

A Complicated Case

The Man Who Was Accused of Having Murdered Himself.
By CUTHBERT BAKER.

I am an unfortunate man. I never committed a crime in my life, never even did a dishonest act, and yet I am in jail accused of murder. This may not be astonishing, for many an innocent man has not only been accused of but has been hanged for murder, but what is remarkable in my case is that I am accused of murdering myself.

Perhaps this isn't quite clear. If it isn't, it is either because the case is a very complicated one or I am not in a fit condition of mind to make it clear. The only way to unravel the matter so that it can be understood is to tell the story from the beginning.

Twelve years ago I came to Merford, a young man of twenty-five, to look for a job. I had no funds, and not getting a position at once, I ran in debt to my landlady. A month passed, and I had found nothing to do. My landlady told me that if I didn't show up by the next Saturday night she would have me arrested for a common vagrant and swindler.

That same day while walking about looking for a job I met a man on the street who looked so much like me that I stared at him as we passed. He turned and said:

"You must be a kin of mine. You look enough like me to be my own brother."

"What's your name?" I asked.

"William Higgins."

"I am Nicholas Van Winkle."

We couldn't trace any relationship, but he asked me into a beer saloon, where we pursued that and other subjects. He was an insinuating fellow and won my confidence so far that I told him of my financial trouble. What did he do but whip out a roll of new, crisp bills and invite me to help myself. I demurred at incurring obligations to a stranger, but he insisted and finally literally forced upon me four ten-dollar bills, saying that he was sure from the likeness between us we had sprung from a common stock and he didn't propose that any kinsman of his should suffer so long as he had plenty of money. I asked him for his address that I might return the loan after getting a position. He put his hand on my shoulder and said: "I won't tell you, lest you rob yourself to pay me before you are ready." With that he went out somewhat suddenly and left me very much surprised at all that had occurred.

The only thing to do was to consider the episode a piece of good luck, and going to my landlady, I gave her three of the bills, keeping the other for current necessities, which I purchased immediately.

The next day a policeman came to the house and produced a warrant for my arrest. The charge was passing counterfeit money, and the accuser was a druggist of whom I had bought a toothbrush and from whom I had received change for a ten dollar bill.

On these the generosity of my new friend was now perfectly plain to me. I didn't know and don't know now what he expected to gain by the transaction unless he hoped to use me later. My landlady, on seeing me, marched away by a policeman under a charge of passing counterfeit money took the bills I had given her to her bank, where they were pronounced spurious. When I was brought up for examination both she and the druggist appeared against me. I told the straight story, but without effect. Counterfeit bills had been shown into circulation, and the police had been looking for the shover. I was held for trial and spent six weeks in jail. Then I was tried. As there was no evidence connecting me with a gang of counterfeiters, I was acquitted and released.

But one thought absorbed me—to get even with the man who had played the trick on me that had kept me six weeks in a horrible cell and ruined me in the place where I had intended to settle. I walked the streets hoping to meet him till I was so weak from hunger that I couldn't walk any longer, then gave it up. But all the while I was thinking of a plan for revenge. At last I concocted one that might catch the counterfeiter and punish him for something more than breaking the government money laws.

I went to a wood in the outskirts of the town and to a tree pinned a piece of paper on which I had written in a trembling hand that I was about to be murdered by a man who had forced me to pass counterfeit money, I have threatened to put the police on to him and his gang. I described the man who had given me the spurious bills. In doing so of course I described my own personal appearance, but I didn't care for that, for I proposed to disappear from the place and play dead. Having taken this the only means I could think of to gain my revenge, I converted myself into a tramp and did not stop moving until I had gone some 1,200 miles from the town where I had had so much trouble. At the end of my tramp I found a man who gave me a job, and I rejoiced that at last I had reached a haven of rest.

One morning I took up a newspaper and read the account of my own murder. Every effort had been made to

and both my body, dead or alive, and my murderer. The police had sent out thousands of circulars giving the description of him that I had written, and it had been copied in many newspapers.

