

## *Tried For His Own Murder*

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[Written for THE WORLD by S. S.C]

It was just beginning to drizzle when Mr. Andrew Peterson, commission merchant, let himself into his house with his latch-key. He walked through the hall without a look towards the parlor near the open doorway of which Mrs. Peterson sat entertaining a visitor and went directly upstairs to the library. Mrs. Peterson heard the library door close and thought that she heard the lock click. As her husband passed the door she had looked at the marble clock on the mantel-shelf and noticed that it was thirteen minutes after 5. Mr. Peterson was a very methodical man and invariably came in at 5 sharp. It was the delay that made his wife remember the time so accurately. Mrs. Peterson told the police afterwards that she thought her husband carried a small package when he went upstairs, but she was not sure of it.

Mrs. Peterson's visitor left for home at 5.30, and Mrs. Peterson went to the nursery to see if Blanche and Harry were getting ready for dinner. Then she went to her own room to dress.

At 6.15 a chambermaid coming downstairs saw standing in the hallway a very stout man, about whose shoulders was thrown a red table cover. She screamed, and the stout man, who appeared to be on his way to the front door, quickened his steps, drew back the bolts as readily as though he had been accustomed to them, and went out. This was all that the police could learn from the family of what had happened before the disappearance of Mr. Peterson was discovered.

The appearance of the stout visitor in the hall alarmed the chambermaid, who ran at once to the kitchen, where she spoke of him to the cook. The two women hurried to the basement door and looked up and down the street. The stout man was not in sight. The dining-room silver was all right and nothing had been disturbed in the parlor. The cook went back to the kitchen and the chambermaid hurried upstairs again to Mrs. Peterson's room, where she related what she had seen. "It was plain that a visitor would not call arrayed in a table cover," Mrs. Peterson said, and she did not have any acquaintance answering to the stout man's description. So she put on a wrapper and went to tell Mr. Peterson about it.

The library door opened readily. The droplight was burning, and its green shade did not make the room look very cheerful. Mr. Peterson was not there. His overcoat and hat were on the lounge, and on the floor in front of the mirror, between the two bookcases opposite the door, lay some fragment of glass and a piece of rubber tubing. There were drops of blood on the floor, and a blood-stained handkerchief lay on a chair. The red table cover that had been on the big library table was missing.

The story told by Mrs. Peterson when the police arrived was that she was startled but not particularly alarmed. She thought her husband might have gone to some other room. But after the house had been searched and no trace of him found, then she was nearly

frightened to death, and would have died if the chambermaid had not promptly given her brandy.

Two detectives, who carefully searched the library, found a crumpled sheet of wrapping-paper and a piece of blue cord under Mr. Peterson's overcoat. It was not there before Mr. Peterson came in. They put the fragments of glass together and became satisfied that they had formed a bottle, and that the rubber tube had fitted to the bottle's mouth. They were unable to decide what had been in the bottle. The piece of tubing, fragments of glass, wrapping-paper and blue cord were put carefully by as clues which might be used later. The blood-stained handkerchief was also saved.

The detectives examined every member of the household. The chambermaid's statement was taken down in writing. She said that the stout man was quite tall and must have weighed a great deal— yes, he might have weighed 200 pounds, as near as she could judge. He didn't have on any hat, and she couldn't describe his clothing because he was wrapped up in the table cover. Yes, she was sure that it was the cover of the library table. She had just caught a glimpse of his face, and would know him again, she thought. No; she had never seen him before, and indignantly denied that he was a cousin or lover of hers. The detectives asked her if she was sure that her stout man was not a thin man carrying Mr. Peterson (who was also thin) away with the table cover wrapped around them both. The girl said she was sure that such was not the case.

After this Mrs. Peterson was closely questioned as to her husband's habits. Did she think that he had eloped with another woman? Mrs. Peterson wept and said she was certain he had not. Had he any business troubles? No; she was sure of that, too. His income, aside from his business, was large, and he had thought of retiring. There was no insanity in his family.

