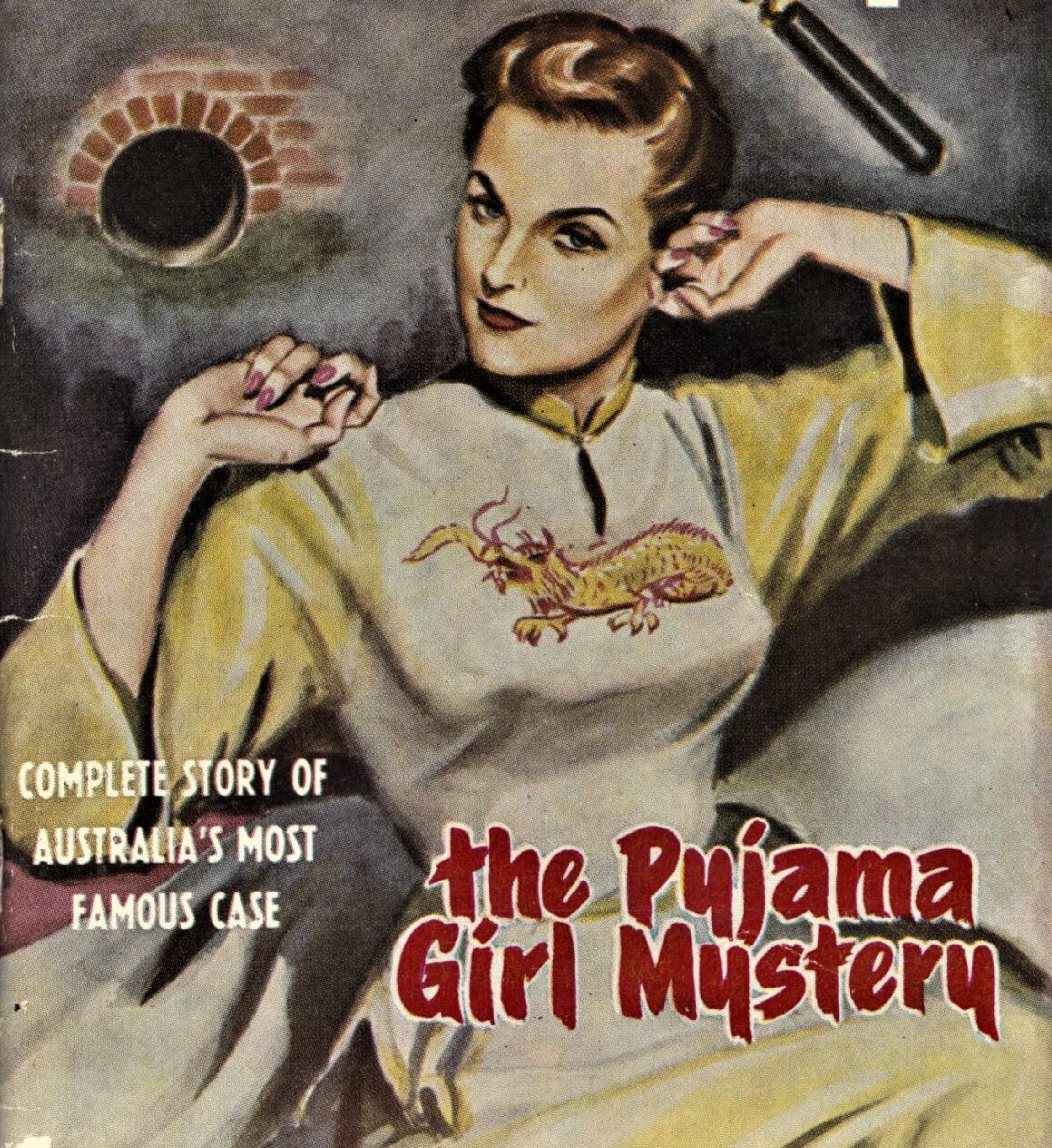


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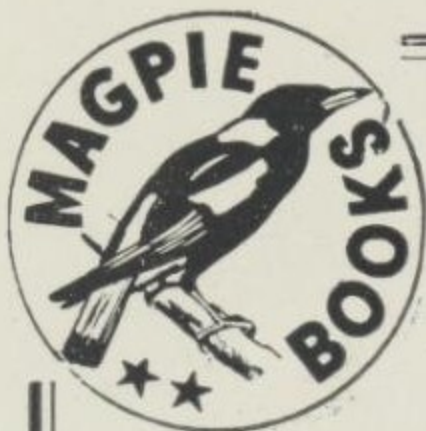


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**the Pajama
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No. 96

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FAMOUS DETECTIVE STORIES

NEW SERIES No. 6

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THE PYJAMA GIRL MYSTERY

By F. C. NEILD

This story was originally published in serial form in the early issues of "Famous Detective Stories". As these have been out of print for some time and because of repeated requests we have decided to reprint it in its entirety

THE story began in the darkness before dawn one day in August, 1934, when a car jerked to a stop beside a culvert on the Howlong Road, four miles outside Albury, Victoria-N.S.W. border town. A man stepped out and pulled after him a heavy bundle in a potato sack. He stumbled down the steep side of the road and thrust his burden into the open end of the culvert.

Returning to the car he fetched a can of petrol, poured some of it over the bundle and set fire to it. He stood there for a few minutes in the cold, crisp air, then mounted the bank to the road, poured the remainder of the petrol into the tank of his car and hurried away. The blazing bundle he left behind was the

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Pyjama Girl, known officially for the next ten years as "Miss Albury."

Had the fire not gone out the body might have been burned beyond hope of recognition, but there was no chance that it would remain undiscovered on this well-frequented road. In one sense it was really a prize bull that made the discovery.

A young man, Thomas Hunter Griffith, son of the manager of the Albury branch of Dalgety and Co., Ltd., was leading the bull along the road to his father's property, Delaware Station, not far from the death culvert. He was walking the animal in the thick grass between the fence and the built-up roadway. As they approached the culvert the bull sensed the presence of death and began quivering with fear. It stood there, rooted to the spot, head lowered, eyes rivetted on the burnt bundle.

Griffith investigated and to his horror saw human legs protruding from the burnt sacking. He hurried to the homestead and gave the alarm.

Albury police hurried to the scene and dragged the body from the culvert. They were confronted with a horrible sight. The woman's eyes were half open, her mouth twisted as if with pain, her body burned, bruised and battered. There was a gaping hole in the forehead and a bullet wound in the cheek. She was clothed only in the charred remnants of an exotic Oriental style pyjama suit of yellow and white crepe with a Chinese dragon embroidered across the front of the coat.

The body was taken to Albury and immersed in a bath filled with ice to prevent decomposition and police began extensive inquiries in the district. They couldn't know then that the chase would extend all over the world and take ten years to complete.

In cases of this kind identification is a first essential, but no local police officer could remember ever having seen the woman

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in life and it was soon learned that nobody answering her description was missing throughout the vast Riverina district. Police then concentrated on what they might learn from the body itself. The condition in which it was found indicated violent death. The body was curled up with both knees under the chin and ankles extended. The arms encircled the head. The left side of the skull had been crushed like an eggshell, as if from an avalanche of blows. The bone of the skull was loose and smashed so that the left eye had collapsed. The head had been wrapped in a towel, and a potato bag had been drawn over the upper half of the body.

Dr. Leslie Samuel Wood, who at the time was Acting Government Medical Officer at Albury, made a thorough examination of the body. Police asked him particularly to determine, if possible, which of the young woman's multiple injuries was the cause of death, if indeed, any of the observable injuries was responsible. They wanted to find out positively whether poison had been administered, or death caused by some unseen injury, perhaps an illegal operation. They reckoned with the possibility that the head injuries may have been inflicted after the woman's death in an effort to throw the detectives off the scene.

Dr. Woods came to the conclusion that death had resulted from fracture of the skull and laceration of the brain, which was partly exposed, and that the blows had been made with some blunt instrument, perhaps the back of an axe, a hammer or a tyre lever. How right he was in this early surmise, and yet how wrong.

The fire had added to the horrible disfigurement of the body. One side of the face was burned to the bone and much of the front of the pyjama coat and all of the trousers except a portion over one thigh had been burnt away. There was a deep burn in the buttocks exposing the lower bones of the spine.

Here there seemed to be all the signs of an unpremeditated

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murder, the kind of crime in which clues might be expected to abound, a crime committed in a moment of passion or anger, perhaps leaving a trail that could scarcely be covered. There were the numerous injuries to the body, the bullet found a few days later lodged in the back of the head, there were the pyjamas, the potato sack, the towel. Somewhere a hundred more clues were waiting to be found. The pyjamas suggested that the woman had died in a bedroom. There would be a bloodstained mattress perhaps. Where were the woman's belongings and the weapon or weapons used? Any of these things would have provided fresh and deadly evidence. Somewhere the killer himself lay in hiding, no doubt dreading the moment when detectives might knock on his door.

The case seemed too big to be merely a local affair, so Inspector Goodsell, in charge of Albury police, decided to hand the case over to headquarters. Inspector Prior and Detective-Sergeant Allmond and McDermott, star sleuths of N.S.W. police force, hurried down from Sydney. Mr. Childs, then Commissioner of Police, followed and set up his field headquarters at Delaware Station for the greatest manhunt in living memory.

The State's leading detectives were the Commissioner's chief lieutenants, and they directed the activities of a small army of plain-clothes and uniformed police. They knew that speed was essential, for every day that passed, every hour, gave their man a better chance of escaping. Police of the two adjoining States were ordered to report on any motorist who had behaved in a strange or suspicious manner. So far, the result was a blank but the net spread, covering all possible tracks and avenues of escape.

One of the leading investigators, Detective-Sergeant T. McRae, who is no longer in the police force, came to the significant conclusion that the Pyjama Girl had been killed a long way from

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Albury, probably in Sydney or Melbourne, and her body carried by car to the spot where it was found.

At least two men actually saw the Pyjama Girl's funeral pyre while the fire was still burning, and had they realised the significance of the discovery the case might never have become the sensational mystery it was destined to be. These two men were returning separately by car from a dance at the village of Brocklesby, twenty-eight miles from Albury, within a matter of an hour or two, probably, of the time the body was dumped and set alight.

One of the men, Bernard Miley, of the George Hotel, Albury, later told police that as he drove over Dight's Hill, two miles west of the culvert, he saw the fire blazing fiercely. It was about 2.30 a.m. and police considered the man they wanted might still have been lurking about in the vicinity. Unaware of this grim possibility Miley slowed down with the intention of investigating the fire, and then came to the conclusion that a tramp had probably camped there for the night. Miley drove on.

A few minutes later Roy Johnson, of the Albury Woollen Mills, returning home along the same road, saw smoke and flames at the culvert, and as his car passed the spot he noticed another car parked just off the road. Like Miley, Johnson drove on, but as he approached Albury the car he had seen near the culvert raced past him at high speed—he estimated about 70 miles an hour—and turned south across the border into Victoria.

Another motorist who passed the spot about an hour and a half before Miley and Johnson, told the police he was positive there was no fire there at the time. Thus did Lady Luck step in to give the fugitive a start of ten years.

The investigation now settled down into two major lines of inquiry—first identity, second who was responsible for her death?

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Police realised that while the Pyjama Girl remained unidentified the body itself was the only tangible evidence they possessed, but death was daily working its changes and the danger was that even this evidence might become useless. Already the features were beginning to discolour and change in general appearance. Something had to be done, and quickly, so the police called in Charles Kinsella and Son, funeral directors, to embalm the body with a secret formula learned in America. Skilfully they restored the swollen and distorted features to normal, removing the horrible lines of the girl's death agony. They shampooed and dressed her tousled, dust-covered hair, rouged her lips, darkened her eyelashes and brows, filled the gaping hole in her forehead.

The embalmers' work showed the body to be that of a more than pretty girl with finely-chiselled features, delicately shaped and sensitive nose. She had apparently been well-groomed in life. Her finger nails had been manicured, her hair professionally coiffured, her eyebrows plucked—indications that she was probably a city girl in comfortable circumstances. She seemed about 25 years of age, of slight build, five feet one inch in height, with brown hair and greyish eyes. She had evidently been robust in health and may have been married, but had never been a mother. Her hands suggested that if she worked for a living that work was not laborious.

After embalming, the body was placed in a bath of formalin in the Medical School at Sydney University, where it was to lie in state until 1944. The bath was made of metal and was fitted into a wooden coffin. Grim epitaph of the unknown woman was written on a small luggage label attached to the coffin: "Miss Albury—the property of the New South Wales Commissioner of Police."

Artists reconstructed the girl's face in drawings and a model

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of the face was made from the drawings by Detective Sergeant Cecil Jardine, of the Police Scientific Bureau. Photographs were distributed to newspapers all over the world in an effort to trace the woman's identity, but again the result was negative.

The Government of New South Wales offered rewards of £250 to any person who could identify the girl, and £500 for evidence leading to conviction of her supposed killer. When that failed to produce results the amounts were raised to £500 and £1000 respectively, with an offer of pardon for any accomplice who might give evidence for the Crown. One Sydney newspaper went so far as to offer readers £100 for a clue leading to the solution of the crime. The Government's rewards were the highest, in total, ever offered by the State Government for the solution of a crime.

Soon after the body was found an Albury dentist, Francis Jackson, examined the teeth. He extracted several of the filled teeth for close examination, made a plaster cast of the mouth and remaining teeth, placed the extracted teeth in their correct positions, and prepared a chart of the girl's mouth. Pictures taken from the cast were circulated all over the world in the hope that the dentist who had done the fillings would recognise his work. One upper and one lower tooth had a gold inlay and four upper teeth had been filled with amalgam.

Jackson expressed the opinion that the teeth were so distinctive and the fillings so well done that the dentist who had done them could not fail to recognise them again, a fact which added to the mysteriousness of the case as the years passed.

Three other clues were also being followed by the police, and any one of them might conceivably have led to a solution. These were the pyjamas, the towel and the potato bag. Markings on the potato bag were subjected to infra-red ray cameras which showed

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the letters D . L M . E, with two distinct gaps. Exhaustive inquiries led to the discovery that the bag had come from Dalmore, a potato-growing district in Victoria, and to the disappointing consequence that similar bags of potatoes were despatched regularly throughout Australia.

The towel gave promise of greater success. It was of common manufacture, but it was branded with three letters which had become partly obliterated and might have been RCO, MCO, RIW or QIW, according to which way they were examined. Infra-red photography suggested that the most likely combination was RCO. It was thought they represented an easily identifiable laundry or house mark, but exhaustive inquiries again drew a blank.

The exotic pyjamas were thought to be an uncommon make that could be traced easily, but finally police learned they were of a kind imported in fairly large quantities and that many hundreds had been sold in Australia.

While the newspapers of the world were headlining the celebrated mystery, police were busy investigating the cases of 11,000 girls and young women who had been reported missing in Australia. Among them was the case of an English girl named Linda Platt, but there was not sufficient evidence to prove that any of them could have been the Pyjama Girl. As a result of police inquiries on the case 300 missing girls were returned to their families during the first two years, and 10,000 altogether were traced.

These early intensive investigations are estimated to have cost more than £50,000 and the total later must have amounted to much more. No crime investigation in Australia had ever been so costly, nor so extensive.

There is no other case on record in which more strenuous efforts have been made, or more modern scientific knowledge used in an

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effort to solve a mystery. A visiting Scotland Yard official said in 1938 that the Pyjama Girl inquiry was often quoted by Scotland Yard as an example of the extent to which police investigations can go in cases of suspected murder. Fields of inquiry which were never thought of before were explored.

By 1944 the Pyjama Girl had been "positively identified" by eighteen different people who were later proved mistaken. On one occasion in Adelaide, a man "confessed" to having killed the woman. He was later found to be mentally deranged. During the ten-year investigation police closely examined more than 200 theories of the crime of which the most sensational was that prepared by Dr. Benbow, who thereby became a leading character in the story, lending it a touch of Sherlock Holmesian color.

In 1939, five years after the body was found, a quantity of woman's clothing was found in a lagoon beside the Howlong Road near Albury. Detectives had the lagoon pumped dry and found in the bottom a number of clues which later figured in some aspects of the case. Among them was a blouse stained with what appeared to be blood, a shoe, a woman's rubber topboot, two slippers and a suitcase. The clothing was of the style worn in 1934. Police then made a wax model of the Pyjama Girl, dressed it in clothing similar to that found in the lagoon, and made another attempt to have the girl identified.

Pictures of this model, and other exhibits in the case, were included in a documentary film in which part of the mystery was reconstructed. It was widely-distributed in Australia and elsewhere in the hope that somebody would recognise the girl or recall some suspicious incident. Before the first screening a mysterious warning was received by Mr. Rupert Kathner, producer of Enterprise Films, Ltd., which did the filming. Consisting of letters cut from a newspaper and pasted on a sheet of paper, the warning

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read: "The Pyjama Girl is dead. If you value your life don't finish the film." Mr. Kathner informed the police and continued with the film. The warning note had no sequel.

An interesting development was the co-opting by the police of the services of Professor A. N. Burkitt, Professor of Anatomy at Sydney University, who examined the body and gave police a report which in the light of subsequent events was remarkably near the truth.

Professor Burkitt said he considered the Pyjama Girl to be between 22 and 28 years of age at the time she died. Judging by the texture of the skin and hair, and the formation of the teeth, he considered she was more likely to be English or European than Australian. As a result police checked the whereabouts of about 2,250 women between 20 and 30 who arrived in Australia from overseas in 1934.

In these cases, the assistance of the Registrar-General, shipping companies and relatives, was sought. Many of the women were eliminated easily by known facts. For instance, any girl who had been operated on for appendicitis was eliminated immediately, because the Pyjama Girl had never undergone such an operation. Another point of identification was that the formation of the Pyjama Girl's ears was distinctive and ugly.

No inquest was held until three and a half years after the body was found. When the inquiry opened before the Albury Coroner, Mr. C. W. Swiney, P.M., police offered no evidence of identification, and the whole proceedings took less than two hours. At the end of the hearing the Coroner found that "an unknown woman, aged about 25 years, of slight build, height 5ft. 1in., with brown hair and greyish eyes, had met her death between August 28 and August 31, 1934, by injuries inflicted by an unknown person."

The Coroner made no order for the burial of the victim, whose

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body still lay in its formalin bath. The inquest had brought to light no new evidence, but seemed to be merely a formal closing of the case. It looked as if the perfect crime had been committed and for a time the case disappeared from the public eye.

By 1938 it had passed into legend and few people expected ever to hear more of it, but a chance incident laid the foundation for its re-opening. It happened in the waiting room of Dr. T. A. Palmer Benbow's surgery at Pott's Point, Sydney. Among the magazines on the table was a Sydney pictorial weekly which reviewed the Pyjama Girl case. Among other pictures was one of the towel showing the almost obliterated letters which had puzzled the police. Glancing at the picture one day Dr. Benbow thought the letters looked like QIN. He wondered whether it might be possible to use this slender clue to solve the mystery, and there and then decided to make his own inquiries. The results were astounding.

Dr. Benbow reasoned that the letters QIN probably represented the phonetic spelling of somebody's name, a common method of identification used in laundries at one time. The name could be Quinn, or Quin, for instance. Dr. Benbow went to Albury, checked the electoral roll for people of a similar name and finally found his way to a miserable shack on Albury Common owned by people named Quin. At the time the Pyjama Girl died the shack had been occupied by an elderly woman, Mrs. Lucy Collins, from whom Dr. Benbow elicited information that convinced him he was on the track of the person responsible for the girl's body being found by the road.

His findings and his theory of the case became public when he submitted two affidavits to the Probate Court in support of an application by Mrs. Jeanette Constance Routledge, of Bomaderry, N.S.W., seeking an order for the disposal of the estate of

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her daughter, Anna Philomena Morgan. She based her application on the claim that her daughter was the Pyjama Girl, and that Dr. Benbow had unearthed proofs supporting her claim.

Mrs. Routledge told the Probate Judge, Mr. Justice Nicholas, that her daughter was born in October, 1911, in Sydney (making her 23 at the time the Pyjama Girl died). The girl, she said, had left home in March, 1930, and Mrs. Routledge had last seen her in October, 1932, in Sydney. She had refused to return home.

The application to the Probate Court was aimed at proving her daughter's death, because the girl's grandmother, a woman of some wealth living in South Africa, had provided in her will a legacy of £2,000 for the girl, and if the grandmother knew of Anna's death, the bequest would go to other children of Mrs. Routledge.

It became evident that the police had already investigated the disappearance of Anna Philomena Morgan in their earlier inquiries on the Pyjama Girl case, because Mrs. Routledge told the judge that about 11th May, 1937, Detective Sergeant McRae took her to Sydney University to attempt identification of the body in its formalin bath.

Mrs. Routledge now claimed in the Probate Court that before she went into the room where the body lay, the detective said to her: "Remember this before you go in. She is no more your daughter than she is mine." It was not until several years later that the story of what lay behind that remark, if it was made at all, came out.

Continuing her story Mrs. Routledge told the Probate Judge that the battered corpse filled her with horror. She had an overwhelming desire to get out of the room and out of sight of the body, and she said to the detective: "I cannot recognise her. She is not my daughter."

In September, 1940, Mrs. Routledge added, she went with Dr.

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Benbow to inspect the body again, and this time identified it as that of her daughter by certain characteristics, such as a thick growth of hair on the left elbow, the texture of the hair and the shape of the ears.

In the affidavits which Dr. Benbow submitted to support Mrs. Routledge's claim, the doctor said that at Albury, the old woman Lucy Collins told him the following story: "In August, 1934, a very fair-haired girl came to Quin's shack where I was living. She was a stranger to me. She was very good-looking and I noticed her beautiful teeth. She asked if I could put her up for a few days, and she seemed very tired and hungry.

"I got her something to eat. She stayed for three days and nights. I did not know her but used to call her Sweet Nell. Ginger Quin came over one night and was talking to her. I understood that they were old friends, and I thought they were lovers, so I went outside for a while and left them sitting on the bed. When I came back I found they were fighting on the bed, and Ginger Quin was throttling her."

Dr. Benbow said in his affidavit that he asked Lucy Collins if the girl had attempted to defend herself. The woman replied: "Too bloody right she did. I tried to help her and got knocked to the floor." She added that she saw Quin smash the girl on the head with a piece of iron from a broken bedstead.

According to this story Quin ran away and Lucy Collins attended to the injured girl. Then "old Mrs. Quin" and her husband came along. Mrs. Quin wet a towel at the tank and washed the girl's face. "I saw a terrible hole in the girl's forehead," Lucy Collins was alleged to have told Dr. Benbow. "Her eye was smashed to bits. They carried her out all doubled up and put her in a sulky with a towel around her head. She was breathing."

Dr. Benbow's affidavit said that he showed Lucy Collins a photo-

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graph of Mrs. Routledge's daughter. Lucy Collins wept bitterly at the sight and said: "That is the girl that came to my shack."

The trouble with Dr. Benbow's affidavit was that so far as it related to allegations of injuries having been inflicted upon Philomena Morgan by Ginger Quin, such statements being based on hearsay were of no evidentiary value and provided no foundation in Law, nor in fact for any finger of suspicion being pointed at Quin.

