

Strange Features of the Doctor Wilkins Murder Trial

The Case Is Made Unusual by the Defendant, a Man of 67, Outwardly Mild and Benevolent, Charged With Killing His Wife With a Hammer

By Isabel M. Ross

HERE is one feature that makes the trial of Dr. Walter Keene Wilkins, charged with the murder of his wife, different from scores of similar trials that have filled the columns of the New York papers from time to time. The point of difference hinges on the person of the defendant.

That a man of sixty-seven, mild to all outward appearances, should take a hammer and in cold blood hit his wife on the head sixteen times seems almost incredible. According to the testimony of the various doctors who took the stand throughout the week, any two of the blows would have been sufficient to kill her.

The case against Dr. Wilkins is wholly circumstantial, but the chain of evidence is a strong one, and the prosecution is straining it to the utmost. The defence will open fire to-morrow. Whether or not the personal testimony of the defendant and the witnesses called by Charles N. Wysong, counsel for Dr. Wilkins, will offset the strong case built up by District Attorney Weeks is a matter of surmise. The prosecution has done its best to reduce to the point of absurdity the theory that three burglars committed the murder. The defence has announced somewhat mysteriously that it is morally certain of the identity of the burglars and hopes to prove that its suppositions are correct.

The Setting

No one walking casually into the courtroom at Mineola would suspect that a man's fate hung in the balance; that the twelve quiet men sitting in the jury box were soon to pronounce judgment on one of their fellows. The atmosphere throughout the week has been singularly free from the tense, strained interest that usually attends a murder trial. Save in one or two instances, when direct examination and crossfire grew hot and heavy, there was an utter lack of excitement. The people who have gathered in the courtroom may be divided into three distinct classes:

1. Those having a personal interest in the case.

2. The morbid who are always to be found at a murder trial and who attend every session as faithfully as the jurymen.

3. Casual visitors, who drop in and drop out with equal inconsequence.

Each day has found a coterie of feminine spectators present whose deportment has not entirely met with the approval of Justice David F. Manning. Glints of humor brighten the record pages of even the dullest of murder trials. So, when something amusing was said, however unwittingly, spectators laughed frankly and checked themselves precipitately when Justice Manning said, with much severity and an ominous shake of his head:

"This is a trial, ladies, not a matinee. A further exhibition of levity and out you all go."

The Principal

The defendant, as he sits facing the judge, presents an interesting problem, both from the psychological and physical standpoint. Some one has termed him a man without imagination. Perhaps this furnishes the key to his imperturbability. He has two mannerisms which have probably attended him all his life, but which are emphasized the more interested he becomes in the evidence disclosed. He has a juvenile trick of sticking the forefinger of his left hand in his mouth and sucking it. And he has a professional trick of twirling his glasses incessantly on their string. These appear to be his favorite ways of showing emotion.

He has sat without flinching as witness after witness has described the lacerations on his wife's head. He has seen the blood-stained hammer exhibited in court without the flicker of an eyelid. Witnesses have testified that at the autopsy he was quite unmoved while his wife's head was being sawed open. None of the physical aspects of the murder, from which most people instinctively shrink, appear to have had any effect upon him.

But tears have glistened in his eyes more than once. When his wife's bedraggled-looking purple velvet hat was produced in court the other day he came nearer to breaking down than at any point in the trial. He has laughed more than once. But for the most part his attitude is one of quiet concentration. His eyes never travel around the court. He comes in with brisk step and flushed cheek. As the day goes on his temporary exhilaration wears off. The flush fades from his cheek, leaving him pale and worn-looking. His lower lip droops and he sits with his mouth wide open.

The hands and feet of the defendant are more expressive than his features. They are restless, febrile. They show his age. His hands are heavily veined and nervous. They clutch spasmodically when he does not pose them, with fingertip resting against fingertip. His feet beat an incessant tattoo, and his knees, when he walks, are inclined to bump each other.

He has been pictured as a kindly, benevolent old man. His counsel has made much of this. He has personally sent out statements since the trial began, deploring the fact that so old a man should be accused of this brutal murder. If white hair and the weight of years constitute benevolence, then he carries the appellation well. Seen at a distance he might conceivably be termed a venerable old man. But watched hour after hour, day after day, as the testimony fluctuates for and against him, the impression of benevolence is obliterated.

