

# The DIVORCE COURT MURDER

By MILTON PROPPER

**SYNOPSIS** . . . Six persons are in an inner office of the law firm of Dawson, McGuire and Locke at Philadelphia. A master hearing in the divorce case of Rowland vs. Rowland is under way. Mrs. Rowland, represented by her lawyer brother, Mr. Willard; Mr. Rowland, the defendant, and his attorney, Mr. Trumbull; the court clerk and Mr. Dawson, the master, are the six persons. There is a new development in the case. After failing to defend himself against the charge of adultery in earlier hearings, Mr. Rowland digs up evidence and asks the court's permission to produce witnesses and resist the suit. Judge Dawson overrules the heated objections of Mr. Willard, and orders Mr. Trumbull to bring in the first witness. Rowland's lawyer goes to get the witness but finds her dead—chloroformed. She is Mrs. Barbara Keith, wife of a prominent Philadelphia business man. Judge Dawson phoned for police. Detective Tommy Rankin is assigned to the case. He is now questioning all parties involved in the case. NOW GO ON WITH THE STORY.

### THIRD INSTALLMENT

Rankin looked at his watch. "And now it's four-thirty," he observed, returning it. "That places the murder in the half hour between two-thirty and three o'clock."

He strode to the door opening into the main office and beckoned his assistant.

"Phone Headquarters, Jenks," he instructed, "and have Dr. Sackett sent over immediately. Tell them I want Johnson along also to look around with his fingerprint apparatus; and a couple of photographers as well."

When the detective left to carry out his instructions, Rankin returned to the lawyer.

"Now, Mr. Dawson, I should like to have a brief summary of the situation at your meeting here today. At what time did it begin, what developed and who are the parties involved?"

"I am the master," Mr. Dawson explained. "I listen to both sides of the case and recommend my decision to the court. I was appointed by Judge Finley."

Rankin was sufficiently familiar with the peculiar divorce law of his state to comprehend. In Pennsylvania, the proceedings were generally private, instead of being held in open court before a judge and jury. Some members of the bar, called a "master" was assigned by a justice to listen to the facts of the complaint and present his findings to him; the court usually followed his recommendation, whether for or against the granting of the divorce.

"Who is suing," was Rankin's next question. "Is the husband the plaintiff?"

"No, the wife, Mrs. Acle Rowland, brought the libel in this instance, Mr. Allen Rowland, is termed the respondent. Mrs. Rowland asks a divorce, a vinculum matrimonii, that is, from the bonds of matrimony. And she is represented by her brother, Harvey Willard of Willard and Hanley."

The detective nodded to indicate some familiarity with the names mentioned.

"Mrs. Allen Rowland, eh? On what grounds does she demand the separation?"

"Adultery, Mr. Rankin," the lawyer answered. "She accuses him—"

"I must admit," as thoroughly established her claim—of an intrigue with Miss Jill Edmond, the correspondent. Miss Edmond was recently Mrs. Rowland's social secretary."

Rankin mentally noted that by its very nature this particular suit for divorce might violate public good taste and must be contested behind closed doors.

He recalled having read in the newspapers when Mrs. Rowland first instituted suit. For the former Acle Willard was a member of a socially prominent Philadelphia family and her wealth and beauty made her marital adventures the subject of press comment and headlines. She was the daughter of the late Peter Willard, who years before had accumulated a fortune in real estate. At his death, she and her brother inherited an es-

tate well over a million dollars. Once before, she had married—Tom Marshall, a clubman, whose early death in a motor accident added to her fortune. The papers, the detective remembered, described her suit as a "love match on the rocks." Especially was gossip rife and the public interested, because her second husband, Allen Rowland, was totally without social prestige or distinction or money. In fact, he had been a riding master or some similar romantic underling when Mrs. Marshall, as a gay young widow, scandalized society by suddenly eloping with him about four and a half years before.

"I saw a reference to Mrs. Rowland's suit in the papers, Mr. Dawson. But that was in early April; have you been holding meetings ever since?"

"Practically," the lawyer returned. "That is, since April twenty-sixth. This is the sixth hearing; they have continued every Wednesday, except last week, which was skipped to permit the respondent to petition the court for leave to introduce unexpected new evidence at the session against the granting of a divorce."

The detective frowned, not comprehending. "Unexpected fresh evidence. Exactly what do you mean? What was Mr. Rowland's evidence before that?"

