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THE MYSTERY OF THE FORTY-SECOND STREET MURDER.

The "Monsieur Dupin" of Edgar Poe and the "Sherlock Holmes" of Conan Doyle are both said to be dead, but analytic and deductive talents have not departed from the world, and they are as applicable as ever to the solution of the puzzling questions so often presented by crimes. Indeed, as to these puzzles, they spring up all the time. Any criminal act is essentially an aberration and demands explanation. Men live and prosper by being useful to society; why then does any individual expect to benefit himself by taking a hostile attitude towards the community as a robber or a murderer? And if his first step is illogical what becomes of the others? How many strange peripeties crop out during the execution of a criminal design that is conceived and carried through in the darkness, secrecy and deceit! And yet everything that is actually done becomes a fact, and connects with all the facts that go before and come after, and this chain once seized at any point, the links in both directions can be handled, and unless suffered to drop will conduct unerringly from the start to the conclusion of the crime.

This is substantially what Thomas Harland said over a bottle of claret one spring evening at his house on East Fifty-eighth Street. We had been discussing the singular murder of an apparently inoffensive young man at the table of a boarding house on Forty-second Street on the preceding evening at about dusk. The newspapers, after their usual exhibit of bald and unconvincing narrative, involving curious and unnecessary misspellings of names and misstatements of facts, announced that as yet the police had no clues, and that while the proprietress of the house was not yet under arrest the police surveillance exercised upon her render any attempt at flight impossible.

From the verbiage of the reporters of the several journals we were justified in extracting the following details as a matter of fact: Mrs. Toploin managed a boarding house at No. 1014 East Forty-second Street. It was not the style of house known as fashionable, but was thoroughly respectable, giving and exacting reference. There were a dozen or fifteen boarders, merchants with their wives, a schoolmistress or two, and several clerks

and two law students, besides two medical students. On the evening of March 26 189-, the six o'clock dinner had passed off as usual, and at about seven the guests were nearly ready to leave the basement dining room for their rooms, when an alarm of fire was sounded in the neighborhood down the street, and the noise of the engines and trucks of the Fire Department caused a hasty escapade of the entire company, as it was thought, to the sidewalk and the front balcony and the door step above. No one noticed the exact movements or the departure of others, nor was any reckoning made of the full tale of the groups in the three localities. All the servants in the house joined the guests and the landlady, and the parties of observation remained at their post during a quarter of an hour. The servants were the first to return inside, and their screams of horror soon recalled the entire household to the dining room.

There they were appalled at seeing Jasper McClintock, the older of the two law students, reclining in his chair, stone dead, and bleeding from a wound in his left breast, from which the handle of a dinner knife protruded. The other student immediately brought in a police patrolman, who caused the surgeon of the precinct to be summoned. The doctor pronounced the man dead, and locked the door in order that no change should be effected in the position of the body or furniture pending the arrival of the authorities and coroner.

The coroner came in due time, accompanied by the captain of the precinct. The pair of officials entered the room in which the corpse lay, and admitted the accredited reporters of two or three newspapers who had found their way to the scene of the tragedy with such instincts as brings the condor of the Andes from the clouds to a dying animal. Each of these persons took copious notes, and one of the reporters made a free hand sketch of the surroundings. Then an undertaker was called, and the corpse was placed in his charge; after which the coroner went to his office to summon a jury for next day, the police captain returned to the station house and made certain entries in his blotter, while the reporters hurried to their desks to write their several stories of the event.

The dining room was then free to Mrs. Toploin and her guests.

"I have some acquaintance with one or two of Mrs. Toploin's boarders," said Harland. "Suppose we step around to her house and see if they are in, and we may possibly interview the lady herself."

II.

We reached the house in a few minutes. The remaining law student, Thomas North was at home, and greeted Harland effusively.

"This is a gloomy old hashery now," said the young fellow. "We are all awfully cut up about McClintock's death, especially Miss Bevere, you know, the older one of the two schoolma'ams. Not that she's so very old, you know, but the other one is so very young—hardly out of school herself. Now, Miss Bevere is hanging around twenty-three, to say the least; and she's awfully cut up. Says she hardly feels like coming to the table with us, and cries a good deal. Like Niobe, all tears, you know. A regular gusher."