His garb is professional. He wears a black braided cutaway coat, dark gray trousers and black tie. A black bordered handkerchief protrudes conspicuously from his coat pocket. His glasses hang on a thin black ribbon and he wears a gold ring. He looks well groomed and well fed. No one would ever associ-

ate a prison cell with this old gentleman sitting serenely through heavy indictment were it not for the police warden by his side.

There is none of the traditional stuffiness of courts about the building at Mineola where Dr. Wilkins is on trial for his life. Buried in foliage from the wide steps ranging up the front to the topmost point of its rounded tower, it seems too pleasant a place for the dreary association of iron bars and lonely cells. Through the open windows of the courtroom comes the sound of rustling leaves from nearby trees. It would be a quiet, pastoral scene but for the ceaseless activity on the roadway running past the courthouse and the intermittent purring of aeroplanes flying overhead.

The Judge

Presiding in the court is Justice David F. Manning. He impresses the onlooker as being a temperate, patient judge. Quick to appreciate the subtleties of a situation, calm and dispassionate in his treatment of prosecution and defence, he handles controversial developments with ease and promptly quells insubordination. Behind his judicial calm lies a strong vein of humor that occasionally comes to the surface, flashes momentarily and disappears again. He places strong emphasis on upholding the dignity of the court and is impatient of interruption or distracting outside elements. Several times he has admonished the court to remember the seriousness of a case where the defendant is fighting for his life. Justice Manning fans himself gently as his wideawake eyes look comprehensively on the scene spread before him. He is patient with witnesses and frequently steps in during examination to help them make themselves clear to the counsel. In overruling or sustaining objections offered by the defence or prosecution, he has a trick of waving his right hand with a decision that puts the quietus on further argument.

Counsel for the prosecution and defence make an interesting study in opposite types. They are sportsmen in their treatment of one another. Swords clash now and again, but petty squabbling is absent from their contact. They are working constructively rather than destructively.

A Big Moment

District Attorney Charles R. Weeks is on the offensive, truculent, quick to seize every opportunity, convincing in his arguments. He springs to his feet with the unexpectedness of a rocket going off. He hunches his shoulders, smiles suavely, is invariably polite and thrusts hard. He is at his best in declamation. This was apparent when he presented his case for the prosecution last Monday morning. He has a heavy, carrying voice and clear enunciation. With little apparent effort he worked himself up to the climax when, swivelling around to Dr. Wilkins, he pointed accusingly at him and said:

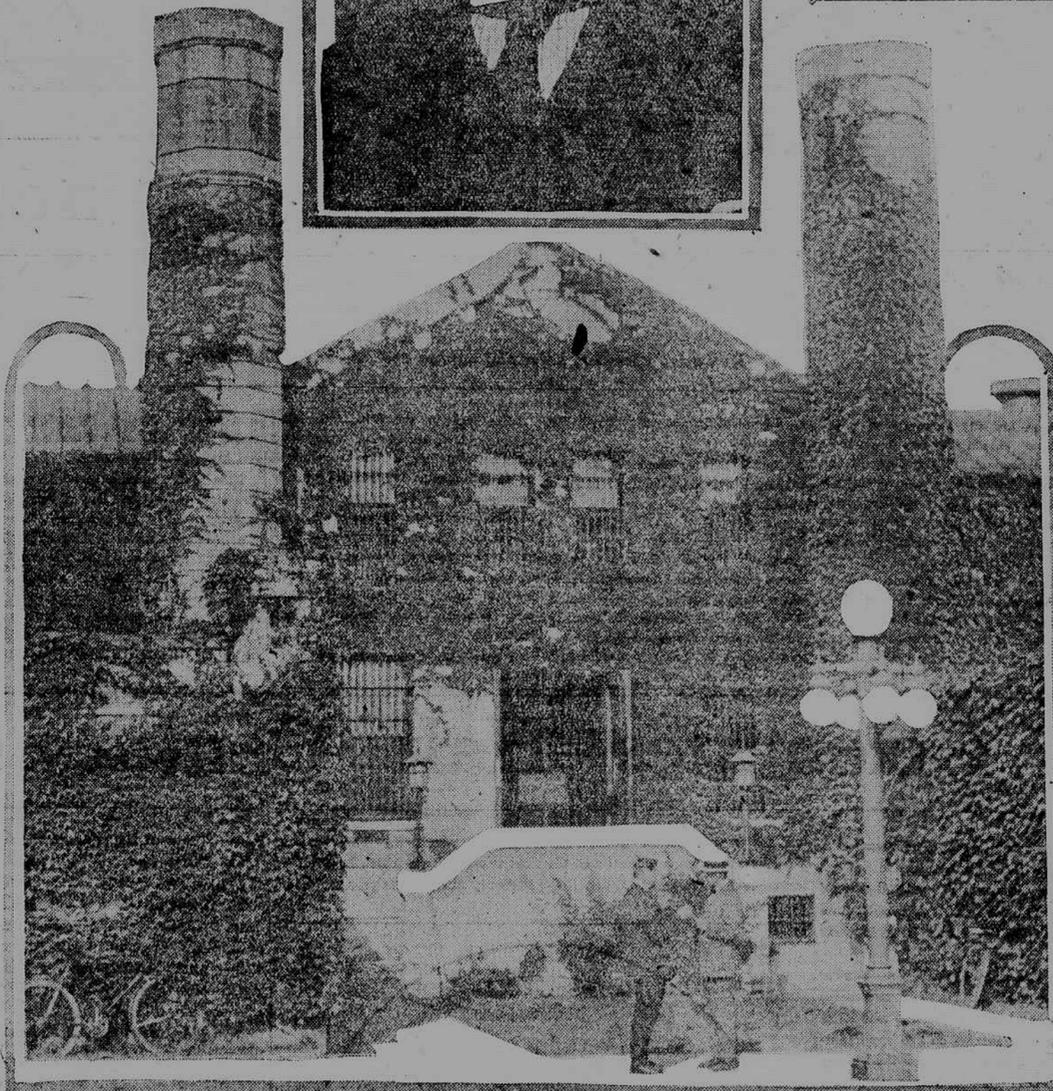
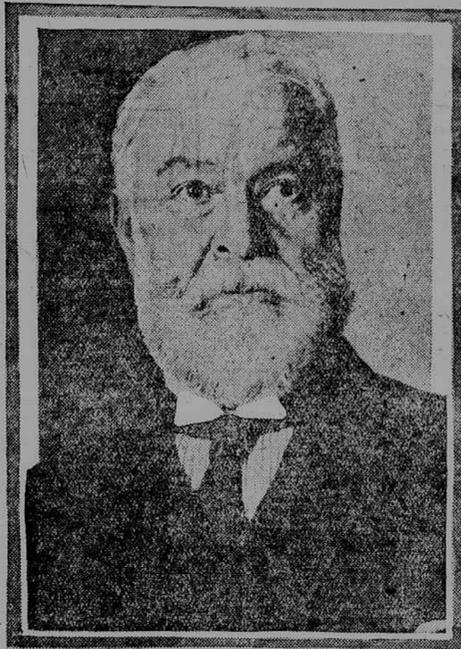
"I believe this defendant to be the murderer of Mrs. Wilkins." It was one of the most dramatic moments of the trial. The old man, who had been sitting so placidly with his mouth wide open and his eyes fixed scrutinizingly on the District Attorney's profile, slumped perceptibly in his seat. It was as if his backbone had suddenly softened. His jaw dropped; his eyes fell; his nostrils quivered and his hands twitched. Mr. Weeks had descended upon the defendant like a whirlwind.

Taken unawares, the aged physician crumpled up under the denunciatory shock.

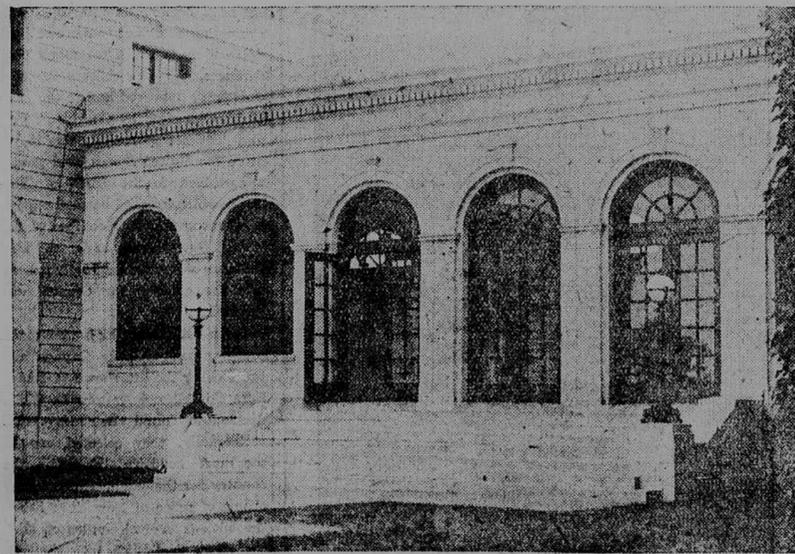
While Mr. Weeks springs to action

essentially on the defensive, but puts up a strong guard against the virile thrusts of the District Attorney. He is analytic in his methods of cross-examination, preserves a steady and unshakable calm and is deliberate in everything he does.

