

► *A leading authority on crime demonstrates that in America homicide begins at home.*

DIVORCE BY MURDER

BY COURTNEY RYLEY COOPER

A FARMER in Iowa staggered to the home of neighbors and half fell in the door.

"Quick!" he begged. "Call the sheriff! Burglars! They beat me with an iron rod. God only knows what they did to my wife and daughter!"

About the same time, a bereaved wife sat talking to a district attorney in Illinois. It was difficult for her to speak without sobbing: "I don't know how my husband could think of such a terrible thing. All of a sudden, he grabbed up a shotgun and braced the butt against the floor. Then he put his head to the muzzle, bent over and pulled the trigger. It was horrible."

And in Oklahoma, an injured woman crawled from beneath a wrecked automobile. She was bleeding from terrific injuries; dying, she cried: "Find my husband! Find out what happened to my husband!"

What ultimately happened to the husband was that he was convicted of murder; it seems that he had battered in his wife's head with

a hammer and then, believing her dead, had driven the car into a ditch in an effort to create the illusion that she had been killed in the wreck. As for the other cases, up-to-date law enforcement men followed what is becoming more and more a routine type of investigation. Convinced by experience that murder begins at home, they looked close to the domestic hearth for clues before pursuing will-of-the-wisp stories about murderous burglars or spectacular suicides.

They were quite correct. The spouse was guilty in each case. The farmer had beaten his wife to death and hit himself a few weak blows to support his story of invaders, and the grieving wife had made a slight error in her story to the district attorney, inasmuch as it had been she who had put the shotgun to her husband's head and pulled the trigger. These murders, plus hundreds of others each year, were committed to save the "scandal" of a divorce, so a preferred member of the eternal triangle could be loved without interference.

There was a time when it was highly dangerous for an intruder to invade the sanctity of a marital domain. Modes and viewpoints, however, have changed; today it is much more hazardous to be the wife of a Don Juan, or the husband of a playgirl wife, than to be the interloper. For every woman or man killed for trampling upon the rights of a home, at least ten times that many husbands or wives are shot, poisoned, drowned, burned to death, slain in "wrecked" cars, or bashed on the head because they have stood in the way of illicit love affairs. How many such cases occur each year is impossible to determine. Even in relation to known cases of murder, details of vital statistics are so loosely handled in many communities as to make them mere guesswork. Beyond this, one must gauge the unknown, for it is a certainty that for every murder of this type solved there is at least one other, and perhaps more, where the killer gets away with it.

In this murderers are aided by lax or inefficient law enforcement, by dumb doctors, coroners, and autopsy surgeons, and by public servants who are afraid to risk their tenure of office by prying into suspicious deaths. There are normally more than 60,000 cases of heart failure each year, 3000 cases of

pleurisy, 90,000 (or more) deaths from "stomach trouble," 7000 drownings, 2000 deaths in fire, 6000 deaths in car-wrecks, 1500 poisonings listed as accidental, and 20,000 deaths in which the cause was ill-defined, unknown, or not specified by the attending physician. In all these it is certain that murder has stalked to a goodly degree, and the killers allowed to escape without trial, arrest, or even suspicion. This statement rests on the fact that numerous deaths attributed to these forms of natural or accidental demise have later been found to have been cold-blooded murder. In many cases this discovery has not been made until the slayer has played a repeat performance, sometimes years afterward. Witness, for example, the instance of Florence Peters of Wisconsin.

You probably never heard of Mrs. Peters, although she was quite a girl as Borgias go. In other days she might have been known from one end of the country to the other, but today, unless the participants are widely known, or some highly unusual method of disposal is employed—like the use of a rattlesnake in a Los Angeles wife-murder—there is little news in a husband or wife killing a partner in order to enjoy more freely the third side of a triangle. So Mrs.

Peters was regarded in news-rooms as mere run-of-the-mill. Yet hers was a striking example of how husbands or wives kill to save the expense, or the "ordeal," of a divorce, and all too often get away with it.

Florence Peters liked to dally in strange beds, although she was married to a man named Henry Kessinich. They had two children, which she did not seem to regard as a detriment to her inconstancy, but Henry was decidedly in the way. So one day she fed him arsenic, and when the symptoms became sufficiently acute, sent him to a hospital where he was treated for what was diagnosed as intestinal flu. He died.