"And when you all ran out to see the engines and things was Miss Bevere with you?" asked Harland.

"Well," said North, "I went down the street a little distance with one section of our people. There was another lot on the balcony. She wasn't in our party."

"Was Mrs. Toploin?"

"No; she staid on the balcony."

"I would like to see the scene of the affair," said Harland.

North took us into the dining room. We found Mrs. Toploin there, engaged in domestic duties, and were duly presented to her. She willingly pointed out to Harland the spot where the unhappy young man sat when he received the fatal blow, and even indicated the chair which he occupied.

"No one of the other boarders will use it now," she said. "So it stands in this corner."

"You were on the balcony," observed Harland to her, in an unconcerned manner, "when this affair was going on?"

"Yes."

"Did you notice who the other occupants of the balcony were?"

"Not exactly—not perfectly, that is. Oh, I remember Miss Girard was there, because she craned her neck over the balcony as far as she could reach, and spoke about how beautifully the zodiac light—I think she called it by that name—showed down in the west, and said she was so sorry Miss Bevere wasn't there to see it, because she was so fond of astronomy and stars, and things."

"Yes, I see," said Harland. "And have you got the tablecloth yet that was on the

table at the time?"

"That has been thrown into the wash closet, because it's all bloody."

"But not actually into the water yet?"

"Oh, no! We wash only once a week."

"Suppose you send for it."

The tablecloth was fished out from the soiled linen, and Harland spread it upon the table, over a layer of newspapers.

"I place the papers between the cloth and the board," he remarked, "so as not to shock the instincts of Mrs. Toploin, who would naturally object to having a dirty cloth come in contact with her mahogany."

Mrs. Toploin placed the chair in the precise spot in which the unhappy young man had occupied it, and then Harland adjusted the tablecloth so that the bloody portion was just opposite the chair. Then smoothing it out, he examined with great care a certain section of the napery apparently a little over six inches in length and three inches in breadth, and distant about four or five inches from the edge of the table. Following the direction of his gaze, we saw at this place an island of white cloth in the middle of a huge blood stain, or rather a congeries of stains and blotches, having the unmistakable dark-brown color of dried human blood. On this small section of the linen, comparatively free from stain, Harland directed a long and searching gaze. A slight indentation on the left-hand side of the oblong patch attracted his attention, and he carefully raised the napery in order to ascertain whether or not it was in reality a dent arising from the pressure of some hard substance or an accidental wrinkle in the cloth.

"What difference does that make?" I asked him.

"I don't know what difference it does make, but it may make a great deal of difference," was the reply. "When we get down to facts there is no question as to the size, either relative or absolute. The mosquito is a no less important fact than the elephant, and one of the species might be an invaluable link in a chain of evidence. Now, just notice," he continued, drawing me aside to a window and holding the linen up against the light, "the position of this clear spot in the sea of blood, and the circumstance of its being there at all; and its shape, the rough outline of a human hand, and not a large hand either, but on the contrary smaller than that of almost any man; these lead up to the conclusion that the person who dealt the fatal blow to this young man rested with the left hand upon the table near him and struck with the right."

When the person struck, the blow was a heavy one, and in order to intensify it the assassin leaned firmly and strongly on the table. Now see, the clear space is about six inches long and three wide, and on the left side, halfway up and about half an inch from the edge, tell me what you see across that part of the parallelogram. Look carefully; use this pocket magnifier."

I obeyed, and was sure that I discovered a faint impression, as if a narrow piece of metal had been forcibly pressed upon the surface of the linen. I turned to Harland with an expression of surprise upon my features.

"Yes," said he, "you look surprised, but you needn't. The impression there is perfectly natural. Paper will take ink, tow will catch fire, metal pressed down on linen bast will leave a mark, just as a stone set into soft wax leaves a mark. This is the highest kind of evidence. The murderer of this law student had a small hand and wore a heavy ring on the third finger."