It was not surprising therefore, that the Crown's reply to Dr. Benbow's affidavit was brief and crushing. The Assistant Crown Solicitor, Mr. A. W. Barry, pointed out that the Doctor's affidavit was mere hearsay and that no evidence from the woman herself had been produced.

Dismissing the application for probate of the will, Mr. Justice Nicholas said he was not satisfied that the evidence established the identity of the Pyjama Girl. He said he would pass on the papers referring to Quin to the Crown Solicitor for consideration in regard to steps in the criminal jurisdiction. It is hardly surprising that the judge took this view of the case. It was asking a lot for a Probate Judge to determine the identity of the Pyjama Girl, a problem which the brains of the Police Force had so far found insoluble.

A few months later the Attorney General announced that he had directed that no further action was called for in the case. The police had reported they were satisfied Anna Philomena Morgan was not the Pyjama Girl. The Attorney General added that three police officers had inquired into the evidence submitted by Dr. Benbow, and they found that no young girl had been attacked and battered in the hut occupied by Lucy Collins. The Crown Solicitor, after considering the police report, had said no credence could be given to the story attributed to Lucy Collins about the alleged assault. The police report added, the Attorney General

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said, that Dr. Benbow knew, when he made his affidavit, that the information supplied to him by Lucy Collins had proved, after investigation, to be without substance.

Dr. Benbow, who was responsible for some of the most startling developments in this celebrated case, was not a man to be easily turned from his path. Though his case was discredited his sincerity was not impugned and his medical qualifications were formidable enough to prove he was no idle fool seeking some gain for himself. The case did, in fact, cost him a very considerable sum.

Dr. Benbow has scientific qualifications of a high standard. He is a Member of the Royal College of Surgeons, England; a Licentiate of the Royal College of Physicians; a Doctor of Medicine of Jefferson Medical College, Philadelphia; and he holds the Diploma of the the U.S.A. National Medical Board.

He is middle-aged, hair turning grey, a charming personality, humorous, scholarly, with a passion for science and the inexhaustible enthusiasm of a young man. His interest in the Pyjama Girl case was purely scientific. He believed he had solved the mystery by scientific methods of crime detection, and he was not satisfied that he had been proved wrong.

For four years Dr. Benbow worked intensively on the case. First to develop his theory and then to have it recognised by the proper authorities. He had studied the world's leading criminologists and writers on crime detection. Among these were the methods of induction and deduction exploited by Sherlock Holmes in the famous Conan Doyle stories. Dr. Benbow had absorbed Edgar Allan Poe's theory of analysis, Francis Bacon's method of inductive reasoning, Bertillon's anthropometry, the system of identification by minute scientific measurements of the human body, and Ashton Wolfe's developments of Bertillon's

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methods. Dr. Benbow applied these principles to his own researches into the Pyjama Girl mystery.

He began by marshalling the known facts from all available sources in Sydney, formulated a hypothesis and went to Albury, the scene of the mystery, to check his hypothesis. He claimed that the most important part of his evidence was not the second-hand story of Lucy Collins which merely corroborated his scientific findings.

He prepared as evidence three life-size photographs for scientific comparison. The first was a photograph of the battered and burned face of the Pyjama Girl, taken shortly after the body was found. The second was of Anna Philomena Morgan at the age of 16 or 17. The third was of the Pyjama Girl after seven years in the formalin bath. On these photographs Dr. Benbow drew, with scientific exactitude, a network of lines and angles. The pattern of lines on each photograph was identical, proving, according to Dr. Benbow, that the faces were anatomically identical.

He found 47 identical measurements, including 21 of the teeth alone. The lips were identical in thickness and shape. A dimple below the nose on each picture was identical, and there were identical peculiarities of the angles of the mouth in each case.

Dr. Benbow then produced a fourth photograph of a face similar to the others but of a different person again, and imposed on it the same pattern of lines and angles to show the wide variations in measurements. He argued the scientific axiom that Nature never repeats herself, that no two grains of sand, no two snowflakes, are exactly alike, nor any two human heads, even in the case of twins who look alike.

In addition to these photographs Dr. Benbow also submitted a photograph of the hand of Anna Philomena Morgan, and compared it with a photograph of the shrivelled hand of the corpse

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posed as nearly as possible in the same position. Again he applied geometrical figures, based on the bony structure in each case, and found "that the points of coincidence are such as to establish conclusively that the hands depicted in the two photographs are those of the same person."

The similarity of the hands was in itself sufficient to establish the identity of the girl without the likeness of the heads, Dr. Benbow claimed. Measurements of the teeth alone were conclusive proof also, he considered.

On his visit to Albury Common Dr. Benbow found a surprising amount of additional evidence that dovetailed with his theory. Lucy Collins told him the girl had occupied an old, rusty, green-painted bed in the shack, a single room about 18 feet square. Dr. Benbow found under the microscope that the cement floor of the shack was impregnated with particles of green paint.

To test his belief that blood had been spilled in the shack Dr. Benbow examined the floor and surroundings for signs of old bloodstains, and found positive chemical reactions for blood on the cement floor, on the old bedstead and in the fireplace.

Raking over a rubbish dump about 300 yards from the shack, Dr. Benbow then found some other items which fitted into his theory. First was a crystal ear-ring which he said Mrs. Routledge later positively identified as one of a pair she had given her daughter. Second item was a suitcase which Mrs. Routledge also identified by a defect which had enabled her to buy it cheaply. In the suitcase Dr. Benbow found hair similar to the victim's hair.

Third important clue from the rubbish dump was a piece of blue-black woollen fabric. A wholesale firm told Dr. Benbow it was a type of fabric used extensively for women's topcoats up to about 1934 when it went out of fashion. Under the microscope Dr. Benbow discovered the fabric had originally been khaki in

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colour and had later been dyed blue-black. Microscopic paint particles indicated that it had probably been in Lucy Collins' shack in contact with the green bedstead.

Again Dr. Benbow went to see Lucy Collins and questioned her about the clothes worn by the girl who had stayed at the hut. She told him the girl had worn a lightweight blue-black woollen coat and was carrying a small brown suitcase. Dr. Benbow then sought out Mrs. Routledge to check up. Mrs. Routledge said she had dyed a khaki overcoat blue-black for her daughter and identified the scraps Dr. Benbow found as similar cloth.

When Dr. Benbow had examined the Pyjama Girl's body he found rabbit hairs in the girl's hair and concluded they had come from a tan felt hat. Then Mrs. Routledge informed him that her daughter's dyed coat had a brown fur collar. Microscopic examination of the scraps of fabric from the rubbish heap revealed fragments of similar rabbit hairs on it. The doctor also found tiny pieces of wool fibres in the Pyjama Girl's hair, and they tallied with the fibres of the fabric scraps.

Other clues found on the rubbish heap were a silk belt and a handbag which Mrs. Routledge identified as the property of her daughter, but the item which Dr. Benbow thought most damning evidence of all was a piece of green-painted iron bedstead. He suspected this might have been the instrument with which the Pyjama Girl had been killed and he hurried back to Sydney to compare it with the wounds on the girl's head. He found that it had at some time been smeared with blood and that in shape it exactly fitted the skull wounds of the corpse. He now deduced that if this was the weapon used there should be green paint particles in the hair of the corpse, just as he had found such particles on the floor of the shack. He got the microscope to work again on hairs from the head of the body and found some of them to be split and

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crushed as they would be from blows with such an instrument, and furthermore, there were green paint particles embedded in the damaged hairs.

These were the facts that convinced Dr. Benbow he had solved the most famous case in Australian police history, and also convinced Mrs. Routledge that the Pyjama Girl must be her daughter. These facts, too, prompted Mrs. Routledge, despite the failure of her case before the Probate Court, to make application to the Supreme Court in 1943, for the re-opening of the inquest.

This hearing was another sensational chapter in the Pyjama Girl case. Mr. Windeyer, K.C., who appeared for Mrs. Routledge, said that at the Albury inquest in 1938, Detective Sergeant McRae gave evidence that the Pyjama Girl had been identified by several people as Anna Philomena Morgan, but that the girl Morgan was still alive. "Evidence put before the Coroner that Miss Morgan was still alive was false," Mr. Windeyer said.

The Supreme Court reserved judgment and handed the case on to the State Full Court. There the Chief Justice, Sir Frederick Jordan, said: "A considerable body of evidence has been submitted to this court which, unexplained, points to the girl being in fact the daughter of Mrs. Routledge. Other evidence has been submitted which suggests that the killing took place in the vicinity of the place where the body was found."

The Full Court's decision had the effect of throwing the whole case open again and the consequences were soon to become the sensation of the day.

PART 2: THE TELL-TALE TOOTH.

It was the re-examination of a tooth in the corpse of the Pyjama Girl which finally led to the solution of the ten-year-old mystery in 1944, and sent Antonio Agostini to gaol for the famous crime.

After the State Full Court had examined Mrs. Routledge's application for re-opening the inquest, and the Chief Justice had made it clear that Dr. Benbow's evidence, unexplained, suggested that the Pyjama Girl was in fact Anna Philomena Morgan, the

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New South Wales Police Commissioner, Mr. McKay, decided to re-open the investigation as if it were a completely fresh case.

He appointed three police officers to spend all their time investigating the crime and sifting through the vast accumulation of evidence at police headquarters. He instructed them to ignore all previous decisions in the case, and to concentrate on the job even if it took them six months. For six weeks the three detectives searched through the thousands of documents collected during the long investigation. When they came to those relating to Linda Platt, something impelled them to follow her case through and re-investigate her reported disappearance about the time the Pyjama Girl died.

When police first investigated her disappearance they were forced to the conclusion that she could not be the Pyjama Girl because of one vital fact—the dental work on the Pyjama Girl's teeth did not coincide entirely with that which had been done on Linda Platt's teeth by a Sydney dentist.

Two Macquarie Street specialists and a Sydney dentist named W. J. O'Brien were now called in to re-examine the teeth. They found two porcelain fillings which had not been disclosed in the original X-rays of the dead girl's mouth. According to Mr. O'Brien's records of dental work on Linda Platt's teeth, this new discovery was very significant. The fillings were of the same type and in the same positions as he had done for the missing woman.

Immediately the police organised a State-wide inquiry to trace Linda Platt's movements. It was found that she was born in England and came to Sydney in 1927, where she obtained employment as an usherette in a theatre. Later she married an Italian named Antonio Agostini, who was cloak room attendant at Romano's, a fashionable Sydney restaurant. In 1933 she was living in Melbourne and the following year had disappeared without trace.

At the same time the movements of Agostini were traced back. It was found that after his marriage he went to Melbourne to work on an Italian newspaper. When Italy came into the war he was

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interned, subsequently released, and was again working at Romano's. Records showed that Agostini had viewed the body during the early investigations but could not recognize it as his missing wife. Nevertheless, police decided to interview him again.

It so happened that Police Commissioner MacKay actually knew Agostini personally from visits to Romano's when Agostini worked there previously, so he sent for Agostini to call at his office. Obviously Agostini was now a suspect in the case and he probably realised that himself, but had he tried to deny his part in the case it might have been very difficult for the police to have obtained conclusive evidence against him. As it was he offered no resistance to the police line of action.

According to the Police Commissioner's later evidence, the interview opened with Mr. MacKay informing Agostini that fresh inquiries about the Pyjama Girl case were being made, and then Agostini said: "Well, Mr. MacKay, the death of Linda has been worrying me. I hid away, and I hid the facts when I should have gone straight to the police and told them. I have been through hell for ten years, and now I am going to worry no more."

Agostini then gave Mr. Mackay an astounding statement which, when read in court later, provided the first factual account of what had happened in those desperate hours before the Pyjama Girl's body was dumped by the road at Albury.

The little Italian slept that night on a couch in Mr. MacKay's office and next day he went with police to Albury and on to Melbourne where Victorian police arrested him, charged him with having murdered his wife, and locked him up. It was at this point that the case burst into public view again, and it shouldered even the war news off the front pages. The Pyjama Girl case had by this time been written off by the public as one of those mysteries that would probably never be solved.

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Now, too, Mrs. Routledge's demand for re-opening the inquest was to be met unexpectedly, because the law required that before Agostini could be brought to trial a new inquest must be held in the Victorian jurisdiction.

The Coroner's job was to determine how and when the Pyjama Girl died and who she was. The immensity of his task can be appreciated by the fact that the new inquest lasted more than a month, during which 65 witnesses gave evidence, much of it conflicting violently. Two factions seemed to emerge and in some ways the inquest seemed like a contest in which each side sought to prove the Pyjama Girl to be a different woman. Identity was obviously the key to the crime.

The Pyjama Girl's body was taken to the Melbourne City Morgue and kept there under a guard of armed police. The heavy, metal-lined coffin was carried in by four men and the body, removed from the formalin bath, was placed in a refrigerator from which it was removed from time to time during the inquest for examination.

One of the first people to be informed of the police conclusion that the Pyjama Girl was Linda Agostini was the dead woman's mother, Mrs. Edith Flemington, of Littlehampton, Sussex, England, and Linda's two married sisters, Hilda and Edith. They had not heard from Linda for ten years and had long feared she might have met an untimely death. Mrs. Flemington told inquirers that Linda had left England in 1926, when she was about twenty, and described how her letters suddenly ceased in September, 1934. Later, Mrs. Flemington said she had had a premonition of the girl's death soon after Linda left England. "I dreamed I saw a girl lying dead in a ditch," she said. "I said to my daughter Hilda: 'I could swear I saw my little Lindy lying dead,' but she told me not to be silly."

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Before the inquest had been long in progress more remarkable incidents occurred of the type for which the case will always be famous. One of the exhibits was a plaster cast of the Pyjama Girl's teeth. When this cast was handed to witness Francis Herbert Jackson, the former Albury dentist who had examined the body soon after it was found, Jackson said he would first like to examine the corpse again, to compare the cast with the girl's mouth. When he returned to the court he made the remarkable statement that the cast did not compare exactly with the mouth of the corpse.

When this cast was handed to the next witness, William Joseph O'Brien, Sydney dentist, he said it corresponded with dental work he had done on Linda Agostini's teeth. But he said he was not prepared to swear definitely that the Pyjama Girl was Linda Agostini, only that, as far as he could remember the woman, the body was like her. He remembered the woman had blue eyes, and he recognised her mouth and hair. O'Brien cautiously declined to swear that the fillings in the Pyjama Girl's teeth were his own work. "They were the type of work I do," he said.

Next witness was Dr. Everett Magnus, dental surgeon, of Sydney, who said he had closely examined the dead girl's mouth after cutting open the cheek. He said the work done by O'Brien on Linda Agostini corresponded exactly with the teeth of the dead girl, except that in one of the teeth there was a cavity without a filling, as if the filling had fallen out. "It is not only possible, but highly probable that Mr. O'Brien's records of Linda Agostini's mouth are records of the Pyjama Girl's mouth," said Dr. Magnus.

Later he compared the cast of the Pyjama Girl's teeth with a photograph of Anna Philomena Morgan, and said he was satisfied the girl Morgan could not possibly be the Pyjama Girl because of differences in the teeth.

Dr. Magnus was not the only witness who felt positive of the identity of the Pyjama Girl, but they did not all agree that she

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was Linda Agostini. Some were quite satisfied she was Anna Philomena Morgan. This made the Coroner's job all the harder. To accept one conclusion was to utterly discredit others.

Conflict of opinion arose about the colour of the dead girl's eyes. Some witnesses had already testified that Linda Agostini's eyes were blue (Mr. O'Brien, the dentist, for instance) but on the second day of the hearing a nurse, Margaret McGrath, who had known Linda well when they were both employed on the steamship "Aorangi," said quite positively that Linda's eyes were brown. She added that she had never seen the natural colour of Linda's hair because she used to dye it. Other witnesses later agreed that Linda's eyes in life were brown.

On this question Mr. Barry, K.C., who appeared for Mrs. Routledge, pointed out that the Albury Coroner's finding in 1938, referred to a "woman aged about 25, with bluish-grey eyes." The age was another stumbling block. Anna Philomena Morgan was 23 at the time of the crime. Linda Agostini was 28.

The third day of the hearing was one of the most climactic of the whole case when Police Commissioner MacKay read to the court the statement that Agostini had made to him. Here, presumably, was the true account of what had happened to the Pyjama Girl, and how her body came to be found battered and burnt in a culvert at Albury.

Mr. MacKay read the statement in a slow, deliberate voice. It took him 25 minutes, and while he spoke Agostini sat impassively beside his counsel, watching the reader. Because of its tremendous importance to the case, Agostini's statement is given here practically in full:—

"After the first two or three years of our marriage our relations started to become more and more unhappy, mainly through the habits of my wife in drinking far too much," the statement read.

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"All my attempts to correct this habit were of no success, and every now and then I could always find empty bottles hidden away in every cupboard of the house. They were whisky bottles.

"Arguments used to become very common, and while in the state of drunkenness her demeanour was far from being ladylike.

"Little by little, all my friends had to be asked not to call any longer at my house, because my wife showed that she could not welcome them as they proved to be an obstacle to her habits.

"Often she made a scene of jealousy without any justification, just to have an excuse to go on drinking bouts, so she said, to forget my ill behaviour.

"More than once she used to realise in her clear moments how damaging was her conduct, and promised to mend her ways, but it used only to last a day or so.

"I met all her desires of travelling and changing atmospheres with the hope that it would make an improvement.

"In 1933 I left my place of employment, and, following her desire, I got a position in Melbourne, because there she thought that she would be away from the evil influence and temptation of the circle of friends that she had in Sydney. However, the hoped for change did not materialise.

"After a very short while her ways in Melbourne became the same as in Sydney. On several occasions she left me, saying that she was trying to separate permanently from me because she understood the harm she was doing to me by her conduct, and was hindering me in my success in business.

"She had reached a stage that my movements regarding my business were no longer free. I could no longer answer telephone calls from clients at my home and office because she would accuse me of having girl friends.

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"She would ring me up and work herself into a temper and find another excuse for going on a drinking bout.

"My connection with the Italian Club and ceremonies there, at which I had to be present as a reporter, were no longer possible, because to leave home meant, at my coming back, to find her waiting for me in a drunken state, and threatening and arguing and accusing me of having been out with women.

"On several occasions she threatened my life, saying 'I'll kill you some day.'

"She also said she had friends who would help her, but I could never take these threats or statements seriously.

"One Sunday morning I said that on the following morning I would have to go to Shepparton on business. I asked her if she would like the journey, as I used to take her with me whenever she desired.

"I should say here that I had to move my residence on account of her conduct at least eight times in the course of a year in Melbourne, and on the Sunday referred to I was living at 509 Swans-ton Street, Carlton, Melbourne.

"She refused to join me, and said that I would never go to Shepparton, but declined to give me any reason for her statement. I forgot to say that, to prevent me from keeping an appointment in the morning, she used to make it impossible for me to sleep.

"Thus I thought that when she said I would never go to Shepparton she intended to prevent me from getting my proper sleep and rest, and to argue with me and misbehave herself so that I would not be in a proper state to go.

"She went to bed and I joined her later after preparing myself for the journey. Before going to bed, I set the alarm clock for 7 o' clock the next morning.

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"I had a restless night, as I had on many nights previously, but towards the break of dawn I fell into a sound sleep, and awakened with a start when the alarm went off at 7 o'clock.

"I felt something pressing into my head behind the left ear. I realised it was a gun she was holding against my head, and I quickly turned my head on the cushion and, grasping her hand in my hand. I commenced to struggle with her for possession of the revolver, intending to disarm her.

"In doing so we rolled over on the bed. She struggled bitterly, and was very determined. She surprised me at her strength.

"We rolled over on the bed, and I thought she was going to let go of the revolver, because her hand relaxed, and the next thing I heard was a shot going off. She gave a long gasp and ceased to struggle.

"The realisation that she was dead gave me a terrible shock and unbalanced my mentality. For a long while I was standing staring at her, failing to put my thoughts together. It was long after that the full realisation of what had happened and its consequences came fully to my mind.

"My first thought was of going to report to the police, and I was making myself presentable for going out. Whilst doing so I could not dress for thinking of what had happened, and I would sit down in the middle of dressing to think of what I would do and what had caused the trouble, and by the time I got dressed and went downstairs I started to see what would happen to my friends, my relations, and the firm I was employed with, when the big headings would come out in the papers about the shooting.

"In the work I was doing I had made a lot of friends in the Italian and Australian communities in Melbourne, and I felt that I was highly regarded by them all.

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"The thought of what they would think of me swayed my better judgment of going and telling the police straight away—particularly that my action would ruin the enterprise I was with, and which I was keenly interested in, and had started to build up to a strong newspaper of Italian thought.

"I sat down in my office and, after what may have been hours, I came out of the confusion and I felt that I could not let my action be a blot on the Italian community.

"Although I had nothing to do with firing the weapon, I felt that there would be suspicion on me.

"By this time so much time had passed by that I felt that if I went to the police and told the truth, they would look on me with suspicion and wouldn't believe me. And then I came to my decision to do my utmost to hide the traces of the happenings and the death of my wife, and I decided to dispose of the body by taking it out into some part of the country.

"At 8 p.m. on the day of the accident to my wife at 7 a.m., I left Melbourne with the body and took the highway to Albury. I had no plans and I was just running. I continued on, and realised by the lights I saw that I was nearing Albury, because it was a large town.

"I took the first branch road and, after travelling for some time, I stopped the car at a quiet part of the road, where there is a little bridge or a culvert.

"I had taken with me some extra petrol in a tin because I knew it was late at night and I might have difficulty in waking anyone up at a garage to get a fresh supply.

"So I poured some of the petrol from the tin on to a bag in which the body was enclosed, and placed the body under the bridge, and set fire to it by lighting it with a match.

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"Light rain was falling at the time, and I immediately put the balance of the petrol into the tank of my car, and drove back the same road to Melbourne, and garaged my car in front of my house, where I was in the habit of leaving it.

"As soon as I arrived back in Melbourne I went into the home and grocer's shop of Mr. Castellano, two doors away in Swanston Street, Carlton.

"I remember that he asked me how I got a scratch that was on the side of my head. It was a scratch which I received in the struggle with my wife on the previous morning, and which had dried black on my cheek. The cut was inflicted by the sight on the revolver while I was struggling to get possession of it from my wife on the bed. I told him that the cut had been caused by the door on my car, and he remarked on how dreadful I looked and sick.

"Mrs. Castellano got the coffee prepared, and I had coffee and some biscuits or bread. I then returned to my own home, and I was in a dreadfully nervous state. I did not work, but just lay about for two days.

"A couple of days after Castellano came to see me, as he was worried because I did not call at his place as I used to do practically every day. He remarked that I was not looking my old self, and told me he would have liked to go out for a short run with the car. I said that I would like to go, and got my car.

"While in the car he asked me about where my wife was, and he told me that the photographs of the Albury victim looked terribly like my wife Linda.

"I then confessed to him that she had been accidentally killed while she and I were struggling for a revolver. I told him all that I have put into this statement.

