

THE TULE MARSH MURDER

STORY OF A MISSING ACTRESS AND THE TAXING OF WITS TO EXPLAIN HER FATE.

BY NANCY BARR MAVITY.

SYNOPSIS.

Don Ellsworth's wife, formerly actress Sheila O'Shay, disappears. Dr. Cavanaugh, criminal psychologist, identifies a charred body found in the tule marsh as that of Sheila. Barbara, his daughter, faints when she hears him tell this to Peter Piper, a Herald reporter.

When Mrs. Kane, Sheila's maid, is arrested she admits that Ellsworth married Sheila under threat of breach of promise. A threatening note signed "David Orme" is found in the murdered woman's safe. Peter trails Orme and arrests him. Peter sees Barbara destroy a jeweled comb of Sheila's and when she refuses to talk he realizes she is protecting someone. At Orme's trial Mrs. Kane states Orme is Sheila's real husband. Dr. Cavanaugh reviews the case.

CHAPTER XLII—(Cont'd)

"That gives you a certain rather impressive sincerity," Dr. Cavanaugh said blandly, "but it may not weigh heavily with the jury. Juries are likely to have a general idea that lawyers are an unscrupulous lot. It's partly, of course, because legal procedure seems to them a very elaborate game whose rules are too complicated for them to understand—and human nature has a way of being suspicious of what is beyond its comprehension.

"Whatever makes people ill at ease is likely to make them hostile. The average man would assume you to be an honest person, my dear Graham. You have an open countenance, if I may say so—not at all the sort of person who would misrepresent the value of a stock, for example, or cheat at a bridge game. And yet, because you are a lawyer, they will suspect you of working a magic house-pocus to try to throw dust in their eyes, even if you know your client to be guilty."

The three men were gathered for an evening conference in the office of the defence attorney, at Graham's request. The young lawyer's round, cherubic face seemed to have lost some of its rosyate chubbiness. There were puffy circles of fatigue under his eyes, and his mouth sagged in a discouraged droop. Peter's long face looked even longer than usual, and his cheeks-bones stood out sharply. His brows were drawn together in an anxious frown, that frown had become so habitual of late that it had etched two lines in parallel grooves above his eyes.

Since the adjournment of court at half past five, Peter had gone back to the office and written his lead for the next morning's "city" edition and had stopped only for a cup of coffee on his way to the lawyer's office. Graham had come directly from the courthouse; the calf-bound books marked with slips of blue paper which strewn the desk, and the pyramid of ashes in the brass bowl at his elbow indicated that he had taken no time for dinner. Dr. Cavanaugh had stopped down town for an early and leisurely repast. Of the three, he alone showed no sign of perturbation.

"You know," Peter brought the front legs of his chair to the floor with a thump, "I believe Ellsworth and the Kane woman were telling the absolute truth, queer as their stories were."

"Their testimony was a good deal worse than queer," Graham said gloomily; "it was devastating. And yet, when you go over it in cold blood, dislike of publicity and fear of scandal—especially somebody else's scandal—sound like mighty feeble motives for trying to cover up the facts of a murder."

"That's the trouble with motives," The doctor examined his cigar with calm detachment before lighting it. "The strongest of them so often do seem feeble—to the other fellow. There's the familiar notion, for instance, that all murders are committed from jealousy, anger, fear or greed. And yet there was the woman who took a hammer to her husband because he did not want her to go to a bridge party. A patient not long ago came to me suffering from what we call a compulsion neurosis. He was obsessed by the homicidal impulse to kill his wife because for 20 years she had sipped her coffee audibly from a spoon. Perhaps if one of us had had to listen to that sound for 20 years, we'd be inclined to call it justifiable homicide."

"At any rate," Graham interrupted irritably, "today's testimony brought out a perfectly good, recognizable motive—two of them, in fact—for Orme to kill Mrs. Ellsworth. It might have been jealousy, and it might have been revenge. You may call him a psychopathic case, doctor, but those are going to look like mighty sane human motives to the jury."

"Psychopathic or not," Dr. Cavanaugh asserted, "Orme is not the type of personality to be moved powerfully by either of those two particular emotions. If he did kill her, it was for some other reason."