The detectives asked her for a photograph of her husband, and, after she had given it to them, they asked for his height, color of hair, and eyes, weight, and for any marks or peculiarities by which he might be identified. Before they went away they instructed Mrs. Peterson not to give any information to the press about the absent man, or to tell anything except that Mr. Peterson was missing. That, of course, was necessary. They believed that a great crime had been committed, and they would bring the guilty to justice. Secrecy, however, was absolutely necessary. Would she offer a reward for her husband's recovery? How much? Five hundred dollars would be sufficient.

This advertisement appeared in half a dozen papers on the morning following Mr. Peterson's disappearance:

**\$500 REWARD** for any information of the whereabouts of Andrew Peterson; 34 years old; height 5 feet 11 inches; brown hair; gray eyes; smooth face; he weighed 130 pounds and looked very slender; wore a diagonal frock coat and vest and dark striped trousers.

At the bottom of the advertisement was the name and address of Mr. Peterson's lawyer. A large number of reporters called on the lawyer that day and evening, and they also visited Mrs. Peterson at her home. The instructions of the detectives in regard to details

were carried out, and all the information that could be obtained from the lawyer or family was that Mr. Peterson had disappeared. One enterprising reporter, however, who had been unable to get any information at the upstairs door, came back an hour later, and knocked at the basement door. The cook opened it. He did not ask her any questions at first, but finally brought the disappearance of Mr. Peterson into the conversation.

He didn't appear a bit anxious to know about it. A few judicious compliments made the cook his friend, and she invited him into the kitchen to have a cup of tea. There he confided to her that he was a reporter, but that it should never be known that she had told him about Ms. Peterson's absence. The cook hadn't told him yet, but, of course, she imagined that she had, and after making him solemnly promise never to say that she had spoken, rattled off all that she knew and what she had heard. When the young man said that he would have to go, the cook shook hands with him with warmth, and said that she would be pleased to have him drop in after 8.30 any evening and take a friendly cup of tea, which was of the best.

The reporter went to work with a will, and on the following morning, under the head of "Is It a Murder?" printed a two-column story about the disappearance of Mr. Peterson, in which the stout man and the library table cover took an important part. All the other papers were beaten on the story, so, according to the accepted code, they denied it the day after. Then something happened that startled the town, and backed up the reporter who had given the "beat" to his paper.

The stout man was found and arrested.

It was on Monday evening that Mr. Peterson disappeared, and no tidings were received of him on Tuesday or Wednesday. Mrs. Peterson, prostrated by the shock, had been ordered by her physician to keep her bed. The two detectives alone had been allowed to see her. She was a young woman and had a strong constitution or she would have died, the physician said, so great was her grief.

On Thursday the air of awe which filled the house and made everybody walk on tiptoe and speak in whispers began to lighten. The cook even consented to smile on the condensed-milk man and the chambermaid, who was fast beginning to recover from the effects of the examination to which she had been subjected, said she would venture out doors and sweep the sidewalk. She had swept out the area and was leaning on her broom to get a better view of a blue-eyed butcher boy who had just passed when she caught sight of a heavy man who was advancing towards her from the opposite side of the street.

She screamed so loudly that the butcher boy dropped his basket and ran towards her. The stout man came nearer, too. The chambermaid, a strong Irish girl, seemed to recover at this. She threw both arms about the stout man's neck and cried out to the butcher boy:

"Run for a policeman, quick. I've got the fat man who stole away Mr. Peterson."

The stout man struggled hard to break from the girl's embrace, but he could not. She had

taken a hold to stay, and she did.

“Mary,” he gasped, “I’m surprised at such conduct, and in the street, too. What would your mistress say if she should see you?”

“And the villain knows my name,” panted the chambermaid, making her embrace around the stout man’s neck all the tighter. “What’ll me mistress say. Sure she’ll say what have you done with Mr. Peterson.”

“Ridiculous,” said the stout man, “why I’m—”

It was at this moment that the butcher boy arrived with the policeman (Officer Mulvaney), who seized the stout man by the collar, clubbed him lightly, and then demanded what he meant by hitting the “gurrl.”

The chambermaid did not give the stout man or any one else a chance to say a word. She reeled off the history of Mr. Peterson’s disappearance with a rapidity that confused Officer Mulvaney, but he, of course, had too much pride to show it.

