

THE EXPERT

By ROLAND BURNHAM MOLINEUX,
• Author of "The Room with the Little Door" and
"The Vice Admiral of the Blue."

(Copyright, 1907, by the New York Herald company, and published simultaneously in that paper and the Deseret News.)

THEY shoved him into the cell next to mine and went away. All that night I heard him crying softly-sobbing like a baby. The next morning when the hour for exercise arrived, I watched him shuffling around the tier.

He was an insignificant little chap with thin hair, a tremulous mouth and a weak chin. His eyes had that frightened look with which children listen to ghost stories in the evening. That's what he was, a grown up child. There was neither energy, brutality, nor intelligence indicated in his countenance or manner, and most generally the occupants of "Murderers Row" are possessed of one of these attributes.

"But it's him, all right; they've got him." Our general keeper, "Father Pat," gave me this assurance.

So this was the man who had committed the most brutal murder of the day, who had hacked a woman into pieces. Well, he did not look it. "Father Pat" shrugged his broad shoulders when I ventured this remark. "You can't always tell by looking." Then he retold the man's story, what he had done and how the police had caught him, but not as it is set down here, for "Father Pat" did not know what a governor learned years afterward—the governor who set "the groaner" free.

Over in the Whitechapel district of London things had happened. Some

that night. It was the handwriting of the murderer.

That man, whoever he was, had not remained to bid the police good morning. How was the astute superintendent of police to produce him in 24 hours or any other number of hours?

He did it though. This is how he did it.

On arriving, the superintendent had examined everyone in the place—the proprietor, housekeeper, bartender—but none of them remembered seeing the woman's companion.

Was there anyone else connected with the establishment?

No, that is, only "the groaner," the half-witted wretch who cleaned out the saloon in the morning, ran errands for the women and took drunken men away after they had been "doped" and fished. They called him "the groaner" because he followed every funeral he saw—followed them right to the grave and wept.

They brought "the groaner" to the superintendent. It did not take that

posed to give "the groaner" a mighty speedy trial. They were going to "rail-road" him. They were going to show a startled and wondering public with what skill and energy crime was punished in their locality. But at a trial there is something in favor of the accused, called a "reasonable doubt."

The judge always mentions it to the jury and sometimes the jury has been known to listen to him. There was that one tangible clue—the handwriting of the murderer. It must be accounted for; they must connect "the groaner" with the entry in the register.

Therefore in due course of time "the groaner" had a cellmate. And as a result he was soon writing letters "home" for the newcomers, who said he couldn't write. "The groaner" did it innocently and clumsily enough. He did not even suspect that the prosecuting officer had sent the stool pigeon there to make the evidence against him.

The man who murdered the woman had signed the register at the hotel

Years before he had had a wife—but that was a bit of the past which few knew. He had had one son—that also no one but himself remembered.

When his wife died the little fellow, wild with grief, had run away from home. Professor Frazer had never been able to find him, and as the years went by Professor Frazer ceased trying to do so. His profession occupied all his time.

It is not good for any one to center every thought and energy upon one object. However broad and just the beginning may be, limited concentration is bound sooner or later to narrow the mind to the view of but one side of things. It is only just, therefore, to say that this was perhaps why Professor Frazer clung loyally to his clients and persuaded even himself of

the honesty of them. For so he must have persuaded himself, as well as those employing him. Surely no man, for mere money, would knowingly

writing the art would be useless. All I must do is to point these similarities out as proof that the defendant did the writing which you wish to bring home to him. There will always be plenty of similarities in any writings."

"Yes, but there are just as many dissimilarities."

"The dissimilarities I will claim are attempts at disguise. As everything in all writings must be either similar or dissimilar, which either it happens to be, is proof against your defendant."

The assistant district attorney smiled and "the expert" took his leave.

Of course the court had appointed a lawyer to defend "the groaner." The law is just, as well as economical. In a capital case it allows \$500 to cover the attorney's fee and all the expenses of defense.

Very good lawyers do not want criminal cases. Good criminal lawyers do not take them for a retainer of a paltry \$500. Therefore, from the very nature of the case, the man appointed to defend "the groaner" must have been a court hanger-in—an ambulance chaser, or a young man without experience, or both of them combined.

Even with ability and all the will in the world it was to be an unequal fight. Atrayed against "the groaner" and his attorney and the \$500 was the district attorney's office, the police superintendent and his department and the detective bureau—all anxious for their reputations. There was also sensational journalism, clamoring that it represented public opinion.