"Well, just try to convince the jury that regardless of motive and opportunity, he simply hasn't the right kind of face for it!" Graham snorted.

"I will, my lad, I will," Dr. Cavanaugh said cheerfully. "I've convinced juries of much queerer things than that. They've almost got into the habit of believing me."

"You've examined him, doctor?"

"What did you get out of him?" Peter's chair was once again poised at its precarious angle.

"As to the actual events, no more than you already know. You are in as good position to judge as I am. What do you think?"

"I honestly don't know," Peter said slowly. "I've seen a good many murderers, but I've never seen one like him. Circumstantially, it's a strong case; but circumstances take funny quirks, sometimes."

"Well, I don't believe he did it!" Graham stabbed at the blotter so viciously that the pen stood erect and quivering. "A guilty man would either try to get out of it or throw up the game. But that's not evidence. If it weren't for that belief, I'd never have kept on with the case, not even for you, Peter. He's absolutely no help. He's adopted an attitude of—of passive non-cooperation. And if you've ever had a client like that, I guess you'd get a few homicidal impulses yourself."

"You're wearing yourself out to no purpose," Dr. Cavanaugh's calm authority had its effect. Graham plucked the pen out of the blotter and leaned back in his chair. "You leave the evidence to me. That's what I'm here for."

"Is Orme going to take the stand?" Peter inquired.

"He says he is, and I can't very well stop him. But I haven't a ghost of an idea what he's going to say. That's a pleasant position for a man's lawyer to be in isn't it? I suppose if he's as cracked as Dr. Cavanaugh says he is, he might say almost anything."

"I didn't say he was as 'cracked' as all that," Dr. Cavanaugh corrected mildly. "I haven't a notion in the world but that he'll tell the exact truth. Perhaps that's what he's afraid you'll argue him out of, if he lets you know about it before-hand."

"Look here, doctor!" Graham half rose, his face flushing angrily.

"Just a moment," the doctor waved him back with a placating gesture. "Orme may have the idea that the truth will not sound convincing. And since it is your job to be convincing you might not look very favorably upon that particular brand of truth. It might need a good deal of varnish."

"It is just possible that Orme is holding with all his strength of will to his purpose of telling exactly what he knows—and that he is afraid he might weaken under our combined persuasion if he gave us the chance to argue with him. Mind you, I know no more about it than you do! But there is nothing more stubborn than an unstable personality, set on combatting its own instability."

"Well, I've done my best to keep him off the stand," Graham said wearily. "You remain our one white hope, doctor. I was afraid even you would slide out from under, after today's testimony."

"Neither Ellsworth nor Mrs. Kane could possibly alter the facts relative to David Orme," Dr. Cavanaugh said. "I am willing to stake my professional reputation on that. In fact, I am hereby wagering a nickel!"—and he produced the coin and balanced it on the tip of his finger; "that I shall acquit David Orme. And it won't effect the verdict one particle if you two come out and have the dinner you should have eaten two or three hours ago."

CHAPTER XLIII.

The haggard beauty of David Orme as he walked firmly to the witness chair had its immediate effect on the courtroom. Despite the commonplace or modern dress and surroundings, his face might have served as model for the painting of a tortured god—Orpheus torn by the nymphs of Prometheus chained to the rock.

The carved immobility with which he had sat day after day beside the sheriff had given place to a controlled but vibrating tension. That face, with its hollowed temples and sunken eyes, somehow relegated the jurors, the group of court officials in their railed enclosure and the rows of newspaper men in their numbered seats to inconsequence, even tawdriness. Whatever else he might be, David Orme was not a sordid criminal.

Before he had opened his lips except to murmur an almost inaudible response to the oath, the room was attuned to strangeness. A shiver of excitement—something not heard, not seen, but felt like the blowing of a wind—rippled across the press rows. The men and women in the jury box uncrossed their legs, ceased fiddling with hand-bags, and leaned slightly forward.

If Graham viewed his witness with some trepidation, he concealed his uneasiness under a manner of firm and confident friendliness.

