

NEW OUTLOOK

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Burn Your Own Home!

Arson, as a way out for the harassed American home owner, is becoming increasingly popular. Paul W. Kearney, who tells of the new Burn Your Own Home movement, has made numerous studies of man's war against fire.

By Paul W. Kearney

NOT so many years back we were stimulated by the continual reiteration of that stirring slogan, "Own Your Own Home." Magazines and newspapers were full of authentic short-cuts to this goal; mailmen tottered under tons of advertising literature pointed toward this end; we even used to have an annual, national exposition exclusively for the prospective home owner's edification.

But things change. That old virtue, Thrift, has become the new vice, Hoarding; the banker, before whose marble temple we all touched our hats, is now fair game for anybody's kick in the pants; that Widow's Staff, the "guaranteed mortgage," turns out to be an hilarious little surprise package; and the ringing slogan of the Perpetual Prosperity Era has been edited to read, "Burn Your Own Home."

Or so it seems from the records, which are not a bit backward about indicating that the current transference of arson from the store to the dwelling is approaching the dignity of a national pastime. In the bereaved days just mentioned, arson was just another merchandising stunt. If you didn't sell your goods to the public, you could sell them to the insurance company, net a neat profit on an inflated policy and resume business in a new store—with a new insurance coverage.

Inasmuch as these opportunities still exist, it is not surprising that 1933 is proving the best arson year in our history. The amazing fact is that in about three cases out of five (or better), the crime is now committed in a residence rather than in a place of business. All over the



country residential fires are thirty to forty per cent higher than for the same period last year—and last year they were fifty per cent greater than they were six years ago. Speaking at the National Board of Fire Underwriters' annual meeting recently, President C. W. Bailey reported a "disquieting increase" in suspicious fires among home owners all over the country, observing

that it is "only too evident that many, hard pressed by mortgages or other debts, have been unable to resist the

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temptation to turn their dwellings into cash."

If this seems to be a mild protest at the collapse of human integrity, then remember that insurance people have long played ostrich with regard to the arson question—four out of five will still blandly deny the facts they know so well in a mistaken effort to avoid encouraging the practice in others.

For don't assume for a minute that it is confined to a few large cities: it prevails from coast to coast in towns large and small; it prevails even on the farm to such an extent that excellent authorities estimate one-third of our rural fires to be incendiary. Quite recently an official of a Federal land bank expressed dismay at the frequency with which their "demands for overdue payments are being answered by notices of fire losses."

In this Year of Our Lord arson seems to be unanimous: does the idea intrigue you?



Well, it isn't so enormously difficult to execute, for some of those most directly affected by a fraudulent fire seem perfectly willing to lend a helping hand. First of all, you take out \$15,000 or \$20,000 worth of fire insurance on your \$2,000 worth of belongings—or, if you have a small policy already, treble it. Nobody will ask you why—nobody will even inquire if you own that much property. All they ask is that your premium check clears the bank.

This done, you set fire to the place, taking pains to be away at the movies, or visiting your Aunt Sarah, at the proper time. So many people seem to know all the details of arranging this feature—we have at least one such fire a day in New York and sometimes four or five—that specific advice would seem to be superfluous. Suffice it to say there are numerous methods. Professional technique may be standardized, but the amateurs are unfettered by precedent and have a wide field for the expression of their virginal viewpoints. Some follow the current mode, employing the latest dodge involving a unique application of the kitchen range—others put their imaginations to work, as did that well-to-do gentleman in the mid-west who began his plot with a study of weather prognostication.

When he became adept enough to forecast a storm he arranged the set-up. Fifty feet from his home were three poplar trees, to the tallest of which he attached a wire long enough to reach the house roof and, through a gimlet hole, a foot or more inside. To the end of this wire a cord was attached, the other end of which entered a neat little box

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of shavings. Head-down on a strip of sandpaper was arranged a bundle of matches connected to one end of the box by an elastic band.

When Weather Bureau reports indicated the approach of a storm, our master mind then tied the cord to the match bundle, arranged a few other significant details in the attic, packed his valise and left for Chicago, 400 miles away. Three days later the wind rose, the poplar began to sway, the wire pulled the matches across the sandpaper against the slight resistance of the elastic, and they ignited. Immediately the cord burned through, releasing the wire, which snapped innocently back into the foliage of the tree fifty feet distant, and in fifteen minutes the house was a roaring furnace.



To be sure, the man is now in jail, but it was a swell idea, anyhow, suggesting what a field there is here for inventive genius. Some of the other amateur plants that have been tried reinforce the suggestion, but you certainly can't expect any further information without at least sending a stamped, addressed envelope!