"He offered no defense whatever, Mr. Rankin. Up to two weeks ago, he was represented at the hearings and attended himself, but made no attempt to contest the suit. And then on Thursday, May twenty-fifth, the day following our last meeting, his lawyer, Mr. Trumbull, notified Mr. Willard that he intended to enter a positive defense to bar the suit. He claimed it was based on newly discovered events, which had just occurred, and so could not have been presented earlier."

"And the nature of this defense?" Rankin inquired quickly.

"As I understand, also adultery," Mr. Dawson related. "Of course, since this tragedy prevented the introduction of testimony, I don't know the details. But in effect, Mr. Rowland offered to prove, through Mrs. Keith, that since his wife brought action she has had the same sort of illicit relations, with some one he doesn't name—as those of which she accuses him."

Mr. Simpkins cleared his throat. "Mr. Trumbull stated, however," he interposed hesitantly, "that Mrs. Rowland's . . . shem . . . alleged paramour was subpoenaed to be here today."

The detective's frown deepened, creasing his forehead with furrowed lines.

"Would such an answer, if true, bar Mrs. Rowland's suit?" he asked.

"Would it effectively prevent the granting of a decree, according to law?"

"Yes, altogether." The lawyer smiled at his perplexity. "I realize how absurd it sounds that, when both parties have been unfaithful and no longer love each other they shouldn't be allowed to separate, but the legal theory of the law is that the State is also an interested party in every marriage. It does not favor divorces and grants them only as a privilege, when the parties deserve one. The one seeking it must come into court with clean hands, his or her conjugal conduct must be exemplary and without any offense like that complained of."

"Then Mrs. Keith was a very important witness for Mr. Rowland, wasn't she?"

"Undoubtedly, if she really could establish, as he claimed, the guilty relations of his wife and her lover. Especially, I believe, as he is the only other witness, and his testimony is likely to be biased. But with hers, I should certainly have advised the court that Mrs. Rowland be refused a decree."

"Well, what can you tell me about Mrs. Keith? Who is she, Mr. Dawson? How is she connected with the parties in the case?"

The lawyer shrugged. "I know nothing whatever about her. As I said, she had not yet testified. I came direct from court this afternoon to the hearing, and didn't see her until Mr. Trumbull summoned us into that

office."

"Mrs. Rowland appears to have been acquainted with her," the clerk again spoke up, "and most unfriendly."

Rankin turned quickly to Mr. Dawson. "Is that so? What reason did he give?"

"He stated that some antagonism existed between them," Mr. Dawson explained, "which he feared would prejudice her against his sister. He suggested that she might evade the actual truth. Mr. Trumbull's answer to that was that she was a prominent member of Philadelphia society and could be trusted."

"But you've no idea what the trouble was—why they were at odds?"

The lawyer replied negatively, and a few more shrewd questions speedily showed Rankin that he could add no further pertinent facts at the moment.

On concluding his interrogation on these points, the detective turned to the communicating entrance.

"I suppose I can obtain from the others all the information about her I need," he said, "but that will have to wait now. I think, before I go any further, I'll take a look at the body."

Hardly knowing what to anticipate in the adjoining room, he was both shocked and surprised at the youth and beauty of the victim.

She was expensively but simply dressed in a plain, blue ensemble. Her only jewelry was a plain gold wedding ring on her left hand.

Faintly and only because he sought it, Rankin caught the aromatic, sweetish odor of chloroform in the office.

Dr. Clark bent over the still form to point out the marks of which he had spoken.

"Here you see, Mr. Rankin," he stated, "where the murderer held her while he pressed the chloroform pad to her nose."

The detective confirmed his examination. "So it seems," he agreed.

His gaze wandered to the windows in the right wall, partially open and with drawn curtains, and he crossed to them. Looking out he could see into another building, still taller, honeycombed with windows.

"It's lucky for the criminal," he commented, "that these windows had curtains."

He turned away and rejoined Mr. Dawson beside the body.

"How is it Mrs. Keith waited in here for her summons? Don't your visitors usually remain beyond the rail in the outside office until called?"

Mr. Dawson nodded. "Yes, it's the phone operator's place to inquire into their business and have them take seats there. But that applies ordinarily to strangers. Since these hearings, Mr. Trumbull has had free ac-

cess to the library; he may have had some reason for bringing her here."

"I'll have to question him about it," Rankin remarked and turned to the doctor. "Have you moved the body. Dr. Clark or did it lie this way when you arrived?"