"Will you just tell the jury in your own way the circumstances in which you first became acquainted with the lady known as Sheila O'Shay?" "I was a member of the orchestra

in the theatre where Sheila was dancing." There was not the slightest concession to the formality of a court proceeding in Orme's manner. His voice was not raised in the consciousness of addressing an audience, neither did it sink to the embarrassed mumble of stage fright. It was low, but carried with perfect clearness to the farthest corner of the courtroom.

"I played—" his lips twisted sardonically as if forced to admit the point of a rather cruel practical joke—"I played the sandpaper. Rubbed sheets of sandpaper together you know. It was what's called a jazz orchestra. Perhaps I may be allowed to explain that I was trained to be a concert violinist. I was what is sometimes called an infant prodigy."

(To be continued.)

Seeing Stars

New counts of the number of stars that could be seen with perfect telescopes or unlimited power to gather light and magnify images were announced by astronomers of Mount Wilson Observatory at the annual exhibit of scientific work by the Carnegie Institution of Washington, held recently in that city. The number of stars visible to an unaided human eye probably is not over 6,000, but even a small telescope increases this number many times. Large telescopes, like the great 100-inch one at Mount Wilson, which is the largest in the world, show millions of stars even in a small part of the sky. The possibility of a complete count depends, however, upon the fact observed with these large telescopes that the stars are not scattered through space as far as these giant instruments can see. On the contrary, it is found that all of the individual stars which can be seen belong to a limited star cloud of which our sun is one. Earthly astronomers necessarily see this cloud from inside looking out, like one insect looking out through a vast cloud of other insects. Calculations based on the numbers of stars visible in the 100-inch telescope in different directions outward from the earth have made possible an estimate of the distance at which the stars begin to thin out, marking the edges of the star cloud. These calculations indicate that the total number of stars in this cloud probably is 30 or 40 billion, about six or seven million times as many as can be seen by the naked eye.

A Schwab Story

Charles M. Schwab, steel magnate, does not claim to be much of an orator. But he does tell some good stories. At a recent banquet, according to Editor and Publisher, Mr. Schwab told of a farmer who approached him.

"I've got a cow I want to sell to you, Charlie," the neighbor said.

"Yes, would she fit into my Guernsey herd?"

"No, I dunno as she would."

"Has she got anything to recommend her?"

"Well, I dunno as she has."

"Does she give lots of milk?"

"No, I can't say as she gives lots of milk, but, Charlie, I can tell you this: She's a kind, gentle, good-dispositioned old cow and if she's got any milk she'll give it to you."

A HIGHER VISION

Nay, falter not—'tis an assured good To seek the noblest—'tis your only good Now you have seen it; for that higher vision Poisons all meaner choice for evermore.

—George Elliot.



Hon. Margaret Ruthven, daughter of Lord Ruthven, governor of Jersey, is engaged to marry Peter Davies, grandson of Sir James Barrie and said to be the original "Peter Pan".

World Flight

Of all the nerve-racking moments that the Hon. Mrs. Victor Bruce experienced during her lone flight round the world, that time when she made a forced landing in a jungle clearing on the borders of Siam must have been the worst. The torrential rain, she tells us in "The Bluebird's Flight," had saturated the engine of her little machine; she was literally miles from anywhere, and night was coming on. At its greatest length the clearing was not more than a hundred and eighty yards; "Bluebird" needed a hundred and fifty in which to rise, and there were high trees all round. She swung the propeller, but there was no sign of life in the engine. Hurriedly she changed the sparking plugs and cleaned the magneto points. Still nothing happened.

I sat on the edge of the wing to take breath. How oppressively hot it was! Perspiration was pouring down my face. I felt I hadn't the strength to keep swinging that heavy propeller. I knew if the throttle were opened more fully there might be a better chance of getting the engine to start, but I dared not do this without something to hold the wheels of the machine from moving forward. . . . I felt desperate; precious moments were being lost. The sun had already sunk below the trees. I returned and gave the propeller another desperate swing. The engine burst into life, and I leapt into the cockpit and manipulated the throttle. For two or three seconds there was a spluttering and back-firing, and then the smooth, even firing to which my ears were so used.

Finally she got up—touching the tops of trees with the wheels of the under-carriage. Just out of the wood!

A LANDING ON QUICKSAND.