The only catch in most of them is that you may commit the blunder made by nine out of ten amateurs which gives away the hoax to the keen-eyed firemen—but that's your lookout. If you want to avoid that pitfall, engage one of the many professionals who specialize in this work for anywhere from \$200 a job in smaller communities to \$1,000 in cities where living standards are higher. This will assure you a fine piece of craftsmanship with no undue legal muss to be cleaned up afterward.

In case the burden of collecting seems too complicated, then get a smart public adjuster to represent you; the woods are full of the kind who know when to hold their noses, and they seem to have no difficulty doing business with the first-line insurance companies.

To be sure, some of them slip up; indeed, it is no bro-mide to say that they all do in due time, and then you have a litigation on your hands, civil or criminal. But even then the odds are apt to be with you, for in many states the statutes covering arson are so archaic that an intelligent law clerk could defend you successfully. Where the ancient common law prevails, for example, arson is defined as "burning the premises of another," leaving you free to burn your own house if you like. And in other localities, the burden of proof is made so terrific that the crime is a difficult one to prosecute.



You'll probably get further aid, too, from your fellow-citizens on the jury and even in the witness chair, who seem imbued with the notion that it really isn't such a serious thing to stick the insurance companies: "They can afford it." Never was that attitude more graphically demonstrated than in one especially nefarious arson attempt which didn't go off exactly according to schedule. The arriving firemen saw the unmistakable evidences of a "plant," and notified the marshal. When he saw the set-up and contemplated the barbecue which had been cold-bloodedly staged for the ten or fifteen sleeping families on the upper floors of the rattle-trap old tenement, he had visions of a perfect appeal to the jury. Just to strengthen it, he went out and asked a passerby if he would look at the layout. When that civilian was duly impressed with the horror of what had almost happened, the marshal asked if he would sign a statement describing just what he saw. The civilian was willing; the statement was drawn up, signed, and the gentleman agreed to come to court when called.



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On trial day the prosecutor was getting along swimmingly with his building up of the case, and at the opportune moment he summoned the lay witness to the stand.

"Tell the jury what you saw that night," he suggested.



"I saw there had been a small fire," said the witness.

"Yes, but tell them about the criminal evidence."

"I didn't see any," the witness retorted blandly.

"You didn't see these cans of fire-spreaders and these fuses judiciously placed about the premises?"

"No, sir."

The prosecutor then paused to read verbatim the statement previously signed by the man on the stand. "Is that your signature?" he concluded.

The witness agreed that it was—but averred that he hadn't read the statement; never knew its context; and never saw the conditions described therein: he had been afraid not to sign it for fear of being beaten up.

Then the prosecutor played his trump. "I notice in the second paragraph here a correction: the word 'kerosene' has been altered to 'gasoline' and in the margin appear the words, 'Correction O. K.,' and your initials. Is that your hand-writing?"

Upon the admission that it was, the case broke. And its significance here is not only to show what an impartial layman will do to help a stranger "stick the insurance companies"; it gives a quick insight into the technical shrewdness required to prosecute these cases. For the truth is the fire marshal who got that statement was an old hand; he knew human nature from bitter experience with other witnesses who had weakened at the last moment. And this time he laid the ground-work for the future by intentionally writing kerosene when he meant gasoline, and by getting the witness to initial the correction in the body of the text, he frustrated the inevitable turn-about when the fellow got on the stand and lied as the marshal expected him to lie!

The fifteen helpless families meant as little to the witness as they had to the arsonist, and that is one basic requirement of the good incendiary. A few months ago painstaking sleuthing over a period of many weeks resulted in the red-handed capture of a "torch" setting fire to a flimsy summer resort in which thirty people, mostly women and children, were peacefully sleeping. And the ghastly toll of innocent victims that has been rolled up in the past six months—fourteen in one fire—merely emphasizes this observation.

Notwithstanding this, those officials who are not afraid to push in arson cases get little help in their efforts to check this crime; in many states they don't even get help from the law itself. In those commonwealths operating under the "valued policy" law this erstwhile safeguard for the policy holder has become a standing invitation to the incendiary. There no proof of loss is required; the face value of the policy must be paid without argument in a total loss fire even if that be twenty times the worth of the property destroyed—and the insurance people offer no curbs to the amount you may buy. Elsewhere the loopholes already mentioned exist in profusion, and the consequence is that the most meticulous cases must be built up at a great cost of money and energy. Thus we see a force of skilled men slaving night and day for eighteen months on one job; a crack sleuth living with his quarry through a journey of more than 3,000 miles through many states before breaking the case; another working in imminent danger of discovery by a notorious gang for a whole year

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before getting evidence that would hold water in a court that seems to give all the odds to the criminals if they happen to be arsonists.

