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The MacGregor Case
It indicates the Danger of Accepting Circumstantial Evidence.
By ETHEL HOLMES

Fergus MacGregor and his wife, Elizabeth, lived on the outskirts of Edinburgh, Scotland. Their nearest neighbor lived about a quarter of a mile distant. The MacGregors appeared to live happily together till one evening their neighbor, Alexander Tweedy, heard excited voices coming from the direction of their home. Tweedy's wife thought she heard a third voice once or twice take part in what was going on trying to calm the others, but her husband failed to hear her out in this, and she was not sure. Finally the quarreling stopped, and nothing more was heard.

The next morning Tweedy on his way to Edinburgh, where he worked, passed the MacGregor home and noticed that it seemed to be deserted. A window pane on the ground floor was broken, which he had noticed before and at which he wondered, because the MacGregors were tidy persons and kept their home in good order. He continued his way, not attaching much importance to what he had seen or what he had heard the night before.

But when the next morning he passed the house again and saw no one about he became curious and, going to the window, looked in. He was shocked to see evidences of a struggle. Everything was in disorder. A table that had stood in the center of the room had been overturned, and the fragments of a lamp that had stood on it were scattered over the floor. Clothing lay about, both men's and women's.

Tweedy was astonished. He had heard no sounds that would indicate anything more than a war of words. True, his wife had awakened him in the middle of the night and said that the MacGregors were quarreling again. He had listened, but hearing nothing, told her that it was due to her imagination and she had better go to sleep and think no more about the matter. But now appearances tended to prove that the quarrel had been more serious than he supposed. Putting his arm through the aperture left by the broken pane, he raised the window and entered the house.

There was nothing of value left in it except the furniture. It looked to Tweedy as if either MacGregor had killed his wife or the wife had killed her husband and whichever was the murderer had made off with whatever could be carried away hastily. But this was only a theory and did not account for what had been done with the body of the victim.

Tweedy was about to leave the premises when he noticed on the floor a strand of red hair. The hair was long and evidently a woman's. The finder shuddered. Mrs. MacGregor's hair was red.

Tweedy dropped the strand on the floor, where he had found it, got out through the window and went on to Edinburgh to his work. In the evening when he returned to his home he told his wife that he had seen excellent evidence that their neighbor had murdered his wife, disposed in some way of the body and fed with all the valuables. Mrs. Tweedy listened to his recital with horror.

"I'm going to the sheriff to tell him of the murder," said Tweedy.

"Ye'll dinna do ony such thing, Sandy," was the reply. "Dinna mix yerself up with it. They'll think ye had summat to do with it. Let somebody else find it out."

Sandy took his wife's advice. Every morning he passed the deserted home on his way to his work and every evening on his return. His conscience smote him for not making the tragedy known, and on several occasions he told his wife that he would report it, but she always dissuaded him.

But one day the horror came out through another source. A man passing a thick back of the MacGregor home smelled an offensive odor and thought the dead body of some animal was there. Prompted by curiosity, he made an examination and found the decaying corpse of a woman. Going straight into the city, he reported his find, and persons were sent out to bring in the body. The face had been mutilated besides being decayed, so that it was beyond recognition. The hair was red. The dress was the MacGregor tartan.

An examination was made of the MacGregor home, and what Alexander Tweedy had found was carefully noted even to the strand of hair which was picked up and preserved. There being no doubt on the part of the authorities that MacGregor had quarreled with his wife, murdered her and made off with the family valuables, a search was instituted for him. He could not be found, and the search was about to be given up when some one suggested that in time a murderer will visit the scene of his crime. A watch was set, and, true enough, one day MacGregor was captured standing before his house looking at it strangely. He was immediately arrested.

"What are ye takin' me for?" he asked.

"Niver mind what we're takin' ye for? Ye'll have a chance to find that out later on."

When Fergus MacGregor was informed of the charge against him and of the discoveries that had been made he uttered no reply whatever. He seemed utterly crushed. He was advised to secure the services of a lawyer and permitted a friend to send him an attorney, who asked him what he had to say.

"What's the use o' tellin' a story?" asked Fergus. "Isn't my wife dead? I don't care if they hang me."

"Ye'd better make up a story," said the lawyer. "Tell me something that I can hang a theory on."