Another time, flying towards Jask, on the Persian Gulf, she found her oil pressure getting dangerously low. So she decided to come down on the sand near the water and fill up with some fresh oil she was carrying in the fuselage.

As I landed I felt the wheels of the under-carriage sink, and the nose of the machine dive downwards. At the same time I was shot violently forward against the windshield. Amid a deafening sound of splintering wood and a smell of escaping petrol, I found myself hanging by my straps, the tail of the machine bolt upright in the air, and the engine buried out of sight in the soft sand. I had landed on quicksand!

Half dazed she released herself, to find that she was on one of the most desolate stretches of desert on the Gulf. Even when help came—in the shape of some none too friendly natives—the difficulty was to get "Bluebird" on to its wheels again. But at last, although the wind was blowing hard, they succeeded.

"Oh, the joy! It seemed too good to be true to have got it back again without damage, for usually when a machine has landed on its nose it is a tricky business to right it, requiring skilled labor, ropes, and other material for lifting. I was delighted, and was naturally smiling; the Baluchis were so pleased that they joined hands and began to dance round the aeroplane. They insisted that I should join their 'ring of roses,' but I soon stopped, for the heat was terrific, and I felt that I should quickly become exhausted unless I got under shelter."

Such were some of the incidents that enlivened Mrs. Bruce's flight. Truly it was one of the most amazing adventures of modern times. Here was a woman, who, a little more than a fortnight before starting, had been up in the air only once, gaily setting out to fly round the world via India, Japan, and America. The buying of "Bluebird" is a story in itself. Having an hour or so to spare before lunch, Mrs. Bruce was strolling towards Bond Street. In a shop window she saw a little blue-and-silver aeroplane: Something influenced me to step inside and ask the price of the machine.

"Five hundred and fifty pounds," replied the salesman.

I was about to leave the shop when he added: ". . . and chromium plating is only five pounds extra."

That settled it. It was just like buying a motor-car. "Chromium plating five pounds extra!" I had always imagined that aeroplanes were extraordinary things, and yet this machine seemed so very ordinary.

"Could one fly round the world in this?" I asked.

"Of course . . . easily!" was the reply.

That settled it. In a week or two

Quality has no substitute



Tea "fresh from the gardens"

She was painting the name "Bluebird" on its nose, and was ready to be off. But no wonder a visitor, who asked a mechanic what "Bluebird's" registration on letters—G.A.B.D.S.—stood for, received the reply "A B—Daft Stunt!" And no wonder that when she rang up her husband on reaching Munich to tell him "I'm here," he replied: "Where? In Kent?"

ENGLAND IN SIAM.

One of the interesting features of the flight was the fact that she never knew what fresh experience she might have on landing at some out-of-the-way aerodrome. Sometimes she had pleasant surprises—at Lakhon, in Siam, for instance, where the Siamese Governor came to escort her to his house:

On arriving I was very interested to see how English everything was. The interior of the house was a perfect example of an old Elizabethan dwelling. The Governor was particularly proud of his garden, and I was highly amused to see that even the banana trees were surrounded with white paling to create the atmosphere of an English park. The entrance to his drive was also typically English, with a five-barred gate, and at the side an old-fashioned English stile. Round the porch was a great arch of foliage with masses of orchids.

The found tea waiting for her—not the usual Siamese tea, but served in English fashion with plenty of cream and sugar!

THE EARTHQUAKE.

After crossing the Yellow Sea—five hundred miles of lonely water and eight hours of suspense—she safely reached Japan. But her troubles were by no means over. She was told at her hotel not to worry if she felt the building shake, as there had been over two hundred small earthquakes that year:

I had not been asleep more than three hours when suddenly I was awakened by my bed shaking violently. At first I thought "So this is Japan," and turned over and tried to go to sleep again. But the shocks became more violent, and I simply had to sit up and take notice. Then the

whole room began to move. A horrible thought struck me. An earthquake and a bad one! . . . I tried to turn on the light, but it wouldn't work. Sparks were coming out of the electric radiator. The whole hotel was in darkness. Every second the building shook more violently. There was a crash just beside me; two china vases had fallen from the mantelpiece; it was almost impossible to keep my feet.