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"As a matter of fact, he then told me that my wife was a whisky fiend, and that she had developed into taking cheap wine from some sly-grog shop around Swanston Street, and that he had noticed a change in her outlook and her conduct, that she was going downhill through drink.

"I told him of what I had done and the reason for my so doing, as set out in the statement that I am making now, and I said I think it is better that I go to the police, because I can't carry on as I have been doing the last couple of days.

"He insisted that I should confide in him, and that he would help me in every possible way, but that I must not go to the police or confide in any other person.

"He invited me to come to his place every day, and have my meals there and build myself up, meet people and get confidence, and told me to deny knowledge of what happened to my wife if anyone should ask me.

"I had my weak moments, which he noticed, and he would talk and try to get my mind away from what he knew I was thinking about.

"I afterwards realised that he had an object in so advising me, when something occurred in 1938 which I will state later in this statement.

"Sometime later when I was in Melbourne, a detective called at my place and showed me the photographs of the Albury victim, my wife, and then asked me if I recognised them.

"I looked at them, and I was very nervous at the time, but the detective did not appear to take much notice of my state, and I said that I did not recognise her.

"I received instructions from him to call at the Russell Street police station the next day to see if there was anything else they

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could show me by which I could recognise her. I called there two or three times, and they would say 'Nothing has come through,' and so I stopped going there.

"In 1936 and 1937 I was working in West Australia, and about January, 1938, I had to come to Sydney and there I met some of my wife's friends.

"I may state that I had been asked my wife's whereabouts several times by then, and had explained that she had gone away, and I was either approached by Mr. Wilks, of the police force, or, at the request of some of my wife's friends I saw Mr. Wilks by calling on him at the detective office, and went with him to see the body of my wife at the University.

"I saw the body. I could not recognise it as my wife's body in such a state, but I knew it must be her body, because it had been found where I had left it, and I think I said to Mr. Wilks, 'I cannot recognise her as my wife.'

"I think I should tell you now what happened with regard to Mr. Castellano. In 1938 a court case was brought against the firm where I was engaged. The aim of the case was only to break up financially the organisation I was with.

"Behind the financing of this case there was a very influential and rich person who, for some particular reason of his own, intended to destroy the firm I was working with.

"He used as a tool a person who was before employed by the firm, and with the power of his money he tried to make this court case so long the expenses would break the firm I was engaged with. The length of the case broke the record of all previous court cases in the Victorian courts.

"Castellano, I only then realised, befriended me previously so that he could, when the opportunity arose, hold me in his clutches.

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"As my presence in this case was of paramount importance I was threatened by Castellano that if I would appear in court he would denounce me for the accident that has been related before, and which he had prevented me from telling the police about. I knew by then who Castellano was, that is, a leader of the Camorra Society.

"I was determined to come out into the open, and I told him to go ahead, that I was not afraid of him. I went to court and gave my deposition, in spite of the threats I received up to the last moment, even in the very courtyard of the court.

"After the court case was over, I immediately left Melbourne and came to Sydney. I could not live in Melbourne, because I was only there during the court case, and I realised by their looks and talk that they were antagonised to me.

"I was then the N.S.W. manager of the Italian Journal, which was being published interstate. That is, they had offices in every State, but the head office was in Melbourne, and I continued in that work up to the day I was interned.

"When I came out the internment camp I went to Romano and asked him for employment, and I've been employed there ever since.

"I would also like to say that with reference to threats to me by Castellano, at that time I informed Mr. O'Bryan, K.C., who was defending the case on behalf of the Italian newspapers against Pisano.

"He should be able to say that this happened. There are many things I could say, but just now I can't remember them. I may remember them later on."

This astounding statement still left a few gaps in the whole story and some of these were covered later in evidence by Sub-

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Inspector William Davis, of the Victorian C.I.B. When Agostini was brought to Melbourne Davis accompanied him and other police to the house in Carlton where Agostini said his wife had died. Here Davis questioned Agostini about the details of the struggle. He said that Agostini told him he had awakened to find the pistol pressed against his head. "I tried to push it away with my left hand," he said. "She kept it pressed hard and I had to use both hands. I struggled with her to get possession of the gun. She seemed to have more strength than I thought. I caught hold of her right arm and tried to disarm her. Then there was a shot and I realised she was beyond help. She gave a sort of shiver, and then she stretched out and lay still. I realised she was dead."

"When did you put her in the sack?" Davis then asked Agostini.

"I think it was between five and seven that night," Agostini allegedly replied.

"How did she get the marks of violence on her head?"

"She got them when I was taking her down to the car. My foot caught in the carpet and I fell to the bottom of the stairs. She fell on her face."

"How were you carrying her?"

"Her head was on my left arm. She fell first and I followed. There was something at the bottom, a broken flower pot or a flat-iron. Her head struck it."

Agostini then allegedly told Davis that he had bound a towel round Linda's head because blood was oozing from her ear. At the bottom of the stairs he got a potato sack and thrust the body into it. "I could see her head was badly smashed as I put her in the bag," he added.

"How could you see the condition of her head when you had a towel around it?" Davis asked.

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"I can't remember why I did this or that. It is long ago. But I took the towel off the head before I came down the stairs." He said he could not remember how he came to replace the towel.

On the same day that Agostini's statement was read the extraordinary story of Anna Philomena Morgan also began to unfold. Her grandfather, John James Morgan, an employee of Drummoyne Council, Sydney, told the Coroner how, with a Dutch woman named Anna Brittz, he came to Australia from Johannesburg before World War I. Later they were married in Sydney. His wife's daughter Joanna, or Jeanette, now Mrs. Routledge, had come from South Africa with them. Her daughter Anna Philomena Morgan was born in 1911. The mother and daughter both lived with Morgan for some time afterwards, the child being known as Phil.

When the inquest opened, Mr. Barry had told the Coroner that Anna Philomena Morgan's grandfather was one of the witnesses he wished to call to prove Mrs. Routledge's claim that the Pyjama Girl was her daughter. It came as a surprise therefore, when elderly John Morgan, after inspecting the body in the morgue, told the Coroner: "I should swear—and I know that girl better than anyone not including her mother—that the body is not Phil."

Mr. Barry stood up. "Didn't you say in September, 1936, when you viewed the Pyjama Girl's body at Sydney University, that the body was Philomena Morgan?"

"I did," replied Morgan.

"You then believed that the body you saw was Philomena Morgan?"

"I didn't say it was the body. I said it was the dead ring of her. I made a mistake in 1936 thinking it was Phil."

Subsequently Benjamin Griffith, who lived with the Morgans for several years, said he was certain the body was Anna Philomena

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Morgan. So also did Leonard Bell, dental surgeon, of Five Dock, Sydney, who had treated the girl's teeth when she was about eleven or twelve years of age.

The appearance of Mrs. Routledge in the witness box next day caused another stir. Tall, good looking, middle aged and dressed in black, she stood up to a merciless two days of cross-examination. Speaking in a clear, firm voice, she told the Coroner that she was never in doubt that the Pyjama Girl was her daughter, but she admitted that after the body had been found she wrote to the police giving a completely false description of her daughter. Here was another of the tangled threads which made this case so complex and mysterious.

The letter is a curious one. It was dated 9th September, 1934, and read: "My daughter, Philomena Deceamia Franki, or Routledge, has been missing since 1930. Last seen at No. 3 Ross Street, Darlinghurst. Age about 20 years, height four feet, eyes blue and very large, eyebrows picked, complexion and skin clear, fair hair, used to be brown if not dyed; teeth, upper jaw in front two teeth missing since child, hardly noticeable. On left side, just above the hip, scar or stitches, about three, put in by a doctor when she was six years old.

Nurse J. C. Routledge.

P.S.—The missing girl must be found. Reward. A mother."

The extent to which this extraordinary letter falsified the true description of the girl can be gauged only by comparison with the details Mrs. Routledge now claimed were the correct ones. She gave three reasons for writing this letter. "One reason was that I was expecting to be confined," she said. "Secondly I was afraid I might be accused of the murder of my daughter, the strongest reason of all. Thirdly, owing to her birth, I had my husband's character to maintain, and my children's welfare and happiness to consider."

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It now transpired that as a result of her letter police asked her to inspect the Pyjama Girl's body, and the letter serves to clear up another point. It will be remembered that Mrs. Routledge told the Probate Judge, and she repeated to the Melbourne Coroner, that before she entered the room where the body was kept, Detective Sergeant McRae had said: "Remember, this is no more your daughter than she is mine."

Mrs. Routledge added that McRae "had a hook and hoisted the body out of the bath and quickly let it drop again." She found the sight very repulsive, and although she was sure it was her daughter she told McRae that it was not.

Mrs. Routledge then told about a visit to her home in 1940 by Dr. Palmer Benbow. She said Dr. Benbow told her: "I may be going to give you a terrible lot of mental worry, but at least I will be able to lift that load off your mind." The doctor later took her to Albury where they interviewed Lucy Collins in her little shack. When they arrived, Mrs. Routledge said, Lucy Collins said to her: "I know you. I have met you before."

"I don't think you have," replied Mrs. Routledge.

Mrs. Collins then became very distressed and said: "Oh, I thought I was going to forget this. She is dead and buried as far as I am concerned. I don't want to think about this any more."

They then showed a photograph of Anna Morgan to Mrs. Collins, who said: "Take it away. I will never forget her sweet little face. I thought it was quite all right taking her to the hospital, and that she was just haemorrhaging from the head."

Mrs. Routledge added that Mrs. Collins handed her a little card on which was written a nursery rhyme. "The little girl had it in her purse when she came here," Mrs. Collins said. "She said you gave it to her."

The court orderly showed the card to Mrs. Routledge to identify. She looked away and did not answer for a while. Then,

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sobbing and almost inaudible, she said it was a card she had given her daughter.

After Mrs. Routledge it was Dr. Benbow's turn to enter the witness box to give for the first time his own verbal version of the theory which by now was familiar to the world. What he had to say was startling in many respects and may have had much to do with the fact that Agostini, after his conviction later for the manslaughter of his wife, declined to claim the Pyjama Girl's body for burial because he was not satisfied, he said, that it was, in fact, the body of his wife.

PART 3: THE UNCLAIMED CORPSE.

Had Dr. Benbow not played his Sherlock Holmesian part in the Pyjama Girl case, it is probably safe to say that it would have gone down into crime history as just another instance of how the police always get their man.

But the energetic doctor prosecuted his case with such vigor that he convinced many of the general public, who still believe with Dr. Benbow, that the final solution of the mystery might have been a ghastly mistake.

When Dr. Benbow strode to the Melbourne Coroner's Court witness box one day in April, 1944, his restless, commanding figure created a minor sensation. For the first time this extraordinary man was to present his theories personally. For five and a half years he had waited patiently for this moment to present a case which he estimated had cost him £6,000 to prepare. As he told the Coroner later, he had done this because "the urge to make a diagnosis was uppermost."

Dr. Benbow's evidence was comprehensive and he presented it in positive terms. "The anatomical structure of the faces of Anna Philomena Morgan and the Pyjama Girl demonstrates beyond

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argument that they are the same person," he announced. Producing photographs for comparison he argued that feature by feature the two faces were identical.

He said that Linda Agostini's nose was so completely different from the nose of the corpse that it was impossible to compare them. Linda Agostini had a long, fleshy, "pessimistic" nose, which dipped down towards the lip, and she had long slit-like nostrils, utterly different from the ovoid nostrils of the corpse.

"Mrs. Agostini had a wide, even-angled mouth," Dr. Benbow continued, "and when she smiled she smiled with an even movement of the lips. This was not so in the mouth of the corpse. The corpse could not smile symmetrically. It had a little twisty smile which, set in death, in one corner of the mouth—the smile of Anna Philomena Morgan. Every person has a certain expression of the mouth and that expression will set in death."

Referring to discrepancies in witnesses' reports of the colour of the eyes, Dr. Benbow said the cornea of the eye usually becomes hazy and opaque after death, but it would be utterly impossible for brown eyes to become blue as a result of death. Witnesses had stated that Linda Agostini's eyes were brown or hazel, but the one clearly visible eye of the corpse was blue.

Dr. Benbow added that the peculiarities of the ears of the corpse were also noticeable in the ears of Mrs. Routledge and her three living children.

In general, Dr. Benbow went on to detail the same story of his investigations that has already been told and then he was mercilessly cross-examined by Mr. Read who was assisting the Coroner. There was a stir in the Court when at one stage Mr. Read pointed to a woman sitting in the room and asked her to stand up.

"Do you know this woman?" he asked Dr. Benbow.

"Yes."

"Who is she?"

"Lucy Collins."

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The crowded Court stared at the frail little woman whose name had been associated with the case for so many years, but had never yet figured directly in it. Looking older than her 56 years she had been sitting with a grey blanket over her legs and the solicitous arm of Special Constable Grace Hopkins around her. Since the little old woman had appeared so consistently in Dr. Benbow's accounts of the case, it was now apparent that his evidence was to be tested against hers.

When she stepped into the witness box on 13th April, 1944, the court and its environs were packed. Many of the spectators brought lunch packets so that they should miss nothing of the most exciting moment of this extraordinary true-life drama.

Poor old Mrs. Collins was assisted to the box by Special Constable Grace Hopkins. Tears were rolling down her cheeks, and she was trembling, but she soon became more composed. She spoke clearly most of the time but her answers were sometimes confusing and at times her voice rose to a shrill piercing pitch.

She told the Coroner how, at about six o'clock one morning a girl came in pouring rain to Quin's shack, where she was then living. "She was sopping wet and shivering with cold," said Mrs. Collins, "and she wanted to know how to reach the Sydney road. I gave her some dry clothes and said: 'You sit by the fire and have a good warm. I'm going away to help with the cows, so don't go until I come back and I will bring you some milk.'

"She was gone when I came back and I have not seen her from that day to this. She was about 17 or 18 and had dark eyes, and long, dark curly hair nearly down to her waist."

Mrs. Collins added that during the whole time she lived at Quin's shack no other strange girl had called there. Some time after the girl's visit she moved to another shack and it was while she was living there that Dr. Benbow had visited her and told her he was looking for a young girl who had run away from home.

At this point Mr. Read asked: "Did you say anything about a girl named Nellie O'Callagher to Dr. Benbow?"

"No, I did not. I knew the girl O'Callagher, but had only seen her about three times."

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"Did you ever tell him that Nellie had come to see a man in Quin's shack, that they had a quarrel, and that the man battered her to death?"

"No, I did not," Mrs. Collins said emphatically.

"Did you ever tell Dr. Benbow that you had burned the bed and clothes after all the mess from the murder?"

"No, I didn't."

"Did you ever tell him that the body was taken away by the man's mother and father?"

"No, I did not. Oh dear, dear, dear." Mrs. Collins seemed upset.

The old woman said that when Dr. Benbow visited her the first time he brought her a box of chocolates, and on his second visit a bottle of beer.

Mr. Read then questioned Mrs. Collins about the statement she had allegedly made to Dr. Benbow and which the doctor had included in his earlier evidence. Mrs. Collins denied that the description of the girl in this statement was the true description she had given Dr. Benbow, and she also denied that she had called the girl "Sweet Nell."

Mr. Read: "Did you ever tell Dr. Benbow about Ginger Quin coming over and talking to her?"

Mrs. Collins: "Who is Ginger Quin?" Then she added: "No, not Ginger Quin."

"Did you say that they appeared friendly, that you thought they were lovers, and you left them together?"

"It wasn't Ginger Quin, it was Tom Quin," Mrs. Collins replied.

"Was Tom Quin there?"

"He comes there but I didn't see him."

"Did you tell Dr. Benbow you thought they were lovers?"

"Yes."

"Did you tell the doctor you came back and found them fighting, and that he was throttling her?"

"No, no."

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Mr. Read: "Did you say that Quin then picked up a piece of the iron bedstead and battered her on the head with it?"

"No." Mrs. Collins almost shouted her reply.

"Did you say, 'Quin went for his life out of the door and over the hill to the farm?'"

"No, I didn't."

"Did you say you tried to do what you could for the poor girl, but that she was bleeding terribly and was unconscious?"

"No."

"Did you say that snowy-headed old Mrs. Quin and her husband came along in their sulky and that Mrs. Quin washed the strange girl's face with a towel?"

"No, I didn't."

"Did you ever say to Dr. Benbow: 'I saw a terrible hole in the girl's forehead; it was awful?'"

"No."

"Did you say one of the girl's eyes was smashed to bits?"

"No."

"Did you say the girl was carried out all doubled up and put in the sulky with the towel around her head?"

"No."

"Did you say: 'They came inside again, hit my face, pulled my hair, and told me to get to hell out of here and keep my mouth shut?'"

"No, I did not."

"Did you say there was blood everywhere in the shack, and it looked as if a calf had been killed?"

"No."

"Did you say when asked about burning a mattress and blanket that you 'made a bonfire of the lot' in the cement fireplace?"

"No, I don't remember saying that." She added that she probably told Dr. Benbow about burning some bedding when she was moving, because she had her own mattress and bed.

Mrs. Collins said that Dr. Benbow, on his second visit brought Mrs. Routledge with him, and that Mrs. Routledge had shown

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her a photograph of her daughter. "It was not the strange girl who came to my shack," Mrs. Collins said. She continued that Dr. Benbow had made a third visit, but she saw him coming and hurried round to the back of the shack and off because she didn't want anything more to do with him.

Mrs. Collins identified as her own property the battered suitcase, belt, coat, hat and nursery rhyme card which Mrs. Routledge had earlier claimed to be the property of her missing daughter. The nursery rhyme card, Mrs. Collins said, was a Christmas card she had received from her son George.

Thus the earlier evidence, obtained by the efforts of Dr. Benbow, and which seemed so conclusively to connect Anna Philomena Morgan with a rather sinister incident at Albury, was now seriously challenged, but by a witness whose testimony, as the Coroner later remarked, had to be treated with the utmost caution. Mrs. Collins' appearance had done little more than add to the mystery and confusion surrounding the whole case.

Her cross-examination by Mr. Monahan, junior counsel for Mrs. Routledge, did little to clarify the position. Mr. Monahan showed the old woman a photograph of the piece of iron bedstead with which Dr. Benbow alleged the Pyjama Girl had been murdered, and pointed out that on the back was a pencilled statement signed "Lucy Collins," which read: "I recognise this picture as the thing the girl's head was bashed with. I threw it under the tank at Quin's shack."

Mrs. Collins said at first that she couldn't remember having written the statement, but when Mr. Monahan persisted she said: "I was forced to write it. I was frightened of the man." Then she said she might have been drunk when she wrote it.

Mrs. Collins admitted she had told Dr. Benbow that one of the Quin boys had visited the shack while the strange girl was there.

"Was it Ginger Quin?" asked Mr. Monahan.

"Not as far as I know," Mrs. Collins replied.

"Is there a Ginger Quin?"

"Not to my knowledge."

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"Is there a Norman Quin?"

"Not to my knowledge."

"Is there a Bluey Quin?"

"No."

After another series of questions about the shack, Mr. Monahan suddenly asked: "Wasn't it unjust of the police to arrest you?"

"I don't remember them arresting me," Mrs. Collins replied.

"But they did arrest you, didn't they?" Mr. Monahan persisted.

"Yes," she said. "About four years ago. They reckoned my brain had gone and they put me away for medical treatment."

"Did you consider that what you told Dr. Benbow had got you into trouble?"

"It serves me right for telling the truth."

"You mean you shouldn't have told him what you did and you wouldn't have got into trouble?"

"Yes."

"Were you afraid that if you admitted what you told Dr. Benbow was true, the police would say you were crazy?"

"Yes."

The final result of Mrs. Collins' appearance in the witness box was that neither side could be said to have gained much assistance, but the main blows to Dr. Benbow's arguments came from a battery of scientific experts called as witnesses by the police. Among them was Professor Thomas MacFarlane Cherry, Professor of Mathematics at Melbourne University, who said that very little reliance could be placed on Dr. Benbow's method of drawing lines on photographs to justify the assumption that the Pyjama Girl was Anna Philomena Morgan, and added that some of the photographs provided more evidence of lack of identity than otherwise.

An interesting witness was Constable Raymond Rupert Carroll, of Goulburn, New South Wales. Carroll said he had formed the firm opinion that the Pyjama Girl was Anna Philomena Morgan. He had never wavered in this belief, but despite applications to the Police Commissioner to be associated with the case, he had

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been transferred to the country, and was not even asked to give evidence at the 1938 inquest at Albury, when, it will be remembered, the police offered no evidence of identification at all.

Constable Carroll said he had become convinced the girl was Anna Philomena Morgan after a Mr. W. M. Huxley had told him of a conversation with a woman named Mrs. Croft. According to this story, Mrs. Croft, of Nowra, and Mrs. Routledge went to a hotel in Canberra where Mrs. Routledge said, among other things: "Detectives have new clues regarding the Albury murder. If I could get the money I would go to America. They are bringing the Pyjama Girl up again."

Constable Carroll also described a visit to the police in July, 1938, of a Nurse Allen, from Nowra, who told him she had nursed Mrs. Routledge through a confinement shortly after the Pyjama Girl's body was found. She said Mrs. Routledge told her that her eldest daughter had gone to France.

Mr. Read then asked Constable Carroll: "Did you give a copy of your reports to Dr. Benbow or Mrs. Routledge?"

"No. Not to anybody," Carroll replied.

"Did you allow anyone to make a copy of that file?"

Carroll declined to answer on the ground that it might incriminate him.

Under cross-examination by Mr. Monahan, Carroll said that after his application to be associated with the case had been refused, he reported to the Police Commissioner that the case would have been solved years before if witnesses who had identified the body had been taken to Albury.

Mr. Read: "You say you were sent to Goulburn and reduced in rank?"

"I was charged with entering a hotel, not in the course of duty, and consuming liquor," Constable Carroll said. "I was trapped. I was reduced in rank and was not to be considered for promotion for five years."

Mr. Read: "There is no suggestion that you were being punished for anything whatever to do with the Pyjama Girl, is there?"

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"I do not suggest that," replied Carroll.

More light was thrown on the apparent mystery of Ginger Quin with the surprise appearance in the witness box of a soldier named Thomas Johnston Quin, owner of the shack at Albury referred to as Quin's shack. He told the Coroner that he had read in the newspapers how Dr. Benbow had connected his shack with the Pyjama Girl case, and he had sought permission from his commanding officer and the police to give evidence at the inquest.

Quin said that before joining the A.I.F. he lived at Albury for about 20 years, working as a shearer. When he bought the property with the shack in 1929 there was an old bedstead lying behind the shack, but to his knowledge it was never inside the shack, nor was there any other iron bedstead there. The bedstead was similar to one produced as an exhibit in the case (and part of which Dr. Belbow claimed had been used as the weapon which killed the Pyjama Girl).

Quin denied that he had ever visited the shack when there was a strange girl there, or that he had quarrelled with a girl or attacked her there.

At this point Mr. Barry (for Mrs. Routledge) asked: "Have you a half-brother?"

"No," replied Quin, "but there was a lad we brought up and who is generally known as my cousin."

"Is he your foster brother?"