One fact impressed him, however, and that was that the stout man was worse than the ordinary prisoner, so he clubbed him again, but it is only fair to say, not very hard. Then he told the chambermaid to come to the Police Court at 8 o’clock the next morning, and dragged the stout man off to the lock-up.

He flung open the station-house door, shoved the stout man in front of the Sergeant’s desk and said:

“Kidnapper.”

The Sergeant opened the blotter and proceeded to take the stout man’s pedigree.

“What is your name?” he inquired,

“Andrew Peterson,” said the prisoner.

“That’s the name of the man I’ve arrested him for kidnapping,” interrupted the policeman.

“Shut up, will you,” politely interposed the Sergeant, who happened to have been at the desk when Mr. Peterson’s disappearance was first reported. “Let me get his pedigree.”

In answer to other questions, the stout man said he was thirty-four years old, was a commission merchant, born in New York, was married and had a wife and two children. For his residence he gave the address of Mr. Andrew Peterson.

“You say you are Mr. Andrew Peterson,” said the Sergeant, “Maybe you will explain

how it is that you, who are very big and stout, can be Mr. Peterson, who was very light and thin. Why, man, you weigh a hundred pounds more than Mr. Peterson.”

Then the Sergeant, who was a very fair man, sent the prisoner down to a cell without asking him any questions which might tend to criminate him or do him injury on his trial.

“I think it’s a clear case of murder,” he said to the doorman. “He’s the most hardened scamp I ever met.”

Being a fair-minded man, however, he only put down on the blotter, “Suspicious person.”

On the day following the arrest of the stout man a body was found in the river. The fish had been at it so that it was unrecognizable. Several friends of Mr. Peterson, who were taken to look at it by the police, said that they could not positively identify it. This was enough for the detectives. They couldn’t swear that it was not Mr. Peterson’s body. The next day a number of papers printed that Mr. Peterson’s body had been found, and that he had undoubtedly been carried to the river and thrown in.

The stout man was indicted under the name of John Doe for murdering Mr. Peterson. Some thought he had gone a little demented after committing the murder (the general opinion was that he had committed it), and that the name of his victim being constantly in his mind, had caused him to say that it was his own name. The police laughed at this. It was pure nerve, they said. He knew that they were after him, and that he couldn’t escape any way, so he pretended that he was Mr. Peterson, so as to work the insanity dodge on the jury and get off that way.

What the prisoner had said since his arrival and who he really was had not been let out by the police, even if they knew anything, which was doubted. The newspaper reporters worked like beavers, but learned little.

The young man who had interviewed the cook was again a little more successful than the others. He learned that a stout man, wrapped in a red table cover, had called at a second-hand clothing shop and bought a suit of clothes there. The clothes he had on were much too small for him and were ripped in all the seams. He bought a hat, too. He left the table cover in the store and said he would call for it later. He also put on the suit he had bought and told the dealer that he might keep the old clothes. Then the stout man went away.

The dealer said that he seemed much agitated and was bleeding from a wound in his hand. After this all trace of the stout man was lost until his arrest. The police read about the clothing and table cover being in the second-hand clothing store, and went there and got them.

The cover was identified as that of the library table, and the clothing as that worn by Mr. Peterson when he disappeared. The trial of the stout man was awaited with impatience.

John Doe, as the stout man was now called in the newspapers, appeared to be entirely without friends, and a young lawyer was assigned by the Court to defend him. It was an interesting case, and the lawyer, who was both bright and ambitious, determined to make a reputation for himself if he could.

After his first interview with the stout man he seemed pale and worried. He had just seated himself in his office when the reporter who had interviewed the cook called. The lawyer knew him well, for they had been college mates.

“I’m glad to see you,” he said. “I’m the most mystified man in the world.”

“I’m glad to see you, too,” said the reporter. “You’re assigned as Doe’s counsel in the Peterson murder case, and I want to talk to you about it.”

“And I want to talk to you about it, too,” said the lawyer. “But, understand, what I’m going to tell you now is not for publication. Later it may be used, but not at present.”

