-face picture goes. Partly to prove this and partly from curiosity, a year or so ago Porteous had a lot of pictures taken of himself. There were twelve in the set—six in color and six in black and white. He says he had only three or four sets of these made, and he got the negatives, so that no more could be made. He gave one set away. That was to Major F. W. McClaughey, superintendent of the prison at Pontiac, Mich., who was formerly chief of police of Chicago. None of the other sets, he says, ever left his possession.

About a month ago he was walking in Chicago with a friend, when his attention was attracted by a set of photographs in a book store window. Under the set was a legend, "Photographs of a Famous Criminal." He stopped to look at them, and identified himself. He rushed into the store, demanding where the pictures came from, and commanding that they be taken from the window. The store man said the pictures had been clipped from the November number of the Cosmopolitan Magazine. He rushed into the store, and then started off to find Major McClaughey. On the way he was stopped by a professional criminal, who greeted him effusively and told him what a good luck it was to have his picture printed like that. Porteous, who does not know the criminal he says, but the fellow identified him by the pictures. This added to his unhappiness.

Porteous was located. Major McClaughey told him that a man named Crofton had borrowed the set of pictures for use in the Cosmopolitan, but had not returned them. The story that was to accompany them was used a proof of it that he might revise it. No such proof was ever sent, and the Major was as surprised and indignant at the publication of the article, as was Mr. Porteous. After this explanation Mr. Porteous took time to sit down and read the article. Nowhere in it did he find an assertion boldly made that the man in the picture was a criminal. The article was headed "Identifying Criminals; by A. F. Crofton." In the course of it there was this which Mr. Porteous concluded might be mistaken for a man named Crofton.

"The similarity of two photographs may often be confusing to the uninitiated observer, and may even cause an expert to hesitate when they both happen to be taken in a full-face pose. This hesitation, which is a common profile portrait is added, for even should there be a resemblance between the two profiles, there will invariably be a distinct difference in the formation of the ear, suggesting that the originals are really different people, and no makes no duplicates, and there are no two ears in the world which are absolutely identical; there is, indeed, a difference between the right and left ears of the same person, owing to the great variety of its curves and hollows, and the ear is by far the most important factor of identification of the human features. It seems to undergo no modification of form from the time of birth until death, and its immutability, which is a fact playing an important part in the changing expressions of the face, causes it to attract less notice than any of the other organs. Our eyes is as little accustomed to observe it as our language to describe it.

"In the various photographs of a professional criminal, taken at considerable intervals throughout his life, the expression of his face, the form of his mouth, the arrangement and abundance of his hair, all change, but his ear remains unalterable, and the identity of its formation in different photographs is sufficient to affirm the identity of the individual. In the set of photographs above referred to, the similarity of the various portraits is denied or offset by the evident identity of the ear. The photographs in reality are all of the same man, who was taken at various times in different disguises. It would have been almost impossible to demonstrate this fact had the profile portrait not been added to that of the full face. But in the side view of the forehead, the angle of the nose, and the formation of the ear, the proclama the identity of the original beyond a doubt."

Epitaph of the Clearing House. But Mr. Porteous didn't see what he could do about it, and he had about made up his mind to drop the matter. He came to New York on a visit, and out of curiosity he visited the clearing house. A couple of minutes after he was in there he noticed a gentleman eying him curiously. Finally the gentleman came up to him and said, "My friend, this is your business here, and he said it is a matter that makes Porteous think of the gallery in the Cosmopolitan. Mr. Porteous said at once that he was Mr. Porteous, who was introducing the Bertillon system of identifying criminals. "I thought I saw your picture in the Cosmopolitan," said the gentleman, and he added significantly, "and I had my eye on you."

Mr. Porteous is a friend of Money B. Boland, who owns a detective agency, and he visited Boland's office. Boland asked him how he came to be "singed," and complimented him on the number and efficacy of his disguises. Mr. Porteous got angry clear away. Finally he went to Mr. Nicoll and asked him to sue the Cosmopolitan for damages for libel.

Mr. Wilson, the manager of the Cosmopolitan, said to the Sun reporter yesterday that the pictures in the regular issue of the magazine were taken in the course of business. The article was written by a man who was told where to go to get the pictures. We sent to the superintendent of a state prison, and he sent us a roll of pictures.

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IT CONNOLLY & WALLACE

KID GLOVES.

Our \$1 Gloves

in 5-hook and 4-button, with Paris points and 4-button pique are the best in the world for the money.

We show a large line of Evening Dress Gloves in Suede for ladies. 16-Button, cream color, at \$1.75. We have a large line of Men's Kid Gloves, including Adlers, Dents and the new Reindeer, the latter in gold tans and new greys.

CONNOLLY & WALLACE, 209 Washington Avenue, Opp. Court House.

Advertisement for Connolly & Wallace, featuring a large illustration of a kid glove and text describing their products and services.

Advertisement for Upholster Furniture, Clean Carpets, Renovate Feathers, Make Over Mattresses, Make and Repair Springs, Sell Iron Beds, Make Fine Mattresses.

Advertisement for Schools, including School of the Lackawanna, Miss Worcester's Kindergarten and School, and Lehigh Valley.

Advertisement for Architects, including Edward H. Davis, Architect, and E. L. Walter, Architect.

Advertisement for Loans, including The Republic Savings and Loan Association.

Advertisement for Seeds, including G. R. Clark & Co., Seedsmen and Nurserymen.

Advertisement for Miscellaneous, including Bauer's Orchestra-Music for Balls, Picnics, Parties, Receptions, and Franks Bros. & Co., Wholesale Dealers in Woodware, Cordage and Oil Cloth.

Advertisement for Hotels and Restaurants, including The Elk Cafe, Schanton House, and Westminister Hotel.

Advertisement for Rail Road Time-Tables, including Central Railroad of New Jersey and Erie and Wyoming Valley.

Advertisement for Professional Cards, including Dentists, Lawyers, and Physicians and Surgeons.

Advertisement for Real Estate, including Nash's Real Estate Agency.

Advertisement for Delaware and Hudson Railroad, including a detailed time table.

Advertisement for a Desirable Home for Sale, including details about the property and location.

Advertisement for Wire Braces, including details about the product and its benefits.