"I don't know whether he is a foster brother, but my mother reared him since he was very small."

"Is he red-headed?"

"Yes."

"Is he still in Sydney?"

"I think he is in Melbourne."

Later the red-headed foster brother appeared in the box. He also was a soldier, a member of the A.I.F. He told Mr. Tingate, the Coroner, that his correct name was John Francis Overend,

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but that he was brought up by his aunt, Mrs. A. M. Quin, and was known as Johnny Quin or Ginger Quin. He said he had never been friendly enough with Lucy Collins to visit her, and he denied ever having taken part in any such scene at her shack as had been alleged. He added that at the time the Pyjama Girl's body was found he had been shearing with Tom Quin at Yanco.

Two expert witnesses were then called to discuss Dr. Benbow's photographic evidence of identity. They were Detective Sub-Inspector F. Hobley, officer in charge of the scientific laboratory at the C.I.B.'s Melbourne headquarters, and Louis Baillot, head photographic instructor at Melbourne Technical College. They claimed that Dr. Benbow's method of comparing photographs was fallacious, and that a proper comparison would not be made because there was no way of determining the life-size of the photograph of Anna Philomena Morgan to compare with that of the body.

Another blow at Dr. Benbow's theory was delivered by Professor Sydney Sutherland, Professor of Anatomy at Melbourne University. An extraordinarily brilliant man, Professor Sutherland was only 33 at this time. He told the Coroner that he considered after extensive anatomical examination that the Pyjama Girl was Linda Agostini. The victim, he said, could not have been younger than 25 when she died and was probably not older than 30, although the maximum age could only be determined by an autopsy which was then being carried out by the Coroner's world-famous surgeon, Dr. Crawford Henry Mollison, and his assistant, Dr. J. R. Wright-Smith.

Professor Sunderland's conclusion ruled out the possibility of the girl having been Anna Philomena Morgan, who would have been only 23 at the time of the crime, while Linda Agostini would have been 28.

The youthful professor also had some important views on the colour of the eyes of the Pyjama Girl. He said his impression was that the one visible eye of the corpse was brown, thus providing another link with Linda Agostini, whose eyes were brown or hazel in life, whereas Anna Philomena Morgan had blue eyes.

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The Coroner here pointed out that the Pyjama Girl had been described from the beginning as having bluish-grey eyes, and asked Professor Sunderland to explain this apparent anomaly.

"When an eye has become discoloured from changes after death, it is almost impossible to arrive at a definite conclusion in regard to colour during life," the professor said. He pointed out that blood, which is port wine in colour, looks blue through the opaque membrane of the skin, and that a new baby's eyes always look blue. Likewise the cornea of a person's eye, transparent in life, becomes opaque in death, giving a deceptive blue-black appearance to the iris.

To illustrate his point the professor produced two sheep's eyes preserved in formalin, and said that one of them, with the cornea removed, was clearly brown, while the other, with the cornea intact, was greenish in colour, but with longer immersion in formalin would become blue.

The professor discounted Dr. Benbow's theory at every point. He brushed aside the doctor's method of comparing lines drawn on photographs as a method of establishing identification which could not be taken seriously. He said Dr. Benbow's statement that a rubber boot found in an Albury lagoon fitted the foot of the corpse perfectly was valueless, because if the boot fitted the foot of the corpse perfectly, it could not have done so in life. He said also that he had noticed that Mrs. Routledge's ears were similar to those of Anna Philomena Morgan, but said that not one of the characteristics corresponded with the ears of the body.

Next in the witness box was the famous Dr. Mollison who had been performing an autopsy on the body, and whose evidence, while clearing up some points, added in other ways to the mystery of the case. Dr. Mollison was a remarkable figure. Keen-eyed and alert, he did not look anything like his 80-odd years. For 52 years he had been Victorian Government Pathologist and Coroner's Surgeon, and during that time had conducted post-mortem examinations on the formidable total of 2,500 bodies, many of them murder or suicide victims. His reputation as a pathologist is world-

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wide and he has given evidence in the most famous trials in the last half-century in Victoria.

It took Dr. Mollison 20 minutes to read his seven-page report on the autopsy. On the question of age he said that ossification of the bones of the corpse led him to believe the Pyjama Girl was 27 or 28 at the time of her death. Referring to the head injuries he said he was satisfied beyond doubt that they were caused before death, that they were almost certainly the cause of death and that they resulted from considerable and repeated blows. (This was important because Agostini had said in his statement to Mr. McKay that his wife had first been killed by a pistol shot, and that the head injuries were caused when he accidentally dropped his wife's body down the stairs.)

When Dr. Read asked Dr. Mollison whether the injuries could have been caused by the body falling ten or twelve feet and striking a flower pot or a flat iron, the doctor tersely answered: "No."

Dr. Mollison added that he could find nothing definite to indicate if the bullet wound under the eye was inflicted before or after death, but he felt sure it was not the cause of death.

Later, his assistant, Dr. Wright-Smith, said it was possible the bullet wound would have caused unconsciousness, and possibly death might have been caused by shock from the bullet wound, but that in any case the other head wounds must have been inflicted before death.

On the question of eye colour, Dr. Mollison supported the police argument that the Pyjama Girl was Linda Agostini, whose eyes were brown or hazel. However, under cross-examination by Mr. Barry, Dr. Mollison admitted that his qualifications as a pathologist, high as they were, did not entitle him to speak with special authority on the matter of the eye, and thus the evidence of a later witness, Dr. Kevin O'Day, a noted Melbourne eye specialist, became significant for the fact that it served to deepen the mystery of the girl's identity, rather than to clarify it.

Dr. O'Day told the Coroner that he was a Doctor of Medicine and a Bachelor of Surgery of Melbourne University. He held the

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Diploma of Ophthalmic Medicine and Surgery of the Royal College of Physicians, London, and of the Royal College of Surgeons, England, and was a Fellow of the Royal Australasian College of Surgeons in Ophthalmology. He said he had specialised in the study of eyes and eye diseases since 1929, and spent four years abroad serving in several English hospitals. When he returned to Australia he won a four-year scholarship with the Council for Scientific and Industrial Research, to study the structure of the eye.

It was with some surprise that the Court heard Dr. O'Day state quite positively that the Pyjama Girl's eye could not possibly have been brown in life, and was more likely to have been blue or grey.

Mr. Read: "After an eye has been in formalin for ten years and is then mounted on a slide, is not the colour mostly a matter of conjecture?"

"Not quite," replied the doctor. "Pigment, which decides the colour of the eyes, is a substance very resistant to change, and is still likely to be there after ten years in formalin."

The colossal volume of evidence was complete. The Court had sat on twenty days to hear sixty-three witnesses. The principals in the case had before them the job of studying about 1000 foolscap sheets of evidence, amounting to 360,000 words, or more than four times the size of a full-length novel. In this form the case made expensive reading, at the usual price of sixpence per typed sheet.

After an adjournment of several days the Coroner, Mr. Tingate, in a 38-page finding on the case, announced that the Pyjama Girl was Linda Agostini, and he committed Antonio Agostini for trial on a charge of murder.

It is interesting to note that Mr. Tingate thought the evidence favoured the argument that the dead woman's eye was one of the lighter shades of brown, but that he got "practically no help from this in deciding identity." He added that his finding was influenced by evidence about the teeth, the ears, the breasts and the age of the corpse, as well as the police evidence of conversations with Agostini.

Without emotion Mr. Tingate analysed Dr. Benbow's evidence.

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"It seems that there are too many approximations in Dr. Benbow's system," he said. "It does show that the Pyjama Girl and Anna Philomena Morgan were, in a number of respects, similar in appearance, but I find that this evidence has not conclusively proved that the body is that of Philomena Morgan. Therefore I have to proceed to an analysis of the rest of the evidence."

Dr. Benbow, he added, had spared neither time, thought, nor money in his investigations. "He was courteous and painstaking in showing me microscopic slides, but the evidence does not confirm his theory about the way the woman met her death."

"Mrs. Lucy Collins is obviously a person whose word is to be accepted with the utmost caution. It seems likely that she said many things to Dr. Benbow which might be construed in the way he alleges, but the fact remains that she was emphatic in her denials."

Completely absolving Tom Quin and his foster-brother from any suspicion of having been responsible for the death of the Pyjama Girl, Mr. Tingate said: "Evidence of the greatest importance was given by two of the Quin household. They were both serving their country in the armed forces, and it is fortunate they were able to attend the inquest. They denied emphatically that they were ever concerned with any such happenings as those alleged. I quite believe them, and in fairness to them and to the Quin family, I say that I can find nothing in the evidence to justify such allegations."

After the Coroner had committed Agostini for trial, an interesting formality occurred. Agostini's counsel, Mr. Fazio, announced that his client wished to arrange for the burial of his wife, and he asked, therefore, for an order for burial. Mr. Tingate pointed out that he would have to make an order for burial eventually, but he declined to make any such order at that stage.

The subsequent trial, at the end of which Agostini was convicted of the manslaughter of his wife and sentenced to six years' gaol, was largely a repetition of the story already told, but it had several notable aspects worth mentioning. The final incident will be

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given first because it concerned the disposal of the body mentioned at the end of the inquest.

When the trial ended it turned out that nobody, not even Agostini, wanted to bury the body, at least not badly enough to submit a proper claim for it. Agostini's solicitor announced that nothing he had heard at the inquest or the trial had convinced Agostini that the body was actually that of his wife, and that he had no wish to bury it.

Linda Agostini's mother, Mrs. Edith Flemington, interviewed in England by Australian newspaper representatives, said she could make no effective claim for the body.

The secretary of the Crown Law Department, Mr. C. F. Knight, announced that several claims for the body were made through undertakers, but that none had been made direct to his department, and that the State would not recognise the right of any "friend" to take possession of the body.

Consequently the Pyjama Girl was buried by the State, though not as a pauper, in Preston Cemetery. There were no mourners at the funeral, but four newspapermen acted as pall-bearers and about 50 curious onlookers stood round the grave.

So it is seen that the conflict, doubt and confusion which had characterised the case for ten years persisted to the last. Similar elements were there too, when the trial opened with Agostini's counsel, Mr. Fazio, claiming that the statement by Agostini to Mr. McKay was inadmissible as evidence, on the ground that it had been obtained by threat and promise by Mr. McKay, that Agostini had been given three drinks of whisky during the interview, and that he was not in a physical condition to make a voluntary statement because he was distressed.

Yet at the moment that Mr. Fazio made this claim, the prosecution had in its possession a letter from Agostini which offset it. This letter was produced in due course by the Crown Prosecutor, Mr. M. Cussen. It had been written by Agostini from Pentridge Gaol, Coburg, Victoria, to Mr. Mackay, and it read: "My first thought is to express thanks and gratitude

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to you and friends for all kindnesses so generously given to me. The kindness used towards me during the journey from Sydney by detectives was such that even more made my shame greater, for any lack of confidence in your organisation. I should have trusted my case in it in full faith, but now I must prove I am worthy of you and your friends' kindness and generosity."

The judge decided the evidence did not show that any threat or promise had been made to the prisoner and he admitted the statement as part of the evidence.

The most interesting of the prosecution witnesses, from the viewpoint of this story, was Dr. Arthur Joyce, a Collins Street eye specialist whose evidence was in the nature of an answer to that of Dr. O'Day at the inquest. Dr. Joyce said he had been studying eyes since 1919, at times in London, Vienna and New York, and he told Mr. Justice Lowe that after examining the Pyjama Girl's eye he considered it would not be possible for anyone to tell what colour they had been in life.

Agostini, who had pleaded not guilty, was the only witness for the defence. In the course of his evidence he said that he had no fixed plan when he set out in his car to dispose of his wife's body. When he stopped he didn't know where he was, but thought it was somewhere between Benalla and Wangaratta. Later when he read newspaper reports of the finding of the body, he realised he had been to Albury.

In 1938, Agostini said, he went with a detective to Sydney University to examine the body, which detectives thought might be that of his missing wife. "I went with the foreboding of seeing my wife's body, but, contrary to my expectations, I did not feel there was any resemblance," he said.

After detailing his interview with Mr. McKay, Agostini said, under cross-examination by the Crown Prosecutor, that he had no complaints about the way in which Mr. McKay had treated him.

After the taking of evidence was complete, but before counsel had begun their addresses, Dr. Benbow, nothing if not tenacious, made his final bid to be heard. Rising from his seat in the body

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of the Court he said: "I wish as a friend of the Court to be sworn and to put before you vital information for the welfare of the prisoner."

"Who are you, sir?" inquired the judge. The doctor gave his name.

Peremptorily the judge replied: "Will you take your seat?" The jury was ordered to leave the courtroom and Dr. Benbow was given permission to address the judge.

"With great respect," Dr. Benbow repeated, "I wish to be sworn and to place before you vital information regarding the welfare of the prisoner."

"What have you to do with this case?" asked the judge.

"I have had much to do with it," replied Dr. Benbow. "I have collected information with the object of placing it before Your Honour."

"Is this information known to the counsel for the defence?" inquired Mr. Justice Lowe.

"It is known to the counsel for the defence and to the prosecution," said Dr. Benbow, "and has been suppressed by both. It was also withheld from the Coroner."

"I do not propose to hear you," said the judge. "Just take your seat."

And so ended the colourful chapter written into this amazing case by Dr. Benbow.

Agostini's defence was based on the claim that his wife's death was accidental, and it appears that the jury partly accepted this argument in finding him not guilty of murder, but guilty of manslaughter, a verdict which the judge described as merciful.

KING OF THE LADY-KILLERS

By C. K. THOMPSON

According to all accounts M. Pranzini had quite a way with the ladies. His influence, however, was not strong enough to save him from the guillotine.

ONE of the greatest ambitions of the man who is without any great ambition (if you see what I mean) is to live without working. Very, very few of us can do it, unless we happen to be born with silver spoons in our mouths or inherit vast fortunes from some millionaire relative.

This is the story of a remarkable man who did, for some years, succeed in living without the necessity for hard toil, but he did it in a manner hardly commendable—he sold his manly charms to wealthy women and others not so wealthy. This fellow had such an amazing attraction for women that they deemed it a favor to support him in return for his particular brand of love-making. There could, of course, be only one country where such a thing could be possible—"mais oui"—La Belle France.

Back in 1887, there used to be an apartment house at No. 17 Rue de Montaigne, Paris. On the third floor there resided a

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certain Madame de Montille, a shy retiring type of dame who, it transpired, was no better than she should be. The manageress, or concierge, of this 19th century block of flats was Madame Lacarriere and on the morning of March 17 at 7 a.m. precisely, she knocked at Madame de Montille's door. Receiving no answer she knocked again. Still madame preserved a stony silence. So the concierge departed.

About ten minutes later she tried again, this time giving the bell an extra hard pull. There was no response from Madame de Montille, her maid Annette Grémeret, or Annette's small daughter Marie, but there was an unholy clamor from Madame's two dogs. Madame Lacarriere became a bit anxious and fetched up a friend of hers to stand by while she had another go at awakening the de Montille household. So great were her exertions this time on the bell that she broke it. The dogs set up a mournful howling that sent shivers up and down the collective spines of Madame la Concierge and her friend.

"I'm sure something dreadful has happened," said Madame with white face and trembling lips.

"Me too," said her friend. "I think you had better go and get the police, Madame Lacarriere."

Madame didn't fancy the idea very much. She didn't want the gendarmes poking their snouts into her high-class establishment. She retired to think the matter over, but became so upset at the continual howling of the dogs that at last she decided to call in the cops.

But it was 11 a.m. before she screwed up enough courage to visit the Commissary of Police (Monsieur Creneau).

"I'm sure something dreadful has happened, Monsieur le Commissary," she told him excitedly. "For four hours I have tried to gain admission to Madame de Montille's apartment but in vain. All I hear is the howling of the dogs. What is your advice?"

"I shall come back with you and look into this matter," said M. Creneau briskly. "But wait. I must have assistance. Perhaps

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there has been a murder. Who knows? You say the door is locked? Bien! We will need a doctor, a locksmith and skilled detectives. Not that I am not a skilled detective, madame, but assistance in these cases is just as well. Come, we will go."

Creneau rounded up a doctor and a locksmith, picked up a police inspector and accompanied madame back to the house in Rue de Montaigne. The locksmith made quick work of the door and the party charged in to see what was what. And they certainly got an eyeful of horrible crime.

The locksmith got the first shock. In the passage near the dining room he fell over the corpse of Annette Gremeret, the maid. It was not a pretty sight. Dressed in a petticoat and nightdress, the unfortunate woman was lying dead in a pool of blood. There was a gaping wound eight inches long in the back of her neck and several stab wounds on her right shoulder.

When Creneau entered the maid's bedroom he saw bloodstains on the bed and a mound of clothes. Pulling these aside he was horrified to discover the body of little Marie Gremeret.

With a shudder, the detective backed out of the room and hastened to that of Madame de Montille. He found her body lying on the floor at the foot of the bed.

In their investigations the police found blood on the wallpaper near the bell-pull, the rope of which had been broken. They took the view that Madame de Montille had managed to pull the rope to give the alarm and broken it in doing so. The bell had alarmed the maid who had run to her mistress's assistance, only to be met in the passage outside and killed by the murderer. He had then finished off Madame de Montille and, to complete the job, Marie Gremeret, the maid's small daughter.

From various bloodstains around the apartment, the detectives

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formed the opinion that the murderer himself had been wounded in the commission of his awful crimes. Madame de Montille possessed a small iron safe and there were tell-tale stains on the lock. Apparently the killer had tried to open it and had not succeeded. The police also found a purse covered in blood. It was empty. In the dressing room stains in the washing basin showed that the intruder had washed his hands before departing and more blood on the front door lent strength to the theory that he was wounded.

Among the articles unearthed in the apartment were several items of men's wear each bearing the name "Gaston Geissler," a letter signed by that name and dated March 14 and two visiting cards with the name "Henri Pranzini" thereon.

Questioned by the detectives, Madame Lacarriere said that Madame de Montille was a woman of some means and had a large amount of jewellery including diamond rings and earrings and a gold enamelled watch. She generally carried the latter in her purse. As this had been found emptied, the police were certain that the watch had been stolen by the killer—in fact robbery obviously had been the motive for the murders.

Questioned further, Lacarriere said that de Montille had three regular male visitors whom she knew and a fourth who was not so regular. She had seen him once or twice but had never been close to him. This man had visited de Montille on the night of March 16 about 11 p.m.—an hour after one of the "regulars" had left.

A bit confused by all this, the detectives wanted to know why Madame de Montille had all these men friends. Lacarriere did not know or did not care to know, but the detectives, putting two and two together and being wholly French, made four—Madame de Montille was a naughty girl.

Lascarriere said that the fourth man—the stranger to her—was large and strongly-built and wore an overcoat and a top hat. He went up to de Montille's apartment at 11 p.m. and she did not see him leave again. Apparently he stayed the night for, at about 6 a.m. de Montille's next door neighbor, Dr. Lepetit, heard somebody leave Madame's flat and walk downstairs. Shortly before

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that, the police learned, the occupants of the flat below Madame's heard the sound of a heavy thud and then the wail of a crying child. It looked as if the murders had been committed shortly before 6 a.m.

The detectives had the names of two men—Gaston Geissler and Henry Pranzini—but whether these were worth anything remained to be seen. The concierge, Madame Lacarriere, had mentioned four men. Who were they? And Madame de Montille herself? Who and what was she? Obviously a prostitute, possibly a high-class one.

Luck was with the detectives in establishing the identities of de Montille and at least three of her boy friends. The murdered woman had kept a diary and this revealed a whole heap. First and foremost, Madame de Montille had been born Marie Regnault in the provincial town of Charlon-sur-Saone and at the time of her death was 40 years old. Her father had been a bailiff in the town with a decided penchant for the bottle, so much so that while Marie was yet a child, he drank himself to death. Marie battled on and as she grew her beauty grew with her. She was, by all accounts, a most attractive mademoiselle—at least she attracted the attention of a big business man at Chalon-sur-Saone, who promptly seduced her in the well known French fashion. Far from committing suicide as an English girl probably would have in the so-called gay nineties, Marie went to live with him.

But Chalon-sur-Saone was too provincial a joint for Marie Regnault. She had ambitions and Paris called. She dined the wealthy business man and headed for the bright lights, setting up home in the apartment at 17 Rue de Montaigne towards the end of 1886. She also dined the name of Marie Regnault for the more hoity-toity one of Madame de Montille.

Marie decided to sell her beauty and allow her admirers to keep her in luxury and idleness. She became possessed of two lovers, but saw to it that neither knew of the other's existence. These were her meal-tickets. Both were prosperous men and loaded

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her with money and presents in return for her favors. She had a great love of jewellery and kept a lot of it in her apartment.

Now, apart from her two official lovers, or rather, meal-tickets, Marie had a third string to her bow, a lieutenant in the French Army. She was actually in love with this fellow and, according to her diary, she "loved him purely for the beauty of his eyes"—there was no charge.

But this army lieutenant was a dirty, ungrateful dog. His eyes may have been beautiful but they were the roving kind. Marie nearly took a willy when she found out that he loved another and was going to be married. According to her diary it flattened her—"I who have never wept, except at my mother's death and my sister's and three times in moments of anger, now cry all day!" she recorded in 1887. "He left me at nine o'clock this morning; for an hour and a half after his departure I was prostrate with nervous anguish . . . if he could bring himself to love another, could he ever have loved me? I, who used always to laugh at others when they talked of love, how I am punished now! I did not believe that I could ever love anyone!"

"Villain!" muttered the sentimental detective who read the entry. "Base dog! La pauvre mademoiselle!" Then, dashing a not unmanly tear from his eye, he resumed detecting.

A searching police check established after interviews with the two official lovers and the traitor-to-cupid lieutenant that all three had watertight alibis. The police were certain that the murders had been committed about 6 a.m. on March 17. One official lover had left Marie at 10 p.m. on the night before and had not been back since. He could prove that. The other official lover had been out of town and could prove it and the lieutenant, too, was well in the clear—and could prove it. That left the mysterious fourth man and he, undoubtedly, was the murderer.

Gaston Geissler or Henri Pranzini? Could they be one and the same man? The police were satisfied that the three lovers were not connected with those names.

The crimes were not committed by a stranger. Of that the

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police were positive. Marie Regnault was, as stated earlier, of a shy and retiring disposition and not very brave. She always made a point of bolting and chaining her front door on the inside and nobody could possibly break in. Her apartment was on the third floor and it would take a miracle monkey to reach her through the window. No, the killer was known to her and had been on such terms of friendship with the man that she had admitted him to her presence.

At this stage the investigation was turned over to the chief examining magistrate or juge d'instruction in Paris, Monsieur Guillot, and a big squad of experienced detectives were allotted to assist him. In France, after a suspect has been arrested for a crime he is turned over to a juge d'instruction who interrogates him and prepares a case for the higher court. This examining magistrate takes the place of the Police Court in Australia from which a defendant is committed for trial to a higher court. In France, the juge d'instruction (or examining magistrate) does the job on his own and it must be remembered that a French suspect is presumed to be guilty when charged and it is up to him to prove his innocence. In British countries it is the other way round.