The young lawyer wiped big drops of perspiration from his forehead and continued:

“I have just come from interviewing Doe. It was the first time that I had had an opportunity of talking to him. He was sitting on the cot in his cell, and a sadder-looking man I never saw. I explained to him that I was his counsel and had called to map out a line of defense. I assured him that anything he might say would be held in strict confidence. He considered for a few minutes and then said:

“ ‘Perhaps I had better tell you all the circumstances.’

“ ‘Then,’ I indiscreetly interrupted. ‘you know something about the death of Mr. Peterson?’

“ ‘I do not know anything about Mr. Peterson’s death,’ he went on almost solemnly. ‘He is not dead. I am Andrew Peterson, and am alive, as you can see.’

“My impression was,” the lawyer continued, “that the man was crazy or a knave. On the latter supposition, I told him that it was hard to believe that he could be Mr. Peterson when he was not a bit like him, and there was such an enormous difference in their weights. I said that it would be wiser on the trial to adopt some other line of defense than that. In my opinion it seemed the best course to deny that a murder had taken place, and force the prosecution to prove that Mr. Peterson was dead. They could not prove that the body found was his, and there was nothing to show that he had been made away with. It seemed to me doubtful if any jury could find a verdict for murder unless they were pretty sure that a murder had been committed.”

The young lawyer wiped his brow again and drew a long breath.

“What happened next,” he went on, “was startling. The man got up from the cot and

paced restlessly up and down the jail corridor for a few moments. Then he came into the cell again and sat down.

“ ‘I wonder,’ he remarked, absently, ‘if ever before a man was charged with having murdered himself and stood in danger of being hanged for it. Now,’ he added, after a moment’s thought, ‘I am going to tell you the whole story. It isn’t a very probable tale, I own; nor is it one that I should myself be likely to believe if any one told it to me. But,’ he said, earnestly, ‘I assure you that it is true.’

“He picked up a newspaper from the cell floor, and showed me in it a picture of Mr. Peterson, his description and the reward.

“ ‘Please read that description,’ he said, ‘and then look carefully at the picture. Before I go into details I intend to call your attention to a few facts that may make my story more probable.’

“He waited patiently while I read, and when I raised my eyes stood up and said:

“ ‘The description says that Mr. Peterson was five feet eleven inches tall. Such is my height, as you may observe. Thirty-four years old. I look that age, do I not? Brown hair and gray eyes. Mine answer these.’

“ ‘Yes,’ I interrupted. ‘But he weighed 130 pounds and you weigh over 200 pounds.’

“ ‘I am coming to that,’ he said. ‘Have patience. Look at the picture carefully and tell me if the face were fresher, would it not look like mine. Do you not detect the resemblance in the features?’

“I looked carefully and had to confess that I did.”

“Remarkable,” said the reporter, who had a theory of his own regarding the case.

“This is nothing,” continued the lawyer, again mopping his forehead on which cold sweat stood, “to what he said later. He had grown excited and again paced the corridor. When he had calmed down he returned and went on with his narrative.

“ ‘I am Andrew Peterson,’ he said once more, ‘I was an only child, and, my parents being wealthy, I had everything that ought to have made me happy. But I was not happy. Other children were plump and healthy looking, but I was always thin. At school my fellow pupils called me Skinny, Skinny Andy, or Skinny Peterson. I was a strong boy and healthy enough, but there was little flesh on my bones I tried hard to grow stout, but it was useless. I ate oatmeal and corn hominy, but they did no good.

“ ‘I felt that I was doomed to remain thin, and tried to be cheerful. I succeeded in a measure as I grew older, but occasionally there would come upon me a longing to be stout, that made me miserable indeed.’ ”

December 20  
[synopsis of above omitted]

The reporter could not resist the temptation. He had taken out his note-book and was writing down what the lawyer said.

“I won’t use it, I promise you,” he said, “but it may prove useful.”

“Well,” the lawyer continued, “these recollections seemed to agitate him, and he again paced the corridor.

“ ‘It is unnecessary to go into my married life,’ the stout man went on after he had composed himself, ‘or my affection for my wife and Blanche and Harry—’ ”

“Peterson’s two children are Blanche and Harry,” interrupted the reporter, “and it hasn’t been printed either.”

The lawyer picked up the thread of the story and went on with it.