So Fergus told him his story. He and his wife had lived happily together but for a brother of hers, who was always applying to them for money and threatening his brother-in-law if he didn't get it. One night this brother came for money. His sister defended him against the anger of her husband, Fergus, losing his patience, told her that if she preferred her brother to him he (Fergus) would go away from her. Then he had left them and gone to the home of an old friend who lived alone some distance from the MacGregor home. Fergus declared that was all he knew of the tragedy.

"But how do you account for the murder of your wife? Surely her brother would not have killed her."

"I can't account for it any more than you can."

"Her brother must be living. Can't you suggest some way of finding him? His testimony, if you are innocent, would save you."

"He has never had any fixed abode that I have heard of. I would not know where or how to look for him. Besides, if he were not implicated in the murder he would show himself of his own accord."

"He might keep away to prevent his being called on to testify against you."

"No fear of that; he had no love for me."

The lawyer pondered for awhile, then said, "The only defense I can make is to prove an alibi, and that could be done only by fraudulent means."

"Put me on the stand and I'll tell my story."

"It's doubtless the best," said the lawyer, "that can be made out of the matter, but it will have no effect whatever on a jury."

The trial of Fergus MacGregor was looked upon as a mere formality, and there was no doubt whatever that he would be convicted. His lawyer made the most out of his story, and proof was furnished that his client had been where he claimed to have been since he had left his home. The fact that the face of the body found in the thicket could not be recognized was dwelt upon by the prisoner's counsel; but, since the garment on the corpse was one of Mrs. MacGregor's dresses, the hypothetical methods to show that the body was not that of Mrs. MacGregor fell flat. Besides, there was the strand of red hair that several witnesses who knew the lady swore was the exact shade of Mrs. MacGregor's.

The judge, the jury and the spectators were bored by the counsel's defense of MacGregor, the jury listening to it perfunctorily and the others talking together while it was being spoken. When the lawyer sat down the public prosecutor arose and said:

"There seems, your honor, no occasion for me to sum up this case at length, and I will do so very briefly. Sounds of a quarrel were heard in the MacGregor home. The prisoner disappeared, doubtless taking the family valuables with him, though they have not been found. His wife's body is concealed in a thicket near the house, identified by a dress belonging to Mrs. MacGregor and by strands of hair found in the house which she lost during a struggle for her life. Counsel for the defense has claimed that the case is one of circumstantial evidence. If it should not convict the prisoner, then no circumstantial evidence should convict any criminal."

The words were no sooner spoken than a woman came running into the courtroom.

"Fergus," she cried, "they tell me they're going to hang ye for killing me!"

The live body of the murdered woman pushed its way to the prisoner, threw her arms around his neck and patted him lovingly.

"Your honor," cried counsel for the defense, "it has been stated that if the circumstantial evidence in this case should not convict the prisoner, then no person should be convicted by such testimony. Therefore it follows that no person should be convicted on circumstantial evidence."

Every one present was dumfounded. When the prisoner could find his voice he asked his wife to tell where she had been.

"With Walter. I've been tryin' to get him out of a scrape he got into in Lunnon."

The mystery of the MacGregor case remained a mystery for ten years. Then a man was convicted of murder in Australia who before he died on the gallows made the following confession:

Ten years before he and two pals, a man and a woman, in Edinburgh, all the worse for liquor, left the town to evade the police. Passing the MacGregor home and finding it unoccupied, they broke a pane of glass, opened a window and went in. They appropriated certain articles of value, especially clothes, the men donning MacGregor's garments, the woman a dress of Mrs. MacGregor. They were about to depart when the men discovered that the woman had found some jewelry of Mrs. MacGregor. They demanded their share of it, which she refused to give up. They took it by force, unintentionally killing her in the struggle. After depositing the body in the thicket they departed. The woman's hair was red.

HEARING AND SEEING.
The Ear and the Eye and the Power of the Brain to Memorize.
Is the ear more retentive than the eye? Are we more impressed with what we hear than with what we see? There is a familiar legend of Macaulay reciting a good part of "Paradise Lost" during a voyage to India and of the historian's ability to rise from a book and repeat word for word what he had read. There are also records of John Stuart Mill's ability to remember the printed word.

But the balance of evidence seems in favor of the power to memorize that which passes through the ear into the brain. "Memory" Woodfall, who lived in the latter part of the eighteenth century, could attend a debate and report it exactly without notes, a pure feat of aural memory. Toscanini can conduct a number of difficult operas without the score before him. Thomas Beecham, the London orchestra leader conducted from memory Strauss "Rosenkavalier" upon twenty-four hours' notice. Von Buelow is said to have memorized a Stanford symphony on the train between Hamburg and Berlin and to have conducted it without the score in the latter city. Dr. Kunwald can conduct from memory a large number of orchestral works, with all their nuances of interpretation.