Anyway, M. Guillot did not wait for the French police to arrest the killer of Marie Regnault, but went out after him himself. He wanted to interview Gaston Geissler and Henri Pranzini, but if either person existed the earth appeared to have opened and swallowed them up.

And while Monsieur Guillot and his friends were having a fruitless time in Paris, the police at Marseilles were investigating one of those trifling cases which occur from time to time.

On March 20—three days after the discovery of the Rue de Montaigne murders in Paris, the Marseilles Commissary of Police (M. Court) received a visit from the keeper of a house in the Rue Ventomagny. Madame confided to Court that there had been strange doings in her establishment that afternoon and she thought the police should know of them.

Invited to get a move on with the yarn and stop making a

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speech, madame said that, about 4.30 p.m. a gentleman who said his name was Dr. Henri Pranzini came to the establishment and remained until 7 p.m. While he was there he sold an enamelled gold watch to one of the girls and presented her with a pair of earrings made of turquoise set in diamonds. The affair was, in the opinion of madame, so bizarre, that she thought the police should know. Commissary Court himself thought it a bit strange and decided to check up on this generous Dr. Pranzini. He set his sleuths on the track of the carriage driver who had taken the mysterious doctor to the house and the sleuths managed this bit of business very expeditiously.

Grilled by the Commissary, the driver said he had picked up his fare at the Pascal Restaurant and had driven him to the Hotel de Noailles. He was told to wait and did so. In due course the fare emerged from the hotel carrying a parcel and told the driver to take him to the Palais de Longchamps, then the chief park in Marseilles. The fare stayed in the park for about 15 minutes and then the driver carted him to the establishment in the Rue Ventomagy and left him there.

Commissary Court sent one of his detectives round to the Hotel de Noailles to check up on this Henri Pranzini and learned that the good doctor had gone to the Grand Theatre to have a look at the opera "The Barber of Seville." He didn't see it, because before the curtain went up a detective interviewed him in his seat and invited him to take a little walk to the police station. Henri went quietly.

In the meantime, the police had secured the jewellery from the woman at the brothel and also secured a gold and turquoise bracelet which had been thrown down a lavatory at the Palais de Longchamps. The person in charge of this convenience had recovered the jewellery and taken it to the police.

Checking up on their list of stolen goods, the Marseilles police

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found that the jewellery recovered answered the description of jewellery missing from the apartment of Marie Regnault in Paris and promptly wired Monsieur Guillot.

By this time Pranzini had been fetched along to the Commissary and Monsieur Court proceeded to French third-degree him. Pranzini promptly denied all knowledge of the jewellery. He denied that he had been at the house or the Palais de Longchamps. The police confronted him with the house woman who identified him as the man who had sold her the enamelled watch. The carriage driver told him to his face that he had driven him to the brothel and to the Palais de Longchamps and the public convenience keeper positively identified him as the man who had used the convenience in which the bracelet had been found. This woman (the females do all sorts of strange jobs in France) said she could remember Pranzini out of all her customers because he had given her the munificent tip of half a franc, the biggest she had ever received in her life. Ye gods!

So they tossed Pranzini into a cell to await the arrival of the Paris detectives and during the night he tried to hang himself—damnable evidence of his guilt, according to the gendarmes.

Guillot landed in Marseilles on the following day accompanied by Inspector Jaume of the Paris Surete; and didn't they grill Dr. Pranzini! And didn't Dr. Pranzini deny everything! Asked about the wounds on his hands and thighs he said he could not remember how he got them. Neither could he remember why he had tried to commit suicide. As for the jewellery found at the house and the park, these were just figments of the imaginations of certain evilly-disposed persons.

"Have you ever heard of Madame de Montille?" Guillot asked him and was astonished to get an admission.

"I have known and respected and loved Madame," he replied.

"Then why did you murder her?" demanded Guillot. A direct lot, these French cops.

"I know nothing about this affair apart from what I have read in the newspapers," he replied loftily. "What is more, my friends,

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if you care to interview Madame Sabatier, who lives at No. 20 Rue des Martyrs in Paris, she will tell you that I spent the whole of the night of March 16 in her company."

"And who might Madame Sabatier be?" Guillot asked.

"My mistress," said Pranzini unblushingly.

Guillot and Jaume carted Pranzini back to Paris and told the world of his arrest. They also asked the world for data about the man. They cross-examined Pranzini himself on that score and from the welter of details they received from all quarters, verbal and documentary, they constructed a picture of one of the most amazing men of the 19th century—a veritable king of lady-killers.

Pranzini was not a Frenchman. He was a cosmopolitan and at the time of the Rue de Montaigne murders was only 31 years old. Born in Alexandria in 1856, he was half-Italian and half-Chinese. Apparently he did not know his parents for there are no records of them. Young Pranzini educated himself and he had a natural gift of tongues. He could speak English, French, Italian, Greek, Turkish, Arabic, Russian and Hindustani and found ready employment as an interpreter in various parts of the Far East and Middle East. He was forced to leave Alexandria when he was only 21 after serving nine months in gaol for stealing. That was in 1877. In 1883 he was in Italy and during a stay in Naples he became chummy with a man named Gaston Geissler who was cashier at the Hotel Caprani. Pranzini ingratiated himself so much with Geissler that he succeeded in getting his hands on 12,000 francs in Geissler's keeping. He also stole Geissler's name for future use and (although he did not know it at the time) to bamboozle the Paris police when they were investigating the triple murders in the Rue de Montaigne.

Leaving Naples in a hurry, Pranzini went to Egypt where he got a job as interpreter with the British Army in the Sudan War. This was in 1885. He did a year there and then, in 1886, headed for Paris, determined to live a life of ease if he could find some mug to keep him.

He found the mugs all right—dozens of them, and all female.

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What women found to admire in this half-Italian, half-Chinese fellow can only be guessed at, but Dr. Drouardel who examined him in gaol published a description of him which made, the Press said, the whole French feminine population sigh with ecstasy!

When Pranzini landed in Paris in 1886 he picked his marks and went for them. And they went for him, hook, line and sinker. Lovely ladies (all with oodles of francs) competed with each other for Henri's favors. Not only French women, but visiting American, English and German women loved the bold Henri. His conquests ranged from baronesses to lesser dames. The Paris police collected authentic details of dozens of these affairs.

All Pranzini had to do, it seems, was to select his mark, thrust a visiting card into the selected lady's hand, roll his magnetic eyes at her and it was all over bar the shouting.

What a man! Quelle homme! Considerable bloke!

The number of slobbery love-letters the police found among Henri's effects astounded the Surete. They were from all kinds of people, including the most attractive daughter of a well known and very wealthy New York socialite. This girl became one of Henri's mistresses and her letters showed that she was as crazy as he was. Her parents found out about her love affair and dragged her back to New York screaming and struggling. And no sooner had she reached home than she began a long and passionate correspondence with Pranzini, designed to lure that waster to America to marry her. This was towards the end of 1886.

Though Pranzini was finding life easy, having all his expenses paid by rich and foolish women, he did not have a surplus of money. In fact, he did not have the steamer fare to New York even if he wanted to go.

And Henri wanted to go. As the husband of the American girl he would be set up for life. But he needed money. Where the heck could he get it from? He would have to take steps to get it.

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He took them. And the Paris police meant to prove that the steps he took were the murder of Marie Regnault alias Madame de Montille and the possession of her jewellery.

To check on his alibi that he spent the night of the murder with a woman named Sabatier in her apartment, Guillot dropped in to see her. Knowing Pranzini's penchant for the fair sex and that he could get practically any woman he wanted, the magistrate felt that Henri's tastes must have gone a little astray when he picked on Madame Sabatier. Madame was easily 50 years of age and definitely no oil painting. She was employed as a saleswoman in one of those luxurious and fashionable dress shops with which the famous Rue de la Paix was cluttered up.

Whatever his private opinions were, Guillot did not voice them; but got down to business. Yes, madame was intimately acquainted with Henri Pranzini.

"How long have you known him?" asked Guillot.

"About six months," she said. "It was in October of 1887 that I first met him. It was in the street. He looked at me and I knew at once that I loved him!"

"Mon Dieu!" murmured the magistrate. "And what then?" he asked.

"We lived together," said madame.

"And did he support you?" asked Guillot bluntly.

Madame blushed. Dear Henri! Monsieur le Juge d'Instruction must understand that she loved Henri. There was no need for him to work, you understand? M. Guillot understood. He was French too.

"Where was he on the night of March 16 this year?" he demanded.

"I am not sure. What day was that? Henri was always with me, or most times," she said.

"It was the night on which Madame de Montaille, her maid and the maid's child were murdered," said Guillot. "Your precious friend Pranzini has already been arrested for the crimes."

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"What is this you tell me?" exclaimed Madame, genuinely horror-stricken. "Henri accused of those terrible murders? What date did you say? March 16? But let me think! Oh, yes, dear Henri was with me all that night. Mais oui! All that night until late on the following day. He could not have done these things."

Guillot felt in his bones that she was lying. First of all, she had been vague as to whether she had seen Pranzini on the murder night; but as soon as she had learned that he was accused of the crimes, she immediately had sought to establish an alibi for him.

Guillot was a very shrewd officer. Madame Sabatier impressed him as being normally a truthful and honest woman and respectable too. Certainly she was the mistress of a man much younger than herself and was making a complete fool of herself over the fellow, but she was being loyal to him by seeking to protect him. The magistrate did not attempt to browbeat or confuse the woman, but he did throw a terrific scare into her by informing her that she was under arrest.

"Pour l'amour de Dieu, why?" she screamed. "What have I done?"

"I am suspicious that you are concerned in these crimes," Guillot told her coldly. "Come, we will return to my office where you shall be lodged in a cell until you come to your senses."

The weeping woman was carted off to *durance vile* and Guillot went into a huddle with his confrere Inspector Jaume.

"I think she is protecting the scoundrel Pranzini," he said. "I am sure that he did not spend the murder night with her."

"Then why not force her to confess?" asked the puzzled Jaume.

"Non, mon ami," smiled Guillot. "I shall try other methods. I shall let her go, more in sorrow than in anger, you understand. If I judge her character correctly, she will confess of her own free will."

"It is risky, Monsieur le juge," said Jaume shaking his head. "She might disappear."

"I think not. However, we can have her watched."

And, to her amazement and relief, Madame Sabatier found

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herself in the street, Guillot's last words still ringing in her ears—

"I have nothing more to say to you, madame," the examining magistrate had said. "I do not think you have told me the truth and I believe that you are, in essence, a truthful woman. Go your way. But should your conscience prompt you to come to me with a true account of the man Pranzini's movements on the night of March 16, believe me, you will find me sympathetic."

Madame Sabatier returned to her flat and chewed over what Guillot had said. She loved Henri Pranzini the man, but could she love Henri Pranzini the murderer? But maybe he was not a murderer.

She did not know where Henri had spent the night of March 16 so it was up to him to tell the truth. He had told the police that he had spent it with her and had got her into trouble in consequence. Why should she protect him? Love and loyalty struggled with her sense of honor and justice, and the latter won.

Madame Sabatier, full of repentance, wrote a letter to Guillot admitting that Pranzini had not been anywhere near her on the night of March 16. The magistrate acted promptly and had both parties brought before him at his office.

Guillot told Pranzini that he had checked on his story that he had spent the night with madame, who had denied it. What had he got to say to that?

"What can I say, except to repeat that I did spend the night with her," said Pranzini.

"You know very well, Henri, that you did not. If you are innocent say where you really did sleep for that will clear you," cried madame.

"Why do you want me to tell lies?" he asked.

"I want you to tell the truth. Come, Henri, look me in the face. You know you slept out."

"I did not," said the stubborn Henri and try as she would, madame could not shift him. When she asked him how he

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became possessed of Marie Regnault's jewels, he retorted that he knew nothing about the case.

"I cannot believe you to be guilty," she cried. "If you are really innocent, why don't you speak and clear yourself?"

"I don't know anything at all about this affair. I spent the night with you," said the sullen Pranzini.

"Perhaps you can explain this," said Guillot in a silky voice. "On March 4, which was 12 days before you killed these people, you bought from a shop a large knife which you told the shopkeeper should be sharp enough to cut wood if necessary. On the day of the murders you ordered from the shop one false beard, but did not go back for it. Why not? I shall tell you: the shopman recognised you as the man who had bought the sharp knife."

"Such lies," commented Pranzini.

"You murdered this unfortunate Marie Regnault and having stolen many of her jewels, you posted them in a registered parcel to yourself at Marseilles. Then you fled like a coward to that city where you took delivery of the jewels. Some you gave to girls in a house of pleasure. Others you threw down a water closet in a public park. Then, caught by my colleagues in Marseilles, you tried to defeat justice by attempting to commit suicide. Have you anything to say?"

"No," said Henri.

"And it is quite unnecessary for you to confess," said Guillot. "What I have said is true and you shall pay for your crimes on the guillotine."

"Why?" asked Henri. "I know nothing of these matters."

"That we shall see when you face your judge and jury," said Monsieur le Juge d'Instruction.

The trial of Henri Pranzini, which took place in the Paris Assize Court on July 11, 1887, and subsequent days, was definitely the most celebrated for many years. It was a real social event to which gay parties actually took crates of sandwiches and bottles of champagne to restore their tissues during the hearing. It was

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more like a picnic than the trial of a man for his life. Though the whole of Paris professed itself as being shocked to the core by the horrible details of the murders, the majority of citizens and particularly the feminine element were more intrigued by Pranzini's love affairs which had been published in extenso in the Press. The famous French journal "Figaro" printed the following testimonial to Henri during the trial itself:

"With his small moustache turned up at the ends, his beard carefully curled and dressed, his easy insinuating manners, his foppish airs, his dandified get-up—a white waistcoat, faultless linen, the end of his handkerchief peeping out from his side pocket—Pranzini is the living embodiment of that type of hotel interpreter that one meets with in Austria or Italy, half-cicerone, half-scoundrel, acting in the daytime as a guide to the usual places of interest in the town and at night conducting those travellers who could afford to pay to the less respectable resorts that are not to be found in the guide-book.

"This Italian, brought up in Alexandria, is a thorough cosmopolitan. He speaks French with a hesitation that has a certain charm and picturesqueness about it. He has no mother-tongue, just as he has no mother-country. He is very calm, entirely master of himself, as he sits in the dock of the Cour d'Assises. He replies to the questions addressed to him with unctuous politeness and with extraordinary ingenuity turns aside those that would seem to be the most compromising.

"When he is not astonishing the court by the recital of the most extravagant falsehoods, he is posturing in a self-satisfied fashion, displaying his shirt-cuffs and striking attitudes for the benefit of the fair ladies in the reserved seats.

"It is his eye alone that betrays the true nature of the man—a blue eye, cruel and shifting, occasionally lighting up with a wild fierce glance, but generally hidden beneath long eyelids of the Chinese type. The dandy cannot altogether mask the wild beast that is in him. . ."

President of the court that tried Pranzini was Judge Onfroy de

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Breville, who proved himself to be a firm gallery-player. He made only token protests against the social atmosphere, the champagne and sandwiches and seemed determined to give the audience a run for its money.

French court procedure opens with the court president examining the accused and dragging up his past history since the day he was born. Bearing in mind that the French courts consider an accused man guilty until he can prove his innocence, the foreign onlooker can appreciate the different method of approach, but finds it hard to reconcile with ordinary justice the uncalled-for comments from a judge who is supposed to hear the evidence of both sides impartially. Harder still is it to reconcile with the tenets of justice the fact that a French judge acts as a prosecutor.

Judge de Breville ran through the whole of Pranzini's career as unearthed by the Paris police and threw it at his head. Pranzini beat back at him in spirited fashion, unconcerned with past history knowing that even a French court could not hang him for something for which he was not on trial. The court president slang-whanged for the whole of the first day and got precious little change out of the gallant Henri. Having gone through Pranzini's past history, the president asked him the direct question where he was on the night of the murders. Pranzini said he didn't know,

"It is a matter of professional secrecy?" said the president with a sneer.

"I wouldn't tell you anything," retorted Pranzini. "I do not wish to say a word."

"Where did you go after you dined with Madame Sabatier?"

"I went home to the Boulevard Malesherpes where I wrote letters until 9.30 p.m., and then I paid a visit."

"Where?"

"I cannot say."

"Ah! You are embarrassed, Pranzini!" ejaculated the theatrical president. "Why, you change color!"

"Who, me? Nothing of the kind, Monsieur le President. I am quite calm and my conscience is pure," said Henri disdainfully.

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"Hadn't we better leave your conscience out of the question? You went and paid a visit which your conscience prevents you from divulging because it concerns your head," said the president meaningly. "Where were you during the early hours of the night?"

"I cannot say."

"What gentlemanly, delicate feelings! You seek to protect the good name of a lady!" sneered the president while the court audience drank champagne and rocked with laughter. "What did you do in the morning?"

"Went for a walk. I got up without Madame Sabatier seeing me."

"In the snow?"

"It is very pleasant walking in the snow. You want to try it some time, judge. Then I paid a visit in the neighbourhood of the Boulevard Esterieur."

"You make me impatient, Pranzini. We have had too many lies about your many visits and mysterious adventures. Who is going to believe stories of this kind?" snorted the president. "The truth is that you returned to Madame Sabatier's home about 10 a.m. carrying a small parcel. Jewels, eh?"

"Nothing of the kind. They were biscuits which I proceeded to eat," said Henri.

"Then your visits during the night and morning had been very fatiguing, n'est pas?"

"I know nothing of that," said Pranzini stolidly.

"Ah, Pranzini," said His Honor, shaking his head sorrowfully. "You appear always the same: deceitful, cunning and hypocritical. If you have ruined yourself, it is by the excess of your devices to save yourself."

"Nothing of the kind," said Henri with dignity. "It is because I will not compromise a lady whom I love and respect."

"If this lady exists, let her come here and save your life," snorted the judge. "For the last time, I can only adjure you to think well and to recollect your situation."

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"But I know nothing about this affair," said Pranzini and Monsieur le President gave it up—for the time being—and Madame Sabatier was ushered into the witness box. His Honor lost no time in airy persiflage but asked her point blank if Pranzini had come home to her on the night of March 16.

"He did not," said madame definitely. "We were to have dined together that evening and gone to the theatre. I did not get the seats, however, and Henri went out at about 6.30 p.m., saying that he was going to spend the evening with his friend Marchettini. I told him that whatever he did, not to stop out late. I did not see him again until 2.30 p.m. on the following day."

"Didn't his absence worry you?"

"Oh, no. I slept well all right," said madame. "I did not wake up until 7.30 a.m. and then I saw, to my surprise, that Henri was not there."

"Wasn't your jealousy aroused?"

"Oh, no. One must allow a little for young people," said Madame Sabatier generously. (She was 20 years older than Henri.)

"Well, did Pranzini explain to you how he had spent the night?" inquired the judge.

Madame replied that Henri had told her that he had had a very good time with some friends.

She then electrified the court by stating that Pranzini had told her that he had been present when the murders were committed but had had nothing to do with them personally. Another man had done the job. He himself was completely innocent.

"And what did you say to all this?" asked the astonished judge, while the audience ceased chewing sandwiches and allowed its champagne to go flat in the glasses.

"I told him to lie down as he was tired," said madame with simple innocence.

"And what did the villain do?" ejaculated the president.

"He lay down on the bed and slept like a child for hours," she answered.

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"Sacre nom de Dieu, Pranzini," shouted the judge, "you have a self-possession which astonishes and appals me!"

"But, Monsieur le juge, the good Madame Sabatier is quite in error. I never told her such a story," replied Pranzini with a laugh. "She is quite insane, poor woman."

"Why, you miserable man, do you think I have made it all up?" cried madame.

"But certainly, ma chere madame," returned Pranzini blandly.

"Listen to me, Pranzini," interposed the president. "Here is a woman who had lied to save you. Do you think her capable of destroying you?"

"Apparently so," said Pranzini.

"For so long I have thought him innocent," said madame.

"Ah, madame, the infatuation of love!" sighed the judge.

"Not love, but Fate!" said madame.

This exchange seemed to have some effect upon Pranzini or else he did not want to be left out of the sob-stuff. He began to weep.

"Pranzini, you are crying," exclaimed the judge, stating the obvious. "Why?"

"For my mother," wailed Pranzini.

"So? Well she will weep tears of blood, poor woman, when she reads this trial," said His Honor coldly.

"Yes, and when I am so innocent," howled Henri.

"Try to soften his heart, madame," the president told Madame Sabatier. "Speak to him of his mother. Make one last attempt."

"I do appeal to you, Henri, to tell the truth for the sake of your poor mother," said madame. "Why are you so cruel and cold?"

"Why are you acting like a child and trying to force me to tell lies?" snorted Henri and fixed her with a deadly glance.

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"Are you trying to hypnotise or fascinate her?" demanded the judge. "Stop it."

Witness after witness entered the box to add their links to the chain of damning evidence against the prisoner and each was subjected to a withering fire by Henri and his defending counsel, Maitre Demange. But the verdict was a foregone conclusion. Pranzini had no more chance of escaping than a snowball in hell.

With precious little to work on, M. Demange did his best for his client and made a passionate plea for his acquittal. His address was frequently punctuated by Henri bellowing out that he knew nothing of the crimes and on one occasion he roared at the top of his voice, "Death or liberty! I am innocent, innocent!"

At the end of the third day the jury retired for two hours and returned with a verdict of guilty. Henri immediately threw a fit and had to be carted from the court. When he had recovered sufficiently the president passed the death sentence.

They saved him up until September 1 and then handed him over to the executioner. And before the blade of the guillotine separated his head from his body he declared that he was an innocent man.

He was the only one to say so.

KILLER IN KHAKI

By ALAN BRENNAN

Too many people seemed to be interested in hustling the body of the luckless Corporal Durkin to an early grave. Scotland Yard wondered why.

HERE at the beginning I think it only fair to state that this narrative advances jerkily on a pair of very doubtful feet. As the incidents on which it was based were clouded in uncertainty it follows that the story too must suffer from ambiguity and indecision. It might be described as a moving-picture cut into lengths—a series of silhouettes flung against a gloomy sky, illuminated at intervals by a vivid lightning-flash. At the moment of the flash the pictures will be clear, but immediately thereafter darkness and doubt will enshroud those following. Decidedly it is not a “pretty” story; nor will it contain even one spark of fun. Instead, in lead-weighted phrases it will proceed steadily to the end, when a final flash will show an Australian soldier of the First World War, his neck in the noose at the end of a rope—dead. The story of how came to end life so dreadfully situated might be described as a Dead March in prose.

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To spare his relatives, should at this late date there be any surviving, I have conferred upon the chief actor in the tragedy the fictitious and cryptographic name of Severn Sayheen, a name as unusual as that under which he enlisted. Admittedly this course might raise a painful thought in the minds of parents—and there must be some—who feared that this or that lad's wild ways might have brought him to an evil end. Such may rest at ease, for it is extremely unlikely that the man I am writing about had any relatives in Australia. Though a member of the A.I.F., he was English-born.