So far he has confined his offensive tactics to blocking the prosecution on points of order and in having characterization stricken from the records. To-morrow he gets his chance to present the case for the defence, when he will be seen from a new angle. Mr. Wysong is tall and spare and has quiet doggedness written in every line of his person. He has a big job ahead of him if he is to discount in the eyes of the jury all the evidence that the District Attorney has lined up against the defendant. But he is confident of success and pins his faith to the theory, which he hopes to substantiate, that the elusive burglars actually did exist. One of the strong points in his favor



The Nassau County Jail at Mineola, where Dr. Wilkins is confined pending the verdict. Above is a recent picture of the defendant.



Entrance to the Mineola Courthouse

is that, however convincing the case for the prosecution, the evidence is entirely circumstantial.

Sitting to the right of the defendant are two men who have attracted a good deal of attention to themselves, although actually figuring little in the case. Directly beside Dr. Wilkins is Samuel Whitehouse, who is acting in the capacity of advisory counsel. Sitting at his right is Louis G. Friess, who was formerly Mrs. Wilkins' lawyer

and is now assisting the defendant's counsel.

The Prompter

Mr. Whitehouse has made himself noticeable by the number of times in the course of a day that he runs back and forth to the railing to prompt Mr. Wysong during cross-examination. There is an irresistible temptation on the part of the spectator to call him the watchdog of the defence—a little

gray-haired gentleman with bushy moustache fussy mannerisms and tweed cottails that suggest another generation.

Mr. Friess, who has sustained some unpleasant knocks at the hands of the prosecution in the course of the week, is the most ill-at-ease man in the courtroom. He watches proceedings with what is perhaps an involuntary expression of extreme suffering. He takes notes continually and whispers fre-

quently to Mr. Whitehouse and the defendant. His face is ashen and his hands tremble as he writes.

The assistant counsel for the defence are kept busy. The defendant frequently leans over and whispers to them behind his hand. A great deal of head nodding, pencil scratching and high signs may be observed in the neighborhood of the defence. When Dr. Wilkins wants Mr. Wysong to emphasize a certain point he tells Mr. Whitehouse about it, whereupon Mr. Whitehouse hurries over to the attorney and gives him his client's message.

The Jury

Through it all the jurymen sit with impassive faces, watching every witness, sizing things up, observing the defendant and his attitude, preserving outward calm themselves. The twelve men picked out of 150 make a stalwart jury. There is nothing particularly professional looking about them, but

of living on his wife's money. Marrying for money had been a habit of his, District Attorney Weeks biting remarked in presenting the case last Monday. But as far as the neighbors could see, peace and harmony reigned in the home of the defendant and his wife. Their dogs, Duke and Duchess, are proving important factors in the case. Time and again witnesses have been asked to describe Duke's condition on the night of the murder. The defendant claims that the burglars hit the dog's head as well as that of the master. The little fourteen-year-old witness, however, testified to hearing screams before she heard the barking of dogs. The prosecution has placed much emphasis on this evidence, Mr. Weeks' contention being that if burglars were around the house that dogs would have barked before the murder was committed. The conclusion he draws is that the dogs barked when the struggle was in progress in the yard.

attention. She is over six feet tall and is extremely muscular. There is no lack of animation about her and she can wax vituperative at the least excuse. She is dark haired, dark eyed and white skinned. A trifle belligerent, somewhat self-assertive, distinctly conspicuous—that is Miss Murphy. She works at the Pennsylvania Hotel and was called to court because she rented a room in the Wilkinses' New York home, and is alleged to know something of the relations existing between the defendant and his wife.