"I did not disturb it for my examination," the physician answered.

The detective indicated the door to 1505, that led into the corridor.

"Then if she was killed here, and that door is locked, it simplifies matters. At least, it limits the criminal to some one arriving through fifteen-o-seven and to employees and members of the firm."

"That door is never used and is always bolted, Mr. Rankin," Mr. Dawson stated. "It requires a separate key from the other two entrances. Without a key, no one could possibly open it from the hall."

"Unless it was already unlatched from the inside," Rankin contradicted.

Halfway to the door, he paused to draw a handkerchief from his pocket. Careful not to grasp the knob,

he wrapped the handkerchief gingerly about the stem and exerted pressure. It turned and the door opened.

(CONTINUED NEXT WEEK)

Vainese farmers in Burke County are now harvesting grapes by the ton, with more than fifty varieties in the vineyards.

### NOTICE OF SALE OF REAL ESTATE

Under and by virtue of the power and authority contained in that certain deed of trust executed by G. C. Robbins and wife Lena Robbins and J. F. Robbins and wife, Tempe Robbins, to the undersigned trustee, which said deed of trust is dated August 9, 1934, and recorded in the office of the register of Deeds for Watauga County in Book 24 at page 195, and in Caldwell County in Book 153 at page 17, in Caldwell Registry, default having been made in the payment of the indebtedness thereby secured, the undersigned trustee will on Wednesday, September 11, 1935, at 10:30 a. m. at the Courthouse door of Watauga County, in the town of Boone, North Carolina, sell to the highest bidder for cash the following tract of land:

TRACT NO. 1—Lying and being in the town of Blowing Rock, in the Blowing Rock Township, Watauga County, North Carolina, and described as follows:

Being Lots Nos. 10, 11 and 12 of the A. S. Abernethy subdivision in the town of Blowing Rock, N. C., map made by G. L. Stine, Registered Engineer, on June 28, 1923, and for a more particular description of said lots, reference is hereby made to a plat thereof, which is of record in the office of the Register of Deeds for Watauga County, N. C.

TRACT NO. 2—At 1:30 p. m., at the courthouse in Lenoir, North Carolina, in Caldwell County, North Carolina, I will sell the following described property to wit:

Lying and being in Patterson Township, of Caldwell County, North Carolina, adjoining the lands of L. C. Greene, A. A. Miller and other, bounded as follows:

BEGINNING on a rock on bank of the road in turn of Turnpike (now Lenoir and Blowing Rock State Highway No. 17) running south 12 degrees west 24 poles to L. C. Greene's corner at top of ridge; thence a southeast direction with top of ridge with A. A. Miller's line to a stake on bank of turnpike (now N. C. Highway No. 17); thence a northwest course with said highway to the beginning, containing 9 acres, more or less.

This August 10th, 1935.

JOHN E. BROWN, Trustee.

**NOTICE OF EXECUTION SALE**

North Carolina, Watauga County, in the Superior Court: Peoples Industrial Bank vs. D. A. Swift.

By virtue of an execution directed to the undersigned from the Superior Court of Watauga County in the above-entitled action, I will, on Monday, the 2nd day of September, 1935, at 12 o'clock m., at the Courthouse door of said county, sell to the highest bidder for cash to satisfy said execution, all the right, title and interest which the said D. A. Swift, the defendant, has in the following described real estate, to-wit:

Adjoining the lands of Will Combs, E. F. Bingham and others; BEGINNING on a stake in the branch at a locust and runs south 74 east 5 poles to a stake; then north 73 east 29 poles to a stake in the Henson road at a small maple; then north 18 poles to a stake at a bridge; then north 12 west 12 poles to a stake in the branch; then north 17 east 9 poles to a thorn bush, Combs' line; then north 79 west 35 poles to a stake in the hollow; then down and with said branch to the beginning, containing 10 acres more or less and being the same lands described in a deed from Enoch Swift and wife, Martha Swift, to D. A. Swift, recorded in Book 41, page 408, in the Registry of Watauga County, which deed is given for further description of said property.