Needless to say, she had arrived just in time for one of the worst earthquakes of the year!

What most increases anger is the feeling that one is in the wrong.—Jean Paul Richter.



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The Truth About White Elephants

By P. B. Prior, in "Animal Life."

If you ask the average person what he knows of Siam he will probably reply that European capital is invested in the mines there. Beyond that he knows little or nothing.

Here and there, however, one may recall having read of Siam as "the land of the white elephant," which is greatly venerated there, and he will be little disposed to accept the statement that Siam is nothing of the kind.

The Siamese do not, and cannot, claim that theirs is "the land of the white elephant," because in Ceylon, to the west, and Cambodia, to the east, veneration for certain elephants is as apparent as in Siam. Yet another, and very sufficient reason for avoiding such a claim is that the "white" elephant is not white at all. The myth of the white elephant was apparently set abroad by some early Western traveller who collected information rather perfunctorily.

What the Siamese regard as sacred, and do greatly honor, are what are known as "curious" elephants. Perhaps "freak" elephants would be a better translation of the Siamese phrase, though it savors of want of respect to his majesty the elephant. But the unusual in him has probably nothing whatever to do with his color. He may, for instance, have two extra toes on his fore feet; he may have certain peculiar markings on his body—patches of red hair somewhere perhaps. But white—no! The nearest he ever approaches to white is a kind of dirty grey.

Whatever his peculiarly, however, they mark him out for extreme favor from youth. Directly a baby elephant is found with strange markings, in the north or north-east of Siam, news of the discovery is sent to Bangkok, the capital. Experts go at once to examine the youngster, and if their report is favorable, still greater—most probably royal—experts are despatched to make final decision as to whether he is worthy of veneration and as to the degree of veneration.

In him may reside the spirit of some departed great one of the Royal family, in him may even be the spirit of the Lord Buddha himself. It is not for us to inquire how these experts make a decision so momentous. The way of experts in Siam are like the ways of experts elsewhere—they are beyond the understanding of ordinary people.

Once it is decided that the youngster is the real thing, the country is agog with excitement. He has to be taken to Bangkok, there to be royally housed in special quarters within the Royal palace. The journey is in the nature of a triumphal procession. An occasion for merrymaking is to the Siamese to be sery with both hands, and on it they spend lavishly. No other nation can excel the Siamese in the art of making holiday or in discovering excuses for making holiday.

The young elephant's journey to the nearest large railway centre is a succession of boisterous welcomes and of gifts of choice foods. When he reaches the railway he finds a special train awaiting him, with spare engine and breakdown outfit attached. His majesty's progress must be made as smooth as possible. He travels in state and high comfort, attended by high members of court and church, and by many officials.

One member of the Royal family will accompany him, to say, Chiang-mai, the northern capital, and will there hand him over to a more important member with a more imposing retinue of priests with officials. When the last day's journey, from Pitsanuloke to Bangkok, is entered upon, one very near to the reigning monarch—probably the heir-apparent—takes charge. Many Canadian folk will remember Prince Purachatra of Kam-bangbeja—hardly a name to conjure with—who visited Canada some years ago. This is the man who to-day takes final charge.

By now the youngster is probably tired of the travelling and the cheering, of feasting and having lustral water poured over him. But he has still to be welcomed by the King, and to be blessed by the highest dignitaries of the Church. He has still to see a city made gay in his honor, and hundreds of thousands of people lining the streets and joyously acclaiming him as he passes.

For two days the city is en fete. Then he goes to his Royal quarters, and the capital returns to normal. Not for him any more are the joys of freedom. The loss of his freedom is the price he pays for his extra toes or whatever proclaims him royal or even sacred. His is the bondage that sometimes attaches to Royalty.

Occasionally he introduces a little excitement into his hum-drum life. He goes mad for a little while, and kills his keeper—kneels on him and crushes him into a shapeless and unrecognizable mass.

That is the one grim privilege enjoyed by the "white" elephant, who is never nearer to white than a kind of dirty grey.

A MIRROR

The private life of man is a mirror in which we may see many useful lessons reflected.—Napoleon I.

SIMPLICITY

Simplicity is an exact medium between too little and too much.—Roy-nolds.