It is a question for the psychologist. The popular verdict probably would be in favor of the power of the ear rather than of the eye. There are a large number of people who can remember an air exactly, but to whom the printed word is an evaporated thing as soon as it passes from their eyes.—Cincinnati Times-Star.

MURDER WILL OUT.
"The Best Laid Schemes of Mice and Men Gang Aft Agley."
Once upon a time there was a lady who wished to have her real age kept a secret. In order to get away with it she instructed her son, in case any one asked how old he was, to knock off about 50 per cent.

She told people the boy was large for his age and explained the gruff tones of his voice by saying that his tonsils needed attention.

One day the rector of the church called, and while waiting in the drawing room for the lady to put the finishing touches to her makeup he talked with the boy, who was pretending to read "Little Lord Fauntleroy" for the seventeenth time. The boy volunteered the information that the next day would be his birthday.

"Ah," said the rector, "and how old will you be then?"

"Ten years old," replied the boy, as per instructions.

"Indeed!" said the rector. "I dare say you haven't any idea what your mother is going to give you for a birthday gift."

"Oh, yes, I have," was the unexpected answer. "She promised to give me a safety razor."

When the rector rushed into the hall to see what had caused the loud crash he had heard he found the boy's mother lying on the floor in a dead faint.

Moral—Old Father Time calls all bluffs.—St. Louis Post-Dispatch.

The Rat and the Bulb.
According to the French naturalist De Parville, a gardener planted one afternoon 250 tulip bulbs on a terrace, and next morning he noticed that the ground had been disturbed and that the bulbs had all been taken away. He was confident that rats had done the work, and, taking a spade, he began to dig in the hope of discovering their nest. Soon he unearthed a large female rat, which he killed, and after digging a few more minutes he discovered an underground chamber lined with hay and leaves and connected by a corridor with two holes, which were evidently used as storehouses, for in them he found the 250 tulip bulbs. This was remarkable, but more remarkable was the fact that they were neatly arranged in two rows and that not one of them had been gnawed or otherwise injured.

All Are on Time at Sydney.
At Sydney, Australia, any telephone subscriber can obtain correct standard time by calling up the Sydney-observatory, says the Scientific American. If he wishes merely to check his watch or clock he asks for "Time" and is connected with an operator who reads off the correct time to the nearest half minute from a clock controlled by the standard clock of the observatory. If more accurate information is required he asks for "Exact time" and is connected with a high frequency buzzer which transmits the actual beats of the observatory clock.

Forewarned.
Little Harold was spending a few days at his aunt's house. Just before they sat down to the dinner table he took his aunt aside and whispered: "My mamma don't allow me to ask for a second helping of dessert. I thought I'd let you know, so you wouldn't think I didn't like the kind of pie and things you make."—St. Louis Post-Dispatch.

A Good One.
"I don't see so much in these witty-claims aimed at the mother-in-law."
"Think she is unduly jostled, eh?"
"I do. Mine lives with us and when my wife storms at me the old lady takes my part quite frequently."—Louisville Courier-Journal.

A Good Guess.
"My doctor sized my pile up pretty accurately."
"How's that?"
"He said I was as sound as a dollar, and that was all I had."—Judge.

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"Saved by Wireless"
Triangle Keystone Comedy in 2 acts. 20c
Monday, 17th
Singing Contest and Pictures 15c
Tuesday, 18th
The greatest War Drama ever Filmed. I. Stuart Blackton and Albert E. Smith presents
"The Battle Cry of Peace"
featuring Charles Richman and other eminent Viagraph Stars in 9 acts, all seats 25c
Wednesday, 19th
A. D. Sears and Alfred Paget in "Martyrs of The Alamo"
A great Historical Drama of Early Days in Texas given by Triangle players under the supervision of D. W. Griffith in 6 acts.
"My Painted Hero"
Triangle Keystone Comedy in 2 acts. 20c
Thursday, 20th
Marguerite Clark in "Still Waters"
by Edith Bernard Delano, directed by J. Searle Dewley produced by Famous Players in 5 acts. 15c
Friday, 21st
William Farnum in "The Plunderer"
by Roy Norton, Direction of Edgar Lewis in 6 acts. 15c
Saturday, 22nd
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Directed by Sidney Olcott, produced by the Famous Player Film Co. in 5 acts. 15c
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