“The bare mention of the names of his wife and children affected him strangely. Tears welled up into his eyes.

“ ‘My business,’ he continued, brokenly, ‘sometimes made my married life unhappy, too. I will confess to you that I tried at various times to grow stout by taking drugs and medicines that were advertised to bring about the result I so much longed for. But they failed, all of them, all of them!’

“His big chest heaved, and tears trickled down his eyes and rolled in globules down his fat cheeks. He heaved a deep sigh.

“ ‘The bitterness I felt at being thin is honey to the bitterness I feel in my present condition,’ he went on. ‘But the strange part of my story is to come.

“ ‘On the day that I, Andrew Peterson, am said to have been murdered, on my way home I stopped at a drugstore to make a small purchase. The drug clerk was conversing with a dark-haired little man. While waiting to be served I could not help hearing what they were saying. To be brief, the little man had a process by which he said that he could make thin persons stout. It was a simple apparatus—a bottle with a tubing arrangement like an ordinary inhaler. It was the inhalation of the colorless substance in the bottle that brought about the change.

“ ‘The little man wanted \$10 apiece for his apparatus. The clerk would not buy. I did not make my purchase, but followed the little man into the street. It was a fatal act.



“You cannot conceive,” said the lawyer, “the expression of mental anguish that was on the man’s face as he told his story.”

The reporter made a gesture of impatience.

“Go on with his story,” he said. “What did he do next?”

“ ‘I bought an apparatus,’ the stout man continued. ‘It was wrapped in brown paper and tied with a blue cord. Then I started for home. My hour for arriving there was 5 o’clock sharp. I was a little late. Before I put my latch-key into the lock I looked at my watch. It was thirteen minutes after 5.’ ”

The reporter uttered an exclamation of surprise. The lawyer stopped for a moment, and then continued:

“ ‘I heard voices in the parlor, but being anxious to begin my remedy, I passed without looking in, and hastened to the library and locked the door. Before removing my overcoat I took the paper and cord from the apparatus and threw them on the sofa, and examined the substance in the bottle. It was colorless, and I am not sure if it was a fluid or a much compressed vapor. Then I took off my hat and overcoat and sat down in front of the library table, and I took the bottle in my hand.’ ”

“At this point in the story the man was so overcome that I had to give him brandy from my pocket flask. It was five minutes before he could talk clearly.

“ ‘I put the mouthpiece of the tube to my lips,’ he continued, ‘and inhaled. The little man had told me that I should inhale in this manner for three minutes every day, and that I would gradually gain flesh. But he either deceived me or had made his infernal mixture too strong. I had scarcely taken in one breath of it when my brain began to whirl. It had a strange fascination. I took it into my lungs in strong draughts. Faster and faster I panted. I have no distinct recollection of what next occurred.

“ ‘A crash of breaking glass aroused me. I found myself standing in front of the mirror between the two bookcases opposite the library door. The bottle lay broken at my feet and my hand was bleeding from a cut. I seemed to be suffocating. My collar bound my neck like a tightened noose. I tore it off. Then I looked into the mirror. Instead of my ordinary thin self a stout man looked out at me from the gilded frame. The little man’s remedy had worked with a vengeance!

“ ‘My clothes had ripped in the seams and I seemed to be in rags. My senses were not clear. I dimly thought that I would slip out and buy a suit of clothes that would fit me and then come home and explain it all. I threw the library table cover about me (it would have been useless to have tried to get on my overcoat) and went downstairs. The chambermaid saw me and screamed.

“ ‘I gained the street. At a second-hand clothing store I got clothing. I wanted to reflect. I walked towards the river. A steamboat lay at a pier and the crowd hustled me on board. Where it went, I don’t know. When it made a stop the next day I landed. I had little money and could only ride a part of the way home. It was four days after leaving my house that I crossed the street to return and was seized by the chambermaid and arrested for murdering myself.’

“That is the whole story,” the lawyer added as his listener put his note-book back into his pocket. “The man appeared to be telling the truth, and if it wasn’t for the improbability of a thin man getting fat in half an hour the story would be absolutely bullet proof.”

“The story is a corker,” the reporter ejaculated; “what a sensation it will create on the trial.”