These tough cases, to be sure, involve professionals. The amateurs who try this racket usually put their foot in it, except when they hire experts, and the story is apt to be different from every angle; especially from the angle of the average man who discovers that this stealthy threat has now moved uptown from the mercantile district and is playing around his own restricted residential neighborhood!

In view of this situation, it seems time that we took our head out of the sand and did something constructive to check this menace. Lots of suggestions have been made, of course. The underwriters, in convention assembled, mildly deplore the condition; governmental agencies mention it in their reports; chambers of commerce pass resolutions condemning the "Burn Your Own Home Movement," and loudly demand simplified laws; but so far very little has been said that gets right to the heart of the problem. The bitter truth is that the general laxity of the insurance companies is the fundamental cause of arson, and the sooner everybody admits and remedies that, the sooner we'll have a cure.

Anybody can buy an insurance policy, as big a policy as he wants to pay for, and no questions asked. The classic demonstration of that was made some years ago when several investigators were granted policies totaling \$127,500 on property actually worth \$3.96; and the same thing has been repeated time and time again in actual litigation. Here is an incendiary fire on \$25 worth of household stuff insured for \$1,400; another on \$990 worth insured for \$5,400; another on \$2,600 covered for \$140,250; still one more involving \$5,600 worth of belongings insured for \$255,000; all actual arson cases fought out in court.

Why do the companies permit such gross over-insurance? Apparently because they can't bear to disappoint an applicant!

They say, of course, that if a man is damn fool enough to pay those premiums, why shouldn't they take them and prove fraud when the time comes? The answers come thick and fast, but three are enough. First, the man who is willing to pay such premiums is not a damn fool but an obvious crook, and if the insurance company bothered to find out just how much he was over-insuring they'd know it without waiting for the fire. Second, the taxpayers who support the policy and the courts are the real damn fools: they foot the bill for the belated proof of fraud. And last, but not least, the attempts to prove fraud are so seldom successful; so the taxpayers not only pay for the futile prosecution, but for the insurance loss out of premiums which have been scaled to cover such contingencies!

They don't do it that way in Germany. There you are put through the ropes when you apply for fire insurance, for there it is something to *apply* for, not something to snatch off the bargain counter. Consequently, they have no arson. Neither would we, if we exacted one-quarter the preliminary precautions in fire insurance that are enforced by the life insurance companies. Totter into any life agency with a couple of rawls in your lungs and a knock in your heart, and see what happens to your application. Then, for contrast, go to the nearest fire insurance agency with a comparable record of ten, or a dozen, suspicious blazes to your credit, and a request for a policy that is palpably inflated—and you'll get the insurance. If you are disposed to doubt it, remember there are no arson fires in uninsured places.

It would seem, therefore, that the first attack on this spreading crime of arson would be to exact from the appli-

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cant, as preliminary requirements, some proof of good character as well as some proof of *possession*, rather than ultimate proof of *loss*.

The second offensive should be against the public adjuster: the fellow who stimulates arson in the minds of the susceptible and the personage without whom no arson ring could profitably operate. In many states anybody can be a public adjuster if he has the proper letterhead; all he needs to exist in this juicy fraud of inflated claims is a client willing to sign a false affidavit—and share the plunder. And until we have universal and stringent requirements covering operations in the field of adjusting fire losses, plus rigid licensing systems to give a check-rein on the adjuster, we will continue to see this unofficial agent the chief factor in incendiary fires.

The wayward ones, to be sure, could be checked even without such measures if, again, the insurance companies themselves would put up a united front. But they don't. Instead, they do business with all and sundry—not only with those who are unknown, or merely irresponsible, but in case after case after case where the adjusters have unmistakable records of questionable transactions, inflated claims and fraudulent dealings. One such individual, indicted in Pennsylvania, moves to an adjoining state where no regulations hamper him and resumes business. In another state a client double-crossed a crooked adjuster, refused to split the spoils and then tipped off the authorities when the latter got troublesome. That adjuster is still in business. In still another instance the adjuster's depredations got so raw that he actually went to jail for them. After his release he set himself up as an insurance agent; he still functions as such; and the odds are ten to one that the same companies he defrauded are again accepting business from him—with their fingers crossed!

With hundreds of such examples of this noble willingness to forgive and forget, which, incidentally, operates to the direct deprivation of honest insurance agents, it is clear that a twice-burned insurance company is never afraid of fire, or crooked adjusters.

As long as that situation prevails, arson will continue to increase, offering a greater threat to the property and life of the average innocent man and levying a steadily mounting tax on his anemic check-book for the support of more and better prosecuting officials. When that situation is remedied by an improved viewpoint among those most directly concerned with the arson problem, we won't need the much publicized Model Arson Law, because arson will then have lost its principal zest and the "Burn Your Own Home Movement" will collapse for lack of profit.

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