Life was fun for a few years until one John Peters argued Florence into marrying him on the basis that he could better support her children. Still everything went well until Mrs. Peters fell in love with a 21-year-old farm hand, named Elmer. It was eight years after Kessinich had died, but Mrs. Peters had not forgotten her technique. She fed Peters a glass of milk, well tintured with arsenate of lead, and then sent him, another sufferer from "intestinal flu," to the very hospital where her former husband had died!

This time, however, hospital doctors observed that the breath of

John Peters had a distinct garlic odor, a non-existent symptom of intestinal flu but a determining factor in arsenic poisoning. An investigation began, which was continually hampered by John's insistence that his loving wife wouldn't think of poisoning him. Moreover, he recovered under treatment and scoffed at the idea of prosecution. He didn't even believe it when officers caught Florence and Elmer in bed together. So it finally was necessary to go back eight years. Permission was obtained to exhume the body of Kessinich. Laboratory tests showed the presence of arsenic, even after nearly a decade. Mrs. Peters went to prison — and John, at last reports, was still loyally caring for her two children.

A few decades ago such a crime would have been front-page news the country over; nowadays it is one of hundreds of cases of crime on the domestic hearth and, except locally, gets only a few sticks on the inside pages.

II

There are dozens of instances in which husband-and-wife murder has been unearthed in spite of the insistence of the entire family that everything was straight. In several

of these cases, children have actually been confederates of the murdering father or mother. In others, fear has been the compelling motive for silence. Nor are neighbors always to be depended upon, although as a rule they are the impelling motives behind investigation. It is quite probable, for instance, that Everett Applegate and Mary Creighton would not have died in the electric chair for the murder of Mrs. Ada Applegate of Baldwin, Long Island, had it not been for suspicious neighbors. Everything went swimmingly until an anonymous note reached the police insisting that an inquiry be made.

In many cases, neighbors have called the police, usually anonymously, to tell of family quarrels, the presence of the "other man" or "other woman," conversational slips in which poison has been mentioned, or even the borrowing of a revolver or shotgun with which a killing by "bandits" or "burglars" has been achieved. However, there are just as many home-sweet-home killings in which neighbors have had actual knowledge of homicide, and have remained silent. An example is the killing of a 50-year-old woman in San Pedro, California, by her 67-year-old husband.

According to first reports, this woman was a smoke victim. Fire-

men, called to extinguish a small blaze in the home, found her stretched across a bed, unconscious. Hospitalization, however, revealed bruises, contusions, and fractures; she died without regaining consciousness. The husband's explanations were so inconsistent that detectives trailed him, finally to listen in through a bawdy-house keyhole while this aged murderer bragged to a prostitute with whom he was infatuated about how he had "killed his wife without the cops finding it out." The police broke down the door and dragged Romeo to jail—and then they learned that at least a dozen neighbors could have saved them a great deal of trouble. They actually had seen the husband knock his wife down, beat her, kick her, jump upon her prostrate body, then drag her into the house only a few moments before smoke had begun to issue from the windows. And they had said nothing.

Most such violent "divorces" are puerile in conception, childish in execution, and moronic in efforts at concealment. Nevertheless, police work being what it is in numerous communities, it is almost a certainty that far more spouse-killers evade punishment than ever are captured. It took six years, for instance, to catch Harve Hoffee's

wife and her paramour, Charles Flynn. Even then the primary detective did not wear a star. He was Harve's brother.

The attending physician said Harve had died of lockjaw, but that didn't seem right to the brother. Harve had cut his thumb a few days before death, and the symptoms were quite unusual — convulsions and tremors and bending and all the things which the average person has seen a poisoned dog undergo.

Nevertheless, Harve officially died of lockjaw. Once before he had been "sick" after eating oysters, his wife said. And only a half-hour before his death he had taken a "headache capsule." These things, plus the fact that the brother trailed his sister-in-law and her lover to a hotel where they registered as man and wife only a short time after the husband's death, kept suspicion on the job. The brother gained the assistance of officers and the trail lasted for six years, until finally letters were found in which the murderous pair discussed their crime. Thus, in 1937, they were sentenced to prison for a murder committed in 1931 — and which would have been discovered in 1931 had an autopsy been performed on this man who had died so strangely.