"And does this discovery bring you much nearer him?"

"Or her?"

"Her! A she! You don't mean to say—"

"I don't say anything. When we are interrogating a mass of facts we don't assert anything. We reserve our statements until we are through with our questions. Now, a man may have a small hand and wear a ring on his third finger; but this cuts off perhaps nine-tenths of the adult male population of the globe, and not more than five-tenths of the adult female population. Therefore it is a plain case of the Rule of Three that it is odds of five to one that this deed was done by a woman. I don't assert that it was, and my induction of facts may as yet be too scanty. There is danger of losing time in adopting a supposition, or rather an inference, as a working hypothesis, too early in the game. But all the same, that is my hypothesis at the present moment. I am going to look for the woman."

"It seems incredible that one of the gentler sex should be implicated in such a bloody act."

"As the missionary said to the tigress! History is full of murderous women. Fiction writers recoil before the actualities. They are afraid the public will refuse to pay novels that are made up of feminin

atrocities. Women would commit ten times as many murders as they do if their opportunities were greater. I think I see a woman's hand here—right on this tablecloth. Is it a Lady Macbeth who has slain a king, a Marquise de Brinvilliers who has put a relative out of the way, a Judith who has beheaded a Holfernes, or a Jael who has spiked a Sisera? At any rate it is worth while to try to find out. I am going to become a client of Mrs. Toploin's hospitable hashery during the next few weeks. There is no money in it but this affair interests me, especially because the reliable morning journals state that the police are absolutely without a clue."

III.

The days came and went. The mysterious murder case dropped out of the newspapers, as all human transactions will—the five-column story of one day being succeeded by one of two columns next day; that in its turn being followed by a column of uninteresting "hash," and next day bringing a new sensation, and the total disappearance of the previous one, especially if, as in the present instance, no arrests follow. The police, in the Toploin case, stated they found "nothing to go on." The presence of all the boarders on the balcony, the steps and the sidewalk appeared to have been satisfactorily established; none of the servants had been implicated, no one had been seen to enter or leave the house during the short time in which the dining room had been left, and thus there was apparently a void space where the evidence of human beings or facts had no place of existence. Such at least was the conclusion of the police detectives.

Harland had been an inmate of the Toploin establishment about four weeks when one evening he came to my room, and, after smoking a cigar, slowly and gloomily said:

"I wish the facts had been different, but as they are they have guided me to the discovery of the guilty one."

"Is it possible?" I exclaimed, with genuine surprise. "And have you a case for the authorities?"

"No; I shall never report it."

"Why not?"

"The culprit is a person whom I wouldn't hang if I could, and I don't think I could if I wanted to, because a confidential confession is not admissible evidence, and the actual, patent, provable, incriminating facts are most scanty. From certain isolated facts Kepler guessed at, or rather jumped at, the laws of planetary motion, which succeeding discoveries have verified. So in this case, having a few facts, and connecting them with others, I taxed a certain person—no one else being present at the interview—with the deed, and an immediate acknowledgment was the result. But what shall I do with it? Well, comparatively nothing;" and here Harland sighed.

I knew he would go on if I were to keep still; so I said nothing but silently extended the box of Garcias.

Harland lighted a fresh cigar, and began thus:

"You see it's this way. Here is a very young man killed under mysterious circumstances; that is, the attendant facts are limited in number, simple in character and apparently unsuggestive. I say apparently, because all facts suggest something. But the conclusions suggested have sometimes such short legs that they are unable to run far. They tire out and fall down quickly, and end their career then and there."

"Such was the case here. The inferences of the facts were so weak that they lay down and died at the police station, or at farthest in the coroner's office. But still somebody killed Jasper McClintock."

"Now, McClintock was a young man, and almost without means; no creditor would kill him, and he could not have had debtors whom he was oppressing. This eliminates one of the sources of assassination, and quite a copious source next after political frenzy or rancor. But where a young man is concerned, particularly when he is quite good-looking and well educated, and ambitious both as to the future and as to his immediate influence upon those around him, there and then accept the advice of the great French criminal hunter, 'Cherchez la femme'—look for the woman."