“It can’t be used,” said the lawyer. “It would bring a conviction, I think. The jury would not believe the transformation story, and the detailed knowledge that the man has of Mr. Peterson’s last movements would lead the jurymen to believe that if he hadn’t murdered him he had had a hand in it. Whoever the man is, I am sure that he is innocent of murder, and if it is possible I will have him acquitted.”

“But this extraordinary story,” interrupted the reporter. “Will it never be printed.”

“As I have your word,” said the lawyer, “I think not. I have not entirely mapped out the defense, but this strange tale will not be used in it.”

When the case of the people against John Doe for the murder of Andrew Peterson was called for trial there was not half space enough in the courtroom for those who crowded to hear it. The District-Attorney presented his case, giving the points found out by the police. The chambermaid and Mrs. Peterson testified, and Officer Mulvaney and the butcher boy were also examined. The second-hand clothes dealer told his story, and the table cover and Mr. Peterson’s clothes were offered in evidence. The case looked bad for the prisoner.

The young lawyer said that he had no witnesses to offer, and didn’t want any. The prisoner at the bar was an innocent man. He was sure of it and he felt convinced that the jury would be of the same opinion before he sat down. He had not placed the prisoner on the stand because his story, although true enough, was puzzling. It was also unnecessary to have it told. Then he informed the jury that he did not know that Mr. Peterson was dead. The body found was unrecognizable, and although the prosecution said it was Mr. Peterson’s, they had not proved it. He concluded his summing up with this peroration, which he repeated twice, so that it might have greater weight:

“Mr. Peterson was seen to go to his library at thirteen minutes after 5 o’clock. At twenty minutes after 6 his absence was discovered. Five minutes before this the prisoner was seen by the chambermaid, and at half-past 6 the prisoner was seen by the clothes dealer. The prisoner, it had been testified, had left the house alone. Now, in the hour between

thirteen minutes after 5 and fifteen minutes after 6, was there not plenty of time for Mr. Peterson to have gone out without being seen. He might have become temporarily insane and wandered on without his hat and coat. The clothing left at the second-hand dealer's might or might not have been those of Mr. Peterson, There was nothing in the pockets to identify it. There was no evidence of a struggle, no motive for the prisoner's killing Mr. Peterson, and in fact not the slightest thing to base a charge of murder on.

"If the jury convicted the prisoner at the bar of murder, and if he should be hanged, what would the feelings of the jury be if Mr. Peterson should turn up alive and well?"

This address and the charge of the Judge, who impressed the jury with the fact that if there was a doubt in their minds the prisoner was entitled to the benefit of it, carried weight. After being out three hours the jury brought in a verdict of not guilty. On the first ballot ten had been for acquittal and two for conviction, but the two were finally argued over.

The prisoner accompanied the young lawyer to his office, where he was closeted with him for an hour. When they parted the stout man said:

"I will never forget your kindness and I will follow your advice."

Three days after the trial Mrs. Peterson was surprised by receiving a letter the writing of which she recognized as that of her husband. It read as follows:

MY DEAR LOUISA: I am grieved at having kept you in suspense so long. I am well, and will be home again at no distant period. Just when, I cannot say. Our future happiness and that of our children depends on your discretion. If you have any trust in me, the test of it is at hand. Do not make any effort to find out where I am, or even tell anybody that you have received this letter. I need money. Please send all you have at hand to me by the messenger who brings this letter. He can be trusted. I will write from time to time. Your husband, ANDREW PETERSON.

Mrs. Peterson, who was a woman of rare good sense, sent the money to her husband, and said nothing about it.

Four months after this letter was received Mr. Peterson returned home. The children threw their arms about his neck for joy, and there wasn't a happier woman in town than his wife. His face was more tanned than before, and his hands looked as if he had been doing manual labor. He was a little fleshier too than he used to be, and apparently more muscular. He had the appearance of a man who had been in active training.

About this time the young lawyer, while looking over his mail, noticed a letter addressed in a strange hand. He opened it and a check fluttered out. On a half sheet of note paper was the following:

Please accept this little token of regard from

A FRIEND.

The check was for \$1,000 and was signed “Andrew Peterson.”

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