Arbuckle Tells His Own Story

Continued from Page One

which Fatty Arbuckle told the story of his party belongs in this awful calendar of indescribable events.

When you said "Fatty is on the stand" to a citizen of San Francisco—and that is just what every one was saying to every one else fifteen minutes after the great McNab had gently and firmly ordered his man forward to the chair—the person addressed stopped in his tracks, looked incredulous, dropped whatever he had in his hand and started on a run for the Hall of Justice.

He became part of the mob that besieged the courthouse. The noon recess was lengthened because neither the Judge, the defendant, the lawyers nor the District Attorney could get through the crowd. They were dug out finally by a riot squad. All the politicians in California were there, pushing and crowding and looking for friends in office to get them in and saying "Hold on tight, dearie," for each clutched his beloved by the hand.

The Court Mobbed

Each beloved, dazzling in Sunday millinery, felt some of the weight of the police squad when it arrived on the double quick in response to a call of a frightened deputy sheriff who shouted over a telephone that the court was being mobbed.

It was, as a matter of fact, Fatty and his lawyers were frozen in a jam on the first floor. The District Attorney was found by the police unable to move backward or forward in the main corridor. Women were weeping. The attendants had retired into the courtroom and slammed the doors.

Women were the most relentless fighters in the crowd. They begged and wheedled to be permitted to enter the courtroom and were not satisfied even if they were permitted at last to stand outside in the corridors. They pushed at the doors even after Judge Louderback ordered them away.

Over all this scene the pink and green extras descended in millions.

Within, at last, all was quiet again and Fatty was in the witness chair, looking trim in a new blue suit and drinking a glass of water a minute. He began his narrative at 10:30 and resumed it under ironic cross-examination when court opened for the afternoon session. Each of his lawyers sat tense, waiting to leap to his assistance.

Their help was not needed. Fatty had a good hold of himself and he reeled off his story slowly in a steady and agreeable voice. The old grimace of confusion and chagrin which moviegoers used to know flashed repeatedly over his face when he was pressed hard or when he referred to his period in jail when he was first charged with murder.

Comedian Dignified

His slow and careful voice filled the room and he bore himself with a nice dignity. He arose now and then to demonstrate the manner in which he lifted Miss Rappe or to stroll over to a great diagram of the hotel suite pinned to the wall in order that he might indicate a particular location or point of action.

You were expected as the recital continued to imagine this Fatty rolling up comfortably from Los Angeles in his $25,000 motorcar to keep a dance and dinner date with a charming and well-bred lady, Mrs. Taube, of San Francisco. Lowell Sherman attended him at the hotel. This, of course, was on September 4, the day before the party.

Lowell Sherman was the next day attended by Freddie Fishbach. Freddie Fishbach, who does something or other in the movies, was in turn attended by Ira Fortlouis, a traveling salesman.

These worthies made a sort of rendezvous of Fatty's rooms. Rising at 11 o'clock on the morning of Labor Day, as a person may whose income is about $159,000 a year, Fatty found his suite filled with noise and gay laughter.

Freddie Phones for Girls

Soon there was the scent of gin and Scotch and toast and coffee and omelet and all the things which the high rollers of Hollywood have for breakfast. Freddie Fishbach was telephoning to some girls and to one girl particularly whom Ira Fortlouis wanted to meet. That girl was Virginia Rappe.

Fishbach got the party well under way and then expressed a desire to borrow Fatty's $25,000 motor.

"I said all right, go ahead," testified Fatty.

Meanwhile, Mrs. Maud B. Delmont had arrived and was getting into pajamas in one of the two bedrooms that opened off the middle sitting room. Came later Virginia Rappe, Alice Blake and Zey Prevost arrived in turn. Fatty said repeatedly that he invited nobody to the party and that he had asked Freddie Fishbach to get rid of Ira Fortlouis. But Ira hung around.

The scene seems to shift in Fatty's mind at the point, midway in the day, when he switched from coffee and toast to Scotch highball. He had no clear recollection about hours or the movement of the sun overhead. He pictured himself as one accustomed to paying bills, sitting on a sofa and arising to telephone to the hotel office for a Victrola because Virginia Rappe said she wanted to hear music.

Time Flies for Fatty

Years passed, seemingly, and Fatty was still sitting on the sofa in the sitting room where the breakfast was spread, clad in pajamas and dressing gown and drinking highballs, when he was aware of Virginia passing into the bedroom opposite the one that he occupied. Time was flying. Freddie Fishbach would soon be back with the $25,000 car and he had promised to take Mrs. Taube motoring.

The other members of the party were moving about. He had no clear recollection of what they were doing. He decided, he said, to shave and dress. He entered his room and locked the door. He tried to open the door of his bathroom and was aware of an obstruction. He looked around the edge of the door and saw Virginia lying on the bathroom floor, apparently ill and in great pain.