In practically every confession, it is revealed that little consideration was given to possible astuteness by coroner or police or sheriff or constable — which is sometimes a mistake. There was J. Clifton Abdell, of Norfolk, Virginia, who wanted to get rid of his wife for a woman with whom he lived under an assumed name. So he knocked her unconscious, put a blanket over her head, and turned on the jets of a nearby gas stove. In this case, he misjudged the police; the first thing they questioned was how this blanket could be so carefully smoothed out by a woman who, supposedly, was yanking it over her head in an effort to commit suicide. Then they asked Abdell's children if two suicide notes found in the house were in their mother's writing. "Oh, no," they answered. "Papa wrote those and Mama found them a few days before all this happened."

There was bad figuring also in the murder of Mrs. Blanche Landis, the wife of a Washington, D. C., fireman. She was found on a road, battered and unconscious. Washington detectives found that the woman's engagement ring and watch were missing and later discovered that these had been given by the husband to a young woman who, believing him single, was engaged

to him. Landis had beaten his wife to death, figuring that "the police would never know."

A man in Texas hit his wife on the head with a club and told the sheriff that a horse had kicked her to death. But there were no marks of a hoof on her skull, so the husband got life. Another husband in New Jersey, after fifteen years of married life, fell in love with a 21-year-old girl, and beat his wife to death to avoid the "disgrace" of a divorce. His inane story of mysterious assassins got him a life sentence.

Then there was Clarence Duncan, who beat his wife to death in their home in Taylor County, Texas, poured kerosene over her body and touched a match to the pyre. She gave birth to a baby while dying. A heavy monkey wrench was found in the bed with the two corpses. Clarence got away with it, and married Billie, the jook-joint girl, for whom he had done all this. In fact, he was so clever that only a limited number of persons knew of his crime. Unfortunately, one of these was Old Man Jones, who ran the tavern where Billie had worked, and who wanted her for himself. He told Duncan that, if he didn't pass over Billie, he would inform the sheriff just what that monkey wrench had been used for. So

Duncan killed Jones. Billie talked, and Duncan got an aggregate sentence of thirty-five years.

III

These cases, however, represent the intelligentsia of connubial murder compared to the case of the two Elmers, in Patrick County, Virginia. There was Elmer Recs, 40, and Elmer Mabry, 20. Allegedly they went squirrel hunting together — at least Elmer Mabry said so, when he came into the sheriff's office and announced that he had been forced to kill Elmer Recs in self-defense. Old Elmer allegedly had got mad at nothing and had "sot on" Young Elmer, so what could Young Elmer do but fill him full of shot? Then Young Elmer requested that, if Mrs. Recs, 39, should show up, she be sent right in to see him. Instead, the sheriff saw Mrs. Recs and she immediately announced, "That young rat killed my husband in cold blood." So the sheriff went back to the jail and accused Young Elmer of murder. "Mrs. Recs says so," he announced. That inflamed young Elmer. "Yes, I murdered him," he said. "But she put me up to it; said she'd marry me if I'd do it."

Next they arrested Mrs. Recs. For days this pair fought like a

pair of pigs caught under a fence; they squealed and accused, and heaped vileness upon each other. Where love had been, hate now was tops. But the day after Elmer got forty years and his paramour twenty-five, they began the most avid exchange of love notes in the history of that part of the country. Figure that one out for yourself.

A step higher, socially, on the murder scale was the case of Reginald Tracy, an Iowa churchman, who went slumming one night and met a girl known as Flossie the Floozey, later described by the court as a "married woman of loose morals." In fact her morals must have been thoroughly dis-jointed, since Tracy found her in a house of prostitution. Flossie had what Tracy's choir-singing wife lacked. But, as he told Flossie, he just couldn't submit his wife to the injustice of a divorce. So they decided to kill her.