**SECOND TRACT:** Adjoining the lands of Mrs. Rose Fuiler, R. L. Henson, John Isaacs, et al. BEGINNING on a stake in road corner to Rose Fuiler's line; thence a southeast course about 3 poles to a stake south side bend of Cove Creek; thence south 57 west with said creek 5 3-4 poles to a stake corner of church lot in Henson's line; thence west with Henson's line 67 poles to a stake, Henson's corner; thence with Henson's line 24 poles to a dogwood; thence south 87 east 28 poles to a sourwood, top of ridge with old Isaacs line; thence north 25 west 20 poles to a chestnut oak; thence north 50 west 9 poles to a stake on top of ridge; thence west 54 east to a stake in road; thence a southeasterly course with road, Rose Fuiler's line to the beginning, containing 32 1/2 acres more or less. For further description see Book 38, page 206, in registry for Watauga County. This 31st day of July, 1935.

A. Y. HOWELL, Sheriff.

### NOTICE OF SALE

North Carolina, Watauga County.

Under and by virtue of the power of sale contained in a certain deed of trust made and executed on the 3rd day of May, 1932, by Jennie B. Critcher and husband M. P. Critcher, to secure the payment of a certain note of even date, said note being given as payment for the purchase price of the lands described in the deed of trust; and default having been made in the payment of the note under and by virtue of an order of the Clerk of the Superior Court of Watauga County, appointing the undersigned substituted trustee, C. S. Coffey, deceased, the undersigned will therefore offer for sale to the highest bidder for cash, on Saturday the 31st day of August, 1935, at 2 p. m., at the courthouse door in Boone, North Carolina, the following described real estate:

BEGINNING on a stake with loan pointers, in the Linney Turnpike on Rich Mountain, south 7 degrees east 7 poles from a chestnut on a ridge, the old Wilson and Little corner; and running South 85 degrees east to a stake in the turnpike, Council's and South's corner; then with said turnpike in a southwestwardly direction — poles to a stake in South's and Moretz's line; then north 23 east 18 poles to a chestnut stump near a hickory; then north — east 18 poles to a stake near twin oaks in the Council and Lane line; then north 62 west 6 poles to a stake near a large oak; then north 4 degrees east 182 poles with Laney's line to L. S. Hardy's line; then west 92 poles with the said line to a stake in the Patterson and Little line, and corner to said Hardy; then south with said line 76 1/2 poles to a stake at some large rocks; then west with Patterson's and Little's line 52 poles to a cucumber stump, a corner; then south 60 west with the same 10 poles to a stake in the turnpike and said line; thence with said turnpike as follows: south 64 east 20 poles, then south 49 east 16 poles, then south 20 east 8 poles, then south 18 1/2 west 12 poles, then south 33 west 9 poles, then south 18 east 5 poles, then south 64 1/2 east 14 poles, then south 55 east 14 poles, then south 57 east 28 poles, then south 64 east 14 poles to the beginning. Containing 123 1/2 acres more or less.

Done this the 30th day of July, 1935.

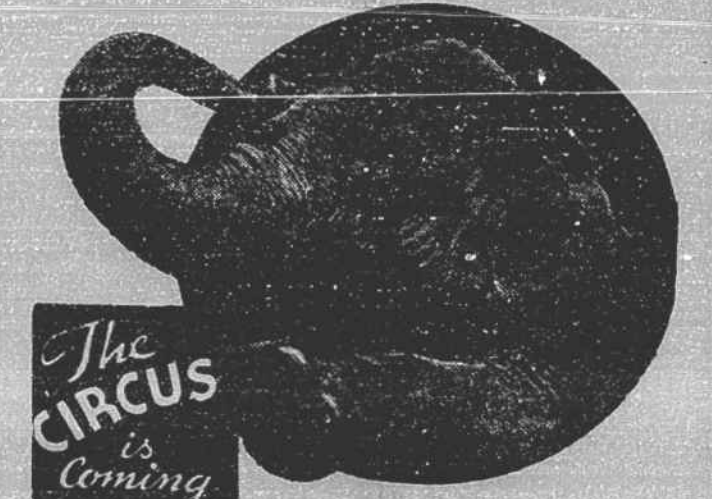
R. G. CALL, Substituted Trustee.

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**NOTICE OF ADMINISTRATION**

Having qualified as Administrator of the estate of the late Eliza Guy, this is to notify all persons having claims against the estate of said deceased to present them to me within one year of the date hereof, or this notice will be pleaded in bar of their recovery. All persons indebted to the estate will please come forward and make prompt settlement.

This the 19th day of July, 1935.

D. F. GREENE, Administrator  
 Eliza Guy, Deceased.

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