"I lifted her up like this," said Fatty, demonstrating, "and she was sick, and I held her head. I asked her what was the matter, and she said she was used to spells of illness and would be all right if she could lie down for a few minutes. So finally I carried her out to the bedroom and she sat on the edge of the bed for a minute and then I lifted her feet and she lay down. I returned to the bathroom and when I came out in a few minutes I saw that Miss Rappe had fallen between the two beds that were in the room.

"I had difficulty getting her up, but I did finally and laid her on the other bed. She was moaning then and tearing at her clothes. So I unlocked the door and went out into the sitting room and ——."

"Whom did you see?" asked the prosecution.

"Miss Prevost was there. If there was any one else I don't remember it. A little later Mrs. Delmont came in. It might have been a few seconds later; maybe it was a few minutes. I don't remember. I told them that Miss Rappe was sick, and they went in the room and I stayed outside for a while. When I went in they had Miss Rappe's clothes off and were putting ice on her body. A piece of ice was on her body, and I took it off, and Mrs. Delmont made me put it back again.

Threatened Mrs. Delmont

"She told me to mind my own business, that she was running things and would look after Virginia. Then I told her to shut up or I'd throw her out the window. Then I went out again. Mrs. Taube had arrived and she knew the management of the hotel, and I asked her to telephone to the office so that Miss Rappe might be taken to another room."

Harsh cross-examination intended to show how Fatty's version of the story differed from that of all the other witnesses, including Zey Prevost, who swore that Virginia Rappe was alone with Arbuckle for a half hour or more, and that repeated kicking and knocking on the door were necessary before Fatty turned the key and opened it, left the sad-looking funny man unshaken.

Fatty ended his testimony by saying that, suspecting nothing wrong, he dressed in evening clothes, descended to the hotel ballroom and danced until midnight. Meanwhile Virginia Rappe, in a room on the twelfth floor, was passing into the delirium that didn't end until she died.

"And," said the prosecuting attorney, "you never told this story to any one before?"

"I told it to my lawyer, Mr. Dominguez, in the first place," said Fatty, "and later I told it to Mr. McNab."

"Will you tell me why, if all this is true, you kept quiet at the time of your arrest and refused absolutely to tell what happened in your private room?" said the District Attorney again.

"Advice of counsel," said Fatty.

"That's all," said the Prosecutor, and Fatty, looking tired, plodded down to his chair at the lawyers' table and reached for another glass of water.

Today the prosecution is preparing to show by expert testimony that Virginia Rappe could not have met her death in the manner described by the man who is blamed for it.

"They have nothing on that girl," said District Attorney Brady, "and there is doubt whether the organic weakness that has been the subject of so much testimony could have mattered in the least, and I believe that the three physicians who are now making a microscopic examination at the direction of the Court will testify that there was no such contributing cause as the defense has been trying to indicate.

"We have every reason to believe that Virginia Rappe was in perfect health when she entered Arbuckle's rooms. I have issued subpoenas in Hollywood to bring people who knew her, who saw her repeatedly at dinners where drinks were served and who will testify that alcohol affected her as it affects other normal people and in no other way."

Mr. Brady added that the summons issued for Miss Louise Glaum was the result of a misunderstanding. Miss Glaum, he said, can tell nothing of importance in relation to the Arbuckle case. Testimony in rebuttal—that is, evidence of a sort calculated to refute testimony already entered—may go on for several days.

The State won a victory when it succeeded in disqualifying the finger-print expert summoned by Fatty's lawyers to discount the testimony of the State's microscopist, Heinrich, of the Univeristy of California.

Heinrich and the print of a hand on the panel of the hotel door standing behind Judge Louderback's chair are weighty factors in the case against Fatty, and the jury will hear more of them before it is permitted to retire.

San Francisco, Nov. 29.—(By A. P.)—Rebuttal testimony was the order of the day at the reopening of the Roscoe Arbuckle manslaughter trial today. The District Attorney's office, after a conference of all those engaged in the prosecution, announced that about forty witnesses would be heard.

The testimony each is expected to give is so brief, however, that it was indicated it probably would be completed today.

Among witnesses on the prosecution's list for today was Mrs. Catherine Fox, of Chicago, a close friend of Miss Rappe. It was intimated she would testify that Miss Rappe's health was good.

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The captain is eighty-one years old. He was at one time captain of a schooner, later a general contractor and farmer. They have been living in retirement for twelve years or more. Mrs. Bryant, who was born in Belfast, Me., seventy-four years ago, traveled the seas for five years with her father, who was a sea captain.

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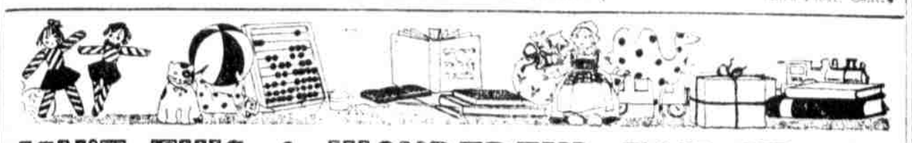
Strawbridge & Clothier—Third Floor, Centre



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