Severn Sayheen enlisted at Victoria Barracks, Sydney, some time before July of 1916. When later, for the ghastly reason already stated, his name came up, no member of his unit could recall him or describe him. He appears to have moved about his business as a vague shadow, never silhouetted definitely enough for even one feature to be printed on the page of memory.

About the Beginning of 1918 Sayheen was corporal in a Lewis-gun school at Sutton Veny, England, sharing a hut with Cpl. Joseph Durkin. There was an idea in the camp that the pair were rivals for the heart of a Salisbury girl; and it must be admitted that if this were fact as well as talk, it would supply a motive for the swift tragedy which closed one's life at once and started the other on the road to the gallows.

It supplies a challenging fact that between 9.30 and 11 o'clock on the night of the mysterious tragedy, Sayheen allegedly made three visits to Milne's hut, next door to his own, each time went to some Lewis-gun ammunition stored there, stating that he was taking some empty magazines.

This was unusual, and contrary to discipline. Indeed, Milne should have prevented the removal of any stores, or at least attempted to, and reported the matter. But no such complaint was lodged. When later in the night two officers entered Milne's hut Milne was missing.

Shortly after 11 o'clock on the night of January 7, 1918, a shot was heard in the camp. Some time afterwards Sayheen hurried

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from his hut—fully dressed—and announced excitedly that Cpl. Durkin had committed suicide. Of course a crowd had already gathered.

Investigation disclosed the alleged suicide in a comfortable position in bed, his hands by his sides BENEATH the blankets! Because of the well-ascertained fact that successful suicides never trouble to tuck themselves in AFTER the tragic deed doubts soon were raised. An officer questioned Sayheen why he had been so comparatively dilatory in reporting the alleged suicide, and how it came that he was fully dressed.

"I reported the matter as soon as I saw the man lying there with his head shot through," replied Sayheen.

"Were you A.W.L.?" queried the officer.

"Yes, sir," replied Sayheen.

The sequence is here seen very indistinctly. Indeed it might be said that a cloud of secrecy enveloped proceedings immediately following the fatal shooting. Plainly enough deceased had become so by way of a Lewis-gun bullet, but it was not till some days later, when already the incident was passing into the Limbo of forgotten things, that somebody pointed out the impossibility of firing only one bullet from such a wholesale performer as the dreaded Lewis-gun; but this aspect of the case was not followed up. With one exception the best that can be said for any statement is that a slender majority stood behind it. The statement agreed upon was that the body of the dead man was placed on a stretcher and laid on a motor-lorry, but the name of the driver of the lorry was not then decided. There were those who said that it was one of the men who heard the fatal shot, others who claimed that Milne was at the wheel, and of course there were some who denied that it was either man.

Of course the explanation of this queer omission lies in the fact that in the excitement of the midnight tragedy little notice was taken of the driver, other than that he was a man in military khaki.

The mystery which covered the identity of the driver did not

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extend to his methods. Abundant evidence came to hand that he had sent his powerful machine literally flying through the night, over roads glassy with frost, to a hospital, at that not the nearest, to get the death certified.

With so little data to travel upon, and notwithstanding the odd circumstances of a midnight arrival, a certificate was issued, and in swift sequence Durkin was hustled underground as a suicide. It would, I think, be difficult to conjure a more outlandish set of circumstances.

Following this expeditious dash to the nearest cemetery, it must have seemed that the case of Cpl. Durkin, however demised, was stood over till Judgment Day, when all secrets shall be revealed and cyanided.

For about a week following these hurried proceedings, Sayheen carried on his military duties uninterrupted. It seems that nobody even thought of questioning him about Durkin's abrupt departure for the Great Unknown.

Hereabouts it might reasonably be drawn attention to that a certificate of death is one of the most urgent documents known to man. Opinions concerning life and death should always come from a medical man of note, and never from a nondescript tossed into temporary authority by the hurly-burly of a war.

When cooled-down thought came to be applied to the episode of the night of January 7, questions were asked. Who had issued the certificate with so little investigation of the facts, and where was the document? The first question lacked an answer, and the second failed to produce the all-important piece of paper. Scared of questions from "above," the Camp authorities went to work in grim earnest, but failure to drape the mysterious occurrence in even the veriest rags of verity was absolute. Then, had Durkin left for another sphere with a passport labelled—MURDER? If so, how was it accomplished? The fatal bullet was said to be of Lewis-gun pattern, but then everybody knew that it was impossible to fire only one shot from such a wholesale per-

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former as the renowned Lewis. Every front-line soldier had seen powerful German onslaughts waver as the Lewis-gun sent its torrent of death through the ranks. Fields of slaughter!

Then how had Cpl. Durkin come to his sudden end on that freezing night in January? "We certainly can't have a Lewis-gun in it," announced an officer.

I have said that Milne went missing following the tragedy. He later turned up, was "crimed" and sentenced, and thereafter returned to normal duties—for a time.

Now that the queer affair of Durkin's death in camp was again to be looked into, the presence of men whose names were in any way connected therewith was desired. Milne disappeared on the night he was sought! Nor was he ever found.

Later it was discovered that he had re-enlisted under another name, at a time when powerful German pressure on the Western Front was threatening to drive all before it, and win the war out of hand. Every man was needed to stem the threatened disaster, and the Unit to which Milne had attached himself was despatched to help stem the desperate German drive westward. There, under his assumed name of Grant, Milne yielded his life.

As a matter of historic interest it might be mentioned that this was the German Army's last great throw for victory (August of 1918). As the world knows, it failed. There were further weeks of desperate fighting, but never again did the German troops prevail. The Will to Win had been pounded out of them, and November brought the end of the war.

Meanwhile gossip had inserted a questing paw into the circumstances of Cpl. Durkin's violent death. Names were mentioned, notably that of one Jim Graham. "It was him as drove the motor-lorry to the hospital with Durkin's body aboard," said a man.

"Why didn't you furnish this information before?" the man was asked.

"Because nobody asked me," was the reply.

"But you must have known that the name of the driver of the

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motor-lorry on the night of Durkin's death was being sought," pressed the questioner.

"I knowed nothing of the sort," returned the other. "I'm a man as minds my own business."

Remarkably, though at the time of Durkin's doubtful death the Hospital authorities had declared inability to name or identify the man who had arrived there with the body, inquiry at the institution now unearthed a man who could answer the question. "His name was Graham," said the informant. "He was drowned off a mud-punt in London about 4 months ago."

As this man was unaware of developments at the Sutton Veny Camp his identification carried conviction.

Sutton Veny Camp next entered into what might be described as a delay-action consideration of the circumstances attending Durkin's death, and of the speedy doings following the exciting announcement.

Sayheen's name was mentioned in connection with the tragedy. Some said that he knew more about the affair than was good for him, others declared his innocence. "Anyway, he ain't sneaked away like all the others," said one. "The police could have yarded him at any moment since Durkin died."

It must be said for Sayheen that he had not at any stage acted like a guilty man. Had murder been his intention surely he would not have gone so openly and removed the magazines from Milne's hut. Indeed, there was but little evidence that he had so acted. Milne said that he had, but that man soon vacated the scene, seemingly preferring the soul-chilling horrors of the Western Front as against facing the possible consequences of investigation. In any case, he was not now available for questioning.

Graham, another man in close attendance on the night of the Sutton Veny Camp tragedy, had met death in the river, whether accidentally or by murderous action was never decided; there were no witnesses left.

At about this point the case of Durkin, deceased, slowed down.

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Indeed, there was a distinct chance of it being passed along to the bygone as one of those things likely to happen when nearly every man has a rifle and great nations are locked in mutual slaughter, literally "shooting it out." Possibly the papers dropped into the hands of a man who decided that one man more in a world-tally of ten millions dead in a little over four years of war wasn't such a matter. Be the reason what it may, the papers concerning the passing of Durkin were pigeon-holed. Indeed, it later came out that a large proportion of the men of Sutton Veny Camp never even heard of the incident of Durkin's death.

It was only by accident that about six weeks after Durkin's death and impetuous funeral, a rumour of queer doings at Sutton Veny Camp reached Scotland Yard, whereupon action was speedy and definite. Armed with all necessary authority, men from the Yard arrived at the camp and soon were busy trying to reconstruct the death scene.

For a time their efforts were headed off by the facts of desertion and death.

The inquiry early collided with the fact that Milne was not on hand for questioning. "There is a rumour that he re-enlisted under another name and was sent to the French front," said the C.O., "but efforts to trace the source of the rumour failed."

When it was ascertained with reasonable certainty that Graham was the driver of the motor-lorry on the night of the shooting that man's presence was sought. "He also deserted," said the C.O. "There is some slight amount of evidence that he was accidentally drowned in the Thames."

"Two important witnesses, and both missing" commented the detective. "It is difficult to know what to do next."

During the slack period, so to put it, Sayheen had continued at his duties, and was now within a week or two of being passed out as fit for front-line duties. "The sooner the better, sir," he said, when informed. "It's not been the same since poor Durkin went out so suddenly."

Sayheen was destined never again to see the Western Front.

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Instead, he was arrested and charged with the murder of Cpl. Durkin. It is on record that the arrested man's demeanour was one of open-mouthed astonishment.

Sayheen's trial came on at the April Assizes at Devises, a small English town which stirred to some semblance of life at quarterly intervals, when heralded by pomp of trumpets the officials of the law arrived.

At the trial the defence was ably managed. "I wish to call witnesses for the defence," said the attorney, "but in every case I am informed that they are not on hand. One Milne, I am told, expressed his opinion of his chances, were he arraigned on a murder charge, as well he might have been, by enlisting under an assumed name and leaving for the Western Front. It would seem that he preferred a soldier's death to death by hanging. Then it is clear that one Graham was urgently anxious to get Durkin's body out of sight at the earliest possible moment, and was permitted remarkable latitude in doing it. I ask to be shown the certificate of death, and am informed that it cannot be found. Legally, I submit, Durkin is still alive. On one side subterfuge, secrecy, a shameless flouting of all that makes for justice, which greatly endangers my client's chance of getting the innocent verdict to which he is entitled. On the other side an open-faced lad from Australia, whose actions were wide-open, whose statements bear the impress of truth. Had murder been his intention, would he then have removed the magazines, as alleged but not supported by evidence, in plain view of all in the vicinity? Plainly not. Is the fact that he stood by his duties, unafraid, to be held against him? I hope not. Is the precipitate bolt of the other men concerned to be regarded as presumptive evidence of their innocence. Surely not. On all the facts of the case I ask for outright acquittal."

Whilst counsel for the defence was thus performing an able best on behalf of his client, one by one setting forth extenuating points, the Judge sat and listened with an air of frozen astonish-

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ment that there could be ANYTHING in his favour. Indeed, from the opening of the case the judicial weather assumed the appearance of a bleak day and a particularly slippery evening. Examination of Sayheen's record sheet showed that he had been admitted to Hospital in February, 1916, suffering from "mental derangement." It seemed like a telling point, but the officer of the prosecution denied the entry, and stated that the authorities had decided that Sayheen's trouble on that occasion was alcoholism. Thereupon an officer of the Australian Imperial Force stood in Court and announced that the Australian Army authorities stood squarely by the entry as quoted by the defence. This statement was greeted with dismal solemnity and—silence. In effect the Australian's statement was disregarded.

As is the way of the law (I have for long held that it is the wrong way), Counsel for the prosecution had last say, before Final Judgment. I think that it is not right that a jury should retire with arguments making for guilt ringing loudest in their ears. The officer of the prosecution said that he had never seen a clearer case of deliberate murder; and his speech from end to end consisted of a catalogue of allegedly first-class reasons why Sayheen should be taken somewhere and hanged. Thus importuned, a weak jury delivered a verdict which enabled the Judge to decree that Sayheen be laid aside for execution, at such time as the hanging authorities should decide, and he passed the now doomed man's soul along with the usual good wishes. So definite was this man that ere long Sayheen's last breath would be required of him that it would seem that in his opinion the equanimity of the eternal universe would be upset if he were respited.

But the energetic man of the defence was not yet disposed of. He lodged notice of appeal, and thereafter delved deeply in Sayheen's youthful days in England, before he went to Australia. Therein he discovered evidences of insanity in the family, and elicited that accused's father had committed suicide. Thereafter evidences of mental illness literally crowded in. It was proved

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that before his departure for Australia Sayheen (under his true name) had been a bugle-boy on a British warship, and was discharged for dementia. Sayheen admitted that when enlisting in the A.I.F. he had dropped his real name in order that the authorities might not discover that he had been in an asylum. He also said that if he actually committed the crime for which he had been sentenced he must have been insane at the time, for he held no recollection of it.

Truly, at poor Sayheen's trial few flashes of friendly light illuminated the general legal darkness. There was scarcely a moment when post mortem glooms weren't closing in on the doomed soldier in the dock—the man who, in Australia, in his anxiety to get away and “do his bit” in the great battle for freedom that had burst upon an affrighted world, withheld certain disqualifying facts of his past. If he were not entitled to favourable interpretations then was ever man born who was?

Understand that the foregoing statements and opinions are based on the best interpretations I could make of the brief, indeed, scrappy, record of the trial. No lightning-flashes here!

In due course the appeal came up for hearing. Before Justice Darling the pros and cons of the case were gone through and argued about, or at least I suppose they were, for the account passed along to posterity was scrappy, even skeletonized. Indeed, I am of the opinion that the man who sub-edited the original could have written a History of the World, from Tubal Cain to “Billy” Hughes, in 14 lines. But the adverse result shows that proceedings amounted to a steady slide towards a gallows, grim and grey, in the back-yard of one or other English Gaol.

In his judgment Justice Darling explained that in fact it was not for the Court of Criminal Appeal to try the case, which he stated could have been much better dealt with by the Home Secretary. Being an ordinary cove (or bloke), I'd say that that admission should have been at the beginning, and the case passed along accordingly. Results could not have been worse, for the august

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Justice did not let the slight opinion he expressed stand in the way of confirmation of the original sentence of death.

Only a definite action by the Australian Military authorities could now save Sayheen. But no word came.

Just here the shot ghost of poor Harry Morant, executed by a firing squad for alleged prisoner-shooting in the Boer War of 1901, looked in on the case. I have considered the case of Morant, and agree with the opinion of Australian soldiers on the spot that that man's guilt was not definitely established; and I also doubt whether Sayheen deserved the shameful death which shortly was inflicted upon him. In the later instance men of the A.I.F. were restive that one of their number, only doubtfully guilty, was to be hanged, as were their prototypes on the South African veldt, 17 years before. But in the nature of things nothing much could be done about it.

I am not certain of this, but I think the pair quoted are the only men executed for murder whilst they were members of an Australian Army.

Their respective last words were:—

Morant (who refused to be blindfolded, and faced the firing-squad open-eyed): "Fire straight. Don't make a mess of it."

Sayheen, already in the hands of The Man with the Rope, when asked if he had anything to say: "What would be the use, when you all have made up your minds about it?"

THE KILLER 'STREAK

By F. J. LYNCH

The author discusses the amazing part heredity plays in our lives in this story of a "killer streak" that travelled through three generations.

THERE are many kinds of bonds—bonds of friendship, for instance, which in the brief duration of an instant can toss a message around the circumference of the world and stimulate kindly thoughts of loved ones 10,000 miles away. Links, ties, attractions, attachments—all are bonds of kindly significance. But there are bonds of very different import, perhaps forged ere birth, bonds which reach out of the past, even the distant past, and impell to evil deeds; and if we admit possible kindly influences, then in logic we must admit the reverse.

This story tells of an instance in which generation by generation the forces of evil held the upper hand. Here at the outset

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I'll admit that were this fiction I'd not blame readers for claiming that no air of possibility blows into the riot of circumstances on which the story is based. Yet I have but draped with words facts taken from "The Records"—those stark documents which tell, three words to a line, sometimes four, of the horrors of the English convict system as carried in that lovely Isle of the South which makes the crossing of stormy Bass Strait so well worth the trouble.

"Brown, guilty, death," nicely spaced, fills a line. "Jones, guilty, 100 lashes," crams another with thoughts of a bygone long-drawn agony.

At times, when I am busy with a story based on "The Records," it has crossed my mind to regret that the dictionary is such a circumscribed piece of literature, for thus limited I have on occasion found it difficult to get ALL my thoughts on paper!

In this story it is my intention to tell first of the ghastly inheritance that brought to eternal smash the hitherto prosperous career of Robert Worsely.

In the early years of the 19th century Dr. Worsely was a moderately well-off family surgeon in a Yorkshire village of England. He was indeed a typical provincial family doctor of the old school, living his middle-aged years in pleasant circumstances. A generous disposition kept him busy attending to a practice which received his honest services irrespective of the fees paid, and indeed if they were never paid!

Dr. Worsley was an ideal husband, and the doctor and his equally popular wife were regular attendants at all local functions, particularly those with a charitable purpose. Approximately as often their son Edgar accompanied them. The lad was in his early 20's, and was studying the same profession his father had so pleasantly and profitably followed.

On a February morning in 1818 Dr. Worsely walked into the

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village police-station. As far as his demeanour went, he might have been on a professional visit.

"Good morning, doctor. I am glad that nobody is requiring your services," jokingly greeted the Police Sergeant.

"I am glad to hear that," said the serious-faced medico. "Unfortunately the boot is on the other foot. I am seeking YOUR services, for I am here to surrender myself as a murderer."

The official's smile melted into laughter, for often had he joked with Dr. Worsely during their quarter century of acquaintance.

"You're rather candid about it this time, doctor," he then said. "Who is the latest victim?"

With the professional dignity which he had never previously used to his friend, the doctor replied quietly and convincingly: "This is no matter for levity, Sergeant Geary. Soon after midnight I murdered my wife. Why I did this I do not know. There was no reason or motive, and I did not realise what I was doing till too late. You must now do your duty."

At this point the sergeant realised that there was indeed something amiss with his friend, and naturally he was greatly embarrassed.

"Don't think that I am suffering from delusions, my old friend," the doctor then went on. "You will find the body in the consulting-room. Have no reluctance about locking me up pending your

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investigation, for I know that I must pay the full penalty that the law prescribes."

Hurrying to the doctor's residence, Sergt. Geary found the corpse of the murdered woman just as the medico had described. The thick blackthorne limb with which the woman's brains had been dashed out was lying nearby.

The trial was devoid of precedent, and the case utterly mystifying. Murder for gain is easy of solution. The murderer shoots or otherwise liquidates his victim in a businesslike manner, searches his raiment for odd silver, audits his belongings for other items of value, performs the first half-mile of his flight in about the time it takes a scalded cat to express its opinion of the woman with the kettle, spends a marked sixpenny-piece, finds himself in the compulsory society of a constable, and finally has his air-supply and his intellectual grasp short-circuited in the one operation, every item to timetable and nicely dove-tailed. But back in 1818 the case of unfortunate, remorse-stricken Dr. Worsely was unaccountable, indeed past all understanding. He had committed a crime the very thought of which, only a week before, or a day, or even a minute, would have shocked him to the very last fibre of his being. Had the much-respected doctor become aware even minutes in advance of the murderous impulse that was even then advancing upon him he might have had a chance to grapple and fight it off, but plainly there was no warning. As though instigated by Satan in person he delivered that smashing, fatal blow, and killed the woman he loved.

An act that would have seemed abhorrent at the first stroke of a clock-chime, an accomplished fact ere the third. Explain it—never!

Notwithstanding the hopelessness of the foregoing sentences, the facts of this story will, I think, go at least some of the way to

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show that there are bonds, seemingly loose beyond any sensation of their existence, as filmiest silk, which yet bind like steel, and drive their unfortunate victims to such deeds of horror as here related. We can see through the shallows, but how can we say what might not be hidden in the deeps?

As the accused doctor did not deny his guilt and offered no defence, a death-sentence followed as a matter of course. In the circumstances and limitations of his time there was nothing else for the judge to do; but in our time we are not nearly so casual with other people's necks, for we have learnt that in the misty regions of reasonless murder there is much even yet unexplained.

In England in 1846, a man, till then seemingly a normal being, strangled his son. The investigation which followed was, it would seem, more searching than that accorded Dr. Worsely's case, for it uncovered the fact that, just 70 years before, his father had similarly dealt with a lad of 17. I would find it difficult to deny that the later criminal had re-acted in response to an urge deeply implanted ere his birth.

In the case under review Dr. Worsely's death-sentence was commuted to transportation for life; and like the majority of convicts of good family the ex-doctor was transported under an alias. He was re-christened Meehan.

"The Records" of McQuarie Harbour, Tasmania, show this entry:—

"James Meehan, No. 144, arrived Van Diemen's Land February 9, 1820, per Prince Regent and Castle Forbes. Tried Yorkshire, 1819, and found guilty of murder. Hulk Report—Exceptionally good. Sentence—Life."

In 1834 a young English doctor applied successfully for the position of surgeon on the ship *Phoenix II*, a convict transport shortly leaving for Van Diemen's Land.

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Even with favouring slants the Phoenix II was no salt-water express. But she never got them, and the voyage out took nine months. Because of adverse gales she sighted Good Hope nine times! So runs the record of her voyage. During this wearying time the young doctor was singularly attentive to the unfortunates in his care, as considerate indeed as if they were highly esteemed patients paying stiff fees.

At the time of the ocean-wanderer's arrival the convict settlement of Port Arthur was being founded. The nucleus of the establishment consisted of the prisoners of McQuarie Harbour.

The establishment of a new centre of convictism meant that another doctor would be required; and the young doctor's request to be appointed there was granted, thankfully at that.

The newcomer shortly established a hospital and surgery, which same was regarded by the authorities as being altogether too elaborate for convicts. But the new man of medicine knew what he wanted and stood for it. "After all," he said, "they are human beings."

There was "push" in the new doctor! He next sought out James Meehan, No. 144, and in the teeth of considerable opposition to the idea he had him appointed to the position of hospital assistant.

The convict doctor was from the outset treated kindly by the younger man, who extended to him all the courtesies of a colleague on an equal footing. This too became a matter of protest, and was countenanced only because of the excellent service conjointly rendered to both officials and prisoners.

And the blow fell! Whilst turning up convict records one day an official stumbled on the fact that convict James Meehan had been convicted in England under the name of Worsely—and that was the young doctor's name! Inquiry uncovered the fact that

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the younger man was the convict's son, whereupon the Commandant refused to sanction continuation of the position. Dr. Edward Worsely was transferred to Launceston, whilst his father was again dressed in the convict's ignominious garb and allotted to a menial position.

If ever I read anything good about the Convict System, other than some unselfish act on the part of one of its victims, I'll not believe it!

The shock was too much for the aged doctor, and this man, whose many acts of kindness on both sides of the planet should surely have gained him forgiveness for his one unexplainable act of ferocity, soon passed where even the iniquitous System could not reach him.

In July of 1835 a refined young woman of 30, carrying a 12 months infant, was found by the overseer of a chain-gang on the Launceston road, in a state of collapse. It was clear that hunger and weariness, added to the burden of the baby, had worn her down. Whilst a convict walked alongside with the baby, the overseer carried the woman into a hut where food and the warmth of a fire somewhat restored her.