I noticed one day on looking up suddenly at my employer that he was scrutinizing me. It had occurred to me before this that my giving a description of my murderer that would answer as well for me as for him might lead to serious complications. Indeed, after seeing the description of the supposed murderer in the newspaper I had become very anxious. The result was that when I saw my employer looking at me as if comparing me with the description I turned pale. He looked away, and that ended the matter, at least for the time.

Several days later a man came into the store where I worked, had some words with my employer and then, advancing toward me, eyed me sharply; then he took a printed slip from his pocket and referred to it, evidently comparing me with it. At last he took out a pair of handcuffs, put them on my wrists and led me out of the store. It didn't occur to me to protest or to ask any questions. I knew I was to be taken back to the scene of my former troubles to answer to the charge of having murdered myself.

It didn't appear to me then that I should have any trouble in identifying myself. I resolved to say that I had succeeded in getting away from the man who had intended to murder me and had left that part of the country altogether. It didn't occur to me that such a story in the face of a charge of murder would appear pretty thin.

The first realization of my danger that came to me was in talking with the official who was taking me back to Merford. I told him the story just as I have thus far told it here. And what was his comment? It was this: "Young man, if you can't make up a better yarn than that you'd better be prepared for the worst."

This startled me. I had deemed it a misfortune to be taken back to Merford on a case of mistaken identity and to be put to the trouble of an explanation, but that I would be liable to conviction for murdering my own self had appeared so monstrous that it had not even entered my head.

"If you can't prove an alibi," added my keeper, "you're gone."

"What's an alibi?" I asked.

"Being somewhere else at the time the murder was committed."

"But I shall prove that I am the man I am accused of murdering."

He turned and regarded me with a cynical smile.

"See here," he said, "I've been mixed up with cases like yours for twenty years. Juries are ready to believe a lot of rot from a prisoner with whom they sympathize, but my advice to you is not to endeavor to work off on them any such rubbish as that."

This frightened me. I leaned back on the cushion of the seat as well as my handcuffs would permit and gave myself over to the most gloomy reflections.

When we reached Merford and I had been examined, not having any means with which to employ counsel, I was assigned one. He came to the jail and heard my explanation. When it was finished he said that he would not think of conducting a case on any such improbable line as that and if I insisted on his doing so I must find another defender.

What was I to do? All these people who were used to such cases agreed that I must not claim that I was myself. I asked my lawyer whom he thought I'd better claim to be. He said that it didn't make any difference what my name was. Criminals usually had plenty of names and used such as were convenient under different circumstances. The only point in my favor, he added, was that the body of the man I had murdered had not been found. He would make as much of this as possible and expected that he would be able to get me off with a sentence of life imprisonment instead of death.

He seemed to consider this quite a comforting assurance. For myself, I thought that even imprisonment for life in the case of one who had committed murder on himself or suicide, if it can be so construed, is rather hard lines. However, I told my lawyer that I wouldn't venture to suggest a line of defense to one who knew the law perfectly, and he might consider me either dead or alive, innocent or a murderer, as he saw fit. To this he replied that there had undoubtedly been cases where a lawyer knew his client to be innocent, but the evidence had been so strong against him that he had advised him to plead guilty and throw himself on the mercy of the court.

I won't go into the details of the trial. My lawyer was congratulating himself that he would get me off with a life sentence when the police, who had long suffered before the public for what was considered their negligence in the case of my murder, by continued digging in the wood where I had been murdered unearthed a body. I learned long afterward that it came from a corner of an old burial lot. But it was enough, with all the other convincing evidence against me, to hang me.

The only bit of good luck I have had at all has been the capture of the gang of counterfeiters to which my double belonged. I begged my counsel so hard to find him that to humor me he did so. The result was the bringing into court the real murderer of the man who was not murdered. Which of us would have had to swing for the murder if the other one had been absent I don't know. I am going out a free man, and I propose to disfigure myself so that I will never again look like anybody.

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