The Fatal Night

The murder with which Dr. Wilkins is charged was committed at his Long Beach home on the night of February 27. The story he tells, in effect, is that he and his wife were returning to their home at night, and as they approached the entrance, saw shadows flitting by the door. He said to his wife: "You go and get help, Julia. I believe sneak thieves have got into the house." His wife is then supposed to have turned back, not to safety, but to her death. He went inside and was hit over the head with some weapon, which he has variously described as a "lead pipe," "bludgeon," "blackjack" or "blunt instrument." He contends that his hat saved him from death. One of the burglars said to him: "Keep quiet, Pop. We don't want to hurt you. We only want what you have." They are then supposed to have searched his person and taken his watch, stickpin and \$40. Last week's testimony showed, however, that the watch and stickpin were afterward discovered hidden away.

In telling the story of the crime to different witnesses who have testified in court, Dr. Wilkins has alleged to have slapped one of his pockets jubilantly and remarked: "But they didn't get this pocketbook with \$400."

He has told vaguely at different times of the identity of the burglars. One, he says, was called Dick, because when his wife's screams were heard outside one burglar said to the other: "Better go out, Dick, and quiet that noise. This is a mussy job." They wore gray caps pulled low over their faces; two were short and one was tall, he says.

Mrs. Wilkins was afterward found lying on the brick walk with sixteen lacerations on her head. A hammer and piece of lead pipe lay near by. She was taken to the hospital, operated on and died within the course of an hour or two.

It was not until March 17 that a warrant was issued for the arrest of Dr. Wilkins. He had been suspected of the crime for a week prior to this date.

When the net of evidence drew close and he realized after a long interrogation by Mr. Weeks that he was about to be taken into custody he went to Baltimore and registered at the Hotel Joyce under a fictitious name, using decoy handwriting. At the end of four days he returned, ostensibly to give himself up to justice, but before he had the opportunity he was arrested in the Pennsylvania Station.

The defendant has been married three times. His first wife divorced him. His second died. His third was murdered in a singularly brutal way. His guilt or innocence is still a matter of debate. It is expected that before the end of this week the jury will bring in its verdict.



District Attorney Charles R. Weeks

The distinction of the dogs has been shared, to some extent, by the monkey and the parrot. The Wilkins home has several times been described as a menagerie during the taking of testimony. It has been variously termed "filthy," "slovenly" and "untidy to the last degree."

The witness who has caused most stir than any one else so far in the Wilkins murder trial is Mary Murphy. She appeared at Mineola seething with indignation over being subpoenaed, and vowing it was a "dirty shame to call her, and she wouldn't be any use to either side." Miss Murphy's appearance, apart altogether from her rich Irish brogue, could not fail to attract

Gordon Fawcett Hamby

Two masked men, one tall and slimly built, the other short and heavy set, robbed the East Brooklyn Savings Bank of \$13,000 during the business hours of Friday, December 13. Two employes, who refused to be intimidated were shot to death. A nation-wide hue and cry was set up. The first suspect arrested, Roy Tyler, proved an alibi. A young man arrested in Tacoma and convicted there of murdering a friend admitted complicity in the Brooklyn bank robbery and murder, the police say. He gave his name as Gordon Fawcett Hamby. He has been brought to this city, and is awaiting trial for murder in the first degree in the Raymond Street jail.

IF THE trial for his life, opening to-morrow, should be rich in unexpected developments, Gordon Fawcett Hamby might not be bored. But even if he should become disinterested while he is being legally juggled between the great outdoors and the Little Green Door, he will exhibit none of his ennui. Yawning is impolite. Mr. Hamby confesses, to three murders and thirteen bank robberies, but not to being impolite. He believes in killing courteously and in robbing with decorum.

If Hamby, so suave, soft spoken and clear eyed, committed the crimes he attributed to himself in a signed confession in the hands of District Attorney Harry E. Lewis of Kings County he is a remarkable criminal. If he didn't commit them, he is a remarkable liar. In either case, his self-control and perfect ease give him a remarkable taint.

Physically, Hamby is 5 feet 10 inches in height and 162 pounds in weight. His shoulders are broad, but not thick. He is built on quick action lines, rangy and lithesome—a bad hombre in any argument. His dark suit is neatly fitting—he wears it, it doesn't wear him. His light hair is parted and brushed as

though he combed it for neatness, not for the captivation of feminine glances. He has the simplicity of the naturally well bred; the quiet manner of the gentry who converse in fists and guns, and discuss the matter verbally afterward.



Hamby



Charles N. Wysong, Attorney for Wilkins