Mrs. Tracy, however, was durable. Tracy took her out one night and parked her in a car at the edge of a cliff. Then Flossie came speeding along in another automobile, and bumped into her. A tree saved the victim's car from a plunge over the cliff. Mrs. Tracy got out, remarked upon the recklessness of some drivers and dismissed the subject. They discussed poisoning

her but gave that up. Then they hired a gangster to shoot her, but he ran out on the job. Finally, for \$1000, they got a man, who is still at large, to do the job. He trailed Mrs. Tracy and shot her to death in her automobile. By this time, however, everybody in town knew about Tracy and Flossie the Floozey — to say nothing of stool-pigeon information concerning the hiring of gangsters. So Tracy was hanged and Flossie got life, while the gangster still has \$800 coming to him. Tracy and Flossie made only a down-payment on the job.

It is strange that in these casual days of divorce, anyone should even consider violent death in preference to freedom by the courts. Yet in a great majority of the cases — except where insurance is involved — the confession reveals that the killer has recoiled from the "disgrace" attendant upon legal separation. A great number of husbands and wives who murder their partners do so for the profound reason that "their station in life will not permit them to undergo the degradation of divorce." What would their friends think? And how would it affect their standing in church? The annual roll of spouse-killers is well sprinkled with deacons, elders, collection-plate passers, organ-players, choir

singers, Sunday School teachers, and even ministers, who apparently believe that heaven is closer to the murderer than to the divorced.

Modern methods of law enforcement demand that there be rigid investigation regarding the private life of the surviving member whenever a husband or wife dies accidentally, unless there are circumstances or competent eye-witnesses

to support the facts as related by the survivor. But in the majority of American communities advanced methods of detection are unknown, and the investigation of deaths is a routine affair that shuts its eyes to suspicious circumstances. And in the meantime more husbands kill their wives — and wives husbands — than the average citizen ever imagines.



THE LOW-DOWN

BY BEN BAXTER

THANKS to the commentators, specialists and such,
 The news presents no mystery — or shall we say, not much?
 Take the foreign picture, pared down to essentials,
 Stripped of wishful thinking and garnished with potentials,
 Discounting intangibles, like weather or whether not,
 And barring major accidents, this is what we've got:
 War is surely coming, lads, leave that to the Axes,
 Unless conditions take a turn and tension then relaxes;
 Not a chance for war, my lads, think of fiscal factors,
 Tidal waves of discontent, aeroplanes and tractors,
 Appeasement and encirclement, united fronts and rears,
 Match one against the other and the situation clears;
 Weighing rival armaments, though that's no end of bother,
 We may forecast a victory for one side or the other,
 Depending on the trends, that is, of old and new alignments,
 Purges, harvests, home morale, and other cute refinements;
 For caution's sake assess the rôles of Czechs and the Ukrainians,
 The Tyrolese, Carpathians, Slavophiles, Rumanians,
 To realize that war is near and rears its bloody head,
 Ready to withdraw again if peace breaks out instead.

JAPAN CAN'T RULE CHINA

BY HALLETT ABEND

Chief New York Times Correspondent in China

JAPAN'S tremendous sacrifices and investments in more than two years of warfare in China are likely to prove useless. All the brilliant victories of her army are likely to fail in achieving ultimate triumph; her seeming conquests will probably be frittered away without bringing the hoped-for benefits to the nation — all because the Japanese seem curiously deficient in the political sagacity necessary to become a great colonial power. Their intense will-to-power is not backed up by those talents for painless administration and for winning over colonial populations which are as essential to successful empire building as military strength. Those very qualities which have made the army victorious in large measure destroy the value of its conquests, for it is army domination which makes Japan unable to placate conquered peoples.

The greatest obstacle to Japanese success in China is not a matter of troops, guns, airplanes, or even economic endurance. It is in the

character of her colonial methods. Formosa, Korea, Manchoukuo all demonstrate that Japanese overlordship tends to become a kind of permanent war instead of a stabilized colonial control. This is an aspect of the complex Far Eastern picture rarely drawn into clear focus by Western observers.

Neutral military experts on the scene, taking into account China's vast expanse and population, are convinced that Japan can never raise armies large enough to take over all of China, and can never sustain the financial and economic burden of supporting the maximum uniformed forces which her population can furnish. They are aware, further, that even though China could be "conquered" to the extent of military occupation of all her cities and lines of communication, the Chinese people could not be subjugated, or even placated — not, that is, by the only methods which the Japanese seem able to understand and apply.

Today Japan would like to make