On recovery the young woman told a truly startling story. She had started on the 120 miles of rough and eternally steep road that led to Hobart with the intention of interceding with the Governor for the life of her husband, held forfeit for the atrocious murder of an old woman in a hut. Young Dr. Worsely!

Too proud, and also too ashamed of the terrific murder of which her husband had been proved guilty, the stricken woman lacked the fortitude to ask for food at houses and inns on the roadside, and had covered 40 miles on very little nourishment. Little wonder that her strength gave out!

By any civilised standard the atrocious murder of an old woman

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in her hut was unaccountable, the more so because for 12 months previously the popular doctor and his wife had tended her unremittingly, generously, and charitably.

At first the story of murder by the doctor was ridiculed, but the evidence was irrefutable.

Mrs. Worsely completed her long walk with her babe in her arms, but her appeal was fruitless. The Governor was adamant, and the execution took place in Hobart Gaol.

"There were no extenuating circumstances," said the Judge when asked his opinion. Good Heavens! The criminal history of the world goes to prove that it is seldom that mentality proves equal to the strain of an urge, particularly a criminal one, when the latter is implanted generations, maybe ages, deep. Environment and heredity are commonly spoken of as of about similar influence in the make-up of a human intelligence, but it is a mistake. Environment is new and continues so to be. It begins at the cradle. It prints upon our minds certain lessons of right and wrong. It tells us that we ought not to do certain things. On the other hand heredity is very old. It reaches back to the beasts. It passes on to us, generation by generation, for millions of years, certain impulses, instincts, or desires of the beast. The desire to do the very things environment tells us not to do is very strong. It is in our blood, part of our heredity. It is persistent, turbulent, powerful. It rises up suddenly, with a glare and a snarl, like a wild beast in its lair. Remember that down through the ages this has been a particularly tough planet to keep alive on. Truly has life been a survival of the fittest, fitness expressing itself by being first in with a club! Actually every person born is a dual self, possessed by a double-sided personality—the blood-dripping past and the comparatively kindly present in the one brain. Was it reasonable then to blame the Worselys, father and son, because

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suddenly some trait out of the ferocious past burst through the civilised present and drove them to a deed of horror?

With the welfare of her baby as her only incentive to live, Mrs. Worsely returned to Launceston, where she succeeded in earning a comfortable living.

Her husband had often discussed with her his father's awful crime, and the strange throw-back of Nature that implanted in his father the inheritance that broke out so tragically—an inheritance that had in a few months, without threat or warning, ruined two lives which for nearly 50 years had been honourable and happy. Indeed the younger man had marvelled that a murderous impulse could have remained hidden so long, and then asserted itself in a nature so foreign to brutality as that of his father.

It was an odd fact that, with the evidence of a transmitted taint so strong in the case of his father, the younger man never for a single instant thought of the possibility of the tragic taint being transmitted to himself.

The fact that she attributed the crime of her husband to predestination and inheritance for a time consoled Mrs. Worsely. But then a dread rose up and terrified her—what if her own son was also possessed of the demon which had taken possession of the minds of his father and grandfather? This became her constant fearful thought, and ever she brooded over it. But her imaginings were practical, and she did everything which, in her opinion, would combat the development of any possible criminal tendencies which some ghastly trick of Nature might have transmitted. In her years-long battle against the dread possibility every action and influence was carefully thought over by the unfortunate mother. In her sound sense she knew herself for a good woman, and earnestly she prayed that her son might be influenced to receive her own virtues and normality, and not the outlandish mental trait

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that had risen out of the past and reacted so disastrously in the cases of his grandfather and father.

This woman of the Tasmanian past deserves the best that can be written about her, for never did she cease her efforts that her son might have the greatest possible chance against the dread possibility which might one day arise.

The lad developed as such a mother deserved that he should. Indeed, so successful seemed the mother's influence on her son that when at length it became clear that her own life was closing she was satisfied that he was too well armed against it, even should the dreaded impulse come to him. She drew added hope from the fact that he was a bachelor, life's journey nearing middle-age.

And a good woman passed from life.

Some two years after her death the son married a widow of 60 years of age, whose grand-daughter of 12 lived with her. There is evidence that ere he took this step Worsely consulted a medical man, laid the calamitous story of the Worsely family bare, and asked if he thought it safe for him to marry.

The medico was circumspect. "In my opinion we still have all to learn about such things," he said, "but as in the nature of things there can be no children of the marriage I think it would be quite safe. I had not the luck to meet your mother, but by all accounts she was a splendid woman, and in any sudden difficulty I think that her training would stand to you."

On Boxing Day of 1900 the farm-house of William Worsely on the N.W. Coast of Tasmania crashed in flames. Neighbours could not find anybody in the burning premises, but when the flames died down the remains of Mrs. Worsely were found in a room at the rear, the rafters of which still stood. She had not died as the result of the fire, but by way of a smashed skull. The charred billet of wood, with evidence of its ghastly use literally baked

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into it, lay near at hand. Of Worsely and the 14-year-old girl there was no trace.

The police search that was at once set in motion soon unearthed Worsely and the girl in Launceston.

At the inquest the evidence of the girl showed that the old couple had celebrated Christmas Day with some cake and a bottle of wine. "In the night I heard my grannie call out, but when I didn't hear her any more I went back to sleep," said the 14-year-old. "In the morning my grandfather took me out of bed and told me to get into the gig, which I did, and we drove away on the Launceston road. When I looked back I saw that the house was on fire, but when I told my grandfather he told me to mind my own business."

Worsely also was a good witness—for the prosecution! Whilst he could explain nothing, he also denied nothing. "I don't know what came over me," he said at the inquest. "I had felt a bit queer all Christmas Day, but I put it down to the few glasses of wine we had taken. As for the other business I can't tell you anything about it, or why I did it. There could not have been any reason, for she was a good woman."

Naturally this last of the Worselys was committed for trial on a charge of murder, but he never faced it, for he suicided in his cell. The means, probably unique, is worth chronicle. He cut his throat with the sharp edge of a boot-protector which he removed from the heel of his boot.

How queer a thing is heredity, and how scarce our information. So far-reaching was the blood-lust of the Worsely family, and so intensely did it strike, that every effort on the part of this third of the line, as in this story recorded, failed utterly to stem it. At that he lived till nearing the allotted span ere it struck! He took every precaution, following his splendid mother's training, by

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deferring marriage till in the nature of things there could be no children, that it was impossible for him to perpetuate his kind—yet, and yet! He fulfilled in every respect his mother's plan of life, yet the Demon of the Past caught up with him.

Is it reasonable to blame? Obviously it isn't, unless of course we could blame a baby for being born the child of its parents!

COMMISSION FOR A CORPSE

By CHARLES KAY

Frederick Seddon always had an eye for the main chance. Where money was concerned he had no conscience. The author tells an amazing story of an amazing man.

FREDERICK HENRY SEDDON, of Tollington Park, North London, was a miserable hound. Persons so mean that they would skin a louse for its hide were spendthrifts compared with him.

Mr. Seddon throughout his life had always been a stingy, money-grabbing individual, but he scaled the topmost heights—or plumb-ed the deepest depths—when, having murdered a half-silly old woman, he beat down the undertaker on the burial fee and then demanded AND collected 12/6 commission for putting the job in the mortician's way. To make matters even worse, he genuinely was astounded to think that people saw anything strange in the transaction. It was merely a straight-out business deal to him. Persons who sold houses or pianos or vacuum cleaners copped commission, so why not collect on a funeral?

Aged 42, Seddon was a native of Lancashire and at the time of

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his ghoulish deal with the undertaker, was living in London with his wife and five children at Tollington Park where he was employed by an insurance company as its district superintendent. Apparently he was a good and faithful servant to the company for it looked after him and his progress in the firm had been very rapid. He was not, however, very popular with his subordinates owing to his stingy ways. As one of them remarked very morosely during a hate-session, Seddon would take the eye out of your head and then sneak back and get down on the socket.

His connection with the insurance business kept him in close touch with the mortality rate in the district and when a death occurred he was first in to bargain with the undertaker for the corpse, collecting his commission on a successful deal and then buying up, if possible, the corpse's clothing and selling it to the second hand dealers.

He was immensely proud of his housing arrangements, too. As one insurance collector told the tale, having had it straight from the horse's mouth, Seddon bought a new house at Tollington Park as a speculation. At first he toyed with the idea of renting it for £1 a week and taking cheaper lodgings elsewhere. Then he got a brainwave. He persuaded his firm to pay him 5/- a week for one room which he used as an office and then he rented the top floor unfurnished for 12/6 a week. This totalled 17/6 a week.

"So he reckoned that he was getting lodging for himself and his family for only half-a-crown a week," said the insurance man.

It was in July 1910 that Seddon rented the top floor. His tenants were Eliza Barrow, a somewhat mentally deficient spinster, aged 49, Robert Hook, an engine driver and his wife, and a ten years old boy, Ernie Grant. This lad was Hook's nephew and an orphan, and old Miss Barrow was very devoted to him. The Hooks apparently were star boarders, Miss Barrow paying all the rent.

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She could afford it, her assets, cash and property, being worth in the vicinity of £5000 at the time she went to live in Seddon's house. Among other things she owned £1600 worth of India stock and the leases of a hotel and barber's shop. Personally, she was not of much account. Apart from hitting the bottle too much, she was a suspicious and bad-tempered old harridan and definitely had a screw loose.

Seddon set out to gain possession of Miss Barrow's cash and property, but Miss Barrow was not aware of this. But she did suspect the Hooks of trying something, because they only lasted a month with her; there was a first class brawl, and she tossed them out.

In his plan to get hold of the Barrow fortune, Seddon put a proposition to the woman—that she should make over to him the whole of her assets, in return for which he would pay her an annuity of £155 and give her free lodging in the house. She agreed and the deal was put through.

Now, if Miss Barrow lived a long time, Seddon would not derive much benefit from the deal. As it turned out, however, the woman became ill on September 1, 1911—about 12 months after the annuity deal—and, after lingering for a fortnight, quietly passed on. The doctor who attended her put it down to epidemic diarrhoea and signed a certificate to that effect. And before the woman was hardly cold, Seddon had her shoved into a box and planted in the public cemetery at Finchley, the burial costing him £3/7/6. The undertaker's full charge was £4, but don't forget, Seddon's commission had come out of that. Interments were cheap back in 1911.

Miss Barrow had a relation named Frank Vonderahe and he and his wife were unaware of her death for some weeks. But as soon as they found out about it they were on Seddon's doorstep asking questions, particularly about the old woman's property.

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Especially did they want to know what had become of the stack of gold and notes Miss Barrow had kept hoarded in her room. Seddon told them that he knew nothing about any hidden hoard.

"Why didn't you write and tell us she was sick?" demanded Vonderahe.

"What the devil has it got to do with you?" replied Seddon truculently. "Mind your own business."

"It is our business. We are her relatives," said Vonderahe. "Why didn't you tell us she was dead?"

"I wrote you a letter about that," said Seddon.

"Which we didn't get," snorted the indignant relative.

"You never came near her while she was alive," said Seddon. "Why all the sudden concern now? Anyway, you'll get no information from me. Clear out."

Offended and indignant, the Vonderahe departed to chew that over, decided that the game stunk, and resolved to call in the police. The police also smelled a rat and, following their investigations, an exhumation was ordered. Medical examination of the remains showed that Miss Barrow had died from arsenic poison and both Seddon and his wife, Margaret Ann, were run in.

Vonderahe insisted that he had never received a letter from Seddon about Miss Barrow's death and then it was discovered that he had moved from his previous residence. The police, however, interviewed the incoming tenants, who swore that only one letter, a business circular, had arrived for the Vonderahe. Vonderahe also wanted to know why Seddon had rushed Miss Barrow's body into a cheap public grave when she could have been buried in the family vault. It was a point that told against Mr. Seddon. It was also a fact that when Miss Barrow had lived with the Vonderahe some time previously, she had possessed a fair sum in gold

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and notes which she consistently refused to bank. Nobody knew what became of that.

As to Seddon himself, the police learned that he was a strong member of the Masonic Lodge and at one time was a keen church-goer. He had no particular vices except the overpowering one of greed for money.

It was not difficult to ascertain where the arsenic came from. Seddon's daughter Maggie, aged 16, had bought some flypapers from a chemist's shop quite openly—although she later denied it in court.

Mrs. Seddon, the police learned, had changed some £5 bank notes belonging to Miss Barrow and, as was then customary, had signed them on the back—but she gave a false name and address. Questioned about this, she said that Miss Barrow had asked her to change them for her and she was confused when she endorsed them, so much so that she wrote a false name and address. This and several other points made the police look down their noses and they ran Mrs. Seddon in also on the murder charge.

The trial commenced at London's famous Old Bailey on March 4, 1912, and Seddon was defended by Mr. Marshall Hall, one of the greatest names at the British Bar. Mrs. Seddon's counsel was Mr. G. Rentoul, later to become a judge. The Crown Prosecutor was the Attorney General in person, Sir Rufus Isaacs, K.C.

Isaacs in his opening address told the jury that Miss Barrow had been poisoned by arsenic from flypapers soaked in a saucer of water.

He called Robert Hook as first witness to prove that Miss Barrow had a lot of loose cash lying around. Hook estimated that she had at least £420 in gold and much more in notes scattered here and there. Marshall Hall cross-examined Hook on his ability as a drinker and extracted the interesting fact that Hook's sister was

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a champion booze artist, so much so that the grog had killed her. He also admitted that he gave drink more than a passing nudge himself, but refused to agree that Miss Barrow had booted him out of her portion of the Seddon home because he over-indulged.

Hook admitted that when Miss Barrow first went to lodge at the Seddon mansion he helped to remove her belongings there. He also said that he had her gold in his custody during the trip, but strenuously refuted the statement that on the way he left old Miss Barrow holding the horse's head while he dropped into a pub and gave the turps a proper bashing.

Young Ernie Grant couldn't help the prosecution very much. Apparently Miss Barrow was a dirty old trollop, her habits attracting the flies in great numbers, hence the need for flypapers. He said he had often seen Miss Barrow taking gold and notes out of a cashbox. She usually was given her medicine by Mrs. Seddon. On one occasion he had seen Seddon give her a glass of water.

Mary Elizabeth Chater, the Seddons' lone servant, contributed her little piece by stating that Mrs. Seddon and daughter Maggie always prepared Miss Barrow's food.

Marshall Hall elicited the fact that Miss Chater had never been in Miss Barrow's room and only in her kitchen on one occasion.

"Didn't you state previously that you had seen Mrs. Seddon preparing invalid dishes for Miss Barrow?" asked Hall. Witness admitted it.

"And now you deny having seen it?" asked Hall. Again witness had to admit it.

"Isn't it a fact that your cousin is in a lunatic asylum?" asked counsel.

"No it isn't," retored Miss Chater.

"Well, then, hasn't your brother been mad for all of twenty years?"

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"Yes," muttered Miss Chater. But Marshall Hall had not nearly finished.

"You are a bit that way yourself, aren't you?" he demanded. "It is true, is it not, that you got the sack from one job for breaking up all the crockery?"

"Yes," said witness, who was also forced to admit, unwillingly, that she had had various arguments with people who were mere figments of her imagination.

"You take a great interest in medical matters too, don't you?" asked Hall.

"Yes. I used to work for a doctor."

"And didn't you tell somebody that Miss Barrow showed signs of developing asthma?"

"Yes."

"And didn't you tell Seddon's solicitor, Mr. Saint, that arsenic was good for asthma?"

"I never heard of such a thing in my life!" exclaimed the highly indignant Miss Chater.

"But you signed a statement to that effect, didn't you?" demanded Marshall Hall.

"Yes," said Miss Chater.

"Have you ever administered arsenic to Miss Barrow?" asked Mr. Justice Bucknill.

"Certainly not!" exclaimed the witness.

"I am not suggesting, m'lud, that this witness administered poison, either wittingly or unwittingly, to the deceased," said Mr. Hall.

An insurance collector told the court that on one occasion he saw Seddon playing with a heap of 200 sovereigns.

A chemist named Thorley gave evidence that Maggie Seddon had purchased a quantity of flypapers from him.

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This closed the case for the prosecution and Seddon rather startled those in court who recognised the actions by making ritual signs that revealed him as being a member of the Masonic Lodge. That it had no effect on judge and jury was proved in due course.

Seddon denied emphatically that he had murdered Miss Barrow. He denied also that he had played with £200 in sovereigns in front of an insurance collector.

"It is not in the least correct," he said. "Such an action would make me a greedy, inhuman monster, something with a very degenerate mind, to commit such a vile crime as the prosecution suggests and then bring the dead woman's money down and count it in the presence of my assistants and flout it like that. The suggestion is scandalous. I would have all day to count the money."

Seddon also had a crack at the Vonderahes and their yarn about the vast quantities of gold and paper money in Miss Barrow's possession. She did not have much at all and he could account for the lot, including her bits of jewellery. These included a watch which Mrs. Seddon had and also a gold-digger's Australian cable chain composed of all the minerals to be found in a gold mine.

He denied completely that there was ever any arsenic in Miss Barrow's room.

Marshall Hall placed in the witness box a fellow named Creek who gave evidence of having seen Hook boozing in a pub during the removal of Miss Barrow's goods and chattels to Seddon's home.

Mrs. Seddon in the witness box denied having administered poison to Miss Barrow. She said that the flypapers had been bought at the request of the dead woman who herself had laid down that they must be the type to soak in water and not the sort that hung from the ceiling.

Marshall Hall belted home four points to the jury for its con-

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sideration—(1). There was no proof that Seddon ever handled any arsenic. (2) There was no proof that he ever administered the poison. (3) There was no proof that he knew that the flypapers contained arsenic, and (4) There was no proof that, even if he did know it, he knew that they contained a quantity sufficient to be dangerous to human life and that the quantity could be extracted by a simple process.

Hall suggested that Miss Barrow, having a thirst up, might have drunk the water in which the flypapers were steeped without knowing that it was poisonous. There was also the distinct possibility that the doctors who said she had died of arsenical poison were merely talking through their necks and death actually had been due to heart failure following epidemic diarrhoea as the doctor who had signed the death certificate believed. Again, if Seddon had poisoned the woman, why didn't he have her body cremated and thus destroy all arsenic traces?

Mr. Rentoul (for Seddon) was brief. He painted his client as a faithful nurse to Miss Barrow, a devoted wife to Seddon and a devoted mother to her children. He did not touch upon the poison motif.

Sir Rufus Isaac countered Marshall Hall's four defence points with four of his own—(1) Evidence showed that Seddon had planned to possess himself of Miss Barrow's cash and assets. (2) Not satisfied with this, he had stolen her secret hoard of gold and jewellery. (2) Arsenic in the form of flypapers had been brought into the Seddon home, and (4) Seddon had never told the Vonderahes of Miss Barrow's death and had also tried to mislead them about what had happened to her goods and chattels.

Isaacs said that Seddon, having got the woman's money into his hands, poisoned her in such a way as to hoodwink the medical men.

The judge summed up against Seddon but was in Mrs. Seddon's

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corner. He criticised Seddon's stingy conduct, but advised the jury not to be influenced by the accused's money-grabbing exploit over the undertaker's commission.

The jury took only one hour to find Seddon guilty and to acquit his wife.

Seddon took the verdict well. Then, having tossed a few more Masonic signs around, he again denied having murdered the woman. He said that he had received no undue financial benefit from Miss Barrow. He then threw out the suggestion that the woman could have committed suicide.

He was sentenced to death, but Marshall Hall lodged an immediate appeal. The grounds were that there was no evidence that Seddon was ever in possession of arsenic or that he ever administered it; the identification of his daughter was improperly obtained; the evidence against both Seddon and his wife was exactly the same and one should not have been found not guilty without the other; and that the trial judge had not directed the jury that the evidence of Seddon's having stolen Miss Barrow's jewellery had nothing to do with the murder charge.

The Court of Criminal Appeal, Lord Justices Channel, Darling and Coleridge, dismissed the appeal, holding that there were no grounds for them to upset the jury's verdict and set the conviction aside.

So Frederick Henery Seddon took the last long walk to the gallows.

THE IRON COLLAR

By J. H. M. ABBOTT

In the first of two stories of early Australia the author tells of the trouble Governor Darling brings on himself by his creation of a particularly devilish form of punishment.

"YES," said Mr. William Charles Wentworth to his friend and journalistic partner, Dr. Robert Wardell, "he's done it now—done it with a vengeance. I think we've got him, Bob. I do, indeed. We've got him by the short hairs, you and I and 'Monitor' Hall—we'll twist that cold-blooded martinet until we've turned him inside out. We'll make him sweat blood. General Darling will be sorry he ever came to New South Wales."

"Damme, and so he ought to be!" returned the doctor heatedly. "Nothing so vilely tyrannical has ever been perpetrated here before, and heaven knows the colony's never been short of atrocities."

"But did you appreciate the full cruelty of the thing? Those iron collars were, of course, nothing much at all. Not nearly so

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terrible as they looked. But the chains to each ankle! Too short to permit the men to stand erect, or to stretch out their bodies when they lie down to sleep. My God—a devilish device! Darling may be a stupid martinet of the military sort, but he's been trained as a gentleman, and ought to be one."

"No one but a short-sighted fool could have permitted such a public exhibition of medieval brutality—for his own sake, his reputation's sake, if for nothing else. By God, I'll pillory him! I'll write such a leading article as has never been set up in type before in New South Wales. I'll show the callous ruffian how his damnable cruelty affects decent-minded people. Go, and leave me to it now and come dine with me this evening, when we'll discuss the matter further?"

Wentworth rose to his feet, and stood a moment by the window, gazing thoughtfully at the traffic, incongruous and heterogeneous, ebbing and flowing in the street outside. A chain-gang guarded by soldiers with fixed bayonets, shovels and picks over their rounded and weary shoulders, shuffled the dust in the roadway; a bullock-dray with a high load of hay; two young officers of the garrison driving tandem in a lofty gig; three coalscuttle-bonneted ladies, in muslins and gingham, walking delicately in a row; a drunken seaman reeling past them; a dogfight outside the public-house at the corner—all the varied life of the little seaport village of Sydney in 1826.

"All right, Bob—I'll be at Petersham by five o'clock. But be careful. I don't want to see you in the stocks, or the paper suppressed."

The matter which gave rise to the vengeful wrath of the doctor-editor of the "Australian"—established in Sydney in 1824—was perhaps the most extraordinary public spectacle that has ever been staged in Sydney, before or since.

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When Lieutenant-General Ralph Darling came to Sydney as Governor in the beginning of 1826 he was not long in discovering that there was no bed of roses for his enjoyment on the shores of Port Jackson. He arrived with the praiseworthy intention of conducting his administration in the strictest impartiality and on the most benevolent lines. But he didn't know his New South Wales. There was a plenitude of trouble to be faced, and the colony was seething with unrest.

A group of native-born Australians, led by the young barrister and newspaper-proprietor Wentworth, were clamoring for freer political and judicial conditions, and seeking as allies all who had grievances against the existing system of government. The "Emancipists," the free immigrants who had a little capital, discontented soldiers, the terribly oppressed convict class, the merchants and the shopkeepers—all these they regarded as clay to be moulded in their hands. And as bad luck had it for Darling he became involved almost immediately after his arrival in troubles that embittered the whole of his five years of office.