"I was doubly inclined to look for her after I inspected the tablecloth. You remember the day. I showed you the impression of a hard substance, presumably a ring, on the napery at the precise point in the clear space where a hand had rested while the cloth was being covered with blood from McClintock's wound. It was no old woman who did the deed; old women don't kill young men. Young women sometimes do, on sufficient provocation. Whoever killed this young man did not come in from the outside. The fire in the neighborhood was not kindled

as a prelude to an assassination; and an outside one would not have chosen the dinner hour in a stuffy basement of a boarding house as the proper time for a murderous attack. The probabilities were all in one direction—that a young woman in the house had strong motives to kill the law student, and did kill him at an unforeseen crisis of event."

"Was it one of the servants? Hardly. They were all elderly except the waiter girl, and I learned that she had only been with Mrs. Toploin a few weeks. Besides, she was not of agreeable appearance, and was of that build and general make-up that no young man would look twice at her. Could it have been one of the three married women who were inmates of the house? As to these and each of them, I made rigorously definite search. Each is young, newly married and apparently fond of her husband. They might be fond of flirtation if there were the materials for flirtation at hand; but such excitement, if indulged in at all by them, must have been found outside, because the house was and is a deadly dull one. McClintock could certainly have carried on a clandestine, perhaps a guilty, intrigue with one or the whole three outside of the house, and thus by some act of faithfulness have drawn upon himself the fatal anger of one of them; but the fact that their presence was accounted for on the evening of the murder, each one standing beside her husband on the sidewalk, balcony or steps, removes them from the field of suspicion, and necessarily absolves the husbands also."

"You observe I am using the old-fashioned 'method of exhaustion.' It is old, but you can't improve on it. There are fifty ways of getting into an inclosure. Forty-nine of them the trespasser did not use—therefore he did use the fiftieth. A crime had been committed. Any one of twenty persons might have been the perpetrator. But we establish with tolerable certitude that nineteen of them were not concerned in the affair. We are therefore compelled to suspect the twentieth, and in our procedure to assume as a starting point the guilt of that person."

"That person being in this case?" I asked.

"Miss Bevere is the culprit; that is, my suspicions, fortified by my researches, all pointed to her. And nothing she has said or done since that fatal night negated this conclusion. Nobody remembers seeing her on the street, the steps, or the balcony. Her grief was, apparently and probably, more excessive at the time than that of anybody else; in fact, by all accounts it was very demonstrative at the time, and ever since that she has been melancholy and *distracted*. You know I have watched her narrowly, and with all the intenceness that the desire of supporting a hypothesis gives to the observer."

"I may as well tell you, because I know it will go no further," continued Harland, "that I have done in this affair some detective work which the rigorous moralist might not approve. You know that there is a widespread distrust as to the soundness of the maxim that the end justifies the means. It may and it may not. It all depends. In this case I am at sea as to whether my means were justifiable. But after all I only placed myself on the same footing as the house chambermaid. I had a key fitted, and I searched the young woman's room on four different days."

"But the knife—"

"I know the knife was not pulled out of McClintock, and I wasn't hunting for knives. I was looking for motives, impelling causes, evidences of the existence of facts that might call for compensation or equivalents. These are the great forces."

"Unless one is on the scent of a crime it is certainly an unjustifiable act to ransack the private correspondence of any person, but all of Miss Bevere's passed under my eyes. Women always keep letters. This one not only followed that rule, but she kept rough copies of her own replies, and these were carefully intercolated between the others. They formed a true record of real life. But I only concern myself with her correspondence with McClintock. It seems that she had known him before either of them came to New York. They were both from one of the upper counties of the State, near Lake Champlain, and they had boated together, and things had gone pretty far, and some of their lovemaking had taken place even then by letter; and she had come to the metropolis first, and at this time there was a large manufacture of letters, and even after he had come down to study law in Rudd & Bell's office there was an occasional letter; but more copies of hers to him than originals of his to her. McClintock was cooling off. In fact, the cooling process, had gone on to a zero, a region of absolute congealment."