By and by they brought "the groaner" to face a judge and jury, which were to hear the case as "prepared" (what a funny expression when you stop to think of it), by the district attorney's office, with its array of "expert" witnesses and with its hired testimony.

But there was no money to make it worth while for other "experts" to testify for "the groaner." This was the case of a poor and friendless prisoner who had no means of hiring "expert" witnesses and no power of compelling their attendance, unless the subpoena was accompanied by a retainer. There was \$500 to defend him; there was \$500,000, if need be, to convict him.

How could "the groaner's" counsel bring witnesses from distant places? Above all, how could he retain "experts" in handwriting to oppose the great Prof. Frazer? The court would not assist. The court does not appoint "experts" for the defense.

In this unfair fight, what becomes of the boasted equality of all men before

the law? And so "the groaner's" advocate advised him to "take a plea," innocent or guilty, to acknowledge guilt and throw himself upon the mercy of the court. Incidentally there would be no expense in such a course and the lawyer could keep all of the five hundred dollars to reimburse himself for such excellent and disinterested advice.

There was another reason why the lawyer could do little for "the groaner." He was unable to obtain any assistance from his client, "the groaner," kept insisting that he knew nothing about the crime. Third degree and all other methods at the prosecutor's hands had not changed his stubborn denial. He would not tell his name. He did not reveal it even to his lawyer. Then his lawyer put his client's sanity into question. Out of his slender allowance he retained an "expert" alienist. The office responded with ten "expert alienists," for there was public clamor, there was the superintendent's boast to make good, there was a reputation to be made by the assistant district attorney in charge.

The latter wanted himself to be known as a terror to evildoers. He kept a detailed account of the number of convictions he secured and gauged his efficiency by the number of years of imprisonment inflicted collectively while he held office.

Most of all he feared the criticism of the "muckrakers" if he did not do just as directed from the editorial desk.

The day for trial came. When my neighbor left his cell to go into court he was greatly improved. The excitement seemed to have nerve him into thought. He walked straighter and held his head up. We all felt sorry for him. We all knew that he had not a chance in the world.

The trial lasted several days. When they brought him back the first day he was white and trembling again. Something had done more to upset him than all the tortures of the stocks, that had passed. I heard him sobbing again through the night. Was he afraid? Had he begun to realize what it might mean to him when the case went to the jury?

He went to court again and returned even more of a wreck. Professor Frazer had been on the stand. He had sworn that the writing on the register was the same as that of the letters, but Professor Frazer had been nervous. Several times he had hesitated and stammered in his answers. He had even blushed once or twice, much to the annoyance of the prosecution.

The jury left the room. They returned very shortly with the verdict "Guilty." It was over. There was the usual buzz of excitement in the crowded court room. Spectators, attendants, report

ers, lawyers and Professor Frazer looked on the white features before them.

"The prisoner will rise." The "groaner" stood up.

"Have you anything to say why sentence of death should not be passed upon you?" The judge was grave, his voice was sad.

"No," was the scarcely audible reply. "What is your name?" asked the judge.

And when Professor Frazer heard it he had found his son.

WORKED LIKE A CHARM.
Mr. D. N. Walker, editor of the Enterprise, Louisville, Ky., says: "I ran a nail in my foot last week and at once applied Bucklen's Arnica Salve. No inflammation followed, the salve simply healed the wound. Heals sores, burns and skin diseases. Guaranteed at Z. C. M. I. Drug Store, Inc."

When Afflicted
Get the benefit of recent discoveries in medicine. **The Best**
Is none too good.

Dr. Orrin Powell's Nerve Tablets. The very latest treatment for Nervous Debility, Insomnia, Melancholia, Failing Memory, Impaired Energy, Physical and Mental Weakness. A positive cure guaranteed by the manufacturers through their agents, who are under instructions to refund your money if not satisfied with results. Price \$1.00 per box; six boxes for \$5.00. At all drug stores or by mail, securely sealed. Address Doull Bros., Salt Lake City, Utah, sole agents for the United States.



THEY BROUGHT "THE GROANER" TO THE SUPERINTENDENT.

half dozen of the outcast women of that district had been murdered and mutilated. The murderer could not be apprehended. Again and again the atrocities occurred. The police of London were demoralized. Certain of the New York daily papers, the "Mud Makers," were full of the details; there were statements, opinions, interviews. One of the latter was with the superintendent of police here in New York. He gave his opinion. He criticized the foreign officials, and then the great man broadened his chest and stated that should a similar outrage occur in New York, such was his acumen, that he would have the murderer within 24 hours.

It did occur.

Down near the docks, in a wretched little hotel, they found the thing which had once been a woman. Better to have borne it quietly to the Potter's Field and marked down in the records another mystery. It was too horrible to think of, but the "Mud Makers" love and thrive on just such carrion. They were ablaze.

It was now up to the superintendent and he knew it. The reporters to whom he had given interviews only the day before would turn and rend him tomorrow.

He went and took personal charge of the case; he found just one clue—the entry in the hotel register. It was the signature of the outcast's companion of

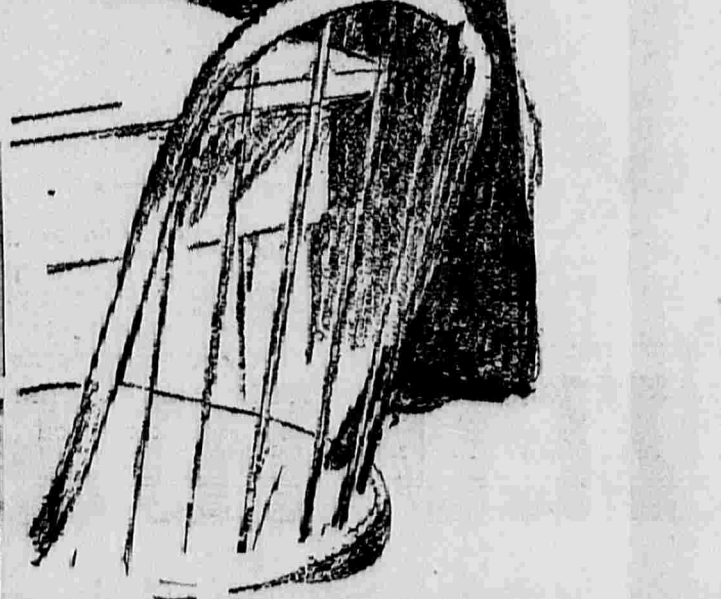
worthy long to find out that "the groaner" hadn't a single friend in all the world.

That is why the superintendent arrested "the groaner."

After a few minutes' heart to heart talk in the superintendent's office at headquarters, the proprietor of the hotel became perfectly willing to identify "the groaner" as the companion of the murdered woman. The superintendent's methods were persuasive. He pointed out to the proprietor that if he did not acquiesce it would mean the reading of the hotel night after night and that the removal of its license would be an impossibility for all time. The proprietor was then quite willing to take his oath that "the groaner" killed the woman.

At any rate, it began to look as if "the groaner" would suffer for it, especially after the superintendent had run needles under his finger nails. This was preparatory to sending for the expert chemist from the board of health. This scientific gentleman found the blood, but he did not see the needle pricks, at least there was no mention of them in his report. There were also blood stains on "the groaner's" clothing, but "the groaner" had worn the same clothes for several years, inheriting them originally from an ash barrel. Incidentally he had often been beaten by the patrons of the hotel.

The district attorney's office pro-



The district attorney now possessed specimens of the accused's handwriting. It was up to the "expert" to prove that both exhibits were written by the same hand.

There was a Professor Frazer connected with the office of the public prosecutor as an "expert" in handwriting. He was invaluable to the office and the office was invaluable to him. Professor Frazer had no other interest in life save to make money.

swear away either the life or liberty of one whom he knew to be innocent. Surely not for money, nor yet for the "bubble reputation."

To Professor Frazer were handed the hotel register and the letters "the groaner" had written for his cellmate, the stool pigeon.

"All you've got to do," (arrested said the assistant district attorney, "is to prove to the jury that one hand wrote both exhibits.")

"But—and the 'expert' looked carefully over the few lines—it didn't."

"Must have," snapped the assistant district attorney, who was in a bad humor that morning. "Must have—we have got the right man; no doubt about it."

"Never," replied the "expert."

"My dear Frazer," snarled the assistant, "are you the official 'expert' in handwriting for this office, or shall I call in"—he mentioned the "expert's" principal rival, a younger and less scrupulous person.

Professor Frazer looked down at the papers in his hands and hesitated. "Perhaps you will not need my testimony. Haven't you other evidence?"

"Yes," the assistant district attorney was apologetic now. "I've got other evidence, but I want yours. We've got to have it. Somebody did this job, and I've got to furnish the somebody."

Professor Frazer still hesitated. "Anybody would think you were doing it for love."

Professor Frazer woke up at that. "Of course, if you've got the man it would be a pity to let him escape."

"He's not going to escape."

"Better go slow; don't take too many chances," said the "expert" in handwriting to the assistant district attorney. "Wait a moment," he continued as the other, who was of the strenuous type, attempted to interrupt him. "Have you thought this case over well? Will your chief stand for this kind of business?"

"He's a psychic epileptic," sneered the lawyer; "I have always been able to manage him."

THE CALENDAR SAYS SPRING! THE WEATHER SAYS SPRING! WE SAY SPRING!



Don't you think it's about time that you exhibited evidence of thought in this direction, by donning a Spring Suit?

Values won't be any better months from now, and surely selection will be far easier and far more satisfactory with stock at its present high-tide of completeness.

You will be impatient for the change yourself when you have made a try-on of the new Spring Suits that are made by and labelled:

Alfred Benjamin & Co., New York.

Better cloth, better finish, better fit couldn't be demanded.

Poulton, Madsen, Owen & Co.
111, 113 Main St. Where the Clothes Fit.

"MOUNTAIN LION" Brand

HOLEPROOF HOSIERY represents the best to be had in the hosiery line today. The strong features are COMFORT and DURABILITY.

NO DARNING! NO HOLES!! NO SORE FEET!!

Mothers are saved hours of worry and labor. Your boy will meet his match if you give him some of these.

MOUNTAIN LION BRAND Hosiery comes in all sizes for men, women and children.

Absolutely Holeproof. One trial convinces. If your dealer wants you to have the best, he carries MOUNTAIN LION BRAND—but if he doesn't you can get them from the makers.

THE ENSIGN KNITTING CO.
30 and 32 RICHARDS STREET. Makers of the Best in Knit Goods.

The BARTON System Of Clothing for Men!

The wonderful and growing popularity of the BARTON SYSTEM OF CLOTHES is not due to accident or caprice. Shapely—fashionable—well tailored garments appeal strongly to the individual and all these features are combined in the Barton system of clothing for men and young men. Always pleased to show you.

45-47 Main St. Clothiers to Men and Boys

The General Condemnation of So-Called Patent or Secret Medicines

of an injurious character, which indulge in extravagant and unfounded pretensions to cure all manner of ills, and the

National Legislation Enacted to Restrict Their Sale

have established more clearly than could have been accomplished in any other way

The Value and Importance of Ethical Remedies.

Remedies which physicians sanction for family use, as they act most beneficially and are gentle yet prompt in effect, and called ethical, because they are of

Known Excellence and Quality and of Known Component Parts.

To gain the full confidence of the Well-Informed of the world and the approval of the most eminent physicians, it is essential that the component parts be known to and approved by them, and, therefore, the California Fig Syrup Company has published for many years past in its advertisements and upon every package a full statement thereof. The perfect purity and uniformity of product which they demand in a laxative remedy of an ethical character are assured by the California Fig Syrup Company's original method of manufacture, known to the Company only.

There are other ethical remedies approved by physicians, but the product of the California Fig Syrup Company possesses the advantage over all other family laxatives that it cleanses, sweetens and relieves the internal organs on which it acts, without disturbing the natural functions or any debilitating after effects and without having to increase the quantity from time to time.

This valuable remedy has been long and favorably known under the name of Syrup of Figs, and has attained to world-wide acceptance as the most excellent of family laxatives, and as its pure laxative principles, obtained from Senna, are well known to physicians and the Well-Informed of the world to be the best of natural laxatives, we have adopted the more elaborate name of Syrup of Figs and Elixir of Senna, as more fully descriptive of the remedy, but doubtless it will always be called for by the shorter name of Syrup of Figs; and to get its beneficial effects, always note, when purchasing, the full name of the Company—California Fig Syrup Co.—plainly printed on the front of every package, whether you simply call for Syrup of Figs, or by the full name, Syrup of Figs and Elixir of Senna, as Syrup of Figs and Elixir of Senna is the one laxative remedy manufactured by the California Fig Syrup Company, and the same heretofore known by the name, Syrup of Figs, which has given satisfaction to millions. The genuine is for sale by all leading druggists throughout the United States in original packages of one size only, the regular price of which is fifty cents per bottle.

Every bottle is sold under the general guarantee of the Company, filed with the Secretary of Agriculture, at Washington, D. C., the remedy is not adulterated or misbranded within the meaning of the Food and Drugs Act, June 30th, 1906.

CALIFORNIA FIG SYRUP CO.
Louisville, Ky. San Francisco, Cal. U. S. A. New York, N. Y. London, England.