Eighteen-twenty-six was a year of depression which had succeeded a period of overspeculation in land and stock, and everybody, including the soldiers of the Imperial garrison, had got into a way of thinking their own lot even worse than that of the "Government men" who were "doing time." Many of them had deliberately committed offences in order to change their social condition for the better by becoming convicts. This sort of thing was too much for a Peninsula veteran with Wellingtonian traditions of discipline, and Darling set about stopping it with stern determination.

Two private soldiers, one John Sudds and a certain William Thompson, who had one day walked into a shop and ostentatiously stolen a roll of calico, eventually receiving as punishment

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the seven years' transportation their souls yearned for, gave the Governor his first opportunity to put into effect his scheme for overcoming the trouble.

As Commander-in-Chief of the Forces, he varied their sentence by substituting for transportation to Port Macquarie a term of seven years in a road-gang, at the end of which period they were to rejoin their regiment. And he did more than that. The entire garrison was paraded in the barrack-square, immediately over the position of the present underground railway station at Wynyard, and there, to the accompaniment of the fifes and drums playing the traditional "Rogue's March," the culprits were publicly degraded. Then their necks were adorned with spiked iron collars, from which chains stretched to their ankles, so shortened that they could not straighten their bodies.

Sudds had been brought out of hospital to play his part in this cheerful ceremony, and, a couple of days later, was so inconsiderate of the Governor as to give up the ghost. Since an autopsy revealed no disease, it was wrathfully maintained that he had been killed by Governor Darling's cruel treatment. And then the autocrat reaped a whirlwind which never ceased to blow throughout his term of office.

Mr. Wentworth and Dr. Wardell dined that evening at the doctor's house, together with Mr. Edward Smith Hall, proprietor of the "Monitor." These three represented the "free" press of New South Wales, the "Sydney Gazette" being regarded merely as a Government organ subsisting upon the favor and advertisements of authority.

"We will, between us," said Mr. Hall, "give this fellow Darling such a hell of a time as he'll never get over. I don't care what they do to me—I'll make him pay for it. And I'm sure you'll back me up."

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"You may depend on that," responded Wentworth. "He'll not find life worth living from now on. I'm going to dissolve our partnership, Bob, and then you and Hall can go for the beggar up to the limit, whilst I'll be free to conduct your defence in the crop of libel actions which is bound to spring up. Out of all this we may at least hope to gain some good for our country. We'll vindicate the fact that the people of Australia have just as many rights as Englishmen. We'll give Darling hell."

And they did.

Wentworth wrote a letter of impeachment to the home authorities against Darling, and attacked him violently in the "Austrian." The "commutation" of sentences on Sudds and Thompson, he said, was merely an aggravation. The irons, even if they only weighed 13lb., as the Governor maintained, and not the 40lb. that other people thought they did, were quite illegal instruments of torture. If the death of the unhappy Sudds was the result of this treatment ordered by the Governor—who had refused to permit an inquest—then Darling was undoubtedly guilty of manslaughter. Wardell and Hall had no mercy. In issue after issue of their journals they continued to denounce the Governor. Then Darling added to his first tyrannous mistake a whole series of others, when he attempted to muzzle the offending journals.

He had a law promulgated which made it illegal to publish newspapers without a licence, which was to be issued every year at the Governor's sole discretion. A stamp duty of 4d. a copy was to be imposed on every copy sold. But he reckoned without Chief Justice Forbes, who gave it as his opinion that the proposed measure was not according to the common law of England, and must be abandoned. Darling then evolved another plan. A law was passed by the nominee Council against blasphemous and seditious libel, with banishment from the country after two convictions. Signed by printer or publisher, copies of every issue of

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any newspaper had to be deposited with the Colonial Secretary.

But the strictest measures did not daunt either Dr. Wardell or Edward Smith Hall. They continued to say what they pleased about Darling and his administration, were duly prosecuted, and always defended by Wentworth. He was fearless and powerful in his appeal against their vindictive prosecution.

"The colony," he said, "has for a long time labored under arbitrary government, but it has been reserved for this Governor to deal in such conduct as the present. You are expected to fawn, to cringe, to owe your very breaths to the authorities; and your compliance will doubtless ensure you a more cordial expression of the Government countenance To find for the Governor, however, will draw upon you the contempt of every honest man." Hall was fined £100, but Wentworth had the verdict quashed on appealing to the Full Court.

That was not all. Seven verdicts were subsequently given Hall, and they cost him three years in gaol and hundreds of pounds in fines. It was a long and bitter fight that arose out of the iron collars worn by Privates Sudds and Thompson, but in the end the Governor lost.

In 1829, a libel action against Hayes, the then editor of the "Australian," stirred Wentworth to protest so bitterly against the injustice of trial by military jury that Mr. Justice Stephen was in favor of granting a new one. The other Judges, Forbes and Dowling, overruled Stephen, but a failure of the Bench to agree on so important a question could not be disregarded by the Home Government. In 1830 Darling was ordered to extend trial by jury, and after several outstanding successes by Wentworth in the courts the unpopular Governor was recalled. The "Australian" and the "Monitor" had won the battle.

But what of the two men who were in the first place responsible for this long and bitter controversy?

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Private Sudds, as we have seen, was dead of his iron collar, and until a certain afternoon half a decade later no one knew what had become of Private Thompson. So far as Mr. Wentworth and Dr. Wardell were concerned, he had passed entirely out of Australian history. There is no record of him until the day on which Mr. Wentworth roasted an ox whole down at Vacluse in celebration of the vanquished Governor Darling's departure from New South Wales.

Wentworth, with possibly not the best of taste—though it is hard to judge now, over a century later—made the occasion of the Governor's departure a gala day. By advertisement in the press which Darling had persecuted so venomously he invited any of the citizens of Sydney who cared to accept his invitation down to his estate of Vacluse, near Watson's Bay, where an ox would be roasted and games held as a sign of the colony's relief at getting rid of Governor Darling.

Towards the close of the afternoon, Wentworth, Wardell and Hall retired from the scene of the revels up to that big flat grey rock, a little north-eastward of Vacluse House, where Wentworth loved to sit in the evenings contemplating the tranquil beauty of the long stretch of harbor running westward past Shark and Garden Islands and little Pinchgut to Ball's Head and distant Cockatoo.

Early in the afternoon they had seen the Sophia Jane, the newly-arrived and marvellous steamship, churning the blue waters with her big paddles, and belching smoke from the tall frilled funnel, as she towed to sea the vessel that was carrying General Darling from the land he had afflicted. Ironical cheers had floated out across the harbor as the stately ship, her sails loosening, passed between Bottle and Glass and George's Heights.

"Well, Bob," said Wentworth as he lit a cigar, "and you, too,

THE IRON COLLAR

Ned Hall, thank God for this day. It may seem a mean thing to say, now that the fellow's beaten, but I've not felt truly happy before since that morning when we saw those two soldiers fitted with Darling's iron collars. When I took up their case I did so not so much in consequence of its own merits as because I conceived that the rights of the colonists were outraged in their persons, and that the next step would be to outrage them in the person of civilians."

"And truly so, Will," said Mr. Hall reflectively, "I wonder what Sudds and Thompson would think, were they here to-day? Thompson's most probably alive, somewhere or other. I'd like to see him."

"Then you may do so, sir."

Startled, the three gentlemen turned towards where the strange voice had broken in upon their conversation. A tall, gaunt, almost cadaverous man, shabbily clad in rusty black, had stepped from behind a banksia shrub, and stood looking at them.

"And who the deuce are you, then, my man?" asked Dr. Wardell, after a moment or two of astonished silence.

"I am—or I was—Private William Thompson, of His Majesty's 40th Regiment."

"Good God!" exclaimed Wentworth, rising to his feet from the old grey rock.

There was a pause, whilst they regarded the man with wonderment in their faces. Presently Wentworth addressed him. "My dear fellow—but you must be delighted to know that the cruel tyrant who punished you has at last been broken."

Thompson shook his head as he regarded them gravely. "No, sir. I do thank God for them cruel irons, and poor Jack Sudds' death, an' all the hard sufferin' I went through on the roads. It done me good. It made a man an' a Christian o' Bill Thompson,

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who'd on'y been a drunken, fightin', blasphemin' sojer afore it 'appened. I do thank General Darling from the bottom o' me 'eart. But for 'im I'd ha' kep' on as I was. I'd not ha' foun' grace, I can say from the bottom o' me 'eart, Gobbless Ralph Darling. That's all I got to say, sir. Except I thank all yous gents for all your sympathy wi' me an' poor Jack Sudds. I follered yous up 'ere for to say that, sir. An' now, sirs, I'll wish ye' all good hevenin'."

He turned and disappeared in the scrub before any of them could find a word to say. At last Dr. Wardell broke the amazed silence that had descended upon the group. "By the Lord, Wentworth—but he's a better gentleman and Christian than any of us!"

THE WOMAN OF STONY RANGES

J. H. M. ABBOTT

Black Jones decided that a woman was necessary to him. He made the unfortunate mistake, however, of selecting the determined Mrs. Nottingham.

HERE we must sing a brief paeon for those brave women who went "over the ranges"—west, north and south of the Old Colony—in the early years of the last century, with husbands and brothers and fathers, to help them in the making of Australia.

Too much have they been neglected in the records of our history. There is no story in all the long chronicle of feminine heroism that is much better than theirs. While we read papers at the Historical Society about Captain Sturt, and Sir Thomas Mitchell, and Alan Cunningham, and Hamilton Hume, and Matthew Flinders, and George Bass, and Leichhardt, and the brothers Jardine, and all the others who did great and heroic things in unlocking the doors of this mysterious continent of ours, we overlook many women—some ugly, some pretty, some strong,

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some delicate and fragile, but all brave—whose only monuments are sloping and weed-grown tombstones in little old country burial grounds, a faded portrait or two, some often ill-spelled letters, and a little vague tradition.

Those ladies had a good deal to do with the Landing on Gallipoli and the storming of Mont St. Quentin. Very much indeed.

Mrs. Nottingham was a type of these women—a type of a type, so to speak. She was one of those delicately and luxuriously reared early-nineteenth-century ladies who had never known what real hardship was until they went into the bush to share their men's privations and perils. (One always thinks of Elizabeth Macquarie that she, too, would have done as well as they did had circumstances called upon her to take their hazards.) Nothing could be finer than the way they shared them, nothing nobler than the sacrifices they made.

It is almost impossible now to realise off-hand what they had to put up with. But if, Madame-you-who-read-this, the next time you go over the Blue Mountains in a first-class carriage, or through the Riverina in a motor-car, or up the valley of the Hunter River and over the Liverpool Range in a sleeping-berth, or elsewhere in such comfort as this present-day Australia offers you, you will recollect that ladies of as much charm and sensibility as you yourself undoubtedly possess went those journeys, seated on bags in bullock-drays—as Mrs. Nottingham did—with babies at their breasts or babies yet unborn, and only rough men, who were often convicted criminals, to attend upon their womanish necessities—well, it seems to the writer that you will envy them their valiant qualities. It is, of course, well understood that they are latent in you also.

Mrs. Nottingham has already appeared in person in these chronicles—she was that Mrs. Terence Mosley with whom Ensign

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Calder once fell violently in love, a brief comedy which, it may be remembered, ended with the spirited young widow slashing Mr. Calder across the face with her riding-whip. Captain George Nottingham, the man she married three short weeks after her chastisement of Mr. Calder, and whom, eight years later, she accompanied to Stoney Ranges, was himself a personable figure. He had commanded one of the Honorable East India Company's ships, and in Bombay had been wantonly provoked into a duel with a military officer who was on the staff of and related to the Commander-in-Chief. This gentleman was so unfortunate as to lose his life at Captain Nottingham's hands. It is indisputable that the latter should never have been brought to trial, but, owing to the influence of the exalted relative of the staff officer, brought to trial he was, and, in place of the acquittal which everyone expected, was found guilty of manslaughter and sentenced to fourteen years' transportation to New South Wales. Here he was very well treated by Governor Bligh, before Bligh's deposition in 1808, and by the rebel Government afterwards. It only remained for Governor Macquarie to make him technically a free man, as he had been in fact since his arrival in the colony.

In the old homestead at Stoney Ranges their two portraits still hang on either side of the big fireplaces in the dining-room. They were painted by that same Read who did the miniature of Mrs. Macquarie which is now in the Museum at Hobart, and they show a very handsome couple. Mrs. Nottingham is dark, pretty and vivacious looking, with full red lips, which, however, do not form a weak mouth, as so many of those ripe-cherry lips do. And there is determination in the well-formed chin, and the tilt of the pretty nose, and the level dark brows. And, somehow, the late Mr. Read seems to have got into the portrait that quality of courage which was undoubtedly hers—as you shall presently hear. Captain Not-

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tingham shows as a good-looking, manly type of man, with close-cropped side-whiskers coming down to the angle of the jaw, and close-cropped fair hair, and thoughtful eyes, and a black satin stock, and a dark coat with brass buttons, and a flowered waistcoat. Which is about all I can remember of him—for it is many years since I was last at Stoney Ranges.

At the time of this present chronicle, the year 1826, some ten years after the marriage of Captain Nottingham and Mrs. Molsey, the second summer of their occupancy of the Stoney Ranges cattle station, Captain Nottingham was a well-preserved man of 50 and Mrs. Nottingham a still beautiful woman of 37 with two children—a boy of nine and a girl of seven.

The Stoney Ranges are a long basaltic outcrop somewhat to the northward and eastward of Bathurst, and although the country is still rough and wild it is, of course, not nearly so wild as it was nearly a century ago. The station was on the very outskirts of civilisation then; now it is within an easy day's run of Sydney by motor-car. In '26 it was a country of infinite spaces, where no run-holder reckoned his boundaries by other limits than the wanderings of his cattle defined. Then a few white men were settled here and there in what was virtually a wilderness, with convicts to work for them and savage black men infesting the bush and ranges on every hand. For eighty years the old, square-built, fortress-like homestead that Mrs. Nottingham in her second widowhood built in her fifty-first year—a decade before the gold discoveries—has stood on the ridge above Stoney Creek. In '26 she and her husband lived in a slab hut with a bark roof, the station-hands dwelt in another about the same size, whilst a smaller one served as a store. With a stockyard and a horseyard, a rough log fence round four acres of "cultivation" and an open shed or two—that was all there was of the original settlement at Stoney Ranges. Another and

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better sort of mansion succeeded the slab huts—one of those fine old colonial cottages with a low-pitched shingle roof and a deep verandah with a little room no bigger than a ship's cabin at either end—but it was to the rude little huts that Mrs. Molsey journeyed in a bullock dray with her babies in 1824, and it was in them that she spent the first years of her motherhood and reared her two children and looked after the good man who was her real mate. (Colonel Molsey, twenty-five years older than she, had been more like a father than a husband.) And that was the place where she did the thing that this present writing is most concerned with, a deed which, put in the terse language the London "Gazette" employs in describing those which win the Victoria Cross, would read much like one of those briefly-described episodes of heroism.

One December evening in '26, as the sun went down behind the long spur of the Stoney Ranges known as the Big Hill that lies across the creek from the homestead, there came up the slopes towards Captain and Mrs. Nottingham, seated on adze-carved benches before their three-roomed dwelling, a queer-looking, furtive little man who limped and had a Tower carbine slung across his shoulders. He had red hair and a squint, and his clothing was ragged and dirty. When he saw him coming Captain Nottingham rose to his feet, and Mrs. Nottingham called the children, who were playing on the grass a little way from where she sat, to come to her. Captain Nottingham took a step in the direction of the loaded musket that leaned against the doorpost—it was always well in those days to keep your firearms handy. But before he reached it his wife spoke to him in a quiet undertone.

"'Tis all right, George—'tis only Squinny Mick."

"By Jove, so it is! I thought there was something familiar about the fellow. Wonder what he wants and where he's sprung from?"

The man approached, with his hat in his hand, and bowed

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elaborately, twice, to each of them. Mrs. Nottingham smiled at him.

"Well, Micky," she said, "have you come to be nursed again, or are Mr. McIndoe's men after you, or what is it? And how's the leg?"

"Sure, ma'am, Gobless ye, 'tis glad I am to see ye lookin' so well, and th' childher, too. Me bes' respec's to ye, Cap'n, y'r honor. Sure, th' leg's done fine, ma'am, and near as good as iver. 'Twas th' fine job entirely y'r leddyship made of it. Gobless ye for y'r kindness to me."

"Are you still a bushranger, Micky?" she asked him.

"Well, thin, ma'am, 'tis sorry I am for to spake th' worrud—but 'tis that same I am still. But what's a man for to do? If I give meself up they'll take an hang me—an' I've no wish for to be scragged. Cap'n, may I have a worrud in y'r ear?"

"Why, certainly, Micky—what can I do for you?" replied Captain Nottingham kindly, smiling through his big fair beard.

"Mayn't I hear, too, Micky?" asked his wife. "You know the Captain and I have no secrets. Surely you know that! He'll tell me afterwards, so you may as well tell me now."

The little man looked at her and then at the children in his cross-eyed fashion, and shook his head doubtfully, but said nothing for a few moments. Then he shrugged his shoulders, grunted and made a gesture with the hand holding the battered cabbage-tree hat that meant compliance with her wish.

"Sure, thin, ma'am, ye'll have to know it soon as late, so't might as well be soon. 'Tis th' sorrowful bad news I've to give to yez. Cruel bad. But 'tis well ye shud have it—an' there's little time to lose."

"Out with it then, Micky," she laughed. "I'm sure it can't be so very bad. Have the blacks been spearing cattle again?"

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"Worse'n that, y'r leddyship—worse'n that. Oh—bad luck to th' bloody blaggard—savin' y'r prisince, ma'am."

"Well, what is it, Micky? Let us have it. I think we can stand it," said Captain Nottingham.

"'Tis this way, sorr. Ye must know I fell in wid Black Jones an' his two mates, Bristol Billy an' Calaghan. I'd no tucker, an' they made me welcome, so I sted wid 'em this fortnight past. Up in th' ranges beyant. Th' night afore last, when they t'ought I was aslape—I heard Black Jones a-tellin' thim two other rapsCALLIONS how he must—axin' y'r pardon, ma'am—have a woman wid him. He séz he likes th' look o' y'r leddyship's self. So they've made up for to come here to-night, knowin' th' most av y'r min was away wid th' drays, Cap'n—kill you, sorr, an' th' childher, an' take her leddyship away for to be Black Jones's woman. Yis—th' dirty dogs!"

Captain Nottingham swore a great oath in his beard. Mrs. Nottingham paled a little, but smiled and nodded at the little Irish bushranger.

"Yes, how nice of Mr. Jones!" she murmured. "Go on, Mickey."

"That's all, ma'am. They're a-comin' to-night. I pretinds to fall in wid th' plan, an' they sint me ahead to spy out th' place. So I come to let ye know, an' for to offer ye me sarvices," said the little man simply.

"By heavens, O'Riordan, I'll see you get your pardon for this!" said Captain Nottingham, grasping his hand and shaking it fervently.

"God bless you, Micky?" said his wife, with tears of gratitude in her brave eyes. "You are a good man."

She gathered her children close to her and kissed them.

"We'll be ready for them, George," she said quietly to her husband.

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"Of course, we will, my dear; we'll teach them a lesson. Micky, how can I ever thank you for this?"

"Sure, Cap'n, you an' her leddyship done it six mont's ago. Where'd I bin now if 'twasn't for th' way ye tuk me in whin I run away from th' road-gang wid a bullet in me leg, an' nursed me till I was well, an' hid me from th' throopers an' all? Ye don't owe me no thanks at all, y'r honor. But f'r th' love o' Mary, Cap'n, let's make ready for 'em. What min have ye, sorr?"

"There's not a man about the place, O'Riordan. As you know, all my men, except Tallis and Herbert, are away to Sydney with the drays; and I let them go to Bathurst yesterday for three days' holiday, and Sam, the cook, as well. There is no one on the station except ourselves."

"Thin we'll bate th' warmints, y'r honor!"

"Of course, we will," smiled Mrs. Nottingham bravely. "We've plenty of arms, George dear, and powder and shot. Come, we must be ready for them."

From one o'clock in the morning the narrow valley had echoed with the sounds of musket shots as the darkness was stabbed with little spurts of flame.

Towards daylight that desperate ruffian Black Jones, whose terrible deeds are still a legend about Bathurst Plains, had tried to rush the hut with his two mates, both of whom were shot dead by Captain Nottingham ere a bullet passed through his body and left him lying wounded and unconscious on the floor of the living-room. Then, in the dawn, Micky O'Riordan had made a gallant sortie in the hope of killing the savage field, who, although he was single-handed now, had no thought of abandoning his purpose. But he had hardly run ten paces towards the big log behind which Black Jones crouched when he fell dead with a bullet in his brain, and now he lay spreadeagled on his face out before the hut. Mrs.

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Nottingham and the children were unhurt. She stood at one of the loopholes her husband had cut in the slabs the night before, keeping up a fire upon Black Jones that kept him to his shelter. Her son loaded the muskets for her, and she had set the little girl to bathing her father's head and holding a wet cloth over his wound to try to staunch the bleeding.

But she knew that unless she could attend to him herself he might die. She had only had time to tear his shirt open and glance hastily at the wound ere she set her little daughter to her task and returned to the loophole. She knew that the victory—and herself—must lie with Black Jones unless she did something very desperate.

So she did it.

"Jones!" she called clearly through her loophole just as the sun began to gild the green of the ironbarks over the Big Hill. "Jones!"

"What is it, ye—bitch?" was roared back across the open ground where lay the poor, faithful Micky's body.

"I want to give in," she cried. "They are all dead—except me. I'm coming out."

"Come on then, d—n ye, ye baggage. Come out wi' ye now—an' no foolery."

She picked up a small pistol of her husband's that she had kept ready loaded in case the worst should happen and she should fall into the ruffian's hands and slipped it into the bosom of her cotton dress. Then she stood up, opened the door and walked out into the open.

"Put your hands above your head," roared Black Jones.

She did so.

"Come over here, d—n ye!"

She walked towards the log, pale but resolute. Black Jones stood up and leered at her.

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"Come here an' kiss me, you little devil," he cried. "Ye've cost a deal to get—but by God ye're worth it."

She came to the log and stood but four feet from the huge black-bearded monster on the other side.

"May I put my arms down?" she asked wearily.

"In course ye can, me dear," gallantly responded Black Jones, signing his own death-warrant.

Her hands came down to the level of her bosom. Then, in one swift movement that he had not time to realise, the pistol was snatched from her bosom, flashed and banged and covered Black Jones with a cloud of white smoke in the which he sank down and died. Then she walked back to the hut and saved her husband's life.

In the old churchyard at Kelso, near Bathurst, you may find the tomb of the pretty lady who flirted with and chastened Mr. Calder, and likewise flirted with Mr. Death when she chastened Black Jones at Stoney Ranges.



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