"I also lit upon a suggestive fact in the discovery of a number of programmes of the Garden Theatre, Star, Broadway, Grand Opera House, each one either Beinehardt, or Fanny Davenport, in 'La Tosca.' Always 'La Tosca.' There were no other ones—no opera bouffes, no Casino comedies, no high comedy by Coghlan or Rehan. Why this iteration of that gloomy tragedy, unless for its portrayal of the heroine sending a traitor to his death by means of a dinner knife planted in his heart? The ages and the characters of the victims were different, but the essence of the wrong was the same in each case, and the glittering fiction of the dramatist became a grisly truth in the humble dining room of Mrs. Toploin."

"I also examined this poor girl's slender library. Of course I found a volume of Byron (all sentimental young women read Byron), and there was Browning and Swinburne—poetry to probe about ten to one. Here is a suggestive circumstance: the passages descriptive of revenge and of retribution, or rather reprisal, are numerously margined with a pencil. You begin to see your way, don't you?"

"I thought I saw my way, after this fashion. Here is a woman whose education and training have been those of the ambitious country girl of obscure origin, whose introspections have been painfully minute, and not always carried on with good or even reasonably fair judgment. Her actual standards of comparison being few and lowly, and her ideals of attainment (derived from history and romances) being numerous and high, she acquires an exaggerated sense of her own importance and of the cruelty of a society that refuses to recognize her superiority. Then she falls in love, and immediately invests the object of her affections with innumerable attributes and qualities which no man born of woman ever possessed, but such as a romantic girl extracts from an almanac in which she has distilled in one boiling a King Arthur, a Sir Galahad, a Lancelot, a Henry of Navarre, a Milton, a Napoleon, a Patrick Henry and a Washington."

"It is, for the time being, a rare happiness for a young man to be loved in this way, but when the eyes of his worshiper come to be opened, as they always do, and she awakes to the fact that her vision of masculine splendor is a mass of common play stuff with snivel, no one need envy his condition. It may be that 'hell has no fury like a woman scorned,' but a near approach to her is found in the woman who has with all the forces of her nature loved a man to the utmost extent of self-deception, and then wakes up to the fact that he has never really loved her, and that for her delusion she has mainly herself to blame."

"This I took to be the emotional attitude of this young woman to McClintock. There is no need to enlarge upon him. You meet with his type all the time, everywhere, in a large city. He had found out that New York swarms with girls more or less desirable in themselves, and full of promising speculation as to the future in the line of professional business and success. The Bevere girl was not potential; there were no possibilities in her. He threw her over as one throws away the stump of a cigar, and with no more remorse. I don't think he was conscious of any moral trespass, and as a matter of fact the girl may have been as much to blame as he was—if indeed there are any moralities, or grounds for blame, in this unfathomable medley and mixture of human emotions styled lovemaking. Now," continued Harland, rising up, "suppose we go around and interview the lady. I have prepared her for it by describing you as a discreet and skillful criminal lawyer whom I have retained as her counsel in anticipation of any trouble that might arise. This frees her from all fear as to the results of any talk which she may have with you—all such communications being inviolable, as even children know."

IV.

Miss Bevere received us in Mrs. Toploin's front parlor. The etiquette of the New York boarding house requires this, and also that other occupants shall quietly drift away, and that interviews which are not unduly prolonged shall not be broken in upon. Harland presented me in my capacity as a lawyer whom he had retained in view of possible contingencies, and stated that it was of vital importance that the absolute truth should be told to me, adding that the great and often fatal mistake on the part of culprits was in the deceptive practice by them upon counsel.

"The young woman was tastefully gowned yet her demeanor was not only subdued but distinctly sad, and her eyes told a story of sleepless nights."

"I take your word as to this gentleman," she said to Harland. "You know I have no secrets from you as to this sad affair."

"And I may say to you, Miss Bevere," I interposed, "that even if Mr. Harland